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**Coconino County Zoning Ordinance**  
**Adopted November 12, 2019 by Ordinance 2019-14**

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## CHAPTER 1: General Provisions

### 1.1 Short Title and Authority

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#### 1.1.A. Short Title

These regulations shall be known and may be cited as the “Coconino County **Zoning Ordinance**” and will be referred to herein as “this Code” or “this **Ordinance**.” All appendices, tables, exhibits, and maps within the Ordinance are hereby adopted and shall be incorporated herein as a part of this Ordinance.

#### 1.1.B. Authority

This Ordinance is adopted pursuant to the authority contained in the Arizona Revised Statutes (A.R.S.) § 11-811 et seq. and the general laws in order to conserve and promote the public health, safety, convenience, and general welfare of the present and future citizens of Coconino County.

### 1.2 Purpose, Intent, and Use

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#### 1.2.A. Purpose

For the purpose of providing requirements necessary to implement the vision, goals, objectives, and policies of the Coconino County **Comprehensive Plan** and to ensure consistency and conformity between the Comprehensive Plan Land Use designations and Zoning Districts, a Zoning Ordinance establishing classifications of **Zones**, and regulations within those Zones, hereby is established and adopted by the **Board of Supervisors**.


#### 1.2.B. Intent

The intent of the Zoning Ordinance is:

1. To safeguard and enhance the appearance, function, and quality of both new and existing development of Coconino County;
2. To promote a comprehensive, orderly, and efficient **Use** of land resources, and ensure compatibility and safety between land uses;
3. To establish standards regulating use and physical development of land;
4. To provide for procedures that respond uniformly and consistently to development proposals; and
5. To establish offices, boards, and commissions and define the power and duties of each.

#### 1.2.C. Use

To provide clearly defined terminology and definitions, terms and words beginning with a Capital letter are defined in **Chapter 6, Definitions**. Other terms capitalized but not defined are proper nouns and subjects.

To provide easy identification of sections that promote the concept of sustainability, as described in the Coconino County Comprehensive Plan, this Code contains a unique symbol  indicating a standard, use or section that features allowances to support sustainable development.



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## 1.3 Private Agreements

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The provisions of this Ordinance are not intended to abrogate any **Easements**, covenants, or other existing agreements that are more restrictive than the provisions of this Ordinance.

## 1.4 Conflicting Regulations and Statutory Changes

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### 1.4.A. Conflicting Regulations

Where, in any specific case, different sections of this Ordinance or any other **County** ordinance applicable to the same area specify different requirements, the more restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall apply.

### 1.4.B. Statutory Changes

References to Arizona Revised Statutes are those in effect on the date of adoption of this Ordinance and any subsequent amendments thereto.

## 1.5 Establishment of Zones

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### 1.5.A. Division of County into Zones

This Ordinance designates zoning districts that classify and regulate land uses within the zoning districts for the purpose of:

1. Implementing the **Comprehensive Plan**;
2. Designating the appropriate use of land throughout the County and regulating new development to ensure logical and orderly growth and development that improves the County's overall quality of life;
3. Conserving and enhancing the aesthetic, natural environmental systems, social, cultural, and economic values of the County; and
4. Protecting, maintaining, and improving the character and integrity of established communities and neighborhoods.

### 1.5.B. Zoning Districts

1. In accordance with the authority granted under A.R.S. § 11-811 et seq., the County is divided into the following zoning districts and overlay districts (**Table 1-1**):



**TABLE 1-1: ZONING DISTRICTS**

No.	Symbol	Name
<b>Residential Zones</b>		
1.	G	General Zone
2.	AR	Agricultural Residential Zone
3.	RR	Rural Residential Zone
4.	RS-6,000	Residential Single Family Zone
5.	RS-10,000	Residential Single Family Zone
6.	RS-18,000	Residential Single Family Zone
7.	RS-36,000	Residential Single Family Zone
8.	RM-10/A	Residential Multiple Family Zone
9.	RM-20/A	Residential Multiple Family Zone
10.	RMH	Residential and Manufactured Home Zone
11.	MHP	Manufactured Home Park Zone
<b>Commercial Zones</b>		
1.	CN-0.5/A	Commercial Neighborhood Zone
2.	CG-10,000	Commercial General Zone
3.	CH-10,000	Commercial Heavy Zone
<b>Industrial Zones</b>		
1.	IP-20,000	Industrial Park Zone
2.	IL-10,000	Light Industrial and Manufacturing Zone
3.	IH-6,000	Heavy Industrial Zone
<b>Planned Districts and Special Purpose Zones</b>		
1.	RC	Resort Commercial
2.	PRD	Planned Residential Development
3.	PC	Planned Community Zone
4.	PS	Public and Semi-Public Zone
5.	OS	Open Space and Conservation Zone
6.	MR	Mineral Resource Zone
<b>Overlay Zones</b>		
1.	FPM	Floodplain Management Overlay Zone
2.	DRO	Design Review Overlay Zone

- Regulations within Zones. Within each of the zones, the use, location, height, and size of **Buildings** and **Structures**; use of land and size of lots, **Yards**, courts, and other open spaces; number of **Dwelling Units** per acre; **Density** of development; **Performance Standards**; and other provisions are regulated as set forth in the following chapters of this Ordinance.



### 1.5.C. Zoning Map(s)

1. Adoption of Zoning Districts – Maps. The locations and boundaries of the zoning districts shall be shown, delineated, and designated on the “Official Zoning Maps” of the County of Coconino, Arizona, which maps, together with all notations, references, data, Zone boundaries, and other information thereon, shall be included in this Ordinance as if the matters and other information set forth by said map(s) were all fully described herein.

### 1.5.D. Zoning District Boundaries

Where uncertainty exists concerning the boundaries of any zoning district shown on the Official Zoning Map, the following rules shall apply:

- A. Where the intended boundaries on the Official Zoning Map are approximately highway, road, **Street**, or **Alley** lines or the centerlines thereof, said highway, road, street, or alley lines shall be construed to be the zoning district boundaries.
  - B. Where the indicated boundaries are approximately **Lot Lines**, said Lot Lines shall be construed to be the zoning district boundaries.
  - C. Where the indicated boundaries are approximate jurisdictional boundary lines (federal, tribal, county, or municipality), said boundary lines shall be construed to be the zoning district boundaries.
  - D. Where the indicated zoning district boundaries are approximately following the line of any **Stream** or other waterway, the center of such Stream or waterway shall be construed to be the zoning district boundaries.
  - E. Where zoning district boundary lines are fixed by dimensions shown on the Zoning Map, such dimensions shall govern. Where land has not been subdivided into lots, the zoning district boundary shall be determined by the use of the scale of measurement shown on the Official Zoning Map.
  - F. Whenever any highway, road, street, Alley, or other public way is abandoned by the County, the zoning districts adjoining each side of such highway, road, street, Alley, or public way shall be considered as extended to the center of such **Abandonment** and all areas included in the vacation shall then be subject to all appropriate regulations of those zoning districts. Upon motion by the **Board of Supervisors**, such vacated public way may be designated as all or part of adjacent districts.
2. The **Board of Adjustment** may interpret the zoning ordinance and Official Zoning Map to resolve disputes if the location of a zoning district boundary is in doubt, in accordance with **Section 5.10**.
  3. Conditions imposed by special ordinance in conjunction with amendments to the Zoning Map may be referenced to separate files maintained in the Community Development Department offices and are hereby made a part of the Official Zoning Map.



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## 1.6 Applicability

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### 1.6.A. Application of Provisions

1. The provisions of this Ordinance shall govern the development and the uses of all buildings, structures, and land within the corporate limits of Coconino County. Any violation of the standards listed in this ordinance is a **Nuisance Per Se**.
2. Any use not described and included by this Ordinance as being a permitted use, a use subject to conditions, or a use subject to a use permit within a specific zoning district shall be prohibited and is a violation of this Ordinance unless the **Community Development Director**, as confirmed by the Planning and Zoning Commission per **Section 5.9**, determines the use is substantially similar to other uses permitted in the zone.
3. Except as limited by A.R.S. § 11-321(E), no building, structure, or land shall be used, occupied, or developed and no permit, certificate, or license shall be issued for such unless it is in conformity with all applicable provisions of this Ordinance. Any permit, certificate, or license issued in conflict with the terms or provisions of this Ordinance is subject to revocation, and/or work stoppage order, and any other remedy available as law. The exception being any building or structure with a valid building permit issued under the provisions of an earlier ordinance of the County, which may be continued and completed in accordance with the plans and specifications upon which the permit was issued.
4. All physical changes, or changes to the use of a building or land, as evidenced by increased parking requirements or change of occupancy occurring to existing properties after the effective date of this Ordinance shall be subject to all provisions of this Ordinance.

## 1.7 Severability

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If any section, subsection, **Subdivision**, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any **Person** or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other Persons or places. The **Board of Supervisors** hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions, or the application thereof to any Person or place, be declared invalid or unconstitutional.

## 1.8 Statutory Exemptions for Railroad, Mining, Metallurgical, Grazing or General Agriculture, Agricultural Composting, and Sale of Food by Producers

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Pursuant to A.R.S. § 11-812(A)(2) and (3), nothing contained in this Ordinance shall prevent, restrict, or otherwise regulate the Use or occupation of land or improvements for railroad, **Mining**, metallurgical, **Grazing**, general **Agriculture** purposes, **Agricultural Composting**, or sale of food by producers, if the **Parcel** concerned is five or more contiguous **Commercial Acres** in size. Property is not considered exempt from this Ordinance unless and until the Coconino County Community Development Department issues a Certificate of Exemption for that property. In order to secure a certificate of



exemption, an applicant shall submit a zoning exemption application, including a **Site Plan** and other reasonable supporting documentation, as prescribed by the application form.

### 1.8.A. Exemption Eligibility

Only property classified by the Coconino County Assessor's Office or the Arizona Department of Revenue as property used for one of the purposes enumerated in the paragraph above is eligible for exemption under this section. If property has been so classified, the property is exempt from the Coconino County Zoning Ordinance and/or building code, unless the **Community Development Director** determines that all or part of the property is not used primarily for one or more of the purposes enumerated above.

### 1.8.B. Agricultural Composting

Concurrent with a zoning exemption application, an **Agricultural Composting** operation exempt under this section shall notify in writing the **Board of Supervisors**, and the fire district in which the composting operation is located, of its operations. If the nearest fire department is located in a city, town, or fire district where the Agricultural Composting is not located, the Agricultural Composting operation shall also notify in writing the nearest fire department or district.

### 1.8.C. Review

Exempt status is open to review by the Coconino County Community Development Department and may be canceled at any time upon a determination by the Director that the property is no longer being used for an exempt purpose. Any Structure built under an exemption that does not meet the underlying Zoning district and/or Coconino County building code may be required to comply with said standards if, at a future date, the exemption is no longer applicable. The denial of a Certificate of Exemption may be appealed to the **Board of Supervisors** in accordance with **Section 5.5** of this Ordinance.

### 1.8.D. Sale of Food by Producers

Pursuant to A.R.S. § 3-561 to 3-563, nothing contained in this Ordinance shall prevent or restrict a producer of food from selling products raised or grown on the same property.

## 1.9 Fees

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All applications for permits in relation to this Ordinance shall be accompanied by a fee established by resolution of the **Board of Supervisors**.

### 1.10 Computation of Time

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Deadlines are calculated according to the Arizona Rules of Civil Procedure. (All deadlines of 10 days or less are based upon business days, 11 or more are calendar days. The first day is not counted, but the last day is counted.)

### 1.11 Conformance with the Comprehensive Plan and Area Plans

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This Ordinance is intended to implement the goals and policies of the Coconino County **Comprehensive Plan**. The Coconino County Comprehensive Plan is the overarching policy document for land use decisions within the County. **Area Plans** for communities within the County have been adopted as



amendments to the Comprehensive Plan and provide more specific policy guidance for each area. Any amendments to or actions pursuant to this Ordinance shall be in conformance with the Comprehensive Plan and its amendments, Area Plans, and relevant laws, as may be amended from time to time.

## 1.12 Permit Requirements

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### 1.12.A. Zoning Compliance Review

Zoning compliance review is completed in conjunction with each of the following permits and permit requirements:

1. The adopted Building Code sets the minimum standards for all construction within the County, and as such a **Building Permit**, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration, relocation, or change in use of any building or other structure. Plan review, by the **Community Development Director** or designee, is required for all uses and/or developments prior to the issuance of a building and/or grading permit.
2. Except as limited by A.R.S. § 11-321(E) and **Section 1.6.A.3** of this Ordinance, no building permit or other permit (**Sign** permit, lighting permit, etc.) required by this Ordinance or other County regulations may be lawfully issued, nor shall a Certificate of Occupancy be granted until the **Community Development Director** or designee has given authorization indicating all requirements of this Ordinance, all conditions and stipulations of approval, and any other specific project-related requirements have been met.
3. Except as specifically provided to the contrary in this Ordinance, each review and approval required by this Ordinance shall be independent of every other review and approval, and no review or approval shall be deemed to waive or satisfy any other requirement set forth herein.
4. Applications and submittal requirements for construction can be obtained from the Community Development Department. The required fee shall accompany all applications.
5. If any type of use permit or **Variance** is required, the use permit and/or variance shall be obtained prior to issuance of building and/or any construction permits.
6. A Floodplain Permit, as required by this Ordinance, shall be obtained prior to the construction, reconstruction, alteration, relocation, or change in use of any **Building** or other Structure.
7. Design and Development Standards. The **Site** design standards, and the individual development regulations for the different zoning districts, are outlined in the following chapters herein. These standards provide certainty to property owners, developers, and neighbors about the limits of what is allowed. Conformance with these standards shall be ensured by the Director, in accordance with **Section 1.11**, prior to building permit issuance.

### 1.12.B. Permit Applicants

All applications for permits must be signed by the owner of the property that the permit pertains to. If there are several **Person** or entities with land-based interests in the property such as tenants, easement-holders, or holders of a mortgage or note, the **Community Development Director**, in his or her sole discretion, determines which land-interest holders must sign the permit application. The applicant shall be the proponent of the project or the property owner, but must be the party



responsible for meeting the conditions of the permit. Refer to **Chapter 5, Administration**, of this Ordinance for further application and permit information.

## 1.13 Planning and Zoning Commission

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### 1.13.A. Establishment

There is hereby established, pursuant to A.R.S. § 11-802 et seq., a countywide Planning and Zoning Commission, to fulfill the County's planning function, to be known as the Coconino County Planning and Zoning Commission (the "Commission").

### 1.13.B. Powers and Duties

In addition to any authority granted to the **Commission** by Arizona law, this Ordinance, or other ordinances of the County, the Commission shall have the following duties:

1. To hold public hearings when necessary or when required by law.
2. To initiate, hear, review, and make recommendations to the **Board of Supervisors** regarding applications for amendments to the **Comprehensive Plan** or **Area Plans**, in accordance with the provisions of this Ordinance. On an annual basis, review the implementation progress and make recommendations to the Board on necessary updates or refinements to the Comprehensive Plan.
3. To initiate, hear, review, and make recommendations to the **Board of Supervisors** on all matters concerning or relating to the creation and amendments of this Zoning Ordinance, the Zoning District Map(s), the boundaries thereof, the appropriate regulations to be enforced therein, and to undertake any other activities within the scope of the planning and zoning power.
4. To hear and make recommendations to the **Board of Supervisors** on such matters as applications for subdivision preliminary plats, and any subdivision regulation exceptions in accordance with the provisions of this Ordinance and the provisions of the County's Subdivision Ordinance.
5. To hear, review, and determine action(s) on applications for **Conditional Use** Permits and Design Review Overlay Cases and, if necessary, determine appeals on Administrative and **Temporary Use** Permits.
6. To hear cases for determination of Uses not listed, as per **Section 5.9.A**.
7. To confer and advise with other town, city, county, regional, or state planning agencies and commissions.

### 1.13.C. Membership

The **Commission** shall consist of 10 members who shall be qualified electors of the County. Two members shall be appointed from each supervisorial district by the supervisor from that district. Members shall be residents of the district from which they are appointed. Members of the commission shall serve without compensation except for reasonable travel expenses.

### 1.13.D. Term of Office

The term of office of the members of the **Commission** shall be 4 years. The incumbent Commissioner shall continue to serve, after his or her term of office has expired, until a successor has been appointed.



In the event of a death, resignation, or removal from the Commission, a resident appointed by the Supervisor of that district shall fill the vacancy for the unexpired term.

### 1.13.E. Rules and Regulations

The **Commission** may make and publish bylaws to govern its proceedings and to provide for its meetings.

### 1.13.F. Appeals

Appeals of decisions made by the Planning and Zoning Commission may be made as prescribed in **Section 5.5** of this Ordinance.

## 1.14 Board of Adjustment

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### 1.14.A. Establishment

There is hereby established, pursuant to A.R.S. § 11-816 et seq., a countywide Zoning **Board of Adjustment** to be known as the Coconino County Board of Adjustment.

### 1.14.B. Powers and Duties

In addition to any authority granted to the **Board of Adjustment** by Arizona law, the Board of Adjustment shall have the following powers and duties:

1. To hear and decide appeals if the meaning of any word, phrase, or section is in doubt, if there is a dispute between the appellant and enforcing officer, or if the location of a district boundary is in doubt.
2. To hear and decide requests for variance from the terms of this Zoning Ordinance if, owing to a peculiar situation, a strict interpretation would work an unnecessary hardship and if, in granting the variance, the general intent and purposes of the zoning ordinance will be preserved.
3. The Board of Adjustment may not:
  - A. Make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance, provided the restrictions in this paragraph shall not affect the authority to grant variances pursuant to **State Statutes**.
  - B. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

### 1.14.C. Membership and Term of Office

The **Board of Adjustment** shall be composed of a total of five members who shall be residents and taxpayers of the County. There shall be one member appointed from each supervisorial district by the supervisor from that district. Members shall be residents of the district from which they are appointed. Each member shall be appointed for a term of 4 years. Members of the commission shall serve without compensation except for reasonable travel expenses.

### 1.14.D. Rules and Regulations

The Coconino County **Board of Adjustment** may adopt all rules and procedures necessary or convenient for the conduct of its business.



### 1.14.E. Appeals to Board of Adjustment

Appeals to the **Board of Adjustment** may be taken by any **Person** who feels that there is an error or doubt in the interpretation of the ordinance or that, due to unusual circumstances attaching to the Person's property, an unnecessary hardship is being inflicted upon the Person. The appeal shall state where it is a plea of an interpretation or a variance and the grounds for the appeal.

Any Person aggrieved in any manner by an action of the Board of Adjustment concerning an interpretation or variance may appeal within 30 days to the Superior Court, and the matter shall be heard de novo.

## 1.15 Board of Supervisors

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### 1.15.A. Powers and Duties

In addition to any authority granted to the **Board of Supervisors** pursuant to A.R.S. § 11-251 et seq., the Board of Supervisors (the "Board") shall have the following powers and duties relative to Planning and Zoning and this Ordinance:

1. To initiate, adopt, and amend the **Comprehensive Plan**; including the text, maps, and exhibits, and all elements of the Comprehensive Plan, after recommendation by the **Commission** in accordance with the provisions of this Ordinance.
2. To initiate, adopt, and amend the **Area Plans**; including the text, maps, and exhibits, and all elements of those Area Plans, after recommendation by the **Commission** in accordance with the provisions of this Ordinance.
3. To initiate, hear, review, and adopt amendments to the Zoning District Map(s), the text of this Ordinance, and on zoning applications after recommendation by the **Commission** in accordance with the provisions of this Ordinance.
4. To hear, review, and act upon subdivision plat applications, and the text of the Subdivision Ordinance, after considering recommendations of the **Commission** in accordance with the provisions of this Ordinance and those of the Subdivision Ordinance.
5. To hear, review, and act upon requests of appeals on **Conditional Use** permits, minor land splits and minor subdivision requests, and determination as to uses not listed.

## 1.16 Reserved for Future Amendments

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## CHAPTER 2: Zoning Districts

### 2.1 General Requirements for All Zoning Districts

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#### 2.1.A. Permitted Land Uses

1. Permitted **Uses** shall only be those uses listed as permitted (“P”) by right within the specific zoning district as listed in the various Permitted and Conditional Use Tables in the following chapters herein.
2. Permitted uses are subject to all applicable standards of this **Zoning Ordinance**. No **Building Permit** shall be issued for a use not specifically mentioned and for which the **County** has not issued an approval.

#### 2.1.B. Permitted Land Uses Requiring an Administrative Permit

1. Permitted land uses requiring an **Administrative Permit** shall only be those uses listed as (P\*) in the various Land Use Matrix Tables in the following chapters herein, and permitted only after submittal for and review and approval of the required administrative permit in accordance with **Section 5.1.B** of this Ordinance.
2. Permitted uses requiring an **Administrative Permit** are subject to all applicable standards of this Zoning Ordinance. No building permit shall be issued for a use not specifically mentioned and for which the County has not issued an approval.

#### 2.1.C. Conditional Land Uses

1. **Conditional Uses** shall only be those uses listed as a conditional (“C”) use in the various Land Use Matrix Tables in the following chapters herein, and only after submittal for and review and approval of the required use permit in accordance with **Section 5.7** of this Ordinance.
2. **Conditional Uses** are subject to all other applicable standards of this Ordinance and those that may be imposed by the decision-making body for the required use permit.

#### 2.1.D. Prohibited and Similar Land Uses

Any use listed as (“–”) or not listed at all in the various Land Use Matrix Tables in the following chapters herein is considered to be a prohibited use and considered to be in violation of this Ordinance; unless otherwise determined. For determination of uses similar to those listed, see **Section 5.9**.

### 2.2 General, Agricultural Residential, and Rural Residential Zones

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#### 2.2.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the General, Agricultural Residential, and Rural Residential **Zones** are included in the zoning regulations to provide zoning classifications for unincorporated, remote areas and areas not presently committed to any specific urban use. The purpose is also to reserve areas of the County for light agricultural pursuits in conjunction with very low-density residential uses and a rural living environment, and to provide space for people, minimize traffic congestion, and preserve the existing rural environment of the County.

1. G – General Zone



This zone is a residential land use category intended to accommodate a rural lifestyle with a range of densities from 10- to 40-acre ranchettes and agricultural land uses related to rural living. Only those uses are permitted that are complementary and compatible with a rural environment.

## 2. AR – Agricultural Residential Zone

This zone is intended to accommodate low-density residential Uses with minimum **Lot Sizes** of 1 acre as well as light agricultural activities that are related to rural **Family** living and pursuits.

## 3. RR – Rural Residential Zone

The intent of this zone is similar to the AR Zone but prohibits Mobile and **Manufactured Homes**.

### 2.2.B. Permitted and Conditional Uses: G, AR, and RR Zones

See **Section 2.7** for Permitted and **Conditional Uses** in the G, AR, and RR zones.

### 2.2.C. Interstate Highway Interchanges G, AR, and RR Zones

1. For properties with **Parcel** boundaries within 500 feet of an Interstate highway interchange **Right-of-Way** the following Uses shall be permitted in perpetuity, subject to the granting of a **Conditional Use** permit:
  - A. **Automobile** Service Stations
  - B. **Campgrounds**
  - C. **Convenience Markets**
  - D. **Hotels-Motels**
  - E. **Information Centers**
  - F. **Museums**
  - G. **Recreational Vehicle Park**
  - H. **Rest Areas**
  - I. **Restaurants**
  - J. **Truck Stops**
2. Uses shall maintain **Setbacks** as provided in **Section 4.8**.
3. A traffic impact statement or analysis may be required by the County engineer.

### 2.2.D. Property Development Standards: G, AR, and RR Zones

The following property development standards shall apply to all land and **Structures**, permitted in their respective zones, except that any **Lot** shown on an official **Subdivision** map that was duly approved and recorded, or any Lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this ordinance may be used as a **Building Site** for not more than one primary **Dwelling**.

1. The following requirements in **Table 2-1** are minimum unless otherwise noted:



**TABLE 2-1: PROPERTY DEVELOPMENT STANDARDS**

No.	Description	G	AR	RR
1.	Dwelling Unit per parcel, maximum, except for permitted accessory dwelling units	1	1	1
2.	Minimum parcel size, net area in acres (or subject to the provisions of <b>Section 2.2.D</b> )	10	1	1
3.	Lot Width, in feet	300	100	100
4.	Lot Depth, in feet	300	150	150
5.	Lot Frontage along access Easement or street, in feet	20	20	20
6.	Front Setback, in feet	30	25	25
7.	Side Interior Setback, in feet	20	10	10
8.	Side Street Side Setback, in feet	30	15	15
9.	Rear Setback, in feet	30	20	20
10.	Lot Coverage, maximum	30%	35%	35%
11.	Structure Height, maximum, in feet	40	35	35
12.	Off-street parking spaces per Primary Dwelling Unit	2	2	2

2. All Setbacks shall be measured from property lines. In situations where an **Access Easement** is located along a property line, the Setback shall be measured from the interior edge of the Access Easement line. Where an Access Easement bisects any parcel of land, said Easement shall be considered a **Street** for Setback purposes and Street Side Setbacks shall apply.
3. In the AR and RR Zones, the minimum **Lot Size** shall be 1 acre. However, larger minimum Lot Sizes may be specified and designated on the Official Zoning Map by attaching a number designation following the zone classification; such number shall be in increments of ½ acre. For example, AR-2 means Agricultural Residential – 2 acre minimum Lot Size; AR-2½ means Agricultural Residential – 2½ acre minimum Lot Size; etc.
4. For **Access** purposes each parcel shall have a minimum 30-foot-wide **Access Easement** or **Right-of-Way**. A turnaround with a minimum radius of 25 feet shall be provided at the end of each Access road over 150 feet in length. No fences or other obstructions shall be placed in the Access Easement area except with written permission of all other property owners served by the Easement. For any parcel of land created after January 3, 1995, an Access road to the parcel must be provided prior to the delivery of any combustible building materials. Said Access road must be constructed with a 20-foot-wide all-weather travel surface capable of supporting a 42,000-pound emergency vehicle, as approved by the Coconino County Community Development Engineering Supervisor.

### 2.2.E. Performance Standards: G, AR, and RR Zones

1. Parking
  - A. Parking shall be provided per the requirements of the Use of the property.
  - B. Required Front and Street Side Setbacks shall not be used for parking or storage of any **Motor Vehicles** or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled



accessory or convenience, except that licensed and operable vehicles may be parked upon the driveway or **Access Way** to the **Garage, Carport, or Dwelling**.

- i. One Motor Vehicle or Travel Trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the Front or Street Side Setbacks.
  - ii. Licensed and operable Motor Vehicles or vehicle accessories with signage may not be parked or stored within the required Front and Street Side Setbacks, except for overnight parking within a driveway or **Access Way** to the Garage or Carport. Vehicles and accessories with signage may not be set up on site in such a way as to advertise a Use, product, or activity.
2. **Landscaping.** All required Landscaping shall be permanently maintained in accordance with the approved landscape plan.
  3. **Lighting.** Outdoor lighting shall be in accordance with **Section 4.3**.
  4. **Signs.** Signs or outdoor **Advertising Device** shall in accordance with **Section 4.2**.
  5. **Projections into Required Yards.** Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.
  6. **Accessory Structures: G, AR, and RR Zones** 🌿
    - A. In the General, Agricultural Residential, and Rural Residential Zones all Accessory Structures (excluding **Accessory Dwelling Units**) shall be subject to the following restrictions:
      - i. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
      - ii. No **Kitchen** facilities or wet bars shall be permitted.
      - iii. The use of **Mobile Homes**, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited. **Metal Storage Containers** may be permitted; refer to **Section 3.10**.
      - iv. Accessory Structures may be established prior to the **Dwelling Unit** or primary Structure subject to the provisions outlined above.
  7. **Other Performance Standards**
    - A. **Commercial Vehicles** exceeding 26,000 lbs. **Gross Vehicle Weight (GVW)**, including but not limited to semi tractors, semi-trailers, dump trucks, and **Commercial Equipment**, shall not be parked, stored, or serviced on any Lot or parcel of land except as provided in **Section 2.7**. Vehicles used for Exempt Agricultural purposes that are stored or parked on a parcel for which the owner has a Certificate of Agricultural Exemption are exempt from this Section.

## 2.3 Single Family Residential Zones

### 2.3.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the Residential Zones are included in the zoning regulations to provide a broad range of **Dwelling Unit** densities consistent with the Suburban



residential land use categories described by the **Comprehensive Plan**. These zoning districts provide standards for public health, safety, and welfare by addressing provisions for adequate public facilities, utility services and requirements, development infrastructure, and transportation system needs commensurate with the anticipated population. The districts ensure adequate light, air, privacy, and open space for each **Dwelling** and protect residential properties from noise, **Direct Illumination**, unsightliness, odors, smoke, and other objectionable influences.

**1. RS-6,000 – Residential Single Family Zone**

This zone is intended for single family, urban residential development on minimum **Lot Sizes** of 6,000 square feet (SF) and maximum densities of six Dwelling Units per acre. Only those additional Uses are permitted that are complementary to, and can exist in harmony with, a residential neighborhood.

**2. RS-10,000 – Residential Single Family Zone**

This zone is intended for low-urban-density single family residential development on minimum **Lot Sizes** of 10,000 square feet and maximum densities of four Dwelling Units per acre. Only those additional Uses are permitted that are complementary to, and can exist in harmony with, a residential neighborhood.

**3. RS-18,000 – Residential Single Family Zone**

This zone is intended for low-density single family residential development on minimum **Lot Sizes** of 18,000 square feet and at maximum densities of two Dwelling Units per acre. Only those additional Uses are permitted that are complementary to, and can exist in harmony with, a suburban residential neighborhood.

**4. RS-36,000 – Residential Single Family Zone**

This zone is intended for very low-density single family residential development on minimum **Lot Sizes** of 36,000 square feet and at maximum densities of one Dwelling Unit per acre. Only those additional Uses are permitted that are complementary to, and can exist in harmony with, a suburban residential neighborhood.

**2.3.B. Permitted and Conditional Uses: RS Zones**

See **Section 2.7** for Permitted and **Conditional Uses** in the RS zones.

**2.3.C. Property Development Standards: RS Zones**

The following property development standards in **Table 2-2** shall apply to all land and Structures, permitted in their respective residential zones, except that, any Lot shown on an official **Subdivision** map that was duly approved and recorded, or any Lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this Ordinance, may be used as a **Building** site for not more than one primary **Dwelling**.

1. Residential Single Family Zones: The following requirements are minimum unless otherwise noted.

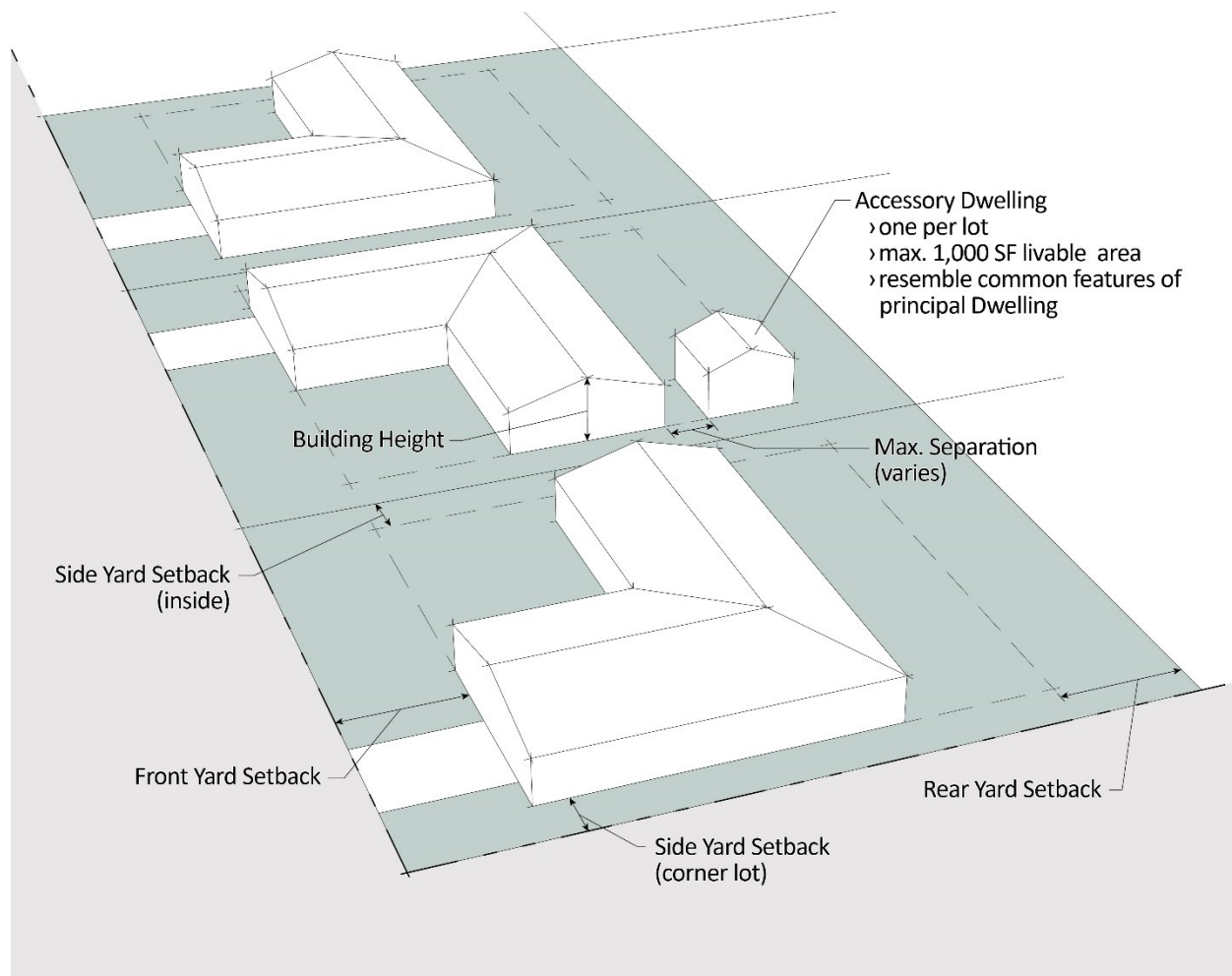
<b>TABLE 2-2: SINGLE FAMILY RESIDENTIAL ZONES PROPERTY DEVELOPMENT STANDARDS</b>					
No.	Property Development Standards	RS-6,000	RS-10,000	RS-18,000	RS-36,000
1.	Density, maximum Dwelling Units per acre	6.0	4.0	2.0	1.0



**TABLE 2-2: SINGLE FAMILY RESIDENTIAL ZONES PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	RS-6,000	RS-10,000	RS-18,000	RS-36,000
2.	Dwelling Unit per parcel, maximum except for permitted accessory dwelling units	1	1	1	1
3.	Minimum parcel size net area, in square feet (or subject to the provisions of <b>Section 2.3.C.3</b> )	6,000	10,000	18,000	36,000
4.	Lot Width, in feet	60	80	100	120
5.	Lot Depth, in feet	100	100	100	150
6.	Lot Frontage along access Easement or street, in feet	20	20	20	20
7.	Front Setback, in feet	20	20	25	25
8.	Side Interior Setback, in feet	5	10	10	20
9.	Side Street Side Setback, in feet	10	10	15	20
10.	Rear Setback, in feet	20	20	25	25
11.	Lot Coverage, maximum	40%	40%	35%	35%
12.	Structure Height, maximum, in feet	35	35	35	35
13.	Off-street parking spaces per Primary Dwelling Unit	2	2	2	2

2. All Setbacks shall be measured from property lines. In situations where an **Access Easement** is located along a property line, the Setback shall be measured from the interior edge of the Access Easement line. Where an Access Easement bisects any parcel of land, said Easement shall be considered a Street for Setback purposes and Street Side Setbacks shall apply.
3. In the RS Zone, other **Lot Sizes** larger than 6,000 square feet may be specified and designated on the Official Zoning Map by attaching a number designation following the zone classification. For example, RS-15,000, RS-40,000, or RS-5 (5-acre minimum Lot Size). Permitted and **Conditional Uses**, property development standards, performance standards, and all other requirements and regulations for these alternate zone classifications with the exception of the minimum parcel size, shall be the same as those specified in this Ordinance for the zoning classification with the next lower minimum parcel size, e.g., RS-15,000 would have RS-10,000 requirements and RS-40,000 and RS-5 would have RS-36,000 requirements.



### RS Zone Setbacks

4. For **Access** purposes each parcel shall have a minimum 30-foot-wide Access **Easement** or **Right-of-Way**. A turnaround with a minimum radius of 25 feet shall be provided at the end of each Access road over 150 feet in length. No fences or other obstructions shall be placed in the Access Easement area except with written permission of all other property owners served by the Easement. For any parcel of land created after January 3, 1995, an Access road to the parcel must be provided prior to the delivery of any combustible building materials. Said Access road must be constructed with a 20-foot-wide all-weather travel surface capable of supporting a 42,000-pound emergency vehicle, as approved by the Coconino County Community Development Engineering Supervisor.

### 2.3.D. Performance Standards: RS Zones

1. Parking
  - A. Parking shall be provided per the requirements of the Use of the property.

- B. Required Front and Street Side Setbacks shall not be used for parking or storage of any **Motor Vehicle** or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience, except that operable Motor Vehicles may be parked upon the driveway or **Access Way** to the **Garage, Carport, or Dwelling**.
- C. One **Motor Vehicle** or Travel Trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the Front or Street Side **Yard** Setbacks.
- D. Licensed and operable **Motor Vehicles** or vehicle accessories with signage may not be parked or stored within the required Front and Street Side Setbacks, except for overnight parking within a driveway or **Access Way** to the **Garage or Carport**. Vehicles and accessories with signage may not be set up on site in such a way as to advertise a Use, product, or activity.
- E. **Commercial Vehicles** exceeding 26,000 lbs. **Gross Vehicle Weight (GVW)** and associated **Commercial Equipment** shall not be parked, stored, or serviced in any residential zone.

## 2. Landscaping

In all residential zones, required Front and Street Side Setbacks shall be landscaped except for necessary walks, drives, and fences. All required Landscaping shall be permanently maintained in accordance with the approved landscape plan.

## 3. Lighting

Outdoor lighting shall be in accordance with **Section 4.3**.

## 4. Signs: RS Zones

Signs or outdoor **Advertising Device** Structures shall be in accordance with **Section 4.2**.

## 5. Projections into required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**, and as below:

- A. First-floor porches and decks, open and unenclosed on three sides, and attached to the primary **Dwelling Unit**, may project up to 8 feet into the front Yard Setback in the RS-6,000, RS-10,000, and RS-18,000 zoning districts. 🌿

## 6. Accessory Structures: RS Zones

Accessory Structures (excluding **Accessory Dwelling Units**) shall be subject to the following restrictions:

- A. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
- B. No **Kitchen** facilities or wet bars shall be permitted.
- C. The use of Mobile, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited. **Metal Storage Containers** may be permitted, refer to **Section 3.10**.
- D. Accessory Structures may not be established prior to the **Dwelling Unit** or primary Structure except in the RS Zones with minimum **Lot Sizes** of 1 acre or more.





## 7. Other Performance Standards

- A. Use of a tent, Travel Trailer, **Recreational Vehicle**, or **Park Model** as a temporary or permanent residence is prohibited.
- B. In all residential zones, air conditioners, heating, cooling, ventilating equipment, swimming pool pumps and heaters, and all other mechanical devices shall be screened from surrounding properties and streets and shall be so operated that they do not disturb the peace, quiet, and safety of neighboring residents. Facilities for the operation of alternate energy systems shall be exempted from the screening requirements when such screening will clearly restrict the efficient operation of such systems.

## 2.4 Multi-Family Residential Zones

### 2.4.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the Multi-Family Residential Zones are included in the zoning regulations to provide a broad range of densities and types of **Dwelling Units** consistent with the Urban residential land use categories described by the **Comprehensive Plan**. These zoning districts provide for public health, safety, and welfare by addressing provisions for public facilities, utility services and requirements, development infrastructure, and transportation system needs commensurate with the anticipated population. The districts ensure adequate light, air, privacy, and open space for each **Dwelling** and protect residential properties from noise, **Direct Illumination**, unsightliness, odors, smoke, and other objectionable influences.

#### 1. RM-10/A – Multiple Family Residential Zone

This zone is intended for the development of medium-density **Apartments, Condominiums, Townhouses**, or other group Dwellings with provisions for adequate light, air, open space, and landscaped areas up to a maximum density of 10 Dwelling Units per acre. Only those additional Uses are permitted that are complementary to, and can exist in harmony with, such residential developments.

#### 2. RM-20/A – Multiple Family Residential Zone

This zone is intended for the development of high-density **Apartments, Condominiums, Townhouses**, or other group Dwellings with provisions for adequate light, air, open space, and landscaped areas up to a maximum density of 20 Dwelling Units per acre. Only those additional Uses are permitted that are complementary to, and can exist in harmony with, such residential developments.

### 2.4.B. Permitted and Conditional Uses: RM Zones

See **Section 2.7** for Permitted and **Conditional Uses** in the RM zones.

### 2.4.C. Property Development Standards: RM Zones

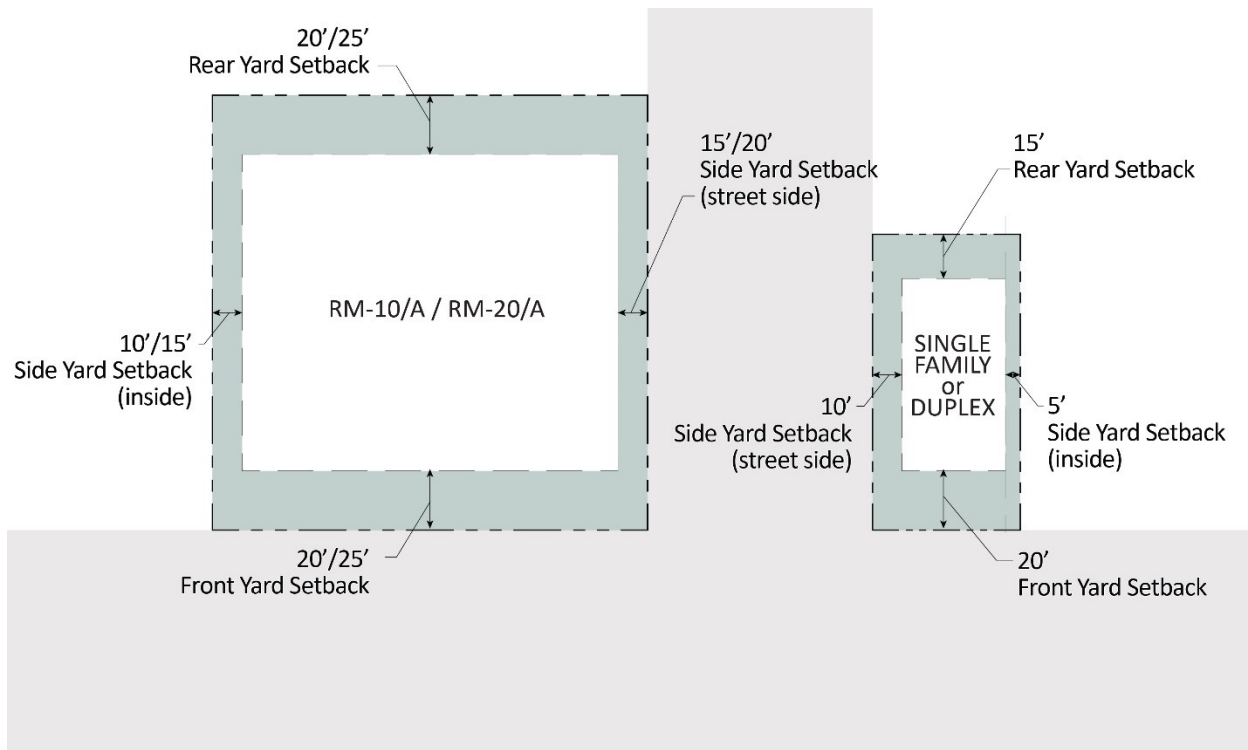
The following property development standards in **Table 2-3** shall apply to all land and Structures, permitted in their respective residential zones, except that, any Lot shown on an official subdivision map that was duly approved and recorded, or any Lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this Ordinance, may be used as a **Building site**.



1. Residential Multiple Family Zones: The following requirements are minimum unless otherwise noted.

**TABLE 2-3: MULTI-FAMILY RESIDENTIAL ZONES PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	RM-10/A	RM-20/A
1.	Density, maximum Dwelling Units per acre	10	20
2.	Minimum Net Site Area, in acres, for five or more Dwelling Units	0.5	2.0
3.	Minimum Net Site Area for Single Family Dwellings, in square feet	5,000	4,000
4.	Lot Width for Single Family Dwellings, in feet	50	40
5.	Lot Depth for Single Family Dwellings, in feet	100	100
6.	Front Site Setback, in feet	20	25
7.	Side Site Interior Setback, in feet	10	15
8.	Side Site Street Side Setback, in feet	15	20
9.	Rear Site Setback, in feet	20	25
10.	Minimum Site Frontage	24	24
11.	Front Setback requirements for Single Family Dwellings, Duplex, and Accessory Dwelling Units, in feet	20	20
12.	Side Setback requirements for Single Family Dwellings, Duplex, and Accessory Dwelling Units, in feet	5	5
13.	Side Street Side Setback for Single Family Dwellings, Duplex, and Accessory Dwelling Units, in feet	10	10
14.	Rear Setback requirements for Single Family Dwellings, Duplex, and Accessory Dwelling Units, in feet	15	15
15.	Minimum Setback requirements for other than Single Family and Accessory Dwelling Units: zero Setbacks between buildings permissible for Dwelling Units on individual lots, subject to Coconino County building codes. Site Setbacks apply.	0	0
16.	Lot Coverage, maximum	45%	50%
17.	Structure Height, in feet	35	40
18.	Covered off-street parking spaces per Dwelling Unit	1 + 1 open	1 + 1 open
19.	Off-street parking spaces for Single Family Dwellings	2	2
20.	Open guest parking spaces	Additional 10% of total spaces	
21.	Distance between Structures, in feet	10	10



### Setbacks in RM Zones

2. All Setbacks shall be measured from property lines. In situations where an **Access Easement** is located along a property line, the Setback shall be measured from the interior edge of the Access Easement line. Where an Access Easement bisects any parcel of land, said Easement shall be considered a Street for Setback purposes and Street Side Setbacks shall apply.
3. For **Access** purposes each parcel shall have a minimum 30-foot-wide **Access Easement** or **Right-of-Way**. A turnaround with a minimum radius of 25 feet shall be provided at the end of each Access road over 150 feet in length. No fences or other obstructions shall be placed in the Access Easement area except with written permission of all other property owners served by the Easement. For any parcel of land created after January 3, 1995, an Access road to the parcel must be provided prior to the delivery of any combustible building materials. Said Access road must be constructed with a 20-foot-wide all-weather travel surface capable of supporting a 42,000-pound emergency vehicle, as approved by the Coconino County Community Development Engineering Supervisor.
4. Where a multiple-family **Dwelling** or Structure, containing 5 or more units, including incidental or required **Accessory Uses**, **Abuts** property in an Agricultural Residential, Rural Residential, General or single family zone, a masonry wall or solid wood fence 6 feet in height and/or screen **Landscaping** shall be established and maintained between such Uses and **Adjacent** residential zones.

#### 2.4.D. Performance Standards: RM Zones

1. Parking

- A. Parking shall be provided per the requirements of the Use of the property.
- B. Required Front and Street Side Setbacks shall not be used for parking or storage of any **Motor Vehicle** or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience, except that operable motor vehicles may be parked upon the driveway or **Access Way** to the **Garage** or **Carport**.
- C. One **Motor Vehicle** or Travel Trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the Front or Street Side **Yard** Setbacks.
- D. Licensed and operable **Motor Vehicles** or vehicle accessories with signage may not be parked or stored within the required Front and Street Side Setbacks, except for overnight parking within a driveway or **Access Way** to the **Garage** or **Carport**. Vehicles and accessories with signage may not be set up on site in such a way as to advertise a Use, product, or activity.
- E. **Commercial Vehicles** exceeding 26,000 lbs. **Gross Vehicle Weight (GVW)** and associated **Commercial Equipment** shall not be parked, stored, or serviced in any residential zone.

## 2. Landscaping

- A. Required Front and Street Side Setbacks shall be landscaped except for necessary walks, drives, and fences.
- B. In the RM Zones, the undeveloped site area shall be landscaped in accordance with **Section 4.4**. Such required Landscaping may include outdoor recreation areas.
- C. All required Landscaping shall be permanently maintained in accordance with the approved landscape plan.

## 3. Lighting

Outdoor lighting shall be permitted in accordance with **Section 4.3**.

## 4. Signs: RM Zones

Signs or outdoor **Advertising Device** Structures shall be permitted in accordance with **Section 4.2**.

## 5. Projections into Required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**, and as below.

- A. First floor porches and decks, open and unenclosed on three sides, and attached to the primary **Dwelling Unit**, may project up to 8 feet into the front Yard Setback.

## 6. Accessory Structures: RM Zones

Accessory Structures (excluding **Accessory Dwelling** Units) shall be subject to the following restrictions:

- A. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
- B. No **Kitchen** facilities or wet bars shall be permitted.
- C. The use of Mobile, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited.



- D. Accessory Structures may not be established prior to the **Dwelling Unit** or primary Structure.
7. Other Performance Standards
- A. Use of a tent, travel trailer, **Recreational Vehicle**, or **Park Model** as a temporary or permanent residence is prohibited.
- B. In any multiple family residential zone, a Mobile or **Manufactured Home** may not be used as a main **Dwelling**, or **Accessory Dwelling Unit**, except in remote areas on parcels larger than 1 acre where one Mobile or Manufactured Home may be allowed with the granting of a **Conditional Use Permit**. If the property is later developed with multiple family residential housing, the Mobile or Manufactured Home shall be removed.
- C. In all residential zones, heating, cooling, ventilating equipment, swimming pool pumps and heaters, and all other mechanical devices shall be screened from surrounding properties and streets and shall be so operated that they do not disturb the peace, quiet, and safety of neighboring residents. Facilities for the operation of alternate energy systems shall be exempted from the screening requirements when such screening will clearly restrict the efficient operation of such systems.
- D. When waste receptacles are required they shall be enclosed with solid masonry walls and with gates. Said receptacles shall be set back a minimum of 20 feet from any single family zone and shall be maintained in a neat and sanitary condition in order to safeguard the health, safety, and general welfare of **Adjacent** properties subject to the approval of the **Community Development Director**. Alternatives to constructed enclosures may be approved by the Community Development Director.

#### 2.4.E. Condominiums and Condominium Conversions: RM Zones

##### 1. Application Procedure

A **Building Permit** application shall be completed and submitted to the **Community Development Director** for **Condominium Conversion** or construction of a **Condominium** development, with the following documents:

- A. For Condominium and Condominium Conversion projects, **Site Plans** shall be submitted indicating the following minimum information:
- i. Location, height, the gross **Floor Area**, and proposed Uses of each existing Structure and for each proposed Structure.
  - ii. Location, use, and type of surfacing of all open storage areas.
  - iii. Location and type of surfacing of all driveways, pedestrian ways, vehicle **Parking Areas**, and curb cuts.
  - iv. Location, height, and type of materials for all walls and fences.
  - v. Location of all landscaped areas, type of **Landscaping**, and irrigation plans, and a statement specifying the method by which Landscaping areas shall be maintained.



- vi. Location of all Recreational Facilities and a statement specifying the method of maintenance thereof.
  - vii. Location and number of parking facilities to be used in conjunction with each **Dwelling Unit**, to be consistent with requirements of the RM zoning districts.
  - viii. Structural elevations shall be required at the discretion of the **Community Development Director**. Elevations shall indicate type of materials used in construction, as well as the method used to provide sound insulation/attenuation in all common walls.
  - ix. Such other information as may be determined by the **Community Development Director**.
- B. If the application is for a Condominium Conversion, a special inspection will be completed by the Coconino County Building Department identifying all repairs and improvements necessary to bring the **Building** into substantial compliance with current Building and Safety Codes.
- C. If the application is for a Condominium conversion, a comprehensive report will detail the following information regarding housing affordability:
- i. Length of existing leases and average rents
  - ii. Average length of tenancy for existing tenants
  - iii. Estimated schedule for conversion
  - iv. Estimated price range of converted units
  - v. List of improvements contemplated
  - vi. Estimate of available similar housing in areas
2. Land Division and Subdivision Standards
- A. For a **Condominium** development or conversion resulting in five or fewer lots, a Land Division application shall be prepared and submitted to the County. For Condominium projects with six or more units, a Tentative Tract Map for a Condominium development or conversion shall be prepared and submitted to the County, in accordance with the Subdivision Ordinance of Coconino County.
3. Special Conditions
- A. Copies of the required Covenants, Conditions and Restrictions, Articles of Incorporation, and By-Laws or other documents of the owner's association or other entity that controls the common facilities shall be submitted to the County for approval and shall set forth the occupancy and management policies for the project, as well as contain adequate and satisfactory provisions for maintenance, repair, and general upkeep.
- B. Each existing tenant of the project shall be given a 120-day notification on the intended **Condominium Conversion** and the right to purchase his or her converted multiple **Dwelling Unit** prior to the unit being placed for sale.
- C. The County may vary from any or all of these conditions in order to ensure compatibility of the Use with surrounding developments and Uses and in order to preserve the public health, safety, and welfare.

## 2.5 Residential and Manufactured Home Zone

### 2.5.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the RMH – Residential and Manufactured Home Zone is designed to provide and identify residential areas and developments where either conventionally constructed single family residences or **Manufactured Homes** may be located within the same subdivision and thereby provide further opportunities for a greater range of housing styles for existing and future residents.

### 2.5.B. Permitted and Conditional Uses: RMH Zone

See **Section 2.7** for Permitted and **Conditional Uses** in the RMH zone.

### 2.5.C. Property Development Standards: RMH Zone

The following property development standards in **Table 2-4** shall apply to all land and **Buildings**, except that any Lot shown on an official subdivision map duly approved and recorded, or any Lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this Ordinance, may be used as a building site.

1. The following requirements are minimum unless otherwise noted:

**TABLE 2-4: RESIDENTIAL AND MANUFACTURED HOME ZONE  
PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	RMH Zone
1.	Density, maximum Primary Dwelling Units per acre	6.0
2.	Dwelling Unit per parcel, maximum	1
3.	Minimum parcel size, net area, in square feet	6,000
4.	Lot Width	50 feet
5.	Lot Depth	100 feet
6.	Lot Frontage along an access Easement or street	20 feet
7.	Front Setback	15 feet
8.	Side Setback	5 feet
9.	Side Street Side Setback	10 feet
10.	Rear Setback	10 feet
11.	Lot Coverage, maximum	40%
12.	Structure Height	35 feet
13.	Off-street parking spaces per Dwelling Unit	2 spaces
14.	Distance between Structures	10 feet

2. All Setbacks shall be measured from property lines. In situations where an **Access Easement** is located along a property line, the Setback shall be measured from the interior edge of the Access Easement line. Where an Access Easement bisects any parcel of land, said Easement shall be considered a Street for Setback purposes and Street Side Setbacks shall apply.



3. For **Access** purposes each building site shall have a minimum 30-foot-wide **Easement or Right-of-Way**. A turnaround with a minimum radius of 25 feet shall be provided at the end of each Easement over 150 feet in length. No fences or other obstructions shall be placed in the Easement area except with written permission of all other property owners served by the Easement. For any parcel of land created after January 3, 1995, an Access road to the parcel must be provided prior to the delivery of any combustible building materials. Said Access road must be constructed with a 20-foot-wide all-weather travel surface capable of supporting a 42,000-pound emergency vehicle, as approved by the Coconino County Community Development Engineering Supervisor.
4. In the RMH Zone, Front Setbacks in subdivision developments may be reduced by 25 percent provided the average of all such Setbacks is not less than the minimum required for the zone.

#### 2.5.D. Performance Standards: RMH Zone

##### 1. Parking

- A. Parking shall be provided per the requirements of the Use of the property.
- B. Required Front and Street Side Setbacks shall not be used for the parking or storage of any **Motor Vehicle** or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience, except that operable Motor Vehicles may be parked upon the driveway or **Access Way** to the **Garage** or **Carport**.
- C. One **Motor Vehicle** or travel trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the Front or Street Side Setbacks.
- D. Licensed and operable **Motor Vehicles** or vehicle accessories with signage may not be parked or stored within the required Front and Street Side Setbacks, except for overnight parking within a driveway or **Access Way** to the **Garage** or **Carport**. Vehicles and accessories with signage may not be set up on Site in such a way as to advertise a Use, product, or activity.

##### 2. Landscaping

Required Front and Street Side Setbacks shall be landscaped except for necessary walks, drives, and fences. All required Landscaping shall be permanently maintained in accordance with the approved Landscape Plan.

##### 3. Lighting

Outdoor lighting shall be permitted in accordance with **Section 4.3**.

##### 4. Signs

Signs or outdoor **Advertising Devices** shall be permitted in accordance with **Section 4.2**.

##### 5. Projections into Required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.

##### 6. Accessory Structures — RMH Zone





- A. Accessory Structures, excluding **Accessory Dwelling Units**, shall be subject to the following restrictions:
  - i. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
  - ii. No **Kitchen** facilities or wet bars shall be permitted.
  - iii. The use of Mobile, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited.
  - iv. Accessory Structures may not be established prior to the primary **Dwelling Unit** or primary Structure.

#### 7. Other Performance Standards

- A. Air conditioners, heating, cooling, ventilating equipment, swimming pool pumps and heaters, and all other mechanical devices shall be screened from surrounding properties and Streets and shall be so operated that they do not disturb the peace, quiet, and safety of neighboring residents. Facilities for the operation of alternate energy systems shall be exempted from the screening requirements when such screening will clearly restrict the efficient operation of such systems.
- B. The establishment of a pre-HUD **Mobile Home** may be permitted subject to the rehabilitation of that unit in accordance with the Arizona Manufactured Housing Division administrative rules and subject to an insignia of approval having been placed by the **State** on the home. Mobile Homes shall not be relocated and placed on-site prior to renovation and rehabilitation as provided for in this Ordinance.

## 2.6 Manufactured Home Park Zone

### 2.6.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the MHP – Manufactured Home Park Zone is designed to provide primarily for the development of **Manufactured Homes**. All **Manufactured Home Parks** hereinafter shall be developed in accordance with the provisions of this Section.

### 2.6.B. Permitted and Conditional Uses: MHP Zone

See **Section 2.7** for Permitted and **Conditional Uses** in the MHP zone.

### 2.6.C. Property Development Standards: MHP Zone

1. The following standards in **Table 2-5** are minimum unless otherwise noted:

**TABLE 2-5: MANUFACTURED HOME PARK ZONE PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	MHP Zone
1.	Dwelling Units per Lot, parcel, or Manufactured Home Space, maximum	1
2.	Space size, in square feet (parks and rental spaces)	4,000



**TABLE 2-5: MANUFACTURED HOME PARK ZONE PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	MHP Zone
3.	Lot Size, in square feet (subdivided lots)	5,000
4.	Subdivided Lot Width	50 feet
5.	Subdivided Lot Depth	100 feet
6.	Lot Frontage along an access Easement or street	20 feet
7.	Front Setback	10 feet
8.	Side Interior Setback	5 feet
9.	Side Street Setback	10 feet
10.	Rear Setback	10 feet
11.	Lot Coverage, maximum	40%
12.	Structure Height, maximum	20 feet
13.	Off-street parking spaces per Dwelling Unit	2 spaces
14.	Distance between Dwelling Units	10 feet
15.	Open Guest Parking Spaces	Additional 10% to total spaces

2. The following regulations shall apply to the site of a **Manufactured Home Park**. Additional regulations may be specified as conditions of approval of Design Review by the Planning and Zoning Commission or as conditions of approval for the establishment of an MHP Zone:

Minimum Frontage:	200 feet, continuous Frontage
Density, maximum:	10 units per acre
Minimum Setbacks:	20 feet adjoining a street; 15 feet adjoining an Interior Lot Line
Recreation area:	Minimum of 250 square feet of recreation area for each Manufactured Home Space. This requirement shall be increased to 300 square feet per Manufactured Home Space if children under the age of 18 are permitted in the development.

#### 2.6.D. Site Development Standards: MHP Zone

1. The following requirements shall apply to development of **Manufactured Home Spaces** and to facilities within a **Manufactured Home Park**. Additional requirements may be specified as conditions of Design Review or as conditions of approval for the establishment of an MHP Zone:

##### A. Manufactured Home Spaces

- i. Each space shall contain a minimum of 4,000 square feet for exclusive use by the occupants of the space. Each space shall have at least 40 feet of width adjoining an **Access** drive. Each space shall have dimensions capable of accommodating a rectangle with minimum dimensions of 45 feet by 65 feet.



- ii. Each **Manufactured Home** shall be located a minimum of 5 feet from the boundary of a **Manufactured Home Space**, except that **Carports**, patio covers, storage buildings, and similar Structures accessory to a **Manufactured Home** may be located a minimum of 4 feet from the boundary of a **Manufactured Home Space**.
- iii. **Building Permit.** A Building Permit shall be required for the establishment of a **Manufactured Home** within a **Manufactured Home Park**.

#### B. Circulation and Parking

- i. **Access Drives.** All **Manufactured Home Access** drives within a **Manufactured Home Park** shall be privately owned, and shall have at least 24 feet of pavement width, exclusive of adjoining **Parking Areas**, and shall be constructed to the standards found in the Engineering Design Manual.
- ii. **Parking.** Two on-site **Parking Spaces** shall be provided for each **Manufactured Home Space**.
- iii. **Sidewalks.** Sidewalks at least 5 feet in width shall be provided to serve each **Manufactured Home Space** and to serve all central or common facilities within the **Manufactured Home Park**. Sidewalks need not adjoin **Access** drives.

#### C. Screening and Landscaping

Screening shall be provided around the entire site of a **Manufactured Home Park** except that, where a required Setback adjoins a Street, screening shall be located at the rear of the required Setback. Required Setbacks shall be landscaped and said Landscaping shall consist predominantly of plant materials except for necessary walks, drives, and fences. All required Landscaping shall be permanently maintained in accordance with the approved landscape plan.

#### D. Accessory Structures and Uses

Accessory Structures and Uses serving the entire **Manufactured Home Park**, including Recreation Facilities, laundry areas, **Manufactured Home Park** offices, and maintenance or storage buildings, shall be located at least 50 feet from the boundary of the **Manufactured Home Park Site**. All exterior maintenance or storage areas shall be enclosed by a 6-foot-high masonry wall.

### 2.6.E. Performance Standards

#### 1. Parking

- A. Required Front and Street Side Setbacks shall not be used for the parking or storage of any **Motor Vehicle** or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience, except that operable **Motor Vehicles** may be parked upon the driveway or **Access Way** to the **Garage** or **Carport**.
- B. One **Motor Vehicle** or Travel Trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the Front or Street Side Setbacks.
- C. Licensed and operable **Motor Vehicles** or vehicle accessories with signage may not be parked or stored within the required Front and Street Side Setbacks, except for overnight parking within a



driveway or **Access Way** to the **Garage** or **Carport**. Vehicles and accessories with signage may not be set up on Site in such a way as to advertise a Use, product, or activity.

- D. The overnight parking of **Commercial Vehicles** and **Commercial Equipment**, including but not limited to semi-tractors, semi-trailers, dump trucks, equipment trailers, backhoes, etc., is prohibited in the Manufactured Home Park Zone.

## 2. Landscaping

- A. Landscaping. Not less than 20 percent of each **Manufactured Home Space** shall be landscaped, including at least one tree (minimum 5-gallon size) on each space.
- B. Required Front and Street Side Setbacks shall be landscaped except for necessary walks, drives, and fences. All required Landscaping shall be permanently maintained in accordance with the approved Landscape Plan.

## 3. Lighting

- A. Outdoor lighting shall be permitted in accordance with **Section 4.3**.

## 4. Signs

- A. Signs or outdoor **Advertising Devices** shall be permitted in accordance with **Section 4.2**.

## 5. Projections into Required Yards

- A. Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.

## 6. Accessory Structures

- A. **Cabanas**. A Cabana may be attached to a **Manufactured Home** providing the Cabana shall be complementary to the design and coloration of the Manufactured Home.
  - i. A Cabana is a portable and demountable room or enclosure: This shall be interpreted to mean that such additions shall be constructed on only pier-type foundations.
  - ii. A Cabana is used in conjunction with a Manufactured Home: This shall be interpreted to mean that the interior square footage of the Cabana shall not exceed that of the Manufactured Home it is attached to, and that the Cabana shall be directly attached to the Manufactured Home so as to provide interior **Access**. Maximum height of the Cabana addition shall not exceed 15 feet.
  - iii. A Cabana is a room, enclosure, or other **Building**: This shall be interpreted to mean that stick-built type of additions constructed on-site shall be in conformance with the applicable Building Codes as they pertain to other conventional Structures built in Coconino County.
- B. Accessory Structures, excluding **Accessory Dwelling Units**, shall be subject to the following restrictions:
  - i. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
  - ii. No **Kitchen** facilities or wet bars shall be permitted.

- iii. The use of Mobile, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited.
  - iv. Accessory Structures may not be established prior to the primary **Dwelling Unit** or primary Structure.
7. Other Performance Standards
- A. Skirting shall be required for each **Manufactured Home**, and shall be complimentary to the design and coloration of the Manufactured Home.
  - B. **Mobile Homes**. The establishment of a pre-HUD Mobile Home may be permitted subject to the rehabilitation of that unit in accordance with the Arizona Manufactured Housing Division administrative rules and subject to an insignia of approval having been placed by the **State** on the home. Mobile Homes shall not be relocated and placed on-site prior to renovation and rehabilitation as provided for in this Ordinance.
  - C. Heating, cooling, ventilating equipment, swimming pool pumps and heaters, and all other mechanical devices shall be screened from surrounding properties and Streets and shall be so operated that they do not disturb the peace, quiet, and safety of neighboring residents. Facilities for the operation of alternate energy systems shall be exempted from the screening requirements when such screening will clearly restrict the efficient operation of such systems.

### 2.6.F. Administration Requirements: MHP Zone

1. Pre-Application Procedure
- A. Prior to submitting an application for a **Manufactured Home Park**, the applicant or prospective developer should hold preliminary consultations with the Community Development Department to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys, and other data. Such preliminary consultations should be relative to a general **Development Plan** that expresses the concepts to be embodied in the proposed development.
2. Application
- A. An application for the establishment of a Manufactured Home Park Zone must be accompanied with a general **Development Plan** showing the location, design, and configuration of each **Manufactured Home Space** and all **Accessory Structures** and Uses. The Development Plan shall be drawn to a minimum of a 1-inch to 40-foot scale, and also show the location and design of the following:
    - i. The size, dimensions, and locations of all Manufactured Home Spaces.
    - ii. **Access** drives, sidewalks, and **Parking Spaces**;
    - iii. Walls and fences;
    - iv. Lighting;
    - v. Drainage and sanitary sewer facilities;
    - vi. Electrical and water service;

- vii. Fire protection facilities;
  - viii. Refuse collection facilities; and
  - ix. Landscape plan in accordance with **Section 4.4**.
- B.** Potable water and drainage reports prepared by a registered professional engineer shall be submitted with the application. A report on the proposed wastewater system prepared by a registered sanitary engineer shall also be submitted.
- 3. Adoption of Development Plan – MHP Zone**
- A.** Prior to the development of the **Manufactured Home Park**, the Development Plans and maps submitted with the application for a Manufactured Home Park shall be approved and adopted by the **Board of Supervisors**.
- 4. Amendments to the Development Plan – MHP Zone**
- A.** All development within the MHP Zone shall comply substantially with the Development Plans as approved and adopted by the **Board of Supervisors**. Any amendments to the Development Plans shall be accomplished in the same manner as an amendment to the zoning regulations as prescribed in **Section 5.12**.
- 5. Pre-Existing Manufactured Home Parks – MHP Zone**
- A.** A pre-existing **Manufactured Home Park** shall not be deemed nonconforming by reason of failure to meet the minimum requirements prescribed by this Section, provided that the regulations of this Section shall apply to the remodeling, enlargement, or expansion of an **Existing Manufactured Home Park**.
- 6. Manufactured Home Park Subdivision**
- A.** The division of land for the establishment of a Manufactured Home subdivision shall comply with all of the requirements of this Section and the County Subdivision Ordinance.

## 2.7 Residential Zones Permitted and Conditional Uses

**Table 2-6** lists permitted and conditional uses in residential zones.

<b>TABLE 2-6: RESIDENTIAL LAND USES</b>											
Residential Zoning Districts	G	AR	RR	RS-6,000	RS-10,000	RS-18,000	RS-36,000	RM-10/A	RM-20/A	RMH	MHP
(P) = Permitted; (P*) = Permitted with an Administrative Permit; (-) = Prohibited; (C) = Conditional Use Permit. All Uses not listed are prohibited.											
<b>Residential Uses</b>											
Apartments (see Dwelling, Multiple)	—	—	—	—	—	—	—	P	P	—	—



**TABLE 2-6: RESIDENTIAL LAND USES**

	G	AR	RR	RS-6,000	RS-10,000	RS-18,000	RS-36,000	RM-10/A	RM-20/A	RMH	MHP
<b>Residential Zoning Districts</b>											
Assisted Living Facilities, Convalescent Homes, and Residential Collective Home	C	C	C	C	C	C	C	C	C	C	C
Bed and Breakfast Establishments, subject to the provisions of <b>Section 3.7</b>	P	P	P	—	—	—	P	P	P	—	—
Condominiums and Condominium Conversions	—	—	—	—	—	—	—	P	P	—	—
Dormitories	—	—	—	—	—	—	—	C	C	—	—
Duplex	—	—	—	—	—	—	—	P	P	—	—
Group Homes for the Disabled, subject to the provisions of <b>Section 3.8</b>	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Manufactured Home. Includes Tiny Homes built to building code standards on a semi-permanent foundation. 🌿	P	P	—	—	—	—	—	—	—	P	P
Mobile Homes rehabilitated to meet Arizona Manufactured Housing Division standards, subject to the provisions of <b>Section 2.5.D.7.B</b>	P	P	—	—	—	—	—	—	—	P	P
Recreational Vehicle or Travel Trailer as a permanent residence, subject to the provisions of <b>Section 3.17</b> . Nonconforming parcels in the G zone require a Conditional Use Permit.	P*	C	—	—	—	—	—	—	—	—	P*
Single Family Dwelling, Tiny House on a permanent foundation 🌿, or Modular Home. These structures in the MHP zone are for owner/caretaker use only.	P	P	P	P	P	P	P	P	P	P	P
Townhouse	—	—	—	—	—	—	—	P	P	—	—
<b>Agricultural and Related Uses</b>											
Agriculture and Animal Keeping, subject to the provisions of <b>Section 3.3</b> 🌿	P	P	P	P	P	P	P	P	P	P	P
Agritourism, subject to provisions of <b>Section 3.3</b> 🌿	C	C	—	—	—	—	—	—	—	—	—
Commercial Composting Facility, subject to local fire district approval. In the AR zone, this use requires a 5-acre minimum parcel. 🌿	C	C	—	—	—	—	—	—	—	—	—
Commercial Fertilizer Operations	C	C	C	—	—	—	—	—	—	—	—


**TABLE 2-6: RESIDENTIAL LAND USES**

Residential Zoning Districts	G	AR	RR	RS-6,000	RS-10,000	RS-18,000	RS-36,000	RM-10/A	RM-20/A	RMH	MHP
Community Gardens, subject to the provisions of <b>Section 3.3</b>	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Equestrian Centers, Stables, and Riding Academies	C	C	C	—	—	C	C	C	C	—	—
Farmers Markets, subject to the provisions of <b>Section 3.3</b>	C	C	C	C	C	C	C	C	C	C	C
Feedlot, Commercial	C	—	—	—	—	—	—	—	—	—	—
Forest Products Processing	C	C	—	—	—	—	—	—	—	—	—
Meat Processing Facilities, Game, subject to the provisions of <b>Section 3.6</b> , except that this use may be conducted out of doors	P	C	C	—	—	—	—	—	—	—	—
Meat Processing Facilities, Small, subject to the provisions of <b>Section 3.6</b> , except that this use may be conducted out of doors	C	—	—	—	—	—	—	—	—	—	—
<b>Public and Quasi-Public Uses</b>											
Airports and Heliports	C	C	C	—	—	—	—	—	—	—	—
Animal Shelters, subject to the provisions of <b>Section 3.16</b>	C	C	C	—	—	—	—	—	—	—	—
Care Center, Child and/or Adult Care	P	P	P	P	P	P	P	P	P	P	P
Cemeteries, human and animal	C	C	C	—	—	—	—	—	—	—	—
Community Centers. This use is P, permitted, when reserved and approved with the amenities of a subdivision plat.	C	C	C	C	C	C	C	C	C	C	C
Community Service Agency Camp	C	C	C	—	—	—	—	—	—	—	—
Educational Institutions. This use is P, permitted, when reserved and approved with a subdivision plat.	C	C	C	C	C	C	C	C	C	C	C
Fire Stations. This use is P, permitted, when reserved and approved with a subdivision plat. Approved Conditional Use Permits shall be issued in perpetuity.	C	C	C	C	C	C	C	C	C	C	C
Hospitals	C	C	C	C	C	C	C	C	C	C	—
Landfill, Sanitary	C	—	—	—	—	—	—	—	—	—	—





**TABLE 2-6: RESIDENTIAL LAND USES**

	G	AR	RR	RS-6,000	RS-10,000	RS-18,000	RS-36,000	RM-10/A	RM-20/A	RMH	MHP
<b>Residential Zoning Districts</b>											
Libraries and museums, public or private	C	C	C	C	C	C	C	C	C	C	C
Off-Highway Vehicle Facilities	C	—	—	—	—	—	—	—	—	—	—
Park and Ride	C	C	C	C	C	C	C	C	C	C	C
Parks, Public or Private, Trails and Open Space. This use is P, permitted, when reserved and approved with a subdivision plat.	C	C	C	C	C	C	C	C	C	C	C
Recreational Facilities, Indoor	—	—	—	—	—	—	—	C	C	C	C
Recreational Facilities, Outdoor, subject to the provisions of <b>Section 3.15</b>	C	C	C	C	C	C	C	C	C	C	C
Religious Institutions	C	C	C	C	C	C	C	C	C	C	C
Solid Waste Transfer Facility	C	C	C	—	—	—	—	—	—	—	—
Transit Stop Center 	P	P	P	P	P	P	P	P	P	P	P
Utility Facility	C	C	C	C	C	C	C	C	C	C	C
<b>Commercial and Other Uses</b>											
Animal Hospitals and Veterinary Facilities, without commercial boarding	C	C	C	—	—	—	—	—	—	—	—
Borrow Pits	C	C	—	—	—	—	—	—	—	—	—
Campgrounds, subject to the provisions of <b>Section 3.18</b>	C	—	—	—	—	—	—	—	—	—	—
Feed Store	C	C	C	—	—	—	—	—	—	—	—
Firewood Storage and Sales yards	P	C	—	—	—	—	—	—	—	—	—
Kennel, Commercial, subject to the provisions of <b>Section 3.16</b>	C	C	—	—	—	—	—	—	—	—	—
Meteorological (MET) Tower	C	C	C	—	—	—	—	—	—	—	—
Mining	C	C	—	—	—	—	—	—	—	—	—
Rock, Sand, and Gravel Yard	C	C	—	—	—	—	—	—	—	—	—
Wireless Telecommunications Facilities, subject to the provisions of <b>Section 3.9</b>	C	C	C	C	C	C	C	C	C	C	C
<b>Home Occupations</b>											
Cottage Industries, subject to the provisions of <b>Section 3.6</b> 	C	C	C	C	C	C	C	—	—	—	—
Home Occupations, subject to the provisions of <b>Section 3.5</b> 	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*

**TABLE 2-6: RESIDENTIAL LAND USES**

Residential Zoning Districts	G	AR	RR	RS-6,000	RS-10,000	RS-18,000	RS-36,000	RM-10/A	RM-20/A	RMH	MHP
<b>Accessory Uses</b>											
Accessory Dwellings, subject to the provisions of <b>Section 3.4</b>	P	P	P	P	P	P	P	P	P	P	P
Accessory Structures in excess of 3,000 square feet. Accessory Structures on parcels less than 2 acres in the G and AR zones require a Conditional Use Permit.	P	P	C	C	C	C	C	C	C	C	C
Commercial Vehicles/Equipment Parking and/or Storage; limited to two vehicles. Parcels less than 10 acres in G Zone require a Conditional Use Permit.	P	C	C	—	—	—	—	—	—	—	—
Distributed (Individual) Renewable Energy Systems, including Accessory Wind Energy Systems, subject to the provisions of <b>Section 3.11</b>	P	P	P	P	P	P	P	P	P	P	P
Metal Storage Containers, as prescribed in <b>Section 3.10</b>	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
<b>Temporary Uses</b>											
Model Homes and subdivision sales offices. This use is P, permitted, when reserved and approved with a subdivision plat.	C	C	C	C	C	C	C	C	C	C	C
Modular Office Structures (off-site) during construction of a permanent Building for a period not to exceed 12 months with the issuance of a temporary use permit	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Temporary Uses, as prescribed in <b>Section 3.2</b>	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*

## 2.8 Commercial Zones

### 2.8.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the **Commercial** Zones are included in the Zoning Regulations to provide for **Office** Uses, retail stores, service establishments, mixed-use developments, and **Wholesale** business, consistent with the commercial land use categories described by the **Comprehensive Plan**, and appropriately located to offer commodities and services required by



residents of the County and its surrounding market area. Office and commercial Uses are encouraged to congregate for the convenience of the public and for a mutually beneficial relationship. High standards of commercial Site planning, architecture, and landscape design for office and commercial developments provide adequate space to meet the needs of modern commercial and mixed-use development, including providing off-street parking and loading areas, minimizing traffic congestion, avoiding the overloading of utilities, and protecting residential and other commercial properties from noise, odor, smoke, unsightliness, and other objectionable influences incidental to commercial Uses.

### 1. CN-0.5/A – Commercial Neighborhood Zone

This zone is intended to provide limited neighborhood retail business, service, and office facilities for the convenience of residents of the neighborhood. This zone is intended to be compatible with a residential environment for an individual community.

### 2. CG-10,000 – Commercial General Zone

This zone is intended for the location of general retail and Wholesale commercial activities.

### 3. CH-10,000 – Commercial Heavy Zone

This zone is intended to provide appropriately located areas for establishments catering primarily to highway travelers, visitors to the County, or such businesses or uses where direct access to major arterial highways is essential or desirable for their operation.

## 2.8.B. Permitted and Conditional Uses: Commercial Zones

See **Section 2.10** for Permitted and **Conditional Uses** in the **Commercial Zones**.

## 2.8.C. Property Development Standards: Commercial Zones

The following property development standards shall apply to all land and Structures permitted in their respective commercial zones, except that, any Lot shown on an official subdivision map that was duly recorded, or any Lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this Ordinance, may be used as a building site.

1. The following requirements in **Table 2-7** are minimum unless otherwise noted:

<b>TABLE 2-7: COMMERCIAL ZONE PROPERTY DEVELOPMENT STANDARDS</b>				
No.	Property Development Standards	CN-0.5/A	CG-10,000	CH-10,000
1.	Minimum parcel size, square feet or acres	0.5 acres	10,000 SF	10,000 SF
2.	Lot Width, in feet	100	60	50
3.	Lot Depth, in feet	100	100	100
4.	Front Setback, in feet	20	20	20
5.	Lot Frontage	20	20	20
6.	Side Interior Setback, in feet	10	—	—
7.	Side Interior and Rear Yard Setback, in feet, adjacent to any residential zone	20	20	20
8.	Side Street Setback, in feet	10	20	20



**TABLE 2-7: COMMERCIAL ZONE PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	CN-0.5/A	CG-10,000	CH-10,000
9.	Rear Setback, in feet	10	0	0
10.	Lot Coverage, maximum	35%	35%	35%
11.	Structure Height, maximum, in feet	35	35	50
12.	Off-street parking	See Section 4.1 for commercial and residential uses		

2. All Setbacks shall be measured from property lines. In situations where an **Access Easement** is located along a property line, the Setback shall be measured from the interior edge of any Access Easement line. Where an Access Easement bisects any parcel of land, said Easement shall be considered a Street for Setback purposes and Street Side Setbacks shall apply.
3. For **Access** purposes each building site shall have a minimum 30-foot-wide **Easement or Right-of-Way**. A turnaround with a minimum radius of 25 feet shall be provided at the end of each Easement over 150 feet in length. No fences or other obstructions shall be placed in the Easement area except with written permission of all other property owners served by the Easement. For any parcel of land created after January 3, 1995, an Access road to the parcel must be provided prior to the delivery of any combustible building materials. Said Access road must be constructed with a 20-foot-wide all-weather travel surface capable of supporting a 42,000-pound emergency vehicle, as approved by the Coconino County Community Development Engineering Supervisor.

### 2.8.D. Performance Standards: Commercial Zones

#### 1. Parking

Wherever off-street **Parking Areas** are situated across the Street from property in a noncommercial or industrial zones, a masonry wall or berm 3 feet in height shall be erected between the required landscaped area and the Parking Area to adequately screen said Parking Areas from the residential properties.

#### 2. Landscaping

- A. Landscaping shall be provided in any commercial zone as required in **Section 4.4** and **Section 4.8**.

#### 3. Screening

- A. Screening shall be provided in any commercial zone as required in **Section 4.8**.
- B. All mechanical equipment, including heating and air conditioning units, shall be completely screened from surrounding properties by use of a wall or fence or shall be enclosed within a **Building**. Facilities for the operation of solar or alternate energy systems may be exempted from this requirement subject to the approval of the **Community Development Director**.
- C. Waste receptacles enclosed with solid masonry walls and with gates shall be provided for each commercial use. Said receptacles shall be set back a minimum of 20 feet from any noncommercial or industrial zone boundary and shall be maintained in a neat and sanitary



condition in order to safeguard the health, safety, and general welfare of **Adjacent** properties subject to the approval of the **Community Development Director**. Alternatives to constructed enclosures may be approved by the Community Development Director.

- D. Methods of screening for outdoor storage may include wooden fencing, masonry walls, rock walls, landscaped berms, or vegetative screening subject to the approval of the **Community Development Director**. All facilities for outdoor storage shall be subject to the review and approval of the Planning and Zoning Commission.

#### 4. Lighting

- A. No exterior lighting shall be permitted in any commercial zone except as provided in **Section 4.3**.
- B. The operation of searchlights or similar lighting sources for advertising display or any other commercial purpose is prohibited.

#### 5. Projections into Required Yards

Required Yards and separations shall be maintained free and clear of above ground Structures except as provided in **Section 4.5**.

#### 6. Signs

No Sign or outdoor **Advertising Device** shall be permitted in any commercial zone except as provided in **Section 4.2**.

#### 7. Accessory Structures

Accessory Structures, excluding **Accessory Dwelling Units**, shall be subject to the following restrictions:

- A. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
- B. No **Kitchen** facilities or wet bars shall be permitted.
- C. In any **Commercial Zone**, Accessory Structures shall not be located in front of the main **Building**.
- D. The use of **Mobile Homes**, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited. **Metal Storage Containers** may be permitted, refer to **Section 3.10**.
- E. For the purpose of this Section, swimming pools shall be considered to be a detached Structure. Swimming pools including all Accessory or appurtenant Structures and equipment shall maintain minimum Setback of 5 feet from all property lines and **Buildings**. As a precaution against unauthorized use, swimming pools shall be enclosed by a wall or fence not less than 6 feet in height to the specifications of the Community Development Department.

#### 8. Other Performance Standards

- A. The outdoor display and storage of any items, including but not limited to, items for sale, **Unlicensed** and/or **Inoperable Vehicles**, Travel Trailers, boats, **Recreational Vehicles**, or **Secondhand Materials** is prohibited, unless a **Conditional Use** permit is approved by the



Planning and Zoning Commission for said outdoor storage. This provision does not apply to **Nursery and Garden Supply Stores** that are permitted uses.

- B. Noise shall not be generated by any use to the point of disturbing the peace, quiet, and comfort of neighboring residences or the operation of businesses.

## 2.9 Industrial Zones

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### 2.9.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the Industrial Zones are included in the Zoning Regulations to provide appropriately located areas for industrial Uses, and protect these areas from intrusion by **Dwellings** and other inharmonious Uses; to protect residential, commercial, and nuisance-free, non-hazardous industrial Uses from noise, odor, dust, smoke, truck traffic, and other objectionable influences and from fire, explosion, radiation, and other hazards incidental to certain industrial Uses; to provide sufficient open space around industrial Structures to protect them from hazard and to minimize the impact of industrial plants on nearby residential or commercial zones; to minimize traffic congestion; and to avoid the overloading of utilities by restricting the construction of **Buildings** of excessive size in relation to the amount of land around them.

#### 1. IP-20,000 – Industrial Park Zone

This zone is intended for modern industrial, business, and research development parks and administrative facilities that can meet high performance and development standards.

#### 2. IL-10,000 – Light Industrial and Manufacturing Zone

This zone is intended for light industrial, manufacturing, and limited service commercial Uses that can meet high performance standards but that frequently do not meet site development standards appropriate to the planned research and development focus of industrial parks. Because these uses generally occur inside buildings and create limited associated traffic, they are more compatible with other land uses than heavy industrial uses.

#### 3. IH-6,000 – Heavy Industrial Zone

This zone is intended for heavy industrial Uses in those urban areas of the County that are designated for general industrial Uses on the Comprehensive or Regional Plan. Because of the need for municipal water, sewer, fire protection, and other services, heavy industrial uses are located within and near cities and communities with those services. Heavy industrial uses may employ heavy equipment and have the potential to create noise, smoke, odor, or other impacts to neighboring properties.

### 2.9.B. Permitted and Conditional Uses: Industrial Zones

See **Section 2.9** for Permitted and **Conditional Uses** in the Industrial Zones.

### 2.9.C. Property Development Standards: Industrial Zones

1. The following property development standards shall apply to all land and **Buildings** permitted in their respective industrial zones, except that, any Lot for which a bona fide deed was duly recorded



in conformance with the zoning in effect prior to the date of adoption of this Ordinance, may be used as a building site.

- The following requirements in **Table 2-8** are minimum unless otherwise noted.

**TABLE 2-8: INDUSTRIAL ZONE PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	IP-20,000	LI-10,000	HI-6,000
1.	Minimum parcel size, in square feet	20,000	10,000	6,000
2.	Lot Frontage, in feet	20	20	20
3.	Lot Width, in feet	100	100	60
4.	Lot Depth, in feet	150	100	100
5.	Front Setback, in feet	20	10	10
6.	Side Interior Setback, in feet	15	–	–
7.	Side Street Side Setback, in feet	20	10	10
8.	Rear Setback, in feet	20	–	–
9.	Lot Coverage, maximum	60%	60%	–
10.	Structure Height, in feet	40	50	50
11.	Off-street parking	See Section 4.1		

- For **Access** purposes each building site shall have a minimum 30-foot-wide **Easement** or **Right-of-Way**. A turnaround with a minimum radius of 25 feet shall be provided at the end of each Easement over 150 feet in length. No fences or other obstructions shall be placed in the Easement area except with written permission of all other property owners served by the Easement. For any parcel of land created after January 3, 1995, an Access road to the parcel must be provided prior to the delivery of any combustible building materials. Said Access road must be constructed with a 20-foot-wide all-weather travel surface capable of supporting a 42,000-pound emergency vehicle, as approved by the Coconino County Community Development Engineering Supervisor.

- Additional Setbacks and Screening shall be provided in any Industrial zone as required in **Section 4.8**.

#### 2.9.D. Performance Standards: Industrial Zones

##### 1. Parking

Parking shall be provided per the requirements of the Use of the property.

##### 2. Landscaping

- Landscaping shall be permitted in any Industrial Zone as provided in **Section 4.4** and **Section 4.8**.

##### 3. Screening

- Screening shall be provided in any commercial zone as required in **Section 4.8**.
- Waste receptacles enclosed with solid masonry walls and with gates shall be provided for each industrial Use. Said receptacles shall be set back a minimum of 20 feet from any noncommercial or industrial zone boundary and shall be maintained in a neat and sanitary condition in order to



safeguard the health, safety, and general welfare of **Adjacent** properties, subject to the approval of the **Community Development Director**. Alternatives to constructed enclosures may be approved by the Community Development Director.

- C. All mechanical equipment, including heating and air conditioning units and waste receptacle areas, shall be completely screened from surrounding properties by use of a wall or fence or shall be enclosed within a **Building**. Facilities for the operation of solar or other alternate energy systems may be exempted from this requirement subject to the approval of the **Community Development Director**.

#### 4. Lighting

No exterior lighting shall be permitted in any Industrial Zone except as provided in **Section 4.3**.

#### 5. Signs

No Sign or outdoor **Advertising Device** shall be permitted in any Industrial Zone except as provided in **Section 4.2**.

#### 6. Projections into Required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.

#### 7. Accessory Structures

Accessory Structures, excluding **Accessory Dwelling Units**, shall be subject to the following restrictions:

- A. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel
- B. No **Kitchen** facilities or wet bars shall be permitted.
- C. In any Industrial Zone, Accessory Structures shall not be located in front of the main **Building** except when approved through a **Conditional Use** permit.
- D. In any Industrial Zone, Accessory Structures shall meet all of the Setback requirements for main **Buildings**.
- E. In any Industrial Zone, Accessory Structures used for the selling of agricultural products shall be subject to the review and approval of the **Community Development Director**.

#### 8. Other Performance Standards

- A. No Use except a temporary construction operation shall be permitted that creates changes in temperature or direct glare, detectable by the human senses without the aid of instruments, beyond the boundaries of the site. No Use shall be permitted that creates electrical disturbances that affect the operation of any equipment beyond the boundaries of the Site.
- B. All storage of and activities involving flammable and explosive materials shall be provided with adequate safety and firefighting devices to the specifications of the applicable fire district chief or County Emergency Management Director. All incineration is prohibited.









- C. No Use shall be permitted that creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the Site.
- D. In all industrial zones, the use of radioactive materials shall be limited to measuring, gauging, and calibration devices.
- E. No Use except a temporary construction operation shall be permitted that generates inherent and recurrent ground vibration perceptible, without instruments, at the boundary of the Lot in which the Use is located.
- F. Noise shall not be generated by any Use to the point of disturbing the peace, quiet, and comfort of neighboring residences or businesses.
- G. No hazardous material shall be disposed on the premises. All such materials shall be transported to a Site officially designated by the State of Arizona for hazardous materials disposal.
- H. All solid waste generated by an industrial Use shall be transported to an approved landfill site for proper disposition.

**2.9.E. Administration Requirements: Industrial Zones**

Whenever there is a question of conformance with the performance standards of this Section, such as noise, odor, or emissions, the **Community Development Director** shall require the property owner or operator to engage the services of a certified testing firm. Copies of all such tests shall be furnished to the Director.

**2.10 Commercial and Industrial Zones Permitted and Conditional Uses**

**Table 2-9** lists permitted and conditional uses in commercial and industrial zones.

<b>TABLE 2-9: COMMERCIAL AND INDUSTRIAL ZONES PERMITTED AND CONDITIONAL USES</b>						
	CN-0.5/A	CG-10,000	CH-10,000	IP-20,000	IL-10,000	IH-6,000
<b>Commercial and Industrial Zoning Districts</b>						
(P) = Permitted; (P*) = Permitted with an Administrative Permit; (-) = Prohibited; (C) = Conditional Use Permit. All Uses not listed are prohibited.						
<b>Agricultural Uses</b>						
Agriculture and Animal Keeping, subject to the provisions of <b>Section 3.3</b> 	P	P	P	P	P	P
Agricultural and Cooperative Extensions and Experimental Facilities 	-	C	P	-	-	-
Commercial Composting Facility, subject to local fire district approval. In CH zone, this use requires a 5-acre minimum parcel. 	-	-	C	C	P	P
Commercial fertilizer operations	-	-	-	-	C	C
Community Gardens, subject to the provisions of <b>Section 3.3</b> 	P*	P*	P*	P*	P*	P*





**TABLE 2-9: COMMERCIAL AND INDUSTRIAL ZONES PERMITTED AND CONDITIONAL USES**



	CN-0.5/A	CG-10,000	CH-10,000	IP-20,000	IL-10,000	IH-6,000
<b>Commercial and Industrial Zoning Districts</b>						
Equestrian Centers, Stables, and Riding Academies	—	C	C	C	C	P
Farmers Markets, subject to the provisions of <b>Section 3.3</b>	C	C	C	C	C	C
Feedlot, Commercial	—	—	—	—	—	C
Forest Products Processing	C	C	C	C	P	P
Meat Processing Facilities, Small, subject to the provisions of <b>Section 3.6</b> , except that this use may be conducted out of doors	—	—	—	C	C	C
Meat Processing Plants	—	—	—	—	C	C
Medical Marijuana Off-Site Cultivation and Infusion Facilities, subject to the provisions of <b>Section 3.12</b>	—	—	C	—	P*	P*
<b>Commercial and Industrial Uses</b>						
Adult Use, Adult Entertainment Business	—	—	—	—	—	C
Animal Hospitals and Veterinary Facilities, without commercial boarding	C	C	P	C	P	P
Auction houses/stores	—	C	P	P	P	—
Automobile and Motor Vehicle Body Shop and Painting	—	—	C	—	P	P
Automobile and Motor Vehicle Repair and Service Garage	C	C	P	C	P	P
Automobile and Motor Vehicle Sales and Rental	—	C	P	C	P	P
Bakeries, Wholesale	—	C	P	P	P	—
Banks, Financial institutions	P	P	P	P	—	—
Banquet halls, conference centers, and wedding facilities	C	P	P	—	—	—
Bars, Micro-breweries, Craft Distilleries, Wineries, Tasting and Tap Rooms	C	P	P	C	C	C
Campgrounds, subject to the provisions of <b>Section 3.18</b> . A Conditional Use Permit is required when a commercial zone abuts residential zoning.	—	P*	P*	—	—	—
Ceramic studio with outdoor kiln as a commercial use	C	P	P	P	P	P
Commercial Vehicle, Industrial and Construction Equipment Sales and Rental	—	C	P	—	P	P
Contractor's Yards and Building trades offices	—	C	P	P	P	P
Convenience Market, Fuel Island, and Car Washes	C	C	P	—	C	P
Dry Cleaning, Laundry and Dying Plants	—	—	—	—	C	C
Feed Stores	C	P	P	—	P	P
Firewood Storage and Sales yards	—	C	C	—	P	P
Hotels, Motels, and Resorts	—	P	P	—	—	—
Kennels, Commercial, subject to the provisions of <b>Section 3.16</b>	—	C	C	C	C	P
Laboratory	—	P	P	P	P	P




**TABLE 2-9: COMMERCIAL AND INDUSTRIAL ZONES PERMITTED AND CONDITIONAL USES**

Commercial and Industrial Zoning Districts	CN-0.5/A	CG-10,000	CH-10,000	IP-20,000	IL-10,000	IH-6,000
Lumber and Building Material Yards, including product showrooms	—	C	P	C	P	P
Marijuana Dispensaries, subject to the provisions of <b>Section 3.12</b>	—	P*	P*	P*	P*	P*
Medical Clinic	P	P	P	P	—	—
Mixed Use Development, in an Activity Center 	P	P	P	—	—	—
Mixed Use Development, not in an Activity Center 	C	C	C	—	—	—
Mortuaries, pet or human	—	C	P	P	P	P
Motor Vehicle, Boat, and Recreational Vehicle Storage Yards	—	P	P	—	P	P
Nursery and Garden Supply Stores, including outdoor display and sales	P	P	P	C	P	P
Office	P	P	P	P	P	P
Personal Services Establishment	P	P	P	P	—	—
Printing and Publishing Shop	—	P	P	P	P	P
Recreation Facilities, Indoor	C	P	P	P	P	—
Recreation Facilities, Outdoor, subject to the provisions of <b>Section 3.15</b>	C	C	C	P	—	—
Recreational Vehicle and Travel Trailer Parks, subject to the provisions of <b>Section 3.18</b> . A Conditional Use Permit is required when a commercial zone abuts residential zoning.	—	P*	P*	—	—	—
Restaurants and retail bakeries. This Use is conditional when outdoor seating is proposed and the property abuts residential zoning.	P	P	P	P	C	C
Restaurants, Drive-In/Thru	C	P	P	—	—	—
Retail Sales Establishments, Large (establishments over 70,000 square feet are prohibited)	—	C	P	—	C	—
Retail Sales Establishments, except for Retail Sales Establishments, Large, as defined in <b>Chapter 6, Definitions</b>	P	P	P	C	—	—
Rock, Sand, and Gravel Yards	—	—	—	—	—	C
Self-service Storage	C	C	P	P	P	P
Solid Waste Hauler Yard	—	C	C	—	C	P
Stone and Monument Yards	—	C	P	—	P	P
Tire retreading and recapping	—	—	—	—	C	C
Truck Stops and Travel Centers	—	—	C	—	C	C
Truck Yard	—	—	C	—	P	P
Warehousing Operations	—	P	P	P	P	P
Wholesale Uses and Distribution Centers	—	—	C	P	P	P

**TABLE 2-9: COMMERCIAL AND INDUSTRIAL ZONES PERMITTED AND CONDITIONAL USES**

	CN-0.5/A	CG-10,000	CH-10,000	IP-20,000	IL-10,000	IH-6,000
<b>Commercial and Industrial Zoning Districts</b>						
Wireless Telecommunications Facilities, subject to the provisions of <b>Section 3.9</b>	C	C	C	C	C	C
Wrecking and Salvage Yards	—	—	—	—	—	C
<b>Public and Quasi-Public Uses</b>						
Airports and Heliports	—	—	—	C	C	C
Animal Shelters, subject to the provisions of <b>Section 3.16</b>	C	C	P	C	P	P
Care Centers, Child and/or Adult Care	P	P	C	—	—	—
Community Centers. These uses are P, permitted, when reserved and approved with the amenities of a subdivision plat.	P	P	C	—	—	—
Community Service Agency Camp	C	P	P	P	—	—
Educational Facility, Trade School	C	P	P	P	P	P
Educational Institutions. This use is P, permitted, when reserved and approved with a subdivision plat.	P	P	C	P	—	—
Fire Stations. This use is P, permitted, when reserved and approved with a subdivision plat. Approved Conditional Use Permits shall be issued in perpetuity.	P	P	P	P	P	P
Hospitals	C	P	P	—	—	—
Landfill, Sanitary	—	—	—	—	—	C
Libraries and museums, public or private	P	P	P	P	C	—
Park and Ride	C	P	P	C	P	P
Parks, Public or Private, Trails and Open Space	P	P	P	P	C	C
Parking Garages, Lot or Structure	—	C	C	C	P	P
Post office branch	P	P	P	P	P	P
Postal terminal or Distribution Center	—	—	—	P	P	P
Public Utility Service Yards	—	—	—	—	C	P
Religious Institutions	C	P	P	C	—	—
Solid Waste Transfer Facility	C	C	C	—	C	C
Transit Stop Center 	P	P	P	P	P	P
Utility Facility	C	C	C	C	C	C
<b>Accessory Uses</b>						
Accessory retail propane sales, tanks 2,000 gallons or less, subject to the issuance of a building permit	C	P	P	C	P	P
Caretaker's Residence	—	—	—	P	P	P
Distributed (Individual) Renewable Energy Systems, including Accessory Wind Energy Systems, subject to the provisions of <b>Section 3.11</b> 	P	P	P	P	P	P

**TABLE 2-9: COMMERCIAL AND INDUSTRIAL ZONES PERMITTED AND CONDITIONAL USES**

	CN-0.5/A	CG-10,000	CH-10,000	IP-20,000	IL-10,000	IH-6,000
<b>Commercial and Industrial Zoning Districts</b>						
Metal Storage Containers, as prescribed in <b>Section 3.10</b>	P*	P*	P*	P*	P*	P*
Retail Sales Establishment permitted as an accessory use on the same site as an existing or proposed industrial or public/quasi-public use	—	—	—	C	C	C
<b>Residential Uses</b>						
Assisted Living Facilities, Convalescent Homes, and Residential Collective Home	C	P	P	—	—	—
Bed and Breakfast Establishments, subject to the provisions of <b>Section 3.7</b>	P	—	—	—	—	—
Residential Uses in Commercial zones, as permitted in the residential zoning districts, for areas outside of Area Plan and Regional Plan boundaries 	C	C	C	—	—	—
<b>Temporary Uses</b>						
Temporary Uses, as prescribed in <b>Section 3.2</b>	P*	P*	P*	P*	P*	P*
Modular Office Structures (off-site) during construction of a permanent Building for a period not to exceed 12 months with the issuance of a temporary use permit	P*	P*	P*	P*	P*	P*
<b>Manufacturing Uses</b>						
Asphalt and Concrete Manufacturing and Batch Plant	—	—	—	—	C	C
Borrow Pits	—	—	—	—	C	C
Manufacturing, Heavy	—	—	—	—	—	C
Manufacturing, Light with no outdoor storage	C	P	P	P	P	P
Manufacturing, Medium	—	—	—	—	C	P
Mining	—	—	—	—	—	C
Oil, Gas, and Petroleum Pumping, Distributing, or Storage Facility	—	—	—	—	C	C

## 2.11 Planned District Zones

### 2.11.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the Planned District zones are designed to facilitate, through the rezoning process, the development of master-planned developments in a more creative and imaginative fashion than generally possible under conventional zoning and subdivision regulations. While each Planned District zone has a specific intent, purpose, and function, the process for establishing and for amending these zones is the same, as detailed in this Section. For purpose statements specific to each zone, refer to that Section.



Because of their special or unique characteristics and the need to implement specific sections of the **Comprehensive Plan**, the following Planned District zones are established (**Table 2-10**).

**TABLE 2-10: PLANNED DISTRICT ZONES**

Section	Zone	
2.11.F	RC	Resort Commercial
2.11.G	PRD	Planned Residential Development
2.11.H	PC	Planned Community

### 2.11.B. Planned Districts' Land Uses

1. Those Uses that are designated on the **Development Plan** for the particular Planned District Zone as approved by the **Board of Supervisors** are those permitted for the approved project.
2. Existing land Uses that existed in the zone at the time of adoption of the **Development Plan** shall either be incorporated as part of the Development Plan or shall be terminated in accordance with a specific abatement schedule submitted and approved as part of the Development Plan.
3. **Wireless Telecommunication Facilities** planned with the project are subject to the provisions of **Section 3.9**; Wireless Telecommunication Facilities planned after project approval are subject to the provisions of **Section 3.9** and **Section 5.7**.

### 2.11.C. Administration Requirements

1. Pre-Application Procedure

Prior to submitting an application for a Planned District zone development, the applicant or prospective developer shall hold preliminary consultations with the Community Development Department to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys, and other data. Such preliminary consultations should be relative to a general **Development Plan** that expresses the concepts to be embodied in the proposed development.

2. The following requirements shall apply to all Planned District Zoned areas:
  - A. An application for a zone change in accordance with **Section 5.12** shall be submitted for the establishment of a Planned District Zone and shall include and be accompanied by a **Development Plan** for the entire property.
3. Application – **Development Plan** – Planned District Zone

The application for a proposed Planned District Zone shall consist of maps, plans, reports, schedules, development standards, and schematic drawings and such other documents deemed necessary and in a form approved by the **Community Development Director** in accordance with the following minimum requirements, shown to scale and dimensioned:

- A. The gross land area of the development, the present zoning classification thereof, and the zoning classification and land use of the area surrounding the proposed development, including the location of existing structures and other improvements.



- B.** A boundary survey map of the property and/or a tentative subdivision map may be substituted for the **Development Plan** if the applicant proposes to subdivide the property.
- C.** The **Development Plan** shall consist of following minimum details:
- i.** A general land use map setting forth the proposed Use or Uses of all sections or areas within the subject property and the approximate acreage of each.
  - ii.** The location of each existing and each proposed Structure and **Accessory Structure** in the development area, including the number of stories, the gross building and **Floor Areas**, approximate location of entrances and loading points thereof, if proposed, the number of **Dwelling Units** per gross acre proposed for each residential area, including a statement of the standards of population density for the various proposed residential land uses.
  - iii.** The location of each existing and each proposed **Utility Facility**, school site, and other public and semi-public sites and the approximate area of each.
  - iv.** A topographic map and preliminary grading plan with proposed finished grades of the subject property shown at contour intervals not to exceed 5 feet.
  - v.** When proposed, the general location of all major, primary, secondary, and local collector Streets coordinated with the Circulation Element of the County **Comprehensive Plan**. For all Development Plans driving lanes, **Parking Areas**, loading areas, public transportation points, and illumination facilities for the same shall be shown.
  - vi.** All pedestrian walks, malls, and open areas.
  - vii.** Types of surfacing, such as paving, turfing, or gravel, to be used at the various locations.
  - viii.** The location and use of proposed **Open Space** and Recreational Facilities such as parks, playgrounds, trails, and **Community Centers**.
  - ix.** If the development is proposed to be phased, a phasing plan demonstrating conceptual plans for future phases shall be illustrated on the Development Plan.
- D.** A conceptual Landscape Plan including the method by which such **Landscaping** is to be accomplished for the development, and at a minimum the location and height of all walls, fences, and screen planting. Irrigation plans and plant lists may be submitted for review with building permits, unless requested by the Director.
- E.** A preliminary report and plan describing proposed provisions for storm drainage, sewage disposal, water supply, and such other improvements and utilities as the County Engineer may require.
- F.** A plan of the proposed Signage.
- G.** Plans and elevations of **Buildings** and Structures sufficient to indicate the architectural style and construction materials.
- H.** The proposed means for ensuring continuing existence, maintenance, and operation of the various common elements and facilities.

- I. Accompanying text setting forth the proposed land use regulations that constitute the development standards for each section or area specified on the **Development Plan** for all proposed types of land uses. Suggested development standards for each Planned District are listed with each Planned District descriptions. General performance standards for all Planned Districts are set forth in **Section 2.11.D**.
- J. Such other information as may be required by the **Community Development Director** to enable a complete analysis and appraisal of the planned development. The Director may also authorize omission of any or all of the plans and drawings required by this Section if they are not necessary.

#### 4. Adoption of **Development Plan** – Planned District Zone

The Development Plan and supporting statements and documents submitted with the application for any Planned District Zone shall be approved and adopted by the **Board of Supervisors** and included in the Ordinance establishing the Zone. The Planning and Zoning Commission may recommend, and the Board of Supervisors may approve, specific conditions of approval of a Planned District Zone including maximum density/intensity, minimum Setbacks, timing and phasing, and other reasonable considerations deemed necessary to promote the purpose of this Ordinance. All development within the Zone shall comply substantially with the Development Plan as approved and adopted by the Board of Supervisors. The Board of Supervisors shall make the following findings in order to approve a Planned District zone change or a **Major Amendment** thereto:

- A. That the development at the location proposed is consistent with and conforms to the goals, objectives, and policies of the **Comprehensive Plan** and the goals, objectives, policies, and design standards of the **Area Plan**.
- B. That the development and proposed location is consistent with the objectives and standards of the Planned District Zone.
- C. That the development at the location proposed and the development standards to be followed or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- D. That the development will promote or preserve environmental qualities and conserve energy usage and energy resources including the protection of adequate sunlight for use of solar energy systems. 🌿

#### 5. **Major Amendments and Minor Changes** to the Planned District **Development Plan**

Major Amendments or Minor Changes to the adopted Development Plan shall be accomplished as follows:

- A. Major Amendments to a Planned District are substantial changes to the Development Plan and/or Subdivision plat that modify the approved land uses, **Density**, or property development standards or are of such a scale as to be considered a new development. Amendments shall be accomplished in the same manner as an amendment to the zoning regulations as prescribed in **Section 5.12**. For the purposes of this section the following shall be considered Major Amendments to the approved Planned District Development Plan:





- i. The number of approved residences per acre (Density) increases or exceeds the maximum number of **Dwelling Units** permitted within the plan; or
  - ii. Changes to the approved development standards and design regulations, such as Setbacks, buffers, or building height; or
  - iii. Modifications to the land use or uses that were approved with the Development Plan; or
  - iv. A change that alters street patterns or increases traffic volumes; or
  - v. Any other change that is determined by the **Community Development Director** to warrant review by the Planning and Zoning Commission and **Board of Supervisors**.
- B.** Minor Changes to a Planned District Zone are those that concern the application, implementation, or enforcement of administrative functions of the plan but that do not substantially modify the approved Development Plan. Minor changes may include, but are not limited to, the relocation of buildings within the development, reconfiguration of parking lots without a change to the parking standards, additions to existing buildings, the addition of accessory structures, or revisions to landscaping plans, signage, or lighting plans consistent with the approved standards. Minor Changes shall be accomplished administratively by the Director pursuant to rules prescribed in **Section 5.6**.

#### 2.11.D. Performance Standards Common to Planned District Zones

##### 1. Parking

Parking shall be provided per the requirements of the Use or Uses of the property as provided for in **Section 4.1**, or as prescribed on the approved **Development Plan**.

##### 2. Lighting

No outdoor lighting shall be permitted in a Planned District zone except as provided for in **Section 4.3**, or as prescribed on the approved **Development Plan**.

##### 3. Landscaping

All required Landscaping shall be as provided for in **Section 4.4**, or as prescribed on the approved **Development Plan**, and permanently maintained in accordance with the approved landscape plan.

##### 4. Signs

No Sign or outdoor **Advertising Device** shall be permitted except as provided in **Section 4.2** or as prescribed on the approved **Development Plan**.

##### 5. Projections into Required Yards

Required Yards and separations shall be maintained free and clear of above ground Structures except as provided in **Section 4.5**, or as prescribed on the approved **Development Plan**.

##### 6. Accessory Structures

Accessory Structures, excluding **Accessory Dwelling Units**, shall be subject to the following restrictions:



- A. Bathroom facilities shall be limited to a total of one sink, one toilet, and one shower per parcel.
- B. No **Kitchen** facilities or wet bars shall be permitted.
- C. The use of Mobile, Manufactured or **Modular Homes**, semi-trailers, railroad cars, Travel Trailers, camper shells, or similar units as Accessory Structures is prohibited.
- D. The primary use shall be established prior to accessory Structures, unless otherwise specified by the performance standards.

### 2.11.E. Property Development Standards Common to Planned District Zones

1. No **Building**, except as hereafter provided, shall be located closer than 5 feet from an interior vehicular or pedestrian way, court, plaza, open parking lot, or any other surfaced area reserved for public use or for use in common by a guest of the resort development. Such Setback generally shall be measured from the nearest edge of the surfaced area, provided, however, that where no sidewalk exists in conjunction with a public or private Street, such Setback shall be measured from the nearest edge of the Street **Right-of-Way** or private road **Easement**.
2. Site Compatibility
  - A. Planned District developments shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall provide for the protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.
  - B. Planned District developments shall relate harmoniously to the topography of the Site, shall make suitable provision for the preservation of water courses, drainage areas, wooded areas, rough terrain, and similar natural features and areas, and shall be otherwise so designed as to use and retain such **Environmentally Sensitive Features** and amenities to the best advantage.
3. **Open Space** and Recreation Facilities
  - A. Required Open Space shall comprise the percentage of the total area of the development listed in the Property Development Standards for each zone. Land occupied by **Buildings**, Streets, driveways, or **Parking Spaces** may not be counted in satisfying this Open Space requirement; however, land occupied by recreational Buildings, Structures, or Uses may be counted as a portion of the required Open Space. Open Space shall be uninterrupted and contiguous with Open Space and natural areas on **Adjacent** properties, where such Open Space exists.
  - B. A maximum of one-half of the required Open Space may be improved. Open Space left in its natural state shall be kept free of litter and shall at no time constitute a health, safety, fire, or flood hazard. Areas devoted to natural or improved flood control channels and those areas encumbered by flowage, **Floodway**, or drainage **Easements** may be applied toward satisfying this portion of the total Open Space requirement.
  - C. If development is to be accomplished in stages, the **Development Plan** shall coordinate improvement of the Open Space; the construction of **Buildings**, Structures, and improvements



in such Open Space; and the construction of **Dwelling Units** in order that each development stage achieves a proportionate share of the total Open Space of the total planned development.

- D. Connectivity to Open Space, public lands, and Recreation Facilities shall be created throughout the Planned District development via trails, sidewalks, and bike paths, to provide circulation and linkages, including linkages between street blocks. Trail connections to established National Forest Trails shall be provided where appropriate and as approved by the National Forest Service. 🌿

#### 4. Public and Private Improvements

- A. All public and private transportation and circulation improvements shall meet County requirements for the particular classification and use.
- B. All utilities shall be placed underground. For the purposes of this Section, appurtenances and associated equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts of an underground system may be placed above ground.
- C. The type, number, and location of fire hydrants and other fire protective devices shall be subject to the specifications of the Fire Chief or Fire Marshall.

### 2.11.F. Resort Commercial Zone

#### 1. Purpose

In addition to the objectives outlined in **Section 1.2**, the RC – Resort Commercial Zone is designed to provide, through the rezoning process, for the exclusive development of resort facilities in a more creative and imaginative fashion than generally is possible under conventional zoning, and to provide for a zone wherein various styles of residential Uses designed for occupancy by guests of limited duration can be established in conjunction with service commercial and recreational Uses in a coordinated, comprehensive, and harmonious design.

#### 2. Property Development Standards – RC Zone

The following development standards apply to an RC zone. All development standards that are specific to the RC, to include standards such as Setbacks, building height, and **Density**, shall be identified on the **Development Plan** and/or the recorded Final Plat.

- A. The minimum **Site Area** required for a **Resort Commercial Development** is 5 acres.
- B. The minimum required on-site **Open Space** shall be 30 percent.
- C. There shall be no minimum requirement for individual lots or individual **Dwelling** sites in a **Resort Commercial Development**.

### 2.11.G. Planned Residential Development Zone

#### 1. Purpose

In addition to the objectives outlined in **Section 1.2**, the PRD – **Planned Residential Development Zone** is designed to facilitate, through the rezoning process, planned residential development consistent with

the Planned Development residential land use category described by the **Comprehensive Plan**, and by the Regional Plan, by permitting greater flexibility and, consequently, more creative and imaginative designs for the development of such residential areas than is generally possible under conventional zoning and subdivision regulations.

These regulations are further intended to promote cluster development and encourage integrated conservation design that creates sustainable, economical, and efficient Use of the land, while providing a harmonious variety of housing choices, a higher level of urban amenities, and preservation of natural and scenic qualities of **Open Spaces**. 🌿

## 2. Property Development Standards — PRD Zone

The following development standards apply to a PRD zone. All development standards that are specific to the PRD, to include standards such as Setbacks, building height, and **Density**, shall be identified on the **Development Plan** and/or the recorded Final Plat.

- A. The minimum **Site Area** required for a **Planned Residential Development** is 10 acres.
- B. There shall be no minimum area requirement for individual lots or individual **Dwelling** sites in a **Planned Residential Development**.
- C. The maximum number of **Dwelling Units** permitted in a **Planned Residential Development** shall be determined by dividing the **Gross Area** within the boundaries of the proposed development by the Density restrictions, consistent with the **Comprehensive Plan, Area Plan, or Regional Plan**, where applicable, or by the Density restrictions of the existing zone classification, or by the Density restrictions established by the PRD **Development Plan** approved by the **Board of Supervisors**.
- D. **Open Space** and Recreation Facilities
  - i. The minimum required Open Space in a **Planned Residential Development** is 35 percent.
  - ii. The purpose and size for each dedicated Open Space tract, such as natural area, **Community Center**, wildlife habitat, flood control, etc., shall be described on both the **Development Plan** and the Final Plat.

### 2.11.H. Planned Community Zone

#### 1. Purposes

In addition to the objectives outlined in **Section 1.2**, the PC – Planned Community Zone is designed to achieve the following purposes:

- A. To provide for the classification and development of parcels of land as coordinated, comprehensive projects to take advantage of the superior environment that can result from large-scale community planning.
- B. To allow diversification of land Uses as they relate to each other in a physical and environmental arrangement, while ensuring substantial compliance with the provisions of this Ordinance.



- C. To provide for a zone encompassing various types of land uses, such as single family residential developments, multiple housing developments, professional and administrative office areas, commercial centers, industrial parks, or any public or semipublic Use or combination of Uses through the adoption of a **Development Plan** and text materials that set forth land use relationships and development standards.

## 2. Property Development Standards — PC Zone

The following development standards apply to a PC zone. All development standards that are specific to the PC, to include standards such as Setbacks, building height, and **Density**, shall be identified on the **Development Plan** and/or the recorded Final Plat.

- A. The minimum **Site Area** required for a Planned Community is 25 acres.
- B. The minimum required **Open Space** in a Planned Community is 30 percent.
- C. There shall be no minimum area requirement for individual lots or individual **Dwelling** sites in a Planned Community Development.

## 2.12 Public and Quasi-Public Zone

### 2.12.A. Purpose

In addition to the objectives prescribed in **Section 1.2**, the PS – Public and Quasi-Public Zone is included in the zoning regulations to permit adequate identification of areas reserved and developed for public uses other than street **Rights-of-Way**, and to provide for expansion of their operations or change in Use and to identify and preserve areas of historic and community significance for the enjoyment of future generations.

### 2.12.B. Permitted and Conditional Uses: PS Zone

See **Section 2.15** for Permitted and **Conditional Uses** in the PS zone.

### 2.12.C. Property Development Standards: PS Zone

The following requirements in **Table 2-11** are minimum unless otherwise noted.

<b>TABLE 2-11: PROPERTY DEVELOPMENT STANDARDS</b>		
No.	Property Development Standards	PS Zone
1.	Minimum parcel size	1 acre
2.	Lot Width	160 feet
3.	Lot Depth	160 feet
4.	Front Setback	30 feet
5.	Side Setback	25 feet
6.	Rear Setback	25 feet
7.	Lot Coverage, maximum	40%
8.	Structure Height, maximum	35 feet
9.	Distance between Structures	10 feet



**TABLE 2-11: PROPERTY DEVELOPMENT STANDARDS**

No.	Property Development Standards	PS Zone
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### 2.12.D. Performance Standards: PS Zone

#### 1. Parking

Off-street parking facilities shall be provided for each Use as prescribed in **Section 4.1** or as specified in a **Conditional Use** permit.

#### 2. Screening and Landscaping

Screening and Landscaping for a **Conditional Use** shall be specified in the use permit.

#### 3. Lighting

No Outdoor lighting shall be permitted in the PS Zone except as permitted in **Section 4.3**.

#### 4. Signs

No Sign, or outdoor **Advertising Device**, or display of any character shall be permitted except as prescribed in **Section 4.2** or as authorized in a **Conditional Use** permit

#### 5. Projections into Required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.

## 2.13 Open Space and Conservation Zone

### 2.13.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the OS – Open Space and Conservation Zone is included in the zoning regulations to reserve areas of the County where it is desirable and necessary to provide permanent **Open Spaces** when such are necessary to safeguard the public health, safety, and general welfare, and to provide for the location and preservation of scenic areas, ecologically important areas, and recreation areas. This zone classification is intended to be applied primarily to lands held under public ownership.

### 2.13.B. Permitted and Conditional Uses: OS Zone

See **Section 2.15** for Permitted and **Conditional Uses** in the OS zone.

### 2.13.C. Performance Standards: OS Zone

#### 1. Parking

Off-street parking facilities shall be provided for each Use as prescribed in **Section 4.1** or as specified in a **Conditional Use** permit.

#### 2. Screening and Landscaping



Screening and Landscaping requirements for a **Conditional Use** shall be specified in the use permit.

### 3. Lighting

No Outdoor lighting shall be permitted in the OS Zone except as permitted in **Section 4.3**.

### 4. Signs

No Sign, or outdoor **Advertising Device**, or display of any character shall be permitted except as prescribed in **Section 4.2** or as authorized in a **Conditional Use** permit.

### 5. Projections into Required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.

## 2.14 Mineral Resource Zone

### 2.14.A. Purpose

In addition to the objectives outlined in **Section 1.2**, the MR – Mineral Resource Zone is included in the zoning regulations to achieve the following purposes:

To provide areas of the County where it is desirable and necessary to provide for the extraction of minerals and other natural resources.

### 2.14.B. Permitted and Conditional Uses: MR Zone

See **Section 2.15** for Permitted and **Conditional Uses** in the MR zone.

### 2.14.C. Property Development Standards: MR Zone

1. When a MR Zone **Abuts** or is situated across the Street from property in any noncommercial or industrial zone, a minimum building Setback of 100 feet shall be required from such residential zone; provided, however, that the 20 feet of said Setback nearest the Street or zone boundary line shall be landscaped and the remainder may be used for off-street parking purposes as provided in **Section 4.1**. A three-foot-high wall, fence, or berm shall be constructed in back of the landscaped area along Street Side Setbacks. Along all other **Lot Lines** adjacent to any noncommercial or industrial zone, a six-foot-high wall or fence as measured from the **Highest Adjacent Grade** and screen **Landscaping** shall be erected and maintained.
2. Additional property development standards such as Setbacks, **Lot Coverage** requirements, height restrictions, screening, and landscape requirements may be imposed by the **Commission** or **Board** in its approval of a **Conditional Use** permit.

### 2.14.D. Performance Standards: MR Zone

#### 1. Parking

Off-street parking facilities shall be provided for each Use as prescribed in **Section 4.1** or as specified in a **Conditional Use** permit.

#### 2. Screening and Landscaping



- A. All mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be completely screened from surrounding properties by use of a wall or fence or shall be enclosed within a **Building**.
- B. Outdoor Storage Areas shall be entirely fenced with a rigid, opaque material not less than 6 feet in height. Those areas visible from a public Street shall be adequately screened by masonry walls or a substitute acceptable to the **Community Development Director**.

### 3. Lighting

No Outdoor lighting shall be permitted in the PS Zone except as permitted in **Section 4.3**.

### 4. Signs

No Sign or outdoor **Advertising Device** shall be permitted in a MR zone except as provided in **Section 4.2**.

### 5. Projections into Required Yards

Required Yards and separations shall be maintained free of above ground Structures except as provided in **Section 4.5**.

### 6. Other Performance Standards

- A. All solid waste that is not disposed on-site shall be transported to a County landfill site for proper disposition.
- B. Trash receptacles enclosed with solid masonry walls and with gates shall be provided for each industrial Use. Said receptacles shall be set back a minimum of 20 feet from any noncommercial or industrial zone boundary and shall be maintained in a neat and sanitary condition in order to safeguard the health, safety, and general welfare of **Adjacent** properties, subject to the approval of the **Community Development Director**.
- C. No Use except a temporary construction operation shall be permitted that creates changes in temperature or direct glare, detectable by the human senses without the aid of instruments, beyond the boundaries of the site. No Use shall be permitted that creates electrical disturbances that affect the operation of any equipment beyond the boundaries of the site.
- D. All storage of and activities involving flammable and explosive materials shall be provided with adequate safety and firefighting devices to the specifications of the **State** Fire Marshal. All incineration is prohibited.
- E. No Use shall be permitted that creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the Site.
- F. No Use except a temporary construction operation shall be permitted that generates inherent and recurrent ground vibration perceptible, without instruments, at the boundary of the Lot in which the Use is located.
- G. Noise shall not be generated by any Use to the point of disturbing the peace and comfort of neighboring residences.





- H. Any pit resulting from depletion of the mineral resource, or from abandoned or terminated mineral extraction operations, shall be filled to ground level and such pits or any depleted hillside areas shall be treated in accordance with the following standards:
  - i. On property where the mineral resource thereon is in fact depleted by reason of extraction operations, or on property where the production of any such resource is in fact abandoned or terminated, said property shall be filled and landscaped to conform with the surrounding properties. A **Noxious Weed** abatement plan shall be included. Said filling and **Landscaping** treatment shall be commenced within 1 month from the date of depletion, **Abandonment**, or termination of mineral resource production on the property and diligently prosecuted to the completion thereof.
  - ii. Slopes, overburden stockpiles, abandoned spoil piles, and the general premises shall be graded and smoothed so as to control erosion, prevent the creation of potentially dangerous areas, and present a neat and orderly appearance. No hillside shall remain with an average Grade steeper than one foot horizontal to one foot vertical with a 10-foot-wide terrace for not more than each 50 feet of vertical height, unless a permanent steeper slope, without terraces, is approved by the County Engineer.
  - iii. Upon termination of operations, all excavations made to a level below the existing groundwater table shall be filled with inert materials as approved by the County Engineer to a level above the existing groundwater table. This requirement shall not apply, however, to any water-filled excavations scheduled to be in an integral part of future development of the property. All such water-filled areas remaining shall be treated with effective mosquito control measures, as required by the County Health Department.
- I. No hazardous material shall be disposed on the premises. All such materials shall be transported to a landfill site officially designated by the State of Arizona for hazardous materials disposal. Only non-hazardous materials produced on the premises may be disposed of on the premises, provided that such disposal is contained in a manner so as to prevent entry of such materials into the surface water system.

#### 2.14.E. Administrative Requirements: MR Zone

Whenever there is a question of conformance with the performance standards of this Section, the **Community Development Director** shall require the property owner or operator to engage the services of a certified testing firm. Copies of all such tests shall be furnished to the Director.






### 2.15 Public and Quasi Public, Open Space and Conservation, and Mineral Resource Zones Permitted and Conditional Uses

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**Table 2-12** lists permitted and conditional uses in special purpose zones.



**TABLE 2-12: PUBLIC AND QUASI PUBLIC, OPEN SPACE AND CONSERVATION, MINERAL RESOURCE ZONES PERMITTED AND CONDITIONAL USES**

Zoning Districts	Public and Quasi-Public	Open Space and Conservation	Mineral Resource
(P) = Permitted; (P*) = Permitted with an Administrative Permit; (-) = Prohibited; (C) = Conditional Use Permit. All Uses not listed are prohibited.			
<b>Agricultural Uses</b>			
Agriculture, General and Animal Keeping, subject to the provisions of <b>Section 3.3</b> 	P	P	P
Agricultural and Cooperative Extensions and Experimental Facilities	P	—	P
Community Gardens, subject to the provisions of <b>Section 3.3</b> 	P*	P*	P*
Equestrian Centers, Stables, and Riding Academies	C	C	—
Farmers Markets, subject to the provisions of <b>Section 3.3</b> 	C	C	C
Feedlot, Commercial	C	—	C
<b>Commercial Uses</b>			
Campgrounds, subject to the provisions of <b>Section 3.18</b>	C	C	—
<b>Public and Quasi-Public Uses</b>			
Airports and Heliports	P	—	—
Animal Shelters, subject to the provisions of <b>Section 3.16</b>	C	—	—
Care Center, Child, and/or Adult Care	P	—	—
Cemeteries, human and animal	C	C	—
Community Centers. This use is P, permitted, when reserved and approved with the amenities of a subdivision plat.	C	—	—
Educational Institutions	P	—	—
Excavation, processing, and stockpiling of minerals and the backfilling of resultant excavations with inert materials	—	—	C
Fire Stations	P	—	—
Forest Products Processing 	C	C	C
Hospitals	C	—	—
Libraries and museums, public or private	P	—	—
Parking Garage, Lot, or Structure	P	—	—
Parks, Public or Private, Trails, and Open Space. This use is P, permitted, when reserved and approved with a subdivision plat.	P	C	P
Public Utility Service Yards	P	—	—
Recreational Facilities, Indoor	C	C	—
Recreational Facilities, Outdoor, subject to the provisions of <b>Section 3.15</b>	C	C	P
Solid Waste Transfer Facility	C	—	—
Transit Stop Center 	P	C	—

**TABLE 2-12: PUBLIC AND QUASI PUBLIC, OPEN SPACE AND CONSERVATION, MINERAL RESOURCE ZONES PERMITTED AND CONDITIONAL USES**

Zoning Districts	Public and Quasi-Public	Open Space and Conservation	Mineral Resource
Utility Facility	C	C	C
Wireless Telecommunications Facilities, subject to the provisions of <b>Section 3.9</b>	C	C	C
<b>Manufacturing Uses</b>			
Asphalt and Concrete Manufacturing and Batch Plant	—	—	C
Mining	—	—	C
<b>Accessory Uses</b>			
Caretaker's Residence	—	—	P
Distributed (Individual) Renewable Energy Systems, including Accessory Wind Energy Systems, subject to the provisions of <b>Section 3.11</b> 	P	P	P
Metal Storage Containers, as prescribed in <b>Section 3.10</b>	P	—	—
Retail Sales Establishment permitted as an accessory use on the same site as an existing or proposed industrial or public/semi-public use	P	—	P
<b>Temporary Uses</b>			
Modular Office Structures (off-site) during construction of a permanent Building for a period not to exceed 12 months with the issuance of a temporary use permit	P*	—	—
Temporary Uses, as prescribed in <b>Section 3.2</b>	P*	P*	—

## 2.16 Overlay Zones

### 2.16.A. Purpose

Because of their special or unique characteristics and the need to implement specific sections of the **Comprehensive Plan**, the following **Overlay Zones** are established (**Table 2-13**).

**TABLE 2-13: OVERLAY ZONES**

Section	Zone	
2.16.B	FPM	Floodplain Management Overlay
2.16.C	DRO	Design Review

### 2.16.B. Floodplain Management Overlay Zone

1. Statutory Authorization, Findings of Fact, Purpose, and Methods

- A. **Statutory Authorization:** The Legislature of the State of Arizona has in A.R.S. § 48-3601 through 48-3628 delegated the responsibility to each County Flood Control District to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of Directors of the Flood Control District of Coconino County, Arizona, do ordain as follows:
- B. **Findings of Fact:**
- i. The **Flood** hazard areas of Coconino County are subject to periodic inundation that results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for Flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
  - ii. These **Flood** losses are caused by the cumulative effect of **Obstructions in Special Flood Hazard Areas** that increase Flood heights and velocities and, when such Obstructions are inadequately anchored, cause damage in other areas. Uses that are inadequately Flood proofed, elevated, or otherwise protected from Flood damage also contribute to the Flood loss.
- C. **Statement of Purpose:** It is the purpose of this Ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to **Flood** conditions in specific areas by provisions designed:
- i. To protect human life and health;
  - ii. To minimize expenditure of public money for costly Flood control projects;
  - iii. To minimize the need for rescue and relief efforts associated with **Flooding** and generally undertaken at the expense of the general public;
  - iv. To minimize prolonged business interruptions;
  - v. To minimize damage to public facilities and utilities such as water and gas mains; electric, telephone, and sewer lines; Streets; and bridges located in **Special Flood Hazard Areas**;
  - vi. To help maintain a stable tax base by providing for the sound use and development of **Special Flood Hazard Areas** so as to minimize future Flood blight areas;
  - vii. To ensure that potential buyers are notified that a property is in a **Special Flood Hazard Area**;
  - viii. To ensure that those who occupy the **Special Flood Hazard Areas** assume responsibility for their actions; and
  - ix. To participate in and maintain eligibility for flood insurance and disaster relief.
- D. **Methods of Reducing Flood Losses:** In order to accomplish its purposes, this Ordinance includes methods and provisions for:

- i. Restricting and prohibiting Uses that are dangerous to health, safety, and property due to water or **Erosion** hazards, or that result in damaging increases in Erosion or in Flood heights or velocities;
  - ii. Requiring that Uses vulnerable to Floods, including facilities that serve such Uses, be protected against Flood damage at the time of initial construction;
  - iii. Controlling the alteration of natural **Floodplains**, **Stream** channels, and natural protective barriers, which help accommodate or channel Flood waters;
  - iv. Controlling filling, grading, dredging, and other **Development** that may increase Flood damage; and;
  - v. Preventing or regulating the construction of Flood barriers that will unnaturally divert Flood waters or that may increase Flood hazards in other areas.
2. General Provisions – FPM Zone
- A. **Lands to Which This Ordinance Applies:** This ordinance shall apply to all **Special Flood Hazard Areas** within the boundaries of Coconino County except those incorporated cities and town that have adopted a resolution in accordance with A.R.S. § 48-3610.
  - B. **Basis for Establishing the Special Flood Hazard Areas:** The Special Flood Hazard Areas identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled “The **Flood Insurance Study (FIS)** for Coconino County,” dated September 3, 2010, with accompanying **Flood Insurance Rate Maps (FIRMs)**, dated September 3, 2010, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this Ordinance. This Flood Insurance Study and attendant mapping is the minimum area of applicability of this Ordinance and may be supplemented by studies for other areas that allow implementation of this Ordinance and that are recommended to the **Floodplain Board** by the **Floodplain Administrator**. The Board, within its area of jurisdiction, shall delineate (or may by rule require developers of land to delineate) areas where **Development** is ongoing or imminent, and thereafter as Development becomes imminent, **Floodplains** consistent with the criteria developed by the Federal Emergency Management Agency and the Director of Water Resources. The FIS and FIRMs are on file at the Community Development Department, 2500 N. Fort Valley Road, Flagstaff.
  - C. **Compliance:** All **Development** of land; construction of residential, commercial, or industrial **Structures** or future Development; or Uses of any kind conducted on land areas located within the Floodplain Management **Overlay Zone** shall be accomplished in complete conformance with the provisions of this Section and other applicable regulations. Proposed actions that may divert, retard, or obstruct **Flood** waters or in any way threaten public health, safety, or the general welfare must first be reviewed and approved by the County Engineer and may be initiated only after a finding has been made that serious detrimental impacts will not occur.
  - D. **Abrogation and Greater Restrictions:** This Ordinance is not intended to repeal, abrogate, or impair any existing **Easements**, covenants, or deed restrictions. However, where this Ordinance and another ordinance, Easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

- E. Interpretation: In the interpretation and application of this Ordinance, all provisions shall be:
- i. Considered as minimum requirements;
  - ii. Liberally construed in favor of the **Governing Body**; and,
  - iii. Deemed neither to limit nor repeal any other powers granted under **State** statutes.
- F. Warning and Disclaimer of Liability: The degree of Flood Protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger **Floods** can and will occur on rare occasions. Flood heights may be increased by human-made or natural causes. This Ordinance does not imply that land outside the **Special Flood Hazard Areas** or Uses permitted within such areas will be free from **Flooding** or Flood damages. This Ordinance shall not create liability on the part of Coconino County, any officer or employee thereof, the State of Arizona, the Federal Insurance Administration, or the Federal Emergency Management Agency, for any Flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.
- G. Statutory Exemptions:
- i. In accordance with A.R.S. § 48-3609.I, regulations herein adopted for the FPM **Overlay Zone** shall not affect:
    - a. Existing legal Uses of property or the right to continuation of such legal Uses. However, if a **Nonconforming Use** of land, **Building**, or Structure is discontinued for 12 months or destroyed to the extent of 50 percent of its value, as determined by a competent appraiser, any further Use shall comply with this Ordinance and regulations of Coconino County.
    - b. Reasonable repair or alteration of property for the purposes for which the property was legally used on August 3, 1984, or the effective date of any regulations affecting such property, except that any alteration, addition, or repair to a nonconforming **Building** or Structure that would result in increasing its **Flood** damage potential by fifty per cent or more shall be either Floodproofed or elevated to or above the regulatory **Base Flood Elevation**.
    - c. Reasonable repair of Structures constructed with the written authorization required by A.R.S. § 48-3613.
    - d. Facilities constructed or **Installed** pursuant to a certificate of environmental compatibility issued pursuant to Title 40, Chapter 2, Article 6.2.
  - ii. In accordance with A.R.S. § 48-3613, written authorization shall not be required, nor shall the **Floodplain Board** prohibit:
    - a. The construction of bridges, culverts, dikes, and other Structures necessary to the construction of public highways, Roads, and Streets intersecting or crossing a **Watercourse**.
    - b. The construction of storage dams for watering **Livestock** or wildlife; Structures on banks of a **Watercourse** to prevent **Erosion** of or damage to adjoining land if the

Structure will not divert, retard, or obstruct the natural channel of the Watercourse; or dams for the conservation of **Flood** waters as permitted by A.R.S. Title 45, Chapter 6.

- c. Construction of tailing dams and waste disposal areas for use in connection with **Mining** and metallurgical operations. This paragraph does not exempt those sand and gravel operations that will divert, retard, or obstruct the flow of waters in any **Watercourse** from complying with and acquiring authorization from the Board pursuant to regulations adopted by the Board under this Section.
  - d. Other construction if it is determined by the Board that written authorization is unnecessary.
  - e. Any **Flood** control district, county, city, town, or other political subdivision, from exercising powers granted to it under A.R.S. Title 48, Chapter 21, Article 1.
  - f. The construction of **Streams**, waterways, lakes, and other auxiliary facilities in conjunction with development of public parks and Recreation Facilities by a public agency or political subdivision.
  - g. The construction and erection of poles, **Towers**, foundations, support Structures, guy wires, and other facilities related to power transmission as constructed by any utility whether a public service corporation or a political subdivision.
- iii. Before any construction authorized by **Section 2.16.B.2.G.ii** of this Section may begin, the responsible **Person** must submit plans for the construction to the **Floodplain Board** for review and comment.
- iv. In addition to other penalties or remedies otherwise provided by law, this **State**, a political subdivision, or a **Person** who may be damaged or has been damaged as a result of the unauthorized diversion, retardation, or **Obstruction** of a **Watercourse** has the right to commence, maintain, and prosecute any appropriate action or pursue any remedy to enjoin, abate, or otherwise prevent any Person from violating or continuing to violate this Section or regulations adopted pursuant to A.R.S. Title 45, Chapter 10. If a Person is found to be in violation of this section, the court shall require the violator to either comply with this section if authorized by the board or remove the Obstruction and restore the Watercourse to its original state. The court may also award such monetary damages as are appropriate to the injured parties resulting from the violation including reasonable costs and attorney fees.

**H. Declaration of Public Nuisance:**

Every new Structure, **Building**, fill, excavation, or **Development** located or maintained within any **Special Flood Hazard Area** after August 8, 1973, in violation of this Ordinance is a public **Nuisance Per Se** and may be abated, prevented, or restrained by action of this political subdivision.

**I. Abatement of Violations:**

Within 30 days of discovery of a violation of this Ordinance, the **Floodplain Administrator** shall submit a report to the **Floodplain Board** that shall include all information available to the



Floodplain Administrator that is pertinent to said violation. Within 30 days of receipt of this report, the Floodplain Board shall either:

- i. Take any necessary action to effect the abatement of such violation; or
- ii. Issue a **Variance** to this Ordinance in accordance with the provisions of **Section 2.16.B.7** herein; or
- iii. Order the owner of the property upon which the violation exists to provide whatever additional information may be required for its determination. Such information must be provided to the Floodplain Administrator within 30 days of such order, and they shall submit an amended report to the Floodplain Board within 20 days. At its next regularly scheduled public meeting, the Floodplain Board shall either order the abatement of said violation or they shall grant a Variance in accordance with the provisions herein established; or
- iv. Submit to the Administrator of the Federal Insurance Administration a declaration for denial of insurance, stating that the property is in violation of a cited **State** or local law, regulation, or ordinance, pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

**J. Unlawful Acts:**

- i. It is unlawful for any **Person** to engage in any **Development** or to divert, retard, or obstruct the flow of waters in any **Watercourse** whenever it creates a hazard to life or property without securing the written authorization of the **Floodplain Board** per A.R.S. § 48-3613. Where the Watercourse is a delineated **Floodplain**, it is unlawful to excavate or build any Structure affecting the flow of waters without securing written authorization of the Floodplain Board.
- ii. Any **Person** found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor. Each day that a violation continues shall be a separate offense punishable as described above herein.

**K. Severability:**

- i. These **Floodplain Management Regulations** and the various parts thereof are hereby declared to be severable. Should any Section of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

**3. Permitted and Conditional Uses – FPM Zone**

Within the Floodplain **Overlay Zone**, permitted or Conditional Uses of the underlying zoning district may be permitted subject to the granting of a Floodplain Use Permit. All other Uses are permitted in the underlying zone with which the FPM Zone is combined, except that Single Family Residences in the G, AR, RR, and RS Zones shall be permitted subject to compliance with these regulations.

**4. Administration**





- A. Establishment of Floodplain Permit:** A Floodplain Permit shall be obtained before grading or placing fill, installing utilities, or starting construction or **Development**, including the installation of wastewater systems and the placement of **Manufactured Homes**, within any **Special Flood Hazard Areas** established in **Section 2.16.B.2.B**. Application for a Floodplain Permit shall follow **Administrative Permit** requirements and procedures and, in addition, shall be made on forms furnished by the **Floodplain Administrator** and may include, but not be limited to:
- i.** A completed Coconino County Floodplain Permit application form including engineer or surveyor information, assessor's parcel number, identification of possible flood hazards, and identification of methods of construction.
  - ii.** One digital copy of a scaled **Site Plan** drawn to standard engineer scale showing the nature, location, dimensions, and elevation of the area in question; north arrow; means of access; **Easements**; topography; **Watercourses**; walls or fences; wastewater systems; utilities and existing or proposed Structures; fill; storage of materials; and drainage facilities; and the location of the foregoing. Specifically, the following information is required:
    - a.** Proposed elevation and method of elevation in relation to **Mean Sea Level**, of the **Lowest Floor** (including Basement) of all Structures provided by a Certified Professional Engineer or Registered Land Surveyor; in Zone AO, elevation of existing highest adjacent natural grade and proposed elevation of Lowest Floor of all Structures;
    - b.** Proposed elevation in relation to **Mean Sea Level** to which any non-residential Structure will be Floodproofed;
    - c.** Certification by a registered professional engineer or architect that the **Floodproofing** methods for any nonresidential Structure meet the Floodproofing criteria in **Section 2.16.B.5.A.iii.c**;
    - d.** Description of the extent to which any Watercourse will be altered or relocated as a result of proposed **Development**; and
    - e.** **Base Flood Elevation** data for subdivision proposals or other **Development** greater than 50 lots or 5 acres, whichever is the lesser.
- B. Designation of the Floodplain Administrator:** The Director of the Public Works Department is hereby appointed to administer, implement, and enforce this Ordinance by granting or denying Development Permits in accordance with its provisions
- C. Duties and Responsibilities of the Floodplain Administrator:** Duties of the Floodplain Administrator shall include, but not be limited to:
- i.** Review all Development Permits to determine that:
    - a.** The permit requirements of this Ordinance have been satisfied;
    - b.** All other required **State** and federal permits have been obtained;
    - c.** The site is reasonably safe from **Flooding**;
    - d.** The proposed **Development** does not adversely affect the carrying capacity of areas where **Base Flood Elevations** have been determined but a **Floodway** has not been

designated. For purposes of this Ordinance, “adversely affects” means that the cumulative effect of the proposed Development, when combined with all other existing and anticipated Development, will increase the **Water Surface Elevation** of the **Base Flood** more than 1 foot at any point.

- ii. **Substantial Improvement and Substantial Damage Procedure.** Using FEMA publication FEMA P-758/May 2010, “Substantial Improvement/Substantial Damage (SI/SD) Desk Reference,” develop detailed procedures for identifying and administering requirements for SI/SD. This process should define “**Market Value**” and assure operations are coordinated with other departments and divisions and implemented by **Community** staff.
- iii. **Use of Other Base Flood Data.** When **Base Flood Elevation** data has not been provided in accordance with **Section 2.16.B.2.B**, for example in A Zones for which detailed studies have not been done, or areas subject to **Flooding** that have not been designated by FEMA on FIRMs, the Floodplain Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation data available from a federal, **State**, or other source, in order to administer **Section 2.16.B.5**. The Floodplain Administrator may require that a hydrologic study that determines the Base Flood Elevation be prepared by a Professional Engineer and be submitted by the property owner prior to the submission of a development or **Building Permit** application. Any such information shall be consistent with the requirements of the Federal Emergency Management Agency and the Director of Water Resources and shall be submitted to the **Floodplain Board** for adoption.
- iv. Obtain and maintain for public inspection and make available as needed for Flood Insurance Policies or effecting Increased Cost of Construction Coverage for **Repetitive Loss Structures**:
  - a. The certified **Regulatory Flood Elevation** required in **Section 2.16.B.5.A.iii.a** and **Section 2.16.B.5.E.i**;
  - b. The **Floodproofing** certification required in **Section 2.16.B.5.A.iii.c.1**);
  - c. The **Flood** prevention certification required in **Section 2.16.B.5.A.iii.c.4**); and
  - d. The elevation certification required for additional **Development** standards, including Subdivisions, in **Section 2.16.B.5.D**.
  - e. The Floodway **Encroachment** certification required in **Section 2.16.B.5.G**.
  - f. Maintain a record of all Variance actions, including justification for their issuance, and report such Variances issued in its biennial report submitted to the Federal Emergency Management Agency.
  - g. Obtain and maintain improvement and damage calculations.
- v. Whenever a **Watercourse** is to be altered or relocated:
  - a. Notify adjacent communities and the Arizona Department of Water Resources prior to such alteration or relocation of a Watercourse, and submit evidence of such notification to the Federal Insurance Administration through appropriate notification means.



**A. Standards of Construction:****i. Anchoring**

- a.** All **New Construction** and **Substantial Improvements** shall be anchored to prevent flotation, collapse, or lateral movement of the Structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b.** All **Manufactured Homes** shall meet the anchoring standards of **Section 2.16.B.5.E** below.

**ii. Construction Materials and Methods**

- a.** All **New Construction** and **Substantial Improvements** shall be constructed with materials and utility equipment resistant to **Flood** damage.
- b.** All **New Construction** and **Substantial Improvements** shall be constructed using methods and practices that minimize **Flood** damage.
- c.** All **New Construction, Substantial Improvement, and other proposed new Development** shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of **Flooding**.
- d.** Require within Zones AH or AO that adequate drainage paths around Structures on slopes guide **Flood** waters around and away from proposed or existing Structures.

**iii. Elevation and Floodproofing**

- a.** New residential Construction and **Substantial Improvement** of any Structure in Zones AE and AH shall have the **Lowest Floor**, including Basement, elevated to or above the **Regulatory Flood Elevation**. In an a Zone where a **Base Flood Elevation** has not been determined, any Structure shall be elevated to or above the Regulatory Flood Elevation or be elevated in accordance with the criteria developed by the Director of the Arizona Department of Water Resources. Nonresidential Structures may meet the standards of **Section 2.16.B.5.A.iii.c** below. Upon the completion of the Structure the elevation of the Lowest Floor, including Basement, shall be certified by a registered professional engineer or registered land surveyor verified by the **Community** building inspector and provided to the Floodplain Administrator.
- b.** New residential Construction and **Substantial Improvement** of any Structure in Zone AO shall have the **Lowest Floor**, including Basement, higher than the **Highest Adjacent Grade** at least one foot higher than the depth number on the FIRM, or at least 2 feet if no depth number is specified. Nonresidential Structures may meet the standards in **Section 2.16.B.5.A.iii.c** below. Upon completion of the Structure, a registered professional engineer or registered land surveyor shall certify to the **Floodplain Administrator** that the elevation of the Structure meets this standard verified by the **Community** building inspector.

- c. Nonresidential construction, New or **Substantial Improvement**, shall either be elevated in conformance with Sections a or b above or together with attendant utility and sanitary facilities:
- 1) Be Floodproofed so that below the regulatory flood level the Structure is watertight with walls substantially impermeable to the passage of water;
  - 2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - 3) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the **Floodplain Administrator**.
  - 4) Require, for all **New Construction** and Substantial Improvements, that fully enclosed areas below the **Lowest Floor** that are useable solely for parking of vehicles, building access, or storage in an area other than a Basement and that are subject to **Flooding** shall be designed to automatically equalize hydrostatic **Flood** forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by either a registered professional engineer or architect to meet or exceed the following minimum criteria:
    - a) A minimum of two openings on different sides of each enclosed area, with a **total Net Area** of not less than 1 square inch for every square foot of enclosed area subject to Flooding shall be provided.
    - b) The bottom of all openings shall be no higher than one foot above Grade.
    - c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of Floodwaters.
    - d) Alternatively, a registered engineer or architect may design and certify the openings.
  - 5) **Manufactured Homes** shall meet the applicable above standards and also the standards in **Section 2.16.B.5.E**.
  - 6) A **Garage** attached to a residential Structure, constructed with the Garage floor slab below the **Regulatory Flood Elevation**, must be designed to allow for the automatic entry of Flood waters. See **Section 2.16.B.5.A.iii.c.4)**. Areas of the Garage below the Regulatory Flood Elevation must be constructed with Flood resistant materials. See **Section 2.16.B.5.A.ii**. A Garage attached to a nonresidential Structure must meet the above requirements or be dry Floodproofed.
  - 7) Detached **Accessory Structures** used solely for parking, access, or storage, as defined in **Chapter 6, Definitions**, may be constructed such that its floor is below the **Regulatory Flood Elevation**, provided the structure is designed and constructed in accordance with the following requirements:
    - a) Use of the Accessory Structure must be limited to parking or limited storage.

- b) The portions of the Accessory Structure located below the Regulatory Flood Elevation must be built using Flood-resistant materials.
- c) The Accessory Structure must be adequately anchored to prevent floatation, collapse, or lateral movement.
- d) Any mechanical and utility equipment in the Accessory Structure must be elevated or Floodproofed to or above the Regulatory Flood Elevation.
- e) The Accessory Structure must comply with **Floodway Encroachment** provisions in **Section 2.16.B.5.G**.
- f) The Accessory Structure must be designed to allow for the automatic entry of Flood waters in accordance with **Section 2.16.B.5.A.iii.c.4)**.
- g) Detached **Garages** and Accessory Structures not meeting the above standards must be constructed in accordance with all applicable standards in **Section 2.16.B.5**.

**B. Standards for Storage of Materials and Equipment:**

- i. The storage or processing of materials that are, in time of **Flooding**, buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.
- ii. Storage of other material or equipment may be allowed if not subject to damage by Floods, and if firmly anchored to prevent floatation, or if readily removable from the area within the time available after **Flood** warning.

**C. Standards for Water Supply and Waste Disposal Systems:**

- i. All new or replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of Flood waters into the system and discharge from systems into Flood waters.
- ii. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during **Flooding**.
- iii. All new and replacement sanitary sewage systems for **Development** projects in identified **Floodplain** areas shall meet all requirements of the **State** and/or County Health Departments and shall be designed to minimize or eliminate infiltration of Flood waters. On-site effluent disposal systems shall not be **Installed** wholly or partially within the designated regulatory **Floodway**. On-site waste disposal systems shall be located so as to avoid their impairment during **Flood** conditions as well as to preclude contamination from them during **Flooding**. Waste disposal systems shall not be installed in a **Regulatory Floodway**.

**D. Standards for Subdivisions:**

All new Subdivision proposals and other proposed **Development** (including proposals for **Manufactured Home Parks** and Subdivisions), greater than 50 lots or 5 acres, whichever is the lesser, shall:



- i. Identify the **Special Flood Hazard Areas** and the elevation of the **Base Flood**.
  - ii. Identify on the final plans the elevations(s) of the proposed Structure(s) and pads. If the site is filled above the **Base Flood Elevation**, the final **Lowest Floor** and Grade elevations shall be certified by a registered professional engineer or surveyor and provided to the **Floodplain Administrator**.
    - a. All Subdivision proposals and other proposed **Development** shall be consistent with the need to minimize **Flood** damage.
    - b. All Subdivision proposals and other proposed **Development** shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize **Flood** damage.
    - c. All Subdivision proposals and other proposed **Development** shall provide adequate drainage to reduce exposure to **Flood** hazards.
- E. Standards for **Manufactured Homes**: All Manufactured Homes that are placed or Substantially Improved shall:
- i. Be elevated so that the bottom of the structural frame or the lowest point of any attached appliances, whichever is lower, is at or above the **Regulatory Flood Elevation** and provide a FEMA Finished Construction Elevation Certificate to that effect; and
  - ii. Be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable **State** and Local anchoring requirements for resisting wind forces.
- F. Standards for **Recreational Vehicles**: All Recreational Vehicles placed on site will either:
- i. Be on site for fewer than 180 consecutive days, and be fully licensed and ready for highway use. A Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
  - ii. Meet the permit requirements of **Section 2.16.B.4** of this Ordinance and the elevation and anchoring requirements for **Manufactured Homes** in **Section 2.16.B.5.E** (or **Section 2.16.B.5.A.iii.c.5**).
- G. **Floodways**: Located within **Special Flood Hazard Areas** established in **Section 2.16.B.2.B** are areas designated as Floodways. Since the Floodway is an extremely hazardous area due to the velocity of Flood waters that carry debris, potential projectiles, and **Erosion** potential, the following provisions apply:
- i. Prohibit **Encroachments**, including fill, **New Construction**, **Substantial Improvements**, and other **Development** unless certification by a registered professional engineer or architect is provided demonstrating that Encroachments shall not result in any increase in **Flood** levels during the occurrence of the **Base Flood** discharge.

- ii. If **Section 2.16.B.5.G.i** is satisfied, all **New Construction** and **Substantial Improvements** shall comply with all other applicable **Flood** hazard reduction provisions of **Section 2.16.B.5**.
- H. Flood-Related Erosion-Prone Areas:**
- i. The **Floodplain Administrator** shall require permits for proposed construction and other **Development** within all Flood-Related Erosion-Prone areas as known to the **Community**.
  - ii. Permit applications shall be reviewed to determine whether the proposed Site alterations and improvements will be reasonably safe from Flood-Related Erosion and will not cause Flood-Related Erosion hazards or otherwise aggravate the existing hazard.
  - iii. If a proposed **Development** is found to be in the path of Flood-Related Erosion or would increase the Erosion hazard, such improvements shall be relocated or adequate protective measures shall be taken to avoid aggravating the existing Erosion hazard.
- 6. Property Development Standards – Floodplain Management Overlay Zone**
- A.** All performance, **Development**, and maintenance standards, including screening and **Landscaping**, off-street parking, and Sign regulations, shall be as set forth in the underlying zone with which the FPM Zone is combined.
  - B.** Such other performance, **Development**, and maintenance standards as may be specified in a **Conditional Use** permit required for any use also shall be applicable.
  - C.** In a **Floodplain** where no **Floodway** is identified, all Structures, except as authorized by **Section 2.16.B.2.C**, shall be set back 5 feet from the bank(s) of the **Watercourse** as determined by the County Engineer.
  - D.** All **Development** proposals for land areas greater than 5 acres, wherein at least a portion of the subject property is located in an identified **Floodplain** area, shall clearly indicate the **Base Flood Elevation** data as shown on the **Flood Insurance Rate Map (FIRM)**.
  - E.** Flood retarding or protection Structures such as walls or berms may be constructed in identified **Floodplain** areas if, in the opinion of the County Engineer, such Structures will ensure the protection of properties, **Buildings**, and public safety. Such Structures shall be constructed in accordance with plans and specifications prepared by an engineer registered and licensed to practice in the State of Arizona and as approved by the County Engineer. Such Structures shall not create any detrimental impact or increase **Flood** hazards on upstream or downstream properties.
- 7. Variance Procedure**
- A. Nature of Variances:**
    - i. The Variance criteria set forth in this section of the Ordinance are based on the general principle of zoning law that Variances pertain to a piece of property and are not personal in nature. A Variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional **Hardship** to the applicant or the surrounding property owners. The



characteristics must be unique to the property and not be shared by **Adjacent** parcels. The unique characteristic must pertain to the land itself, not to the Structure, its inhabitants, or the property owners.

- ii. It is the duty of Coconino County to help protect its citizens from **Flooding**. This need is so compelling and the implications of the cost of insuring a Structure built below the **Regulatory Flood Elevation** are so serious that Variances from the Flood elevation or from other requirements in the Flood Ordinance are quite rare. The long-term goal of preventing and reducing **Flood** loss and damage can be met only if Variances are strictly limited. Therefore, the Variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a Variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a Variance are more appropriate.
- iii. Variances from the provisions of this Section shall be issued only upon consideration and review of technical documentation, prepared by a registered engineer and acceptable to the **Floodplain Administrator** showing that the objectives of **Flood** hazard reduction would not be contradicted by the granting of a Variance and that the Variance is the minimum necessary, considering the Flood hazard, to afford relief.

**B. Appeal Board:**

- i. The following information shall be submitted when applying for a Floodplain Variance:
  - a. A completed Coconino County Floodplain Variance application form including name and address of the applicant, name of contact **Person**, phone number, fax number and email address, Assessor's Parcel Number, Subdivision/unit/lot, site address/location, zoning, existing land use, **Lot Size**, variance request description, and property owner's authorization by his or her signature.
  - b. A typewritten narrative describing the precise nature of the Variance requested.
  - c. One digital copy of a **Site Plan** drawn to scale using accurate dimensions showing property boundaries and any **Adjacent** property affected.
  - d. A list of all owners of property within 300 feet of the exterior boundaries of the subject property; the list shall be keyed to a map showing the location of these properties.
  - e. A survey of the property subject to the request may be required based on the specific Variance.
- ii. The **Floodplain Board** of Coconino County shall hear and decide **Appeals** and requests for Variances from the requirements of this Ordinance.
- iii. The **Floodplain Board** shall hear and decide **Appeals** when it is alleged there is an error in any requirement, decision, or determination made by the **Floodplain Administrator** in the enforcement or administration of this Ordinance.
- iv. In passing upon such applications, the **Floodplain Board** shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Ordinance, and:



- a. the danger that materials may be swept onto other lands to the injury of others;
  - b. the danger of life and property due to **Flooding** or **Erosion** damage;
  - c. the susceptibility of the proposed facility and its contents to **Flood** damage and the effect of such damage on the individual owner;
  - d. the importance of services provided by the proposed facility to the **Community**;
  - e. the necessity to the facility of a waterfront location, where applicable;
  - f. the availability of alternative locations for the proposed Use that are not subject to **Flooding** or **Erosion** damage;
  - g. the compatibility of the proposed Use with existing and anticipated **Development**;
  - h. the relationship of the proposed Use to the **Comprehensive Plan** and **Floodplain Management** program for that area;
  - i. the safety of access to the property in time of **Flood** for ordinary and emergency vehicles;
  - j. the expected heights, velocity, duration, rate of rise, and sediment transport of the Flood waters expected at the Site; and,
  - k. the costs of providing governmental services during and after **Flood** conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and Streets and bridges.
- v. Upon consideration of the factors of **Section 2.16.B.7.B.iv** and the purposes of this Ordinance, the **Floodplain Board** may attach such conditions to the granting of Variances as it deems necessary to further the purposes of this Ordinance.
- vi. Any applicant to whom a Variance is granted shall be given written notice over the signature of a County official that:
- a. the issuance of a Variance to construct a structure below the **Base Flood** level will result in increased premium rates for **Flood** insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
  - b. such construction below the **Base Flood** level increases risks to life and property.
  - c. Such notification shall be maintained with a record of all Variance actions as required in **Section 2.16.B.7.B.vii** of this Ordinance. Such notice will also state that the land upon which the Variance is granted shall be ineligible for exchange of land pursuant to any **Flood** relocation and land exchange program. A copy of the notice shall be recorded by the **Floodplain Board** in the office of the Coconino **County Recorder** and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.
- vii. The **Floodplain Administrator** shall maintain a record of all Variance actions, including justification for their issuance, and report such Variances issued in its biennial report submitted to the Federal Emergency Management Agency.

**C. Conditions for Variances:**

- i. Generally, Variances may be issued for **New Construction** and **Substantial Improvements** to be erected on a Lot of ½ acre or less in size contiguous to and surrounded by Lots with existing Structures constructed below the **Base Flood** level, providing the procedures of **Section 2.16.B.4** and **Section 2.16.B.5** of this Ordinance have been fully considered. As the **Lot Size** increases beyond ½ acre, the technical justification required for issuing the Variance increases.
- ii. Variances may be issued for the repair, rehabilitation, or restoration of Structures listed in the National Register of Historic Places or the **State** Inventory of Historic Places, upon a determination that the proposed repair or rehabilitation will not preclude the Structure’s continued designation as a **Historic Structure** and the Variance is the minimum necessary to preserve the historic character and design of the Structure.
- iii. Variances shall not be issued within any designated **Floodway** if any increase in **Flood** levels during the **Base Flood** discharge would result.
- iv. Variances shall only be issued upon a determination that the Variance is the minimum necessary, considering the **Flood** hazard, to afford relief.
- v. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the Variance would result in exceptional **Hardship** to the applicant;
  - c. A showing that the Use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in **Chapter 6, Definitions**, of this Ordinance in the definition of “**Functionally Dependent Use**”; and
  - d. A determination that the granting of a Variance will not result in increased **Flood** heights, additional threats to public safety, or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

**D. Variance Review Time Frames**

- i. Administrative completeness pursuant to A.R.S. § 11-1605 shall be determined within 60 calendar days of the submittal of a Variance application. Applicants will be notified in writing of an incomplete application with a list of deficiencies. Notice in writing of application deficiencies shall suspend the administrative completeness time frame until such time as all deficiencies have been addressed.
- ii. Substantive review of all Variance applications shall be completed within 120 calendar days from the determination that the Variance application is administratively complete. One written request for additional information may be made to the applicant during the review process. The substantive review includes investigation and report on the case, public hearing, and action of the **Floodplain Board**. The applicant may waive the time frame constraints on this review.



- iii. The total time for the granting or denying of the design review overlay approval is 180 days.
- iv. Time frames shall be subject to the standards for Permits requiring Hearing.

### 2.16.C. Design Review Overlay Zone

#### 1. Purpose

In order to protect and enhance the visual quality of certain areas of the County, the **Board of Supervisors**, upon recommendation by the Planning and Zoning Commission, may in addition to an existing zone classification as specified in this Ordinance, apply the Design Review **Overlay Zone** to such area to accomplish the following purposes:

- A. To ensure that the development, **Buildings**, or Structures will conserve the values of **Adjacent** properties and will not prove detrimental to the character of Buildings or Uses already established in the area.
- B. To ensure that the proposed development will be properly related to its Site and to surrounding Sites and Structures, and to prevent the construction of Structures that would be inharmonious with their surroundings.
- C. To ensure that Sites, projects, and Structures subject to Design Review are developed with due regard for the environmental qualities of the natural terrain and landscape and that trees and shrubs are not indiscriminately destroyed. 🌿
- D. To ensure that the design and exterior architecture of proposed Structures will not be so at Variance with either the design or exterior architecture of the Structures already constructed or being constructed in the immediate neighborhood as to cause a substantial depreciation of property values in the neighborhood.
- E. To ensure that **Open Spaces, Parking Areas, and Landscaping** are designed to enhance the visual and physical use of the property and to screen deleterious Uses.
- F. To ensure that the proposed development complies with all of the provisions of this Ordinance, the goals and objectives of the **Comprehensive Plan**, or the goals and policies of applicable **Area Plans**.

#### 2. General Provisions and Establishment of DRO – Design Review **Overlay Zone**

- A. The Design Review **Overlay Zone** may be applied to a specific area or **Area Plan** of the County by the **Board of Supervisors**, upon recommendation of the Planning and Zoning Commission. The Design Review Overlay Zone shall establish **Design Review Guidelines** for that area. Said guidelines may include architectural style and exterior design, color, materials, textures, lighting, signage, and **Landscaping**.
- B. **Design Review Guidelines** and the boundaries thereof have been adopted for the following **Area Plans**: Kachina Village, Mountaineer, Oak Creek Canyon, Doney Park/Timberline/Fernwood, Bellemont, and the Fort Valley Highway 180 Scenic Corridor. The boundaries of each Design Review Overlay area are contiguous with the boundary of said Area Plan, as shown on the official Zoning Map.



- C. New **Design Review Guidelines**, changes, or modifications to existing Design Review Guidelines that are adopted through the **Area Plan** process shall be incorporated into this **Overlay Zone** in accordance with the procedures prescribed in **Section 5.125.13**.
- D. Properties within a designated Design Review **Overlay Zone** retain the uses of and are subject to the regulations of the underlying zoning district. The underlying zoning district, which relates to land use, **Density**, and performance standards, shall continue subject to compliance with the regulations of the Overlay Zone, and shall be administered by either the Planning and Zoning Commission for permits requiring a hearing, and/or by the Community Development permitting process(es). When standards and requirements differ between the Overlay Zone and the existing underlying zoning, the more restrictive regulation shall apply.

### 3. Applicability

- A. The provisions of this Section shall be applicable only to multiple-family developments, commercial or industrial establishments, and public or semi-public Uses.
- B. All development or redevelopment described in subsection 3.A above, including **Buildings**, Structures, site layout, and Use relationships, and related Signs, **Landscaping**, and Lighting, to be located within the Design Review **Overlay Zone**, shall be first approved under the provisions of this Section by the Planning and Zoning Commission prior to the letting of permits for and/or initiation of such development. Redevelopment shall include, but not be limited to, any remodeling or change in appearance of the exterior of any Structure, or the appearance of any Site.

### 4. Approval Processes

- A. Approval of all development to be located within the Design Review **Overlay Zones** shall be based upon a finding by the **Commission** that such development conforms to the applicable **Design Review Guidelines**, as required by subsection 2.A, above.

#### B. Design Review Overlay Application Requirements

Applications for a project within an area designated as Design Review Overlay shall follow requirements and procedures for Permits requiring hearing, except for improvements that may be approved by administrative approval. In addition to the Design Review Overlay application, the following information shall be submitted when applying for Design Review Overlay approval:

- i. Documentation shall be provided in a written description as well with supplemental data to show compliance with the specific guidelines of the adopted **Design Review Guidelines** for the following communities: Kachina Village, Mountaineer, Oak Creek Canyon, Doney Park/Timberline/Fernwood, Bellemont, and the Fort Valley Highway 180 Scenic Corridor.
- C. Investigation and Report. The **Community Development Director** shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the Planning and Zoning Commission and be made available to the applicant prior to the public hearing.
- D. Action by the Planning and Zoning Commission. Within 45 days of the date the drawings are submitted, the Planning and Zoning Commission shall act on the proposal. Failure of the



**Commission** to act within 45 days shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

- E.** Effective Date of Design Review Decision. A decision of the Planning and Zoning Commission on a Design Review application shall be effective 15 days at the close of business from the date of the decision, unless prior to the expiration of said 15-day period an applicant or any other **Person** has filed an appeal with the **Board of Supervisors**.
- F.** Appeal to the **Board of Supervisors**. A decision of the Planning and Zoning Commission on a Design Review may be appealed to the Board of Supervisors as prescribed in **Section 5.5.A**.
- G.** Action by **Board of Supervisors** on Appeal. The Board of Supervisors shall hold at least one public hearing on a decision of the Planning and Zoning Commission that has been appealed per the requirements of **Section 5.5.B**.
- H.** Lapse of Design Review Approval. Design Review approval shall lapse and shall be void 1 year following the date upon which the plans and drawings were approved unless prior to the expiration of 1 year a **Building Permit** is issued.
- I.** Administrative Approval

Minor modifications to existing approved Design Review Overlay projects may be administratively approved by staff. Administrative approval is limited to modification or replacement of approved **Landscaping**, signs, fencing, lighting, or paint color. A Design Review Overlay application is not required for an administrative approval, which may be completed in conjunction with an associated lighting permit, Sign permit, or **Building Permit**. Any action that does not require a permit shall be documented by staff in a memo to the approved DRO file. Applicants may take any proposal directly to the Planning and Zoning Commission for review in lieu of an administrative decision.

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## CHAPTER 3: Special Uses and Conditions

### 3.1 Purpose

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This Section is intended to provide special standards and conditions to specific **Uses** within the **Zoning Ordinance**. The provisions of this Section shall apply to the uses and conditions hereinafter enumerated. Where this Section prescribes regulations more restrictive than the **Zone** in which a use or **Conditional Use** is permitted, the provisions of this Section shall apply.

### 3.2 Temporary Uses

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#### 3.2.A. Purpose

The purpose of this Section is to authorize uses for a limited and fixed duration within a zoning district where the **Temporary Use** is otherwise prohibited.

#### 3.2.B. Applicability

All time requirements are consecutive days per calendar year unless specifically stated otherwise. Only one **Temporary Use** permit is to be issued for a **Parcel** at any one time. Temporary Use permits shall not have overlapping time frames. Multiple Temporary Uses may be considered only through Planning and Zoning Commission approval.

1. Special events shall be limited to a maximum of four times per calendar year not to exceed a maximum duration of 7 days per event, and shall include such outdoor activities as:
  - A. Transient amusement activities (carnivals, circuses)
  - B. Tent revivals, seasonal festivals
  - C. Outdoor sales events (sidewalk, parking lot sales, excluding garage sales on residential properties)
  - D. Outdoor art and craft shows, exhibits (art, craft, RV, boat)
2. Seasonal **Stables**, horseback rides with associated campfire and meal activities. Permits from other agencies may be required.
3. Seasonal Game Receiving Stations or Processing Facilities.
4. Holiday sales lots, such as holiday trees and pumpkin sales, subject to not more than 90 days of **Site** occupation and operation per year.
5. Campaign offices subject to not more than 70 continuous days of site occupation and operation.
6. Religious, patriotic, historic, or similar displays or exhibits within **Yards, Parking Areas**, or landscaped areas, subject to not more than 30 days of display in any one-year period for each exhibit.
7. Modular office **Structures** such as a contractor's office, **Metal Storage Containers**, and storage yards off-site of an active construction project. Temporary Use permits may be issued for the length of the construction project but for no longer than 12 months. Permit may be renewed annually so long as project remains in active status. (Temporary modular offices located on site do not require a



Temporary Use permit and may be approved for a period not to exceed 12 months and with the issuance of a building and/or construction permit.)

8. Stands for the sale of jewelry, art, furs, rugs, and similar home-type products subject to not more than 30 days per year.
9. Stands for the sale of produce subject to not more than 120 consecutive days per year. The provisions of this subsection do not apply to the sale of produce raised on the premises.
10. Temporary retail food sales located in a movable vehicle or trailer, or in a temporary stand. Temporary retail food sales are restricted to not more than 30 days per year per location. Parking shall be coordinated with any existing Use to meet parking requirements. All waste shall be disposed of daily. Commissary agreements for food storage may be required.
11. Establishment of temporary **Batch Plants** in conjunction with road construction projects subject to Planning and Zoning Commission approval.
12. Temporary occupancy of one **Recreational Vehicle** or a Travel Trailer (excluding tents or yurts) in the G, AR, RR, RS (40,000 square feet or larger) or MHP Zone for a period not to exceed 120 consecutive days per calendar year, provided that the lot or parcel is not already occupied by a **Dwelling Unit**. Approved method of wastewater disposal such as a self-contained unit, chemical toilet, or portable toilet is required. Other conditions may be required.
13. Upon the issuance of a **Building Permit** for a residential **Dwelling**, temporary occupancy of a **Recreational Vehicle** or a Travel Trailer in the G, AR, or RR Zone for a period not to exceed 6 months, provided that the **Lot** or parcel is not already occupied by a **Dwelling Unit**. The Temporary Use permit may be renewed only if the Building Permit is issued for a Dwelling, and if the Building Permit remains active. Other conditions may be required.
14. Metal Storage Container Boxes, subject to the **Performance Standards** of **Section 3.10**.
15. Storage of one unoccupied Mobile or **Manufactured Home** per Lot or parcel in the G or AR zone, for a period not to exceed 90 days.
16. Uses not listed above and their associated intensities and time frames determined to be similar to the foregoing may be granted permits by either the **Community Development Director** for single Temporary Uses, or the Planning and Zoning Commission for multiple Temporary Uses.

### 3.2.C. Performance Standards

1. Noise: Noise shall not be generated by any use to the point of disturbing the peace, quiet, and comfort of neighboring residences or businesses.
2. Parking: Adequate parking shall be provided. All parking shall be located on the same property as the **Temporary Use**; public **Rights-of-Way** shall not be used for parking.
3. Location: No permit shall be issued for a Use the location of which is deemed to be potentially hazardous to the public. This includes, but is not limited to, heavily congested and/or trafficked areas where the use may impede or inconvenience the public and/or emergency vehicles. No use shall be permitted in a public **Right-of-Way**.



4. Sanitation: All requirements of the County Health Department, County Environmental Quality, and/or other regulatory agency shall be met. Provisions for disposal of solid waste shall be required for all Uses.
5. **Signs:** One freestanding or wall-mounted Sign not exceeding 6 square feet in area and 6 feet in height is permitted. Signage for food trucks and trailers is limited to vehicle signage. A diagram of the Sign indicating size, text, and location on site is required. Color and materials may be reviewed if the site is within a DRO Zone. No off-site Sign is permitted. Additional signing may be permitted at the discretion of the Planning and Zoning Commission.
6. Lighting: All lighting sources shall be aimed or shielded so that the **Direct Illumination** shall be confined to the property boundaries of the light source. The operation of searchlights or similar lighting sources is prohibited.
7. Other Permits and Documentation: Any required Public Health Services District, Environmental Quality, Sheriff's Office permits or licenses, Fire Department, or Public Works **Right-of-Way** permits shall be obtained. Other required documentation may include but not be limited to Proof of Liability Insurance, and a security, parking, and traffic safety plan for special events.

#### 3.2.D. Permits and Administration

1. All **Temporary Uses** shall be subject to the issuance of a Temporary Use permit. Issuance may be through the action of the **Community Development Director** or the Planning and Zoning Commission. Permits issued through the Community Development Director shall follow **Section 5.1.B**. Permits issued through the Planning and Zoning Commission shall be subject to the standards of **Section 5.1.C**.
2. **Temporary Use** permits shall be issued when compliance with this Ordinance is verified. If the **Community Development Director** or Planning and Zoning Commission determines that the proposed Temporary Use does not comply with this Ordinance, the permit shall be denied.
3. Approval of a **Temporary Use** permit application shall require compliance with the above performance standards and any further conditions deemed necessary by the **Community Development Director** or the Planning and Zoning Commission in order to reduce possible detrimental effects to surrounding developments and to protect the public health, safety, and welfare. Failure to comply with the performance standards could result in denial or revocation of a Temporary Use permit.
4. No work shall commence on a **Temporary Use** until the issuance of a permit.
5. Extensions and Renewals
  - A. All **Temporary Uses** shall fit the prescribed time frames outlined in this Section.
  - B. Requests to exceed time frames, extend the lapse date of an existing permit, or renew a permit beyond stated time frames shall be heard by the Planning and Zoning Commission.
6. Appeal
  - A. Administratively Approved Permits. A decision by the Director may be appealed within 30 days to the Planning and Zoning Commission. The decision of the **Commission** shall be final.



- B. Planning and Zoning Commission Approved Permits. A decision by the Planning and Zoning Commission may be appealed within 15 calendar days to the **Board of Supervisors** by the applicant or any other **Person** as prescribed in **Section 5.5**.

#### 7. Condition of Site Following **Temporary Uses**

- A. Each site occupied by a Temporary Use shall be left free of debris, litter, or any other evidence of the temporary use upon completion or removal of the Use, and shall thereafter be used only in accord with the provisions of the zoning regulations. Site shall be restored to previous conditions or better.

### 3.3 Agriculture and Animal Keeping

#### 3.3.A. Purpose

1. To provide high levels of flexibility and allowances for small-scale agriculture and the keeping of certain animals that provide a healthy and affordable source of food and fiber and companionship.
2. To support self-reliance and promote economic well-being.
3. To support animal welfare.
4. To avoid adverse impacts on **Adjacent** properties by reason of dust, fumes, noise, odor, insect or vermin infestations, or visual blight, and to maintain the public health, safety, and welfare.
5. To protect the environment from pollution resulting from manure and animal waste.

#### 3.3.B. Applicability

1. The following standards for **Agriculture** and the keeping of animals are applicable to all zones unless otherwise noted.
2. Additional Agriculture and animal keeping Uses may be permitted in specific zones. Please check specific zone for such Uses.
3. All other provisions of this Ordinance shall remain applicable unless otherwise specified.

#### 3.3.C. Agricultural Performance Standards

1. **Agriculture**, General and **Gardening** is permitted in all zones.
2. Sale of products raised or grown on the Lot shall be permitted.
  - A. **Farm Stands** are permitted subject to **Setbacks** of the underlying zone. Projections into Side and Rear **Yards** shall be prohibited. Projections into Front Yards shall be allowed to one half the required Yard.
  - B. Signage shall be limited to allowances for agricultural uses in the underlying zoning. Refer to **Section 4.2.C**.
  - C. Parking shall be provided for on site and spaces shall be delineated.
3. **Community Gardens** shall be permitted through the issuance of an **Administrative Permit** in all zones subject to the following:

- A. Community Gardens of fifteen plots no greater than 400 square feet in area per plot shall be permitted.
  - i. A **Conditional Use** permit may be requested in order to exceed fifteen plots.
- B. The property shall Front on and have direct **Access** on a Road accepted for maintenance by the **County** or other governmental agency.
  - i. A waiver may be granted by the **Community Development Director** if an agreement of affected property owners that includes provisions for traffic related to the Community Garden is produced.
- C. All parking shall be on site and spaces shall be delineated. Parking surfaces shall be improved to the approval of the **Community Development Director**.
- D. Community Gardens shall be located on land that is level enough to support the **Intended Use** without excessive grading or the excessive removal of trees.
- E. The site shall be designed and maintained so that water and fertilizer will not drain to **Adjacent** property.
- F. Any fencing shall meet the Standards of **Section 4.6** and the exterior shall be natural, earth-toned colors. New chain link shall be avoided.
- G. Hours of operation shall be limited to the hours between sunrise and sunset.
- H. Signage shall be limited to allowances for agricultural uses in the underlying zone. Refer to **Section 4.2.C**.
- I. Waste receptacles shall be provided and screened from neighboring properties. Refuse shall be removed so as not to cause a **Nuisance**.
- J. A Structure shall be provided for the storage of any tools, fertilizers, equipment, or other materials used in conjunction with the Community Garden. Such facilities shall screen materials from neighboring properties and shall be adequately secured.
- K. Accessory structures associated with a Community Garden shall be permitted prior to the establishment of a residence.
- L. **Composting** shall be permitted.
  - i. Composting of vegetative matter shall be done in a container or structure specifically designed for that purpose. Supplements to enhance the composting process are acceptable.
  - ii. Composting facilities shall be located twice the distance of the required Setback from adjoining Lots.
- M. Storage of commercial equipment shall be prohibited unless approved through a **Conditional Use** permit.
- N. The property shall be maintained in a neat and orderly fashion.

4. Farmers' Markets shall be permitted subject to the issuance of **Conditional Use** permit in all zones, or with a **Temporary Use** permit per **Section 3.2.B.1**.
5. **Agritourism** shall be permitted subject to the issuance of a **Conditional Use** permit in designated zones. Agritourism facilities may include residences for owners and employees and lodging facilities for tourists.

### 3.3.D. Animal Keeping Performance Standards

1. Animal keeping is permitted in all zones subject to the following standards:
  - A. No animal may be fed, watered, or sheltered within any Front, Side, or Rear **Yard Setback**.
    - i. Certain animals may require more restrictive Setbacks as outlined herein.
    - ii. Requests for reductions in Setbacks or required **Lot Size** for animal keeping may be granted as an Administrative Adjustment for no more than 10 percent of the required Setbacks, Parcel, or Lot Size. Reductions greater than that may be heard by the **Board of Adjustment** as a request for a **Variance**.
  - B. No animal may be permanently fed, watered, or sheltered within 150 feet of a water source.
  - C. All animals shall be maintained on property. Shelter and fencing (barn, coop, corral, pens, **Stables**, etc.) shall be provided to sufficiently contain the animals and keep them from roaming at large.
  - D. Offspring of animals maintained on the same property that are less than 4 months old or that have not been weaned, whichever is longer, shall not be subject to the maximum animal counts.
  - E. Manure shall be actively managed to either contain it on site or be properly disposed of for all animals on the property. **Livestock** manure shall be collected at least weekly and spread on pastures, fields, or **Arenas**, composted for later use, or hauled off site. No accumulation of manure shall be permitted within any Water Feature. Storing and stockpiling of manure is allowed only for **Composting**. Manure composting piles shall be located a minimum of 55 feet from all property lines, 500 feet from Water Features and wells, and surrounded with grass buffer strips, silt fencing, berms, ditches, or straw socks to prevent runoff from contaminating surface waters or groundwater. On-site stormwater (10-year event) shall be contained around the composting site. Off-site stormwater (10-year event) shall be diverted around the composting site.
  - F. A **Conditional Use** permit may be requested to exceed allowances for the number of animals kept on site or to request a waiver if documentation is available that specific provisions inhibit best ecological practices on a Lot.
2. Additional Requirements for the keeping of specific animals are as follows. The maximum allowances listed below are for each animal category. More than one category of animal may be kept on site:
  - A. Aviaries
    - i. A minimum of 1 acre **Lot Size** is required.





**B. Bee Keeping**

- i. The number of hives permitted on a Lot shall be subject to the following:
  - a. One beehive shall be permitted on any Lot regardless of Zone or **Lot Size**.
  - b. One additional hive shall be permitted for every additional 6,000 feet of **Lot Size**.
  - c. On Lots greater than 5 acres, there shall be no restrictions on the number of hives.
- ii. Beehives shall maintain a minimum 20-foot Setback from any property line.
- iii. Where the entrance to a hive is located closer than fifty (50) feet to a **Lot Line**, a **Flyway Barrier** shall be established and maintained so that all bees are forced to fly at an elevation of at least 6 feet above ground level in the vicinity of the beehive. Barriers shall be subject to the following:
  - a. The barrier shall comply with the provisions of **Section 4.6**;
  - b. The height of the barrier shall be a minimum of 6 feet;
  - c. The barrier shall be solid such that bees cannot fly through it;
  - d. The barrier shall be placed parallel to the hive entrance;
  - e. The barrier shall extend a minimum of four (4) feet beyond the entrance to the beehive(s) in each direction.
- iv. A convenient source of water shall be made available to bees at all times to prevent bees from congregating at swimming pools, pet watering bowls, bird baths, or other water sources.
- v. In any instance in which a colony exhibits highly defensive behaviors by stinging or attempting to sting without due provocation, beekeepers shall promptly re-queen the colony with a less defensive queen. Queens shall be selected with a gentle disposition from stock bred for gentleness and nonswarming characteristics.

**C. Cats**

- i. A maximum of four cats over the age of 4 months shall be permitted on properties up to 1 acre in **Lot Size**.
- ii. A maximum of one additional animal for every additional  $\frac{1}{2}$  acre of **Lot Size** up to a maximum of 10 such animals shall be permitted.

**D. Dogs**

- i. A maximum of four dogs over the age of 4 months shall be permitted on properties up to 1 acre in **Lot Size**.
- ii. A maximum of one additional animal for every additional  $\frac{1}{2}$  acre of **Lot Size** up to a maximum of 10 such animals shall be permitted.

**E. Community Coops and Animal Keeping shall be permitted through the issuance of an Administrative Permit in all zones subject to the following requirements:**

- i. A caretaker shall reside on the Lot.
- ii. The property shall have direct **Access** on a Road accepted for maintenance by the County or other governmental agency.
  - a. A waiver may be granted by the **Community Development Director** if an agreement of affected property owners, which includes provisions for traffic related to such Use, is produced.
- iii. Any fencing shall meet the Standards of **Section 4.6**, and the exterior shall be natural, earth-toned colors. Chain link should be avoided.
- iv. The site shall be designed and maintained so that water, waste, and chemicals will not drain to **Adjacent** properties.
  - a. A record of chemical Use shall be maintained and made available upon request.
- v. Hours of operation shall be limited to the hours between sunrise and sunset.
- vi. Signage shall be limited to allowances for agricultural uses in the underlying zone. Refer to **Section 4.2.C**.
- vii. All parking shall be provided for on site and spaces shall be delineated. Parking surfaces shall be improved to the satisfaction of the **Community Development Director**.
- viii. Waste receptacles shall be provided and screened from neighboring properties. Waste shall be removed so as not to cause a **Nuisance**.
- ix. Sanitary Facilities shall be provided per the County Health Code.
- x. Structures associated with such Use shall be permitted prior to the establishment of a residence where otherwise prohibited.
- xi. A Structure shall be provided for the storage of any tools, fertilizers, equipment, or other materials used in conjunction with the Community Coops. Such facilities shall screen materials from neighboring properties and shall be adequately secured.
- xii. The number of animals is limited to two such animals for every 1,000 square feet of **Lot Size** with no more than a total of 80 animals.
  - a. Coops shall be set back twice the distance of the Setback for the underlying zone.
  - b. A minimum of 5 acres is required for the keeping of roosters, turkeys, peafowl, geese, and similarly noisy animals.
  - c. Animals shall be provided with a covered, predator-proof shelter with a minimum of 4 square feet per animal.
  - d. An additional 10 square feet of run shall be provided per animal.
- xiii. The community keeping of other animals found in this Section may be permitted subject to the same number and provisions described herein.
- xiv. Food shall be stored in animal-proof containers.

xv. Any mass of Animals that have sickened or died for unexplained reasons, or mammals that display any signs of rabies, shall be tested to determine the cause of illness and reported to the County Health Department.

xvi. **Composting** shall be allowed.

a. A facility specifically designed for composting shall be provided. Uncontained piles are prohibited.

b. Composting facilities shall be located twice the distance of the required Setback from adjoining Lots.

xvii. The slaughter of animals is prohibited.

xviii. The property shall be maintained in a neat and orderly fashion.

#### F. Horses and **Livestock**

i. A minimum of 1 acre of **Lot Size** land shall be required for the keeping of such animals.

ii. Three such animals may be maintained on the first acre and up to one additional animal for each additional ½ acre.

iii. No such animal may be sheltered, fed, or watered closer than 55 feet to a **Lot Line**.

iv. Protection from natural elements such as wind and sun shall be provided, and natural drainage provided to keep enclosures free from standing water.

v. Boarding of 1 or 2 horses for a fee is permitted subject to the above standards. Additional boarding may be allowed through issuance of a **Conditional Use** permit.

vi. Swine, excluding potbellied pigs, are subject to the following standards:

a. A minimum of 1 acre of **Lot Size** shall be required for the keeping of swine.

b. Three such animals may be maintained on the first acre and up to one additional animal for each additional ½ acre

c. Feeding, watering, or sheltering shall be set back:

1) A minimum of 300 feet from a neighboring residence or **Building** for public use.

2) A minimum of 200 feet from a water source or stormwater area.

#### G. **Poultry** and Rabbits

i. Every Lot shall be entitled to minimum of five such animals.

ii. A maximum of one animal for every 1,000 square feet of **Lot Size** with no more than a total of 20 such animals, except in the G and AR Zones, which shall allow for the keeping of up to 40 such animals.

iii. A minimum of 1 acre is required for the keeping of roosters, turkeys, peafowl, geese, and similarly noisy animals.



- a. Such animals shall be kept in a coop enclosed with a solid material during hours of darkness so as to limit crowing and noise.
    - b. A **Conditional Use** permit may be sought for the keeping of such animals on parcels smaller than 1 acre.
  - iv. Animals shall be provided with a covered, predator-proof shelter with at least 4 square feet per animal.
  - v. Slaughtering shall be permitted for personal use only.
- H. Potbellied Pigs**
- i. A maximum of two such animals on Lots up to ½ acre in **Lot Size** are permitted. An additional two animals are permitted for each additional ½ acre.
  - ii. The weight of each potbellied pig is capped at sixty (60) pounds.
  - iii. Unless contained within a **Dwelling**, feeding, watering or sheltering shall be set back:
    - a. A minimum of 300 feet from a neighboring residence or building for public use.
    - b. A minimum of 200 feet from a water source or stormwater area.
- I. Miniature Goats**
- i. A maximum of two such animals on Lots up to ½ acre in **Lot Size** are permitted. An additional two animals are permitted for each additional ½ acre.
  - ii. The weight of each miniature goat is capped at 90 pounds.
- J. Wild, non-domesticated, or Exotic Animals**
- i. May be allowed through the granting of a **Conditional Use** permit.
    - a. Written approval from Arizona Game and Fish Department is required prior to application.

### 3.3.E. Permits and Administration

1. Permits are not required for **Agriculture** and Animal Keeping unless otherwise noted.
2. Performance and Permitting do not alleviate the applicant from the duty of obtaining all applicable Building, Environmental Quality, Engineering, County Health Department, and other **State** and federal permits as they apply.

## 3.4 Accessory Dwellings

### 3.4.A. Purpose

To increase housing supply, achieve housing affordability goals, promote integrated conservation design and the use of sustainable building techniques, while preserving single family residential and neighborhood character.

### 3.4.B. Applicability

This Section is applicable to all Residential Zones and single family residential properties in the Planned Community Zone.

### 3.4.C. Performance Standards

Approval of **Accessory Dwellings** shall require compliance with the following performance standards:

1. A maximum of one Accessory Dwelling is permitted per Lot.
2. In all single family residential areas, an Accessory Dwelling of up to 600 square feet livable area is permitted regardless of Lot or principal **Dwelling** size.
3. Accessory Dwellings are further limited to 50 percent of the livable square footage of the main **Dwelling** up to a maximum of 1,000 square feet for a **Detached Accessory Dwelling**, or 1,200 square feet for an **Attached Accessory Dwelling**.
4. Single Family Dwellings, Modular, **Manufactured Homes** (including **Park Models** or **Tiny Homes** built to modular or manufactured building code) may be used as an Accessory Dwelling in zones where those are allowed as primary **Dwelling Units**. Travel Trailers, **Recreational Vehicles**, and **Mobile Homes** are prohibited Accessory Dwellings.
5. All utilities may be on separate meters than the principal Dwelling unless otherwise prohibited by a utility company.
6. Maximum separation between the principal Dwelling and Detached Accessory Dwelling shall be 100 feet on Lots less than 4 acres and 200 feet on Lots 4 acres or greater. Separation distance shall be measured from the closest outside edge of each building. Whenever possible, Accessory Dwellings shall not be located in front of the primary structure.
7. Accessory Dwellings shall share some common features with the principal Dwelling. Common features may include, but are not limited to, roof pitch, colors, porches and window treatments or other components of the exterior appearance.

### 3.4.D. Permits and Administration

1. Applicable Building, Environmental Quality, and Engineering Permits apply. Planning and Zoning Division review shall be conducted through the issuance of such permits.
2. The requirements for separation distance and maximum square footage may be waived by requesting an Administrative Adjustment from the **Community Development Director**, if the waiver is necessary to achieve the following. Waivers shall be limited to the minimum necessary to meet the need for the waiver:
  - A. For existing Structures on the property to be converted into an **Accessory Dwelling**.
  - B. Protection of **Environmentally Sensitive Features**, as defined in **Chapter 6, Definitions**.
  - C. Design necessary to accommodate energy efficiency through passive solar design, alternative energy, or water conservation systems into the **Site Plan** or building design. 🌿
  - D. Location of the **Accessory Dwelling** due to constraints of existing site infrastructure, such as wastewater treatment system(s), wells, utility lines, and driveway(s).



3. A decision of the **Community Development Director** may be appealed to the **Board of Adjustment** as a request for a Variance.

## 3.5 Home Occupations

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### 3.5.A. Purpose

The purpose of a **Home Occupation** is to increase flexibility in work and professional occupations, and to provide business opportunities that accommodate work-at-home scenarios influenced by changing technologies, by allowing activities to be conducted within residential **Dwelling Units**. These work activities shall not impact and must be compatible with and preserve the character of the existing neighborhood.

### 3.5.B. Applicability

**Home Occupations** may be permitted in any residential zoning district, subject to the granting of an **Administrative Permit** per **Section 5.1.B**. Home Occupations shall comply with the following Performance Standards.

### 3.5.C. Performance Standards

1. A **Home Occupation** shall be conducted within a **Dwelling Unit** and shall be clearly incidental to the Use of the Structure as a **Dwelling**.
2. In no way shall the appearance of the Structure or the premises be so altered or the conduct of the occupation within the Structure be such that the Structure or premises may be reasonably recognized as serving a non-residential Use (by color, materials, construction, lighting, Signs, sounds or noises, vibrations, display of equipment, etc.).
3. No one other than a resident of the **Dwelling** shall be employed in the conduct of a **Home Occupation**.
4. No motor or mechanical equipment shall be permitted other than normally incidental to the Use.
5. The Use shall not generate pedestrian or vehicular traffic beyond that normal to the district in which it is located.
6. No storage of materials and/or supplies, including vehicles or equipment used in the occupation, indoors or outdoors, shall be permitted that will be hazardous to surrounding neighbors or detrimental to the residential character of the neighborhood.
7. No **Building** or space outside of the main Building shall be used for **Home Occupational** purposes except approved Agricultural/horticultural related activities.
8. There shall be no use of utilities or community facilities beyond that normal to the Use of the property for residential purposes.
9. A **Home Occupation** shall not create any radio or television interference or noise audible beyond the boundaries of the site.
10. No smoke, odor, liquid, or solid waste shall be emitted.
11. There shall be no outdoor storage or display of materials or equipment maintained on the premises.



12. The conduct of the **Home Occupation** shall not interfere with the maintenance of the required off-street **Parking Spaces** on the property.

### 3.5.D. Permits and Administration

1. The application shall be subject to periodic review by the **Community Development Director**. Violation of any criteria listed above shall result in cancellation of the **Home Occupation** permit.
2. A decision of the **Community Development Director** regarding the approval, disapproval, or conditions imposed may be appealed in writing to the Planning and Zoning Commission within 15 days of notice of the decision.

## 3.6 Cottage Industries

### 3.6.A. Purpose

The purpose of a **Cottage Industry** is to foster innovation and increase flexibility in small, individually owned businesses or commercial operations by recognizing opportunities to locate and operate within residential neighborhoods. A Cottage Industry is conducted within a **Dwelling Unit** or **Accessory Structure** without altering the residential character of the neighborhood.

### 3.6.B. Applicability

**Cottage Industries**, in Zones in which they are a listed Use, may be permitted subject to the granting of a **Conditional Use** permit per **Section 5.7** by the Planning and Zoning Commission and, if approved, shall comply with the following restrictions.

### 3.6.C. Performance Standards

1. The entrepreneur of the **Cottage Industry** shall reside on the property.
2. The number of **Persons** employed in connection with the **Cottage Industry** and who are not residents of the **Dwelling** shall not exceed three full-time employees or the equivalent part-time, or as approved by the **Conditional Use** permit.
3. The **Cottage Industry** may be conducted either within the **Dwelling** or an **Accessory Structure**, or both, provided that not more than 50 percent of the combined **Floor Area** shall be used in the conduct of the Cottage Industry, or as approved by the **Conditional Use** permit.
4. One non-illuminated Sign not exceeding 6 square feet in area and 6 feet in height shall be permitted. Colors of Sign background, Sign lettering, and support structure shall be earth tones complementary to the natural surroundings.
5. Adequate off-street parking shall be provided according to the provisions of **Section 4.1**. There shall be a maximum of five **Parking Spaces**.
6. Any outdoor storage, including the initial processing of game meat, shall be as permitted in the underlying zone or as specified by the **Commission**. Outdoor storage shall be completely enclosed with a solid 6-foot-high fence or wall.
7. Parking of **Commercial Vehicles** shall be as permitted in the underlying zone.

8. Property for which a **Conditional Use** permit for a **Cottage Industry** is approved shall front on and have direct **Access** on a Road accepted for maintenance by the County or other governmental agency. The Access requirement may be waived by the Planning and Zoning Commission or **Board of Supervisors** if the additional Findings of Fact below are made:
  - A. The granting of the waiver will not diminish the ability for emergency service providers to access the property and carry out their services.
  - B. The granting of the waiver will not put an undue maintenance burden or impact on others that legally use the access.
  - C. The granting of the waiver is consistent with applicable engineering standards set by the Public Works Department or Engineering Division of the Community Development Department.
  - D. The granting of the waiver will not have a negative impact on neighboring properties or improvements, especially as related to dust and traffic safety.
9. Outdoor lighting shall conform to **Section 4.3**.
10. Direct sales of products are allowed if such sales are specifically provided for in the Use permit.
11. The business shall not generate any noise, vibration, smoke, dust, odor, heat, glare, or electrical interference with radio or television reception that would exceed that normally produced by a **Dwelling Unit**. Hazardous materials shall be stored and monitored in accordance with current Arizona Department of Environmental Quality (ADEQ) standards

#### 3.6.D. Permits and Administration

1. Establishment of a **Cottage Industry** shall require issuance of a **Conditional Use** permit in compliance with the provisions of **Section 5.7**.
2. The **Commission** may grant a **Conditional Use** permit for up to 3 years. If all requirements of this Section and of the use permit have been consistently met, and if no complaints have been filed with the Community Development Department, the Use permit may be administratively renewed for up to 5 years.

### 3.7 Bed and Breakfast Establishments

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#### 3.7.A. Purpose

The purpose of a **Bed and Breakfast Establishment** is to provide a small, owner-operated business that provides transient overnight or temporary lodging and that may provide meals.

#### 3.7.B. Applicability

**Bed and Breakfast Establishments**, where permitted by the provisions of this Ordinance, shall comply with the following Performance Standards.

#### 3.7.C. Performance Standards

1. All provisions of **Section 3.5** pertaining to **Home Occupations** shall be met.
2. Applicants for a use permit shall be the property owners.





3. No more than four **Bedrooms** shall be used at any one time.
4. No more than 10 total occupants, including staff and boarders, may be accommodated at any one time.
5. The maximum duration of stay of any one guest shall be 10 days.
6. The boarders must enter primarily through the main entrance of the **Dwelling** to get to their rooms.
7. All parking must be accommodated on site.
8. For the use of two or more **Bedrooms**, **State** and County Health Department approval and permits are required.
9. One non-illuminated Sign not exceeding 6 square feet in area and 6 feet in height shall be permitted in compliance with provisions of **Section 4.2**. Colors of Sign background, Sign lettering, and support structure shall be earth tones complementary to the natural surroundings.

## 3.8 Group Homes for the Disabled

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### 3.8.A. Purpose

The purpose of these regulations is to permit disabled **Persons**, as defined by **State** and federal law, to reside in single family residential neighborhoods in compliance with the Fair Housing Act and applicable State law, while preserving the residential character of the neighborhood.

### 3.8.B. Applicability

1. Zoning Confirmation: Prior to registration, a request for zoning confirmation may be submitted to the Community Development Department to confirm that the proposed location of the group home is permitted under this Section.
2. Additional Requirements of **State** Law: Notwithstanding the foregoing, if the State has adopted laws or rules for the regulation of a specific type of home, such as a Group Home for the developmentally disabled pursuant to A.R.S. § 36-582 or an **Assisted Living Facility** pursuant to A.R.S. Title 36, Chapter 4, then any such State law or rule shall apply in addition to the conditions listed herein and shall preempt any conflicting condition listed herein.

### 3.8.C. Performance Standards

**Group Homes for the Disabled** shall be located, developed, and operated in compliance with the following standards:

1. Separation. The minimum separation between group homes shall be 1,200 feet in accordance with A.R.S. § 36-582, as measured from the closest property lines. No separation is required when group homes are separated by a utility **Right-of-Way** of at least 300 feet in width, or by a freeway, arterial **Street**, canal, or railroad.
2. Occupancy. The number of residents, excluding staff, shall not exceed 10.
3. Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a **Street**.



4. Compliance with all applicable Building, Environmental Health, and Fire Safety Regulations. If a group home has one or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply.
5. Licensing. Group homes shall comply with applicable licensing requirements.
6. Parking. Any parking for the group home shall be on site.

#### 3.8.D. Permits and Administration

1. Permits shall be subject to the standards of **Section 5.1.B.**
2. Property is considered a **Group Home for the Disabled** under this Ordinance after the Coconino County Community Development Department issues a Permit for a Group Home for the Disabled for that property. Only properties serving occupants who fit the definition of Disabled under the Fair Housing Act are eligible for determination as a Group Home for the Disabled.
  - A. In order to secure a Permit for a Group Home for the Disabled, an application must be submitted on the form prescribed by the Community Development Department. The application must be accompanied by the following: a **Site Plan**, a notarized statement detailing qualifications, copies of applicable licenses, and an affidavit of compliance and other documentation indicating the use of the property as a Group Home for the Disabled as may be required by the Director of the Community Development Department. The **Community Development Director** may require additional information or plans, if they are necessary to enable a determination as to whether the circumstances prescribed for the granting of a **Conditional Use** permit exist. The Community Development Director may authorize omission of any or all of the plans and drawings required by this Section if they are not necessary.
  - B. The Community Development Department will review the application for administrative completeness within 10 days after submission. The Department will have 30 days after administrative completeness to conduct its substantive review of the application. The total time for the granting or denying of the Certificate of Exemption is 40 days. Time frames are tolled and may be waived in accordance with A.R.S. § 11-1601 et seq.
3. If standards are not met, the home shall be considered a Group Home, Other or Residential Collective Home Use and shall be subject to the provisions of the Zoning Ordinance guiding such an establishments. Status as a **Group Home for the Disabled** is open to review by the Coconino County Community Development Department and may be canceled at any time, with 90-day occupancy notice, upon a determination by the Director that the property is no longer being used for a qualifying purpose or meeting standards laid forth in this Ordinance.

### 3.9 Wireless Telecommunication Facilities

#### 3.9.A. Purpose

1. The purpose of this Section is to establish a process, rules, and standards for the construction of **Wireless Telecommunication Facilities** to:
  - A. To protect and promote the public health, safety, and welfare.
  - B. To provide guidelines for the siting and design of Wireless Telecommunication Facilities.



- C. To protect the County’s environmental resources and to minimize adverse impacts on visual resources.
- D. To ensure that Wireless Telecommunication Facilities are compatible with adjacent land Uses.
- E. To minimize the number of **Towers** by encouraging the joint use (**Co-location**) of facilities and by maximizing the use of existing Towers and Structures.
- F. To allow competition in telecommunications service.
- G. To enhance the ability to provide wireless telecommunication services to County residents, businesses, and visitors.

### 3.9.B. Applicability

1. **Wireless Telecommunication Facilities** require the granting of a **Conditional Use** permit by the Planning and Zoning Commission except as exempted in **Section 3.9.B.2.A** below. Facilities are preferred in the industrial (IL-10,000, IH-6,000, and IP-20,000) and commercial (CG-10,000, CH-10,000, and CN-2/A) zones, but are also permitted with a Conditional Use permit in the AR, RR, G, PRD, PC, PS, OS, RC, P, RS, RM, MHP, RMH, and MR zones. Facilities are least preferred in the residential (RS-6,000, RS-10,000, etc., RM-10/A, RM-20/A, MHP, and RMH) zones.
2. Exemptions
  - A. This Ordinance does not apply to Ham Radio **Towers**, which are regulated elsewhere in the Zoning Ordinance, or to satellite dishes for television reception at individual single family residences.
  - B. A **Conditional Use** permit is not required to Co-locate additional **Antennas** or microwave dishes on already approved **Towers** unless it results in a substantial change in the approval, such as an increase in **Tower Height**. An increase of the originally approved Tower Height by more than 10 percent or an increase in the originally approved Tower Height to create an antenna separation of more than 20 feet is considered a substantial change in Tower Height. **Co-locations** are subject to the same conditions of approval as the original Conditional Use permit. A Conditional Use permit is not required for attached **Antennas** where the Height of the Structure the Antenna is being attached to is not increased. Examples would be Antennas on existing utility or light poles, water Towers, or on the fascia of existing **Buildings**. If an increase in Tower Height creates a Tower Height exceeding 199 feet, all required Federal Aviation Administration (FAA) safety lights shall be radar-activated.
  - C. A **Conditional Use** permit is also not required for a stealth design that meets the Height restriction of the zone in which the **Tower** is proposed to be located. Towers exempted by this subsection shall meet all requirements of **Section 3.9.C.3** and all underlying zone performance standards.

### 3.9.C. Performance Standards

1. Preferred Facilities
  - A. Site location and development of **Wireless Telecommunication Facilities** shall preserve the existing character of the surrounding land Uses and **Buildings** and the aesthetic visual character



of the area. If technically feasible, new facilities shall use the most preferred facility type. The order of preference for new facilities is as follows (from most preferred to least preferred):

- i. **Co-location** on an existing **Tower**
  - ii. **Antennas** attached to existing Structures such as Buildings, light poles, utility poles
  - iii. Concealed or camouflaged facilities
  - iv. New sites on previously disturbed areas such as cinder pits
  - v. New **Towers**/facilities under 100 feet in commercial or industrial zones
  - vi. New **Towers**/facilities 100 to 175 feet in commercial or industrial zones
  - vii. New **Towers**/facilities under 100 feet in G, AR, or RR zones
  - viii. New **Towers**/facilities 100 to 199 feet in G zones
  - ix. New **Towers**/facilities 100 to 150 feet in AR or RR zones
  - x. New **Tower** in other zones as described in **Section 3.9.B.1** above
- B.** New facilities shall use the most preferred facility type and location where technically feasible, even if it results in an increase in the number of facilities or a higher cost. A less-preferred facility type may be permitted only if the applicant presents substantial evidence to show that it will have a lesser visual impact or is more technically necessary than the use of more preferred facilities. New facilities shall be designed to accommodate **Co-location** to the extent possible.
- 2. Disfavored Facilities**
- A.** Any site that is within a **State** or federal designated scenic corridor such as Highways 180, 64, and 89A.
  - B.** Any site within a visual corridor, highway corridor, or scenic vista, for example, in the view of the San Francisco Peaks; along a ridgeline exposed to view from highway travelers or to residential areas; along a public trail; or in a park or recreation area, unless the facility blends with the surrounding natural and human-made environment.
  - C.** Sites adjacent to or very close to residential areas.
  - D.** Sites adjacent to or very close to Sacred Sites.
  - E.** Sites within a wildlife or migration corridor, or near a water source.
  - F.** Facilities with guy wires.
- 3. All Facilities**
- A.** Height. New facilities shall not exceed 199 feet in Height.
  - B.** Setbacks. The Setback for **Towers** is 105 percent of the **Tower Height** from all property lines so that in case of collapse or failure the Tower would be contained on the property. Setbacks may be allowed to extend onto **Adjacent** properties if there are dedicated fall zone **Easements**. The Setbacks may be reduced if a registered engineer can certify that, in case of failure, the Tower would be contained on site. In commercial and industrial zones, the Setbacks may be reduced to



30 percent of the Tower Height if a registered engineer can prove that, in case of failure, the Tower would be contained on site. Guys and **Accessory Structures** must meet the Setbacks of the underlying zoning classification. Facilities that are located on new or replaced utility poles, street lights, or traffic signal poles are exempt from the Setback requirements.

- C. **Color and Materials.** **Towers** and attached **Antennas** must be a color that blends with the surrounding environment. Muted colors, earth tones, and subdued hues, such as gray, shall be used. All associated Structures such as equipment **Buildings**, including the roofs, shall be painted with earth tone colors.
- D. **Bird Flight Diverters.** All **Towers** with guy wires must include Bird Flight Diverters, 8 inches long by 8 inches wide, at fifteen-foot intervals along the length of the wire, or as otherwise approved by staff based on the most current science and technology.
- E. **Fencing.** New **Towers**, other than flagpoles, utility poles, or other camouflaged facilities, shall be fenced to prevent trespass.
- F. **Lighting.** Lighting on any new **Tower** is prohibited unless required by the Federal Aviation Administration or by other applicable **State** or federal requirements. If an increase in **Tower Height** creates a Tower Height exceeding 199 feet, all required FAA safety lights shall be radar-activated. Motion detector security lighting may be approved if the lights are fully shielded. Any outdoor lighting requires a separate lighting permit.
- G. **Landscaping.** Perimeter Landscaping may be required as a condition of approval of the facility, depending on the location. Existing vegetation shall be preserved to the maximum extent possible.
- H. **Signs.** No advertising is permitted anywhere upon or attached to the facility. Signage is limited to small non-illuminated warning and identification Signs.
- I. **Permits.** A **Building Permit** is required for the construction of any new **Tower** and for **Accessory Structures**.
- J. **Storage.** Long-term vehicle storage and other outdoor storage are prohibited.

#### 4. Abandonment

The provisions of Zoning Ordinance **Section 3.13** shall apply to **Wireless Telecommunication Facilities**. Pursuant to **Section 3.13**, a **Tower** shall be considered abandoned and the use discontinued if it is not utilized, i.e., there are no providers/**Antennas** on the Tower, for a continuous period of 180 days.

#### 5. Obsolescence and Removal

In addition to all other remedies available to Coconino County, if a facility is abandoned pursuant to **Section 3.9.C.4** above and **Chapter 3, Special Uses and Conditions**, of the Zoning Ordinance, or if a facility becomes obsolete due to changing technology, it shall be the responsibility of the **Tower** owner and/or property owner to remove the Tower and to restore the site to its original condition within 60 days.



### 3.9.D. Permits and Administration

1. Establishment of a **Wireless Telecommunication Facilities** shall require issuance of a **Conditional Use** permit in compliance with the provisions of **Section 5.7**, except as exempted by has no substantial Structures.
2. Application Process
  - A. Prior to the submittal of a **Conditional Use** permit application, the applicant shall schedule a pre-application conference with staff of the Community Development Department. In addition, for facilities located within one-half mile of a residential area, the applicant shall hold a neighborhood meeting prior to the submittal of an application. Staff will attend the meeting and utilize the comments of neighbors in the analysis presented to the Planning and Zoning Commission. The requirement for a neighborhood meeting may be waived by the **Community Development Director**.
  - B. In addition to requirements of **Section 5.1.C**, the following shall be provided:
    - i. Elevation drawings. The drawings shall show the **Tower** and proposed attached **Antenna(e)**, as well as proposed Structures on the ground. Materials and colors shall be indicated and color samples shall be provided.
    - ii. Photo images. Photo simulations of the proposed facility from each direction shall be provided showing the **Tower**, all **Antennas**, Structures, and equipment facilities, demonstrating the true impact of the facility on the surrounding visual environment. The Community Development Department will assist in specifying recommended vantage points and the requested number of photo simulations at the pre-application conference.
    - iii. Coverage maps. The applicant shall submit coverage maps from a licensed engineer demonstrating the need for the proposed facility. The maps shall be drawn to scale, shall demonstrate existing service coverage and strength, and shall demonstrate future service coverage and strength with the proposed facility.
    - iv. Evidence of the least intrusive means to address a demonstrated coverage gap. For applications made to close a significant gap in coverage, the applicant shall provide evidence that they have explored all other reasonable locations and designs to address the demonstrated coverage gap. The applicant shall provide evidence that the selected site and design is the least intrusive option to address the gap in coverage or that less intrusive sites and designs are not technically or physically feasible.
    - v. Written narrative. A written narrative shall be submitted with the application explaining why the proposed site has been chosen, why the proposed **Wireless Telecommunication Facilities** is necessary, why the requested height was chosen, ability of the facility to accommodate other providers, and any other information requested at the pre-application conference.
    - vi. Existing Structures. Evidence shall be submitted demonstrating that no existing verticality can be utilized within the targeted search area, defined generally as a one mile radius, to meet the applicant's requirements.

- vii. Property owner list. A typewritten list of the names and addresses of all property owners, keyed to Assessor's Parcel Numbers, within 500 feet of the outside boundaries of the subject property for **Towers** up to 99 feet, and within 1,000 feet for Towers from 100 to 199 feet.
  - viii. For facilities within one quarter mile of an established residence, evidence of notification of property owners within one quarter mile, and a map indicating the **Tower** site and residential area.
- C. Due to the complexity of the methodology or analysis required to review an application for a **Wireless Telecommunications Facility Conditional Use** permit, the Director may require a technical review by a third-party expert. The costs of this review shall be borne by the applicant, and shall be in addition to applicable Conditional Use permit and **Building Permit** fees. The expert review may include, but is not limited to, the following:
- i. The accuracy and completeness of the submissions;
  - ii. The applicability of analysis techniques and methodologies;
  - iii. The validity of conclusions reached;
  - iv. Whether the proposed Wireless Telecommunications Facility complies with the applicable criteria set forth in these regulations;
  - v. Other matters deemed by the Director to be relevant in determining whether a proposed Wireless Telecommunications Facility complies with the provisions of these regulations.

## 3.10 Metal Storage Container Boxes

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### 3.10.A. Purpose

The purpose of this Section is to establish the criteria, process, rules, and standards for the use of **Metal Storage Container** boxes.

### 3.10.B. Applicability

Standards in this Section apply to all permanent or **Temporary Uses of Metal Storage Containers** that are located as outdoor, stand-alone structures.

### 3.10.C. Performance Standards

#### 1. Temporary Uses in the G, AR, RR, and RS Zones

- A. Upon the issuance of an **Administrative Permit**, two 160-square-foot or one 320-square-foot **Metal Storage Containers** may be established with a no-fee Temporary Use permit. A Temporary Use permit is required prior to the storage containers being located on site and may be issued for up to 18 months at a time. Temporary Use permits may be renewed so long as the **Building Permit** remains in active status.
- B. For non-permit projects (emergency situations related to fire or flood, or remodels), two 160-square-foot or one 320-square-foot **Metal Storage Containers** may be established with a



**Temporary Use** permit for up to 9 months. Emergency-related projects are subject to a no-fee permit. Temporary Use permits may be renewed for an additional 9-month period.

- C. **Metal Storage Containers** shall be located at least 10 feet from the Front and Street Side Property Lines and shall meet Side and Rear Setback requirements for the zoning district in which they are located. Exceptions may be granted by the **Community Development Director** in an emergency situation for a maximum of 90 days.
  - D. There shall be no utilities **Installed** within the **Metal Storage Container**.
  - E. Any deviations from these standards may be approved through the issuance of a **Conditional Use** permit per **Section 5.7**.
2. **Temporary Uses** in the PS, CG, CH, IL, and IH Zones
- A. Upon the issuance of an **Administrative Permit**, **Metal Storage Containers** may be established with a Temporary Use permit. A no-fee Temporary Use permit is required prior to the storage container being located on site and may be issued for up to 18 months at a time. Temporary Use permits may be renewed so long as the **Building Permit** remains in active status.
  - B. For non-permit projects, **Metal Storage Containers** may be established with a Temporary Use permit for up to 6 months.
  - C. **Metal Storage Containers** are required to meet all development standards of the Zoning District in which they are located including Setbacks, **Building** separation, and **Structure Height**. Exceptions may be granted by the **Community Development Director** in an emergency situation for a maximum of 90 days.
  - D. There shall be no utilities **Installed** within the **Metal Storage Container**.
3. **Permanent Uses** in the G, AR, RR, RS, RM, RMH, and MHP Zones
- A. One 160-square-foot **Metal Storage Container** may be established with an approved **Administrative Permit** subject to the following standards.
    - i. There shall be no signage on the Metal Storage Container.
    - ii. The only utilities permitted shall be electricity for lights and outlets, i.e., there shall be no plumbing or mechanical. The addition of electricity requires an electric permit.
    - iii. All containers shall be painted and maintained either the primary Structure color or a pre-approved earthtone color consistent with the surrounding terrain prior to placement.
    - iv. Metal Storage Containers are required to meet all development standards of the Zoning District in which they are located including Setbacks, **Building** separation, and **Structure Height**. Whenever possible, Metal Storage Containers shall not be located in front of the primary structure.
    - v. Use of the unit is for the storage of personal effects owned by the property owner or tenant. There shall be no commercial use of the unit, for example, rental of the unit to people not residing on the property.
    - vi. The unit shall not be used for residential use or for the keeping of animals.





- vii. Nothing shall be stored on top of the unit.
  - B. Any deviations from these standards may be approved through the issuance of a **Conditional Use** permit per **Section 5.7**.
4. Permanent Uses in the PS, CG, and CH Zones
- A. The equivalent of one 320-square-foot **Metal Storage Container** (for example, two 8-foot by 20-foot containers or one 8-foot by 40-foot container) may be established with an approved **Administrative Permit** subject to the following standards.
    - i. There shall be no signage on the Metal Storage Containers.
    - ii. Electric utility may be permitted as part of the **Building Permit**.
    - iii. All containers shall be painted and maintained either the primary Structure color or a pre-approved earthtone color consistent with the surrounding terrain prior to placement.
    - iv. Metal Storage Containers are required to meet all development standards of the Zoning District in which they are located, including Setbacks.
  - B. Any deviations from these standards may be approved through the issuance of a **Conditional Use** permit per **Section 5.7**.
5. Permanent Uses in the M1 and M2 Zones
- A. **Metal Storage Containers** are permitted subject to the following standards.
    - i. There shall be no signage on the Metal Storage Containers
    - ii. Electric utility may be permitted as part of the **Building Permit**.
    - iii. All containers shall be painted and maintained either the primary Structure color or a pre-approved earth tone color consistent with the surrounding terrain prior to placement.
    - iv. Metal Storage Containers are required to meet all development standards of the Zoning District in which they are located, including Setbacks. Any deviations from these standards may be approved through the issuance of a **Conditional Use** permit.
  - B. Any deviations from these standards may be approved through the issuance of a **Conditional Use** permit per **Section 5.7**.

**3.10.D. Permits and Administration**

- 1. All **Metal Storage Containers** shall be subject to the issuance of a permit. Issuance may be through the action of the **Community Development Director** or the Planning and Zoning Commission.
  - A. Establishment of a Metal Storage Container **Administrative Permit** shall be in compliance with the provisions of **Section 5.1.B**.
  - B. Establishment of a Metal Storage Container requiring issuance of a **Conditional Use** permit shall be in compliance with the provisions of **Section 5.7**.

## 3.11 Accessory Wind Energy Systems

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### 3.11.A. Purpose

The purpose of this Section is to establish a process, rules, and standards for the construction and operation of **Accessory Wind Energy Systems** used primarily for on-site power consumption.

### 3.11.B. Applicability

1. **Accessory Wind Energy Systems** shall be considered a permitted use on all properties with sufficient distance to accommodate Setbacks, per this Section. Roof-mounted systems may be permitted in any of the abovementioned zoned areas that are a minimum of ½ acre in size.
2. Any deviation from the required standards of this Ordinance may be approved through the issuance of a **Conditional Use** permit per **Section 5.7**.

### 3.11.C. Performance Standards

1. The requirements of this Ordinance shall apply to all **Accessory Wind Energy Systems** proposed after the effective date of this Ordinance.
2. All Accessory Wind Energy Systems shall conform to applicable industry standards, including those of the American National Standards institute.
3. Minimum parcel size of 1 acre is required for the installation of an Accessory Wind Energy System.
4. No more than two systems are permitted per parcel.
5. Maximum height shall be that of the underlying zoning district measured from preexisting natural Grade to the center of the **Turbine** hub for horizontal and vertical systems.
6. Setback requirements shall be 100 percent of the Total Height of the Accessory Wind Energy System, including blade length, from all property lines, **Access Easements**, Residential Structures, and public electric power or telephone lines. No part of the wind system Structure, including guy wire anchors, may extend into the minimum Setback area of the underlying zoning district or into any Access or utility Easements.
7. Bird flight diverters are required on Accessory Wind Energy System with guy wires. Bird flight diverters (minimum 8 inches long by 8 inches wide) shall be placed at 15-foot intervals along the length of the wire.
8. All portions of the energy system shall be a non-reflective, non-obtrusive color, subject to the approval of the **Community Development Director**. The appearance of the **Turbine, Towers** and any other related components shall be maintained throughout the life of the wind energy facility pursuant to industry standards.
9. Systems shall not be used for displaying any advertising.
10. Systems shall not be illuminated unless required by a **State** or federal agency.
11. The electrical collection system shall be placed underground within the interior of each parcel. The collection system may be placed overhead near substations or points of interconnection to the

electric grid. All grid-connected systems shall have a completed contractual agreement with the local utility prior to the issuance of a **Building Permit**.

12. Accessory Wind Energy Systems shall be designed, **Installed**, and operated so that noise generated by the system shall not exceed fifty decibels (50 dBA), as measured from the nearest property line, except during short-term events including utility outages and severe wind storms.

### 13. Obsolescence and Removal

If the **Accessory Wind Energy System** remains nonfunctional or inoperative for a continuous period of 120 days, the system shall be deemed to be abandoned and shall constitute a public **Nuisance**. The owner shall remove the abandoned system at his or her expense after a demolition permit has been obtained. Removal includes the entire Structure including foundations to below natural Grade, and transmission equipment.

### 3.11.D. Permits and Administration

**Building Permits** shall be obtained for any **Accessory Wind Energy System** prior to installation.

## 3.12 Medical Marijuana Dispensaries and Off-Site Cultivation and Infusion Facilities

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### 3.12.A. Purpose

The purpose of this Section is to establish a process, rules, and standards for the construction, establishment, and operation of **Medical Marijuana Dispensaries**, and **Off-Site Cultivation and Infusion Facilities**, pursuant to A.R.S. § 36-2806.01.

### 3.12.B. Applicability

1. **Medical Marijuana Dispensaries** shall be considered a permitted use in the CG-10,000 (Commercial General) and CH-10,000 (Commercial Heavy) Zones, or in the PC (Planned Community) Zone in areas designated for development subject to CG-10,000 and CH-10,000 Uses and development standards, subject to the following performance standards and design requirements.
2. **Medical Marijuana Off-Site Cultivation and Infusion Facilities** shall be considered permitted Uses in the IL-10,000 (Light Industrial) and IH-6,000 (Heavy Industrial) Zones or in the PC (Planned Community) Zone in areas designated for development subject to the IL-10,000 and IH-6,000 Uses and development standards, subject to the following performance standards and design requirements. **Off-Site Cultivation and Infusion Facilities** shall be considered **Conditional Uses** per **Section 2.8.B** in the CH-10,000 (Commercial Heavy) Zone or in the PC (Planned Community) Zone in areas designated for development subject to CH-10,000 uses and development standards.

### 3.12.C. Performance Standards

1. **Medical Marijuana Dispensaries** shall be located in a permanent **Building**, and may not locate in a trailer, cargo container, or **Motor Vehicle**.
2. **Medical Marijuana Dispensaries** shall have a single secure entrance and shall implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana pursuant to A.R.S. § 36-2806(C).



- 3. Medical Marijuana Dispensaries** shall be a maximum of 2,500 gross square feet.
- A.** Medical Marijuana Dispensaries and **Off-Site Cultivation/Infusion Facilities** shall not be located within 500 feet of a public or private preschool, kindergarten, elementary, secondary, or high school, place of worship, or public park existing before the date of application for the Medical Marijuana Dispensary or Cultivation/Infusion Facility. This distance shall be measured in a straight line from the exterior walls of the **Building** or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.
  - B.** Medical Marijuana Dispensaries and **Off-Site Cultivation/Infusion Facilities** shall not be located within 500 feet of another Medical Marijuana Dispensary or Cultivation or Infusion Facility. This distance shall be measured in a straight line between the exterior walls of the **Buildings** or portions thereof in which the businesses are conducted or proposed to be conducted.
  - C.** Any Medical Marijuana Dispensaries and **Off-Site Cultivation/Infusion Facilities** lawfully operating shall not be rendered in violation of these provisions by the subsequent location of a public or private preschool, kindergarten, elementary, secondary, or high school, place of worship, or public park.
  - D.** Retail sales and dispensing of **Medical Marijuana** and related products is prohibited at **Off-Site Cultivation and Infusion Facilities**.
  - E.** Operating hours of Medical Marijuana Dispensaries are limited to 8:00 am through 8:00 pm.
  - F.** Drive-through services are prohibited.
  - G.** There shall be no emission of dust, fumes, vapors, odors, or hazardous waste into the environment from any facility where Medical Marijuana Cultivation or Infusion occurs.
  - H.** Marijuana remnants and byproducts shall be secured and properly disposed of and shall not be placed within the facility's exterior refuse containers.
  - I.** Medical Marijuana Cultivation and Infusion may occur within a Medical Marijuana Dispensary. Otherwise, a Medical Marijuana Dispensary may have one additional location where Cultivation, Infusion, and production of Medical Marijuana products occurs pursuant to A.R.S. § 36-2804(B)(1)(b)(ii).

#### 3.12.D. Permits and Administration

- 1.** Establishment of **Medical Marijuana Dispensaries** and **Off-Site Cultivation/Infusion Facilities** shall require issuance of an **Administrative Permit** in compliance with the provisions of **Section 5.1**.
- 2.** Where **Medical Marijuana Dispensaries** and **Off-Site Cultivation/Infusion Facilities** are classified as a permitted Use, an administrative permit shall be obtained prior to establishment of the Use and in compliance with the provisions of **Section 5.1.B**. To obtain an administrative permit, an applicant must comply with paragraphs 3 to 9 of this Section.
- 3.** Where Medical Marijuana **Off-Site Cultivation/Infusion Facilities** are classified as a **Conditional Use**, a Conditional Use permit shall be obtained prior to establishment of the Use per **Section 5.7**.



The standard Conditional Use permit application procedures and requirements shall be met along with additional requirements contained herein.

4. The applicant shall provide the name and location of the **Medical Marijuana Dispensary**. For **Off-Site Cultivation** and/or **Infusion Facilities**, the applicant shall provide the name and location of the dispensary with which it is associated.
5. The applicant shall provide a copy of his or her dispensary registration certificate issued by Arizona Department of Health Services pursuant to A.R.S. § 36-2804(B) and a copy of the operating procedures adopted pursuant to A.R.S. § 36-2804(B)(1)(c) along with a **Site Plan**, floor plan, and security plan.
6. If the dispensary and/or cultivation/infusion facility is proposed to be located in an existing **Building**, the applicant shall obtain a **Building Permit** for change of occupancy with plans prepared by a professional architect registered in the State of Arizona.
7. A **Medical Marijuana Dispensary** or **Infusion Facility** that incorporates **Medical Marijuana** by means of cooking, blending, or incorporation into consumable/edible goods shall obtain applicable food service permits from the County Health Department.
8. If the measured distance is within 25 feet of the required limits identified in **Section 3.12.C.3.A** and **Section 3.12.C.3.B** above, a survey sealed by a registered land surveyor may be required, at the discretion of the **Community Development Director** and at the applicant's expense, to verify the required separation.
9. Permits may be denied if the applicant, in the reasonable opinion of the **Community Development Director**, is failing to comply with any applicable **State** or local law or regulation.

### 3.13 Nonconforming Uses

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#### 3.13.A. Purpose

This Section is intended to limit the number and extent of **Nonconforming Situations** by prohibiting or limiting their enlargement, their reestablishment after **Abandonment**, and the alteration or restoration after destruction. The overall purpose is the gradual elimination of **Nonconforming Uses** or conversion to conforming Uses in order to further the goals of the Coconino County **Comprehensive Plan, Area Plans**, and this Ordinance.

#### 3.13.B. Applicability

1. Continuation of **Nonconforming Situations**
  - A. Nonconforming Situations that were lawful when created or established may be continued.
  - B. Whenever a Nonconforming Situation has been discontinued for a consecutive period of 180 days, or changed to a conforming Use, Use of the Structure or Site thereafter shall be in conformity with the regulations for the zone in which the property is located.
2. Completion of **Nonconforming Projects**
  - A. Nonconforming Projects that have been approved or permitted before the effective date of this Ordinance or any amendment thereto or of any zoning map change may be completed in



accordance with the terms of their permits, so long as these approvals or permits were validly issued and remain unrevoked and unexpired.

- B. Nonconforming Projects approved by **Conditional Use** permit shall be allowed to be completed so long as the Use is commenced or a **Building Permit** is obtained within 1 year of approval as per **Section 3.13.B** to **Section 3.13.D**.
- C. Applicable zoning regulations for a Nonconforming Project are those in place at the time of a **Building Permit** application or at the time of application for a zone change or **Conditional Use** permit.
- D. For projects designed to be completed in stages, construction may be completed according to regulations in effect on the date of approval pursuant to schedules of development approved by the Planning and Zoning Commission or **Board of Supervisors**.

### 3.13.C. Performance Standards

#### 1. Nonconforming Lots

- A. Lots that were legally established and in conformance with the Zoning Ordinance when created shall be considered usable.
- B. When the Use proposed for a Nonconforming Lot is one that conforms in all other respects but the applicable Setback requirements cannot be reasonably complied with, the **Board of Adjustment** may grant Variances from the applicable Setback requirements if it finds that:
  - i. The property cannot reasonably be developed for the use proposed without such Variance,
  - ii. The Variance is necessitated by the size and shape of the Nonconforming Lot, and
  - iii. The property can be developed as proposed without any significantly adverse impact on surrounding properties or the public health or safety.
- C. For the purpose of **Section 3.13.C.1.B** above, compliance with applicable building Setback requirements is not reasonably possible if a **Building** that serves the minimal needs of the Use proposed for the Nonconforming Lot cannot practicably be constructed and located on the Lot in conformity with such Setback requirements. However, mere financial hardship does not constitute grounds for finding that compliance is not reasonably possible.
- D. This Section applies only to undeveloped Nonconforming Lots. A Lot is undeveloped if it has no substantial Structures on it. A change in Use of a developed Nonconforming Lot may be accomplished in accordance with **Section 3.13.D.1** below.

#### 2. Nonconforming Signs

- A. Subject to the remainder of this Section, Nonconforming Signs that were lawful when established may be continued.
- B. No Nonconforming Sign may be enlarged or altered in such a manner as to increase the extent of the nonconformity nor may illumination be added to any Nonconforming Sign.
- C. A Nonconforming Sign may not be moved or replaced except to bring the Sign into complete conformity with this Ordinance.



- D. Restoration of a damaged Sign may be accomplished in accordance with **Section 3.13.C.5** below.
  - E. The message of a Nonconforming Sign may be changed so long as this does not create any new nonconformities (for example, by creating an **Off-Premise Sign** where such Sign would not be allowed).
  - F. Routine maintenance and repairs may be done so long as the cost of such work does not exceed 50 percent of the value of such Sign within any 12-month period.
  - G. If a Nonconforming Sign advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that has not been offered or conducted for a period of 180 days, that Sign shall be considered abandoned and shall be removed within 30 days after such **Abandonment**. If the business is resumed following the Abandonment, all Signs shall conform to this Ordinance.
  - H. If a nonconforming **Billboard** remains blank for a continuous period of 180 days, that Billboard shall be deemed abandoned and shall be removed within 30 days after such **Abandonment**. For the purpose of this Section, a sign is blank if:
    - i. It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted; or
    - ii. The advertising message it displays becomes illegible in whole or substantial part; or
    - iii. The advertising copy paid for by a party other than the Sign owner or promoting an interest other than the rental of the Sign has been removed.
- 3. Nonconforming **Mobile Homes** and Mobile Home Parks**
- A. Within nonconforming Mobile Home Parks, Mobile Homes may be replaced subject to the following:
    - i. The total number of spaces in the Mobile Home Park shall not be increased over the number existing at the time the park became nonconforming;
    - ii. There shall be a minimum 10-foot Front Setback; and
    - iii. There shall be a minimum 10-foot spacing between Mobile Homes.
    - iv. Setbacks around the perimeter of the park shall not be reduced from those existing at the time the park became nonconforming.
  - B. Expansions of nonconforming Mobile Home Parks may be accomplished only through rezoning to the Mobile Home Park Zone for the proposed expansion area.
  - C. Individual nonconforming Mobile Homes on discrete parcels may be replaced only with the granting of a **Conditional Use** permit as described in **Section 3.13.D.1** below. Minor additions or improvements, such as decks, porches, and **Cabanas**, with a cost up to 25 percent of the appraised value of the nonconforming Mobile Home, are permitted.
- 4. Extension or Enlargement of **Nonconforming Situations****
- A. Except as otherwise specifically allowed in this Section, no increase in the extent of nonconformity of a Nonconforming Situation is permitted. In particular, no **Nonconforming**

**Use** shall be enlarged or extended in such a way as to occupy any part of the Structure or site or another Structure or site that it did not occupy at the time it became a Nonconforming Use, or in such a way as to displace any conforming Use occupying a Structure or site, except as permitted in this Section.

- B. No **Nonconforming Use** or Structure shall be enlarged or extended so as to increase the nonconformity with respect to Setbacks, height, **Density** or number of units, distance between Structures, parking, or other requirements such as performance standards.
  - C. Extension of hours or seasons of use, addition of new Uses, and changes in character of the **Nonconforming Use** are considered to be extensions and are not permitted.
  - D. Pursuant to A.R.S. § 11-830, within any zoning district, subject to the granting of a **Conditional Use** permit, a nonconforming business Use may expand if such expansion does not exceed 100 percent of the area of the original business. Such expansions shall be limited to Uses of the same basic nature and character. Expansion shall be limited to the original parcel on which the Use was located at the time it became nonconforming. For Uses within a Structure, the expansion shall be measured by **Floor Area**. For business Uses not involving a Structure (for example, junk yards, **Truck Yards**, or **Contractor's Yards**), area shall be strictly construed to mean the square footage or acreage of the Use at the time it became nonconforming.
5. Repair, Maintenance, and Reconstruction
- A. Minor repairs and routine maintenance of property where **Nonconforming Situations** exist are permitted and encouraged. Major renovation, i.e., work estimated to cost more than 25 percent of the appraised value of the Structure to be renovated, may be done only with the granting of a **Conditional Use** permit. Cost shall mean the fair market value of the materials and services necessary to accomplish the repair or maintenance.
  - B. If a Structure located on a parcel where a **Nonconforming Situation** exists is damaged to an extent of 50 percent or less of the appraised value of the damaged Structure, then it may be repaired and replaced and the **Nonconforming Use** may be resumed, provided that restoration is started within 1 year and diligently pursued to completion. For damaged **Nonconforming Signs**, restoration must be initiated within 3 months and completed within 6 months. If the damage exceeds 50 percent or the Structure is voluntarily razed or is required by law to be razed, the Structure shall not be restored except in full conformity with the regulations for the zone in which it is located, and the **Nonconforming Use** shall not be resumed. Structure as used in this paragraph includes on-premise Signs and **Billboards**. **Nonconforming Structures** used for single family residential purposes, if damaged to an extent exceeding 50 percent, may be reconstructed and restored subject to the granting of a **Conditional Use** permit.
  - C. For the purpose of paragraph B above, the extent of damage shall be based on the ratio of the estimated cost of restoring the Structure to its condition prior to such damage or partial destruction to the estimated cost of duplicating the entire Structure as it existed prior to the damage. Estimates for this purpose shall be reviewed and approved by the **Community Development Director** or the Chief Building Official and shall be based on the minimum cost of construction in compliance with adopted building codes.





### 3.13.D. Permits and Administration

#### 1. Change in Use of Property Where a **Nonconforming Situation** Exists

- A. A change in Use of property where a Nonconforming Situation exists to a **Principal Use** that is permissible in the zone in which the property is located shall be accomplished in the same manner as establishing the Use on a vacant Lot. Once conformity with this Ordinance is achieved, the property may not revert to its nonconforming status.
- B. If the change is to a permissible Use, but all requirements of this Ordinance, for example, property development and performance standards, cannot be met, then the change may be allowed subject to the **Board of Adjustment** granting a Variance for the waivers. In addition to other findings required for a Variance, the Board must find that:
  - i. The change will not result in a violation of **Section 3.13.C.4**; and
  - ii. All of the requirements that can reasonably be met will be met. Compliance is not reasonably possible if compliance cannot be achieved without the addition of land or without moving a substantial Structure that is on a permanent foundation. Mere financial **Hardship** related to such requirements as paving a parking lot may not constitute grounds for granting a Variance.
- C. A change from one **Nonconforming Use** to another **Principal Use** that is also nonconforming may be permissible with the granting of a **Conditional Use** permit. The permit may be granted if the findings in **Section 3.13.D.1.B** above are met and if the proposed development will have less of an impact on the area and will be more compatible with the surrounding neighborhood than the Use in operation at the time the permit is applied for. Applications for a change shall be restricted to the property, i.e., the specific parcel, on which the Nonconforming Use is located.

#### 2. **Nonconforming Uses** Authorized by **Conditional Use** Permits

- A. Uses approved by Conditional Use permit that have become nonconforming because of a Zoning Ordinance text amendment or a zoning map change may continue until the expiration date of the permit. At that time, the Planning and Zoning Commission may grant a use permit for renewal if all of the original conditions of approval have been met, even if the Use is no longer a permitted or Conditional Use in the zoning district in which the property is located. The **Commission** may impose reasonable improvements to bring the property into closer conformity or to mitigate the Use.

## 3.14 Amateur (HAM) Radio Towers

### 3.14.A. Purpose

Amateur Radio **Towers** provide freestanding or building-mounted **Antenna** that are used for airway communication by a **Person** holding a valid amateur radio license issued by the Federal Communications Commission.

### 3.14.B. Applicability

Amateur (HAM) Radio **Towers** shall be permitted for the personal use of the property owner/resident in Residential Zones and subject to the following Performance Standards.



### 3.14.C. Performance Standards

1. **Towers** shall not project more than 65 feet above Grade; establishment of Towers above this limit but less than 100 feet in height may be permitted only through the Variance procedure set forth in **Section 5.8**. The height of extension antennas shall be determined in their cranked-down position and shall remain in said position except during use.
2. **Towers** shall meet the minimum Setback requirements for the zone in which they are located; no portion of any antenna array shall extend beyond the property lines.

### 3.14.D. Permits and Administration

It shall be the responsibility of the property owner to demonstrate that the site is adequate in size to contain debris resulting from **Tower** failure and that such failure will not present a safety hazard to adjoining properties.

## 3.15 Recreational Facilities, Outdoor

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### 3.15.A. Purpose

**Recreational Facilities, Outdoor** provide for the recreational enjoyment and needs of residents and visitors throughout the County in a facility that is planned and dedicated to specialized events, sports, entertainment, and other activities that are located in an outdoor facility.

### 3.15.B. Applicability

**Recreational Facilities, Outdoor** require the granting of a **Conditional Use** permit by the Planning and Zoning Commission in all residential and commercial zones, and are permitted uses in the Industrial Park zone (IP), subject to the following performance standards.

### 3.15.C. Performance Standards

1. Property for which a **Conditional Use** permit for a **Recreational Facility, Outdoor** is approved shall front on and have direct **Access** on a Road accepted for maintenance by the County or other governmental agency. The Access requirement may be waived by the Planning and Zoning Commission or **Board of Supervisors** if the additional Findings of Fact below are made:
  - A. The granting of the waiver will not diminish the ability for emergency service providers to access the property and carry out their services.
  - B. The granting of the waiver will not put an undue maintenance burden or impact on others that legally use the access.
  - C. The granting of the waiver is consistent with applicable engineering standards set by the Public Works Department or Engineering Division of the Community Development Department.
  - D. The granting of the waiver will not have a negative impact on neighboring properties or improvements, especially as related to dust and traffic safety.
2. All Recreation Facilities shall provide an **Emergency Response Plan** to ensure that emergency services are available during and may have access to all events.



3. Facilities that provide **Arenas** or fields for activities that generate dust shall provide a dust control and mitigation plan for each activity and area. The dust mitigation plan shall include a schedule and method for controlling dust, including water conservation methods of dust mitigation, such as the use of reclaimed water, and applying water during the morning or evening hours, when feasible.
4. Lighting shall be permitted in compliance with **Section 4.3** for the appropriate lighting zone. All event lighting shall conclude with the end of the event, or as determined by the Planning and Zoning Commission.
5. Use of public address systems shall conclude with the end of the event, or as determined by the Planning and Zoning Commission.
6. **Invasive Plants and Noxious Weeds** shall be monitored and controlled throughout the facility, in compliance with **Section 4.4.E**.
7. A written sanitation plan to address drinking water, wastewater, trash concerns, and manure management (where appropriate) for the entire facility. This plan shall include the number of permanent or portable toilets to be provided on site, based on size of the event and subject to the requirements of the County Environmental Quality, Health Department, and/or any other applicable agency; a description of how trash will be collected, disposed of, and contained from blowing wind; and, if events include animals, a plan for manure management.

#### 3.15.D. Permits and Administration

1. Where **Recreational Facilities, Outdoor** are classified as a permitted Use, all building, grading, and other required permits must comply with the requirements of this Section.
2. Where **Recreational Facilities, Outdoor** are classified as a **Conditional Use**, a Conditional Use permit shall be obtained prior to establishment of the Use per **Section 5.7**. The standard Conditional Use permit application procedures and requirements shall be met along with additional requirements contained herein.

### 3.16 Animal Shelters and Kennels, Commercial

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#### 3.16.A. Purpose

**Animal Shelters** provide opportunities for public or semi-public facilities that offer rescue, shelter, humane care, and adoption services for domestic animals and/or other animals not under the jurisdiction of the Arizona Game and Fish Department. **Kennels, Commercial** provide opportunities for privately owned facilities to offer boarding, grooming, breeding, and raising of dogs and cats.

#### 3.16.B. Applicability

1. **Kennels, Commercial** require the granting of a **Conditional Use** permit by the Planning and Zoning Commission in the General (G) and Agricultural Residential (AR) residential zones, in commercial General (CG-10,000) and Commercial Heavy (CH-10,000) commercial zones, and in the Industrial Park (IP-20,000) and Light Industrial (LI-10,000) industrial zones. Kennels, Commercial are permitted uses in the Heavy Industrial (HI-6,000) zone.
2. **Animal Shelters** require the granting of a **Conditional Use** permit by the Planning and Zoning Commission in the General (G), Agricultural Residential (AR), and Rural Residential (RR) residential



zones, and in Neighborhood Commercial (CN-0.5/A), Commercial General (CG-10,000), Industrial Park (IP-20,000), and Public and Quasi-Public zones. Animal Shelters are permitted uses in the Heavy Commercial (CH-10,000), Light Industrial (LI-10,000), and Heavy Industrial (HI-6,000) zones.

3. **Kennels, Commercial and Animal Shelters** are subject to the following performance standards.

### 3.16.C. Performance Standards

1. **Animal Shelters and Kennels, Commercial** shall be designed and operated so that noise generated from resident animals shall not exceed fifty decibels (50 dBA), as measured from the nearest property line. Flexibility in noise abatement design, such as solid wooden, metal, or masonry walls, is permitted to achieve the required decibel level.
2. Outdoor dog runs shall be designed to reduce barking provocation. Dogs may be allowed in outdoor kennels between sunrise and sunset each day.
3. Animal waste and/or **Livestock** manure shall be collected daily and managed and properly disposed of for all animals on the property. Disposal shall be according to an approved waste disposal plan. See **Section 3.3.D** for Livestock manure management requirements.
4. Keeping of **Livestock** sheltered in an Animal Shelter shall comply with **Section 3.16** of this Ordinance for manure management, shelter, and quantity of animals, except that the number of livestock may be exceeded with approval of the Planning and Zoning Commission. Keeping of animals over the approved number limits during a local disaster event shall require notification of the numbers to the Community Development Department.
5. The parts of a building where animals are boarded shall be fully enclosed and sufficiently insulated to provide both noise mitigation and climate control shelter for the animals.
6. Outdoor facilities, including outdoor runs and exercise areas, shall not be located within 150 feet of any single-family zoning district.
7. A lighting permit in conformance with **Section 4.3** of the Zoning Ordinance shall be obtained prior to installation or replacement of any outdoor lighting.
8. All requirements of the County Health Department, County Environmental Quality, and/or other regulatory agency shall be met, and all necessary permits shall be obtained.

### 3.16.D. Permits and Administration

1. All **Animal Shelters and Kennels, Commercial** shall be subject to the issuance of a permit. Issuance may be through the action of the Planning and Zoning Commission or the **Community Development Director**.
  - A. Where Animal Shelters and Kennels, Commercial are classified as a **Conditional Use**, a Conditional Use permit shall be obtained prior to establishment of the Use in compliance with the provisions of **Section 5.7**. The standard **Conditional Use** permit application procedures and requirements shall be met along with additional requirements contained herein.
  - B. Where Animal Shelters and Kennels, Commercial are classified as a permitted Use, all building, grading, and other required permits must comply with the requirements of this Section.

## 3.17 Recreational Vehicles as a Permanent Residence

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### 3.17.A. Purpose

The purpose of this Section is to provide additional residential living options for dwelling within large residential zoning districts.

### 3.17.B. Applicability

**Recreational Vehicles** and Travel Trailers used as a permanent residence require the granting of a **Conditional Use** permit by the Planning and Zoning Commission in the Agricultural Residential (AR) zone and on nonconforming parcels in the General (G) residential zone. Recreational Vehicles and Travel Trailers used as a permanent residence are permitted with an **Administrative Permit** on conforming parcels in the General (G) residential zone, and are permitted Uses in the **Manufactured Home Park (MHP)** zone. Recreational Vehicles and Travel Trailers used as a permanent residence are subject to the following performance standards.

### 3.17.C. Performance Standards

1. One **Recreational Vehicle** or Travel Trailer may be used as a permanent residence, and must comply with all development standards of the applicable zoning district.
2. A permit or other method that demonstrates appropriate wastewater disposal shall be required prior to establishing the use on site.
3. Building permits are required for solid fuel-burning appliances, such as wood and pellet stoves, **Installed** as a heating source within the vehicle.
4. Equipment, machinery, and building materials stored on site must be screened with fencing.
5. Impact to neighbors from noise shall be minimal. Noise from generators must be mitigated with sound buffering materials such as rigid insulation or other solid materials, and shall not exceed 50 decibels at the property line.

### 3.17.D. Permits and Administration

1. All **Recreational Vehicles** utilized as a permanent residence shall be subject to the issuance of a permit. Issuance may be through the action of the Planning and Zoning Commission or the **Community Development Director**.
  - A. Where Recreational Vehicles utilized as a permanent residence are classified as a **Conditional Use**, a Conditional Use permit shall be obtained prior to establishment of the Use in compliance with the provisions of **Section 5.7**. The standard Conditional Use permit application procedures and requirements shall be met along with additional requirements contained herein.
  - B. Where Recreational Vehicles utilized as a permanent residence are classified as a permitted Use, an **Administrative Permit** in compliance with the provisions of **Section 5.1**, along with additional requirements contained herein, is required.

## 3.18 Campgrounds and Recreational Vehicle Parks

### 3.18.A. Purpose

To permit recreational camping areas and **Recreational Vehicle Parks** with short-term or seasonal occupancy to support tourism, provide for enjoyment of the County's vast natural resources, and complement the surrounding National Parks, National Forest, and National Monuments, while ensuring compatibility with nearby Single Family residential areas, and to protect scenic viewsheds, **Environmentally Sensitive Features, Important Wildlife Habitat** and movement corridors, and forest health.

### 3.18.B. Applicability

This Section is applicable to all **Campgrounds** and **Recreational Vehicle Parks** in the CG-10,000 Zone, CH-10,000 Zone, Public and Quasi Public Zone, **Open Space** and Conservation Zone, and for Campgrounds on parcels of at least 10 acres in the G Zone. Campgrounds and Recreational Vehicle Parks in **Commercial** Zones in which they **Abut** or are **Adjacent** to residential zoning, and Campgrounds in the G zone on 10 acres or more may be permitted subject to the granting of a **Conditional Use** permit per **Section 5.7** by the Planning and Zoning Commission and, if approved, shall comply with the following restrictions.

### 3.18.C. Performance Standards – Campgrounds

1. The maximum number of **Campsites** permitted per parcel are two per acre in the General, Public and Quasi Public, and **Open Space** and Conservation Zones, 10 per acre in the CG-10,000 and CH-10,000 Zones, or at a **Density** approved by the **Board of Supervisors** in the required Master Plan in the RC Zone or PC Zone. A maximum of one primary **Dwelling Unit** and one **Accessory Dwelling** unit, or two **Cabins** may be allowed per 10 acres in the General (G) zone and must meet standards of **Section 3.4**.
2. All internal driveways and vehicle maneuvering areas shall be improved with compacted aggregate base, at a minimum, and meet all Engineering standards and standards of the local emergency response agency.
3. **Campgrounds** shall front on and have direct **Access** on a Road accepted for maintenance by the County or other jurisdiction. The Access requirement may be waived by the Planning and Zoning Commission or **Board of Supervisors** if the additional Findings of Fact below are made:
  - A. The granting of the waiver will not diminish the ability for emergency service providers to access the property and carry out their services.
  - B. The granting of the waiver will not put an undue maintenance burden or impact on others that legally use the access.
  - C. The granting of the waiver is consistent with applicable engineering standards set by the Public Works Department or Engineering Division of the Community Development Department.
  - D. The granting of the waiver will not have a negative impact on neighboring properties or improvement, especially as related to dust and traffic safety.



4. **Campsites, Cabins, Structures, common areas, and sanitation facilities** shall meet underlying zone Setback requirements. **Campgrounds** directly **Adjacent** to any Single Family residential zone shall have a minimum 50-foot Setback from the property line abutting the residential zone, except for structures that were legally built and meeting the performance standards for the zone in which they were located prior to application for a Campground. The Setback shall be measured from the property line to the nearest **Campsite, Recreational Vehicle Space, Cabin, Structure, common area, or sanitation facility**. The Planning and Zoning Commission may require solid walls or fencing, retention of existing vegetation, **Landscaping**, or a combination of screening methods within the Setback as stated above in order to mitigate impacts of the use.
5. **Recreational Vehicle** or Travel Trailer spaces shall be limited to 20 percent of the total number of **Campsites** located in a residential zone and shall remain on the subject property only on a seasonal basis. Additional **Density** may be approved by the Planning and Zoning Commission through the **Conditional Use** permit.
6. **Campgrounds** shall maintain a valid service agreement with a recognized fire safety and emergency services organization. A **Firewise Plan** and **Emergency Response Plan** to be approved by a local fire responder and/or the **Community Development Director** is required. Such a plan may be required to address issues including but not limited to: forest health/selective tree thinning, details of construction for any fire pits, requirements for construction of additional facilities to aid the fire responder in case of a fire event, **Defensible Space** between fuels and structures, ingress/egress points and methods for maintaining them, and/or information to be disseminated to the applicant's clientele or employees in regard to fire safety. Additional items to be addressed in the Firewise Plan and Emergency Response Plan may be required by the **Community Development Director** and/or emergency response responder.
7. Signs shall conform to **Section 4.2**.
8. Outdoor lighting shall conform to **Section 4.3**.
9. Parking shall be provided according to **Section 4.1**. Parking shall not be allowed in the required Setback from Single Family residential zones.
10. Trash receptacles shall be provided and screened from neighboring properties by a six-foot screening enclosure made of masonry walls and wood gates. The **Community Development Director, Planning and Zoning Commission, or Board of Supervisors** may approve other materials for the enclosures as desired for screening. Trash receptacles must have secure lids to prevent debris from spreading to neighboring properties and to prevent animals from compromising them. The Planning and Zoning Commission or Board of Supervisors may require that trash receptacles be bear-proofed in conformance with current industry standard.
11. For **Campgrounds** in, adjacent to, or abutting any residential zone, the following additional requirements apply:
  - A. A narrative shall be prepared that outlines how the Campground will be designed to limit impacts to neighbors. The narrative will describe camp hours of operation; quiet hours, such as between 8 pm and 8 am; where music, loud group gatherings, and other disturbances are limited; and how dust, smoke, and light drifting onto neighboring properties will be controlled. The

location of outdoor recreation amenities such as horseshoe pits and fire rings shall be identified and located so as not to disturb neighboring residential properties. Noise from generators shall not exceed 50 decibels at the property line.

12. All standards and requirements of the County Health Services District shall be met and all permits or licenses shall be obtained prior to operation.
13. All standards and requirements of the County Building Division, Engineering Division, and Environmental Quality Division shall be met prior to the establishment of any **Campsites**.

#### 3.18.D. Performance Standards – Recreational Vehicle Parks

**Recreational Vehicle Parks** shall comply with all performance standards listed in **Section 3.18.C** for **Campgrounds**, with the exception of **Section 3.18.C.1** and **Section 3.18.C.5**. The following additional performance standards apply to Campgrounds:

1. The maximum **Density** of Recreational Vehicle Spaces shall be 12 per acre, except as otherwise approved by the **Board of Supervisors** in a master plan in the RC and PC Zones.
2. All Recreational Vehicle Spaces shall meet underlying zone Setbacks. Additionally, each **Recreational Vehicle** shall have at least a 10-foot separation from another Recreational Vehicle and be located at least 10 feet from any property line. When **Adjacent** to residential zones, see **Section 3.18.C.4**.
3. Structures such as attached decks and covered porches shall not occupy a **Recreational Vehicle** Space or be attached to any Recreational Vehicle. **Park Model** Recreational Vehicles may be permitted to have structures such as attached decks and covered porches with a building permit.

#### 3.18.E. Permits and Administration

1. **Campgrounds** require the granting of an **Administrative Permit** per **Section 5.1.B** in the CG-10,000 Zone and CH-10,000 Zone. Where Campgrounds are classified as a **Conditional Use**, a Conditional Use permit shall be obtained prior to establishment of the Use in compliance with the provisions of **Section 5.7**. The standard **Conditional Use** permit application procedures and requirements shall be met along with additional requirements contained herein. In the RC and PC Zones, Campgrounds must be part of an approved master plan, following the zone change process per **Section 5.12**.
2. **Recreational Vehicle Parks** require an **Administrative Permit** per **Section 5.6** in the CG-10,000 Zone and CH-10,000 Zone. In the RC and PC Zones, Recreational Vehicle Parks must be part of an approved master plan, following the zone change process per **Section 5.12**.



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## CHAPTER 4: Performance Standards

### 4.1 Parking

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#### 4.1.A. Purpose

The purpose of this Section is to regulate and ensure the provision of adequate parking and access for **Motor Vehicles**. This Section also provides options for the adjustment of parking requirements. In order to alleviate or to prevent traffic congestion and shortage of on-street parking, off-street parking facilities shall be provided incidental to new **Uses** and major alterations and enlargements of existing **Uses**. The number of **Parking Spaces** prescribed in this Section shall be in proportion to the need for such facilities created by the particular type of **Use**. Off-street parking is to be laid out in a manner that will ensure its usefulness, protect the public safety, and, where appropriate, insulate surrounding land **Uses** from its impact.

#### 4.1.B. Applicability

1. Off-street parking shall be provided for any new **Building** constructed and for any new **Use** established, for any addition or enlargement of an existing **Building** or **Use**, and for any change in the occupancy of any **Building** or the manner in which any **Use** is conducted that would result in additional **Parking Spaces** being required, subject to the provisions of this Article.
2. No existing **Use** of land or **Structure** shall be deemed to be nonconforming solely because of the lack of off-street parking facilities prescribed in this Section, provided that facilities being used for off-street parking on the effective date of this Ordinance shall not be reduced in capacity to less than the minimum standards prescribed in this Article.
3. For additions or expansions of existing **Buildings** or **Uses**, or any change of occupancy or manner of operation that would increase the number of **Parking Spaces** required, additional parking is required as follows:
  - A. The additional parking shall be required only for such addition, expansion, or change and not for the entire existing **Building** or **Use**,
  - B. No additional parking shall be required where the total number of spaces prescribed for the addition, expansion, or change is less than 10 percent of the number of spaces prescribed for the use as conducted prior to such addition, expansion, or change.
4. Parking required by this Section for any **Building** or **Use** shall not be considered as providing parking for any other **Building** or **Use**, except where a shared parking facility serves more than one **Building** or **Use**, or where shared parking is approved as prescribed by **Section 4.1.D.1**.
5. All off-street **Parking Spaces** and **Areas** required by this Section shall be maintained for the duration of the **Use** requiring such areas. Required **Parking Spaces** and **Areas** shall not be used for the sale, display, or repair of **Motor Vehicles**. Use of **Parking Spaces** for other goods and services may be permitted with issuance of a **Temporary Use** permit as prescribed by **Section 3.2.B**.
6. No **Use** shall be required to provide more spaces than prescribed by this Section or prescribed by any **Conditional Use** permit.



### 4.1.C. Performance Standards

#### 1. General

- A. In all residential **Zones**, for residential uses, off-street parking shall be provided in accordance with **Section 2.2.D** for G, AR, and RR Zones; **Section 2.3.C** for Single Family Residential Zones; **Section 2.4.C** for Multi-family Residential Zones; and **Section 2.11.D** for Planned District Zones.
- B. In all other zones and for all other Uses, off-street parking shall be provided in accordance with the standards prescribed in **Section 4.1.C.2**. The requirement for any Use not specifically listed shall be determined by the **Community Development Director** on the basis of the requirement for similar Uses.
- C. Where the application of the off-street parking requirements results in a fractional number of spaces, a fraction of one-half or greater shall be resolved to the next higher whole number.
- D. All required off-street **Parking Spaces** shall be located on the same **Lot** as the Use to be served unless shared parking is approved as prescribed by **Section 4.1.D.1**.

#### 2. Schedule of Off-Street Parking Requirements (**Table 4-1**)

**TABLE 4-1: SCHEDULE OF OFF-STREET PARKING REQUIREMENTS**

Use	Minimum Off-Street Parking Required
Administrative, business, professional, research, executive, and public buildings; utility offices and grounds	1 space for each 250 square feet of building
Agricultural and cooperative extension and experimental facilities	1 space for each 250 square feet of building
Airports, landing fields, Heliports, and related activities and Uses	1 space for each 250 square feet of building
Animal Shelters	1 space for each 500 square feet of building
Adult Use, Adult Entertainment Business	1 space for each 250 square feet of building
Animal Hospitals and Veterinary Facilities, without commercial boarding	1 space for each 250 square feet of building
Auction houses/stores	1 space for each 250 square feet of building
Auto Lubrication and Oil Change Operation, General Automotive Repair, tire sales and service	1 space for each 250 square feet of building
Automobile, Recreational Vehicle, boat, motorcycle, farm implement and machine, and sales and services, including rental agencies	1 space for each 500 square feet of building
Bakeries, Wholesale	1 space for each 250 square feet of building
Banks, financial institutions	1 space for each 200 square feet of building
Banquet halls, conference centers, and wedding facilities	1 space for each 250 square feet of building
Bars, Micro-breweries, craft distilleries, wineries, and tasting and tap rooms	1 space for each 100 square feet of building
Campgrounds	1 space per campsite



**TABLE 4-1: SCHEDULE OF OFF-STREET PARKING REQUIREMENTS**

Use	Minimum Off-Street Parking Required
Cement products and block, brick, pipe, tile, or asphalt manufacturing	2 spaces for every 3 employees
Cemeteries, human and animal	2 spaces per acre
Ceramic studio with outdoor kiln as a commercial use	1 space for each 250 square feet of building
Commercial fertilizer operations	2 spaces for every 3 employees
Commercial Vehicle Service and Repair	1 space for each 250 square feet of building
Commercial trade or vocational schools	1 space for every 3 students
Community Centers	1 space for each 250 square feet of building
Community Service Agency Camps	1 space for every 1 employee and 1 space for each camp vehicle
Contractor's Yards and Building trades offices	1 space for each 500 square feet of building
Convalescent Homes	1 space for every 1 employee
Convenience Market	1 space for each 200 square feet of building
Care Center, Child and/or Adult Care	1 space for every 1 employee
Drive-In Restaurants	1 space for each 100 square feet of building
Dry Cleaning, Laundry and Dying Plants	1 space for each 250 square feet of building
Educational Institutions	1 space for every 1 employee, plus 2 spaces per classroom for K-8, and 1 space per 4 students for high schools and colleges
Equestrian Centers, Riding Academies, or Hunt Clubs	1 space for every 3 anticipated customers
Farmers Markets	1 space per every 500 square feet of sales area
Feedlot, Commercial	2 spaces for every 3 employees
Feed Store	1 space for each 250 square feet of building
Fire Stations	1 space for each 450 square feet of building; 1 space for each 250 square feet of public meeting space
Hospitals	1 space for every 2 patient beds
Hotels, Motels, and Resorts	1 space per employee and 1 space per rental unit
Industrial, heavy construction, earthmoving equipment, machines, presses, forges, and material sales and rentals	1 space for each 500 square feet of building
Kennel, Commercial	1 space for each 500 square feet of building
Laboratories: dental, medical, electrical, optical, and mechanical	1 space for each 250 square feet of building
Large retail establishments as defined in <b>Chapter 6, Definitions</b> (establishments over 70,000 square feet are prohibited)	1 space for each 250 square feet of building
Libraries and Museums	1 space for each 250 square feet of building
Lumber and Building Material Yards, including product showrooms	1 space for each 500 square feet of sales area



**TABLE 4-1: SCHEDULE OF OFF-STREET PARKING REQUIREMENTS**

Use	Minimum Off-Street Parking Required
Manufacturing, Heavy	2 spaces for every 3 employees
Manufacturing, Light with no outdoor storage	2 spaces for every 3 employees
Manufacturing, Medium	2 spaces for every 3 employees
Marijuana Dispensaries, subject to the provisions of <b>Section 3.12</b>	1 space for each 200 square feet of building
Medical, chiropractic, dental, and related health services for humans including laboratories and clinics	1 space for each 250 square feet of building
Meat Processing Plants	2 spaces for every 3 employees, but not less than 2 per 1,000 square feet of building
Medical Marijuana Off-Site Cultivation and Infusion Facilities	2 spaces for every 3 employees
Mortuaries, pet or human	1 space for each 250 square feet of building
Nurseries and garden supply stores, including outdoor display and sales	1 space for each 500 square feet of sales area
Oil, Gas, and Petroleum Pumping, Distributing, or Storage Facility	2 spaces for every 3 employees
Parks, Public or Private	Per parking analysis provided by the applicant. See Recreational Facilities, Outdoor
Personal Services Establishment such as barber shops, beauty and nail salons, massage and spa services, and body art studios	1 space for each 200 square feet of building
Printing and Publishing Shop	1 space for each 250 square feet of building
Post Office Branch	1 space for each 250 square feet of building
Postal Terminal	1 space for each 500 square feet of building
Preschool	1 space for every employee, plus 2 spaces per classroom
Public Utility Service Yards	1 space for each 500 square feet of building
Recreational Facilities, Indoor	1 space for each 1,000 square feet of building
Recreational Facilities, Outdoor	1 space per employee plus 1 space for every 3 anticipated users
Recreational Vehicle Parks	1 per employee and 1 per Recreational Vehicle site
Religious Institutions	1 space for every 3 seats in main assembly room
Restaurants with or without outdoor seating areas	1 space for each 100 square feet of building
Retail business establishments conducted primarily within an enclosed building	1 space for each 200 square feet of building
Self Service storage	2 spaces per 500 square feet of office
Stone and Monument Yards	1 space for each 500 square feet of sales area
Tire retreading and recapping	1 space for each 250 square feet of building
Truck Stops and Travel Centers	1 space for each 200 square feet of building



**TABLE 4-1: SCHEDULE OF OFF-STREET PARKING REQUIREMENTS**

Use	Minimum Off-Street Parking Required
Vehicle body shop and painting	1 space for each 250 square feet of building
Vehicle Wrecking and Salvage Yards	1 space for each 250 square feet of building
Vehicular, Boat and Recreational Vehicle storage yards	1 space for each 250 square feet of building
Warehousing Operations	1 space for each 500 square feet of building
Wholesale Uses and Distribution Centers	1 space for each 500 square feet of building

### 3. Site Development Standards for Off-Street Parking Areas

- A. Each off-street **Parking Space** shall consist of a rectangular area not less than 9 feet wide by 18 feet long, together with drives, aisles, and turning and maneuvering areas and having access at all times to a public **Street** or **Alley**. All parallel parking stalls shall be a minimum of 8 x 24 feet.
- B. **Landscaping** shall be provided for each off-street Parking Area as required by **Section 4.4**, and the following Standards:
  - i. Any unused space resulting from the design of the Parking Area shall be used for landscape purposes.
- C. All off-street Parking Areas, except for single family **Dwellings**, shall be constructed and maintained to provide the following:
  - i. Grading, drainage, and a minimum of 2 inches of asphaltic concrete paving over a four-inch aggregate base or other acceptable paving design prepared by a registered professional engineer to the specifications of the Engineering Supervisor. A paving waiver may be approved by the Planning and Zoning Commission or a **Variance** granted by the **Board of Adjustment** for projects requiring approval by the Planning and Zoning Commission or Board of Adjustment. A waiver to off-street parking paving requirements may be granted by the Director through the Administrative Adjustment process as prescribed by **Section 5.6** if the request meets the following criteria:
    - a. The Parking Area is in a rural area where surrounding properties are also unpaved or accessed from unpaved roads, and
    - b. Dust from the site will not negatively impact neighboring properties, and
    - c. An adopted **Area Plan** supports the waiver, where applicable, or
    - d. The proposed alternative paving material is permeable, such as permeable concrete, “grasscrete pavers,” or similar material approved by the Community Development Engineering Supervisor. 🌿
    - e. If a paving waiver is granted, the Parking Area shall be improved with a compacted aggregate base or similar material as approved by the Community Development Engineering Supervisor.
  - ii. Internal spacing, circulation, and dimensions as indicated on the sample parking lot plan.



- iii. Bumpers, wheel stops, stall markings, and other vehicular controls to the specifications of the **Community Development Director**.
- iv. Where provided, parking lot lighting shall meet the requirements of **Section 4.3**.
- v. Drainage shall be provided to the specifications of the County Engineer.
- vi. Parking lot turn-outs shall be a minimum of 100 feet from the nearest street intersection.

D. Parking Area design dimensions shall be as follows: (See sample parking lot plan.)

In the event practical difficulties and hardships result from the strict enforcement of the following standards due to existing permanent **Buildings** or an irregularly shaped **Parcel**, an Administrative Adjustment by the Director may be given for Standards Nos. 1 through 4 inclusive, not to exceed 10 percent.

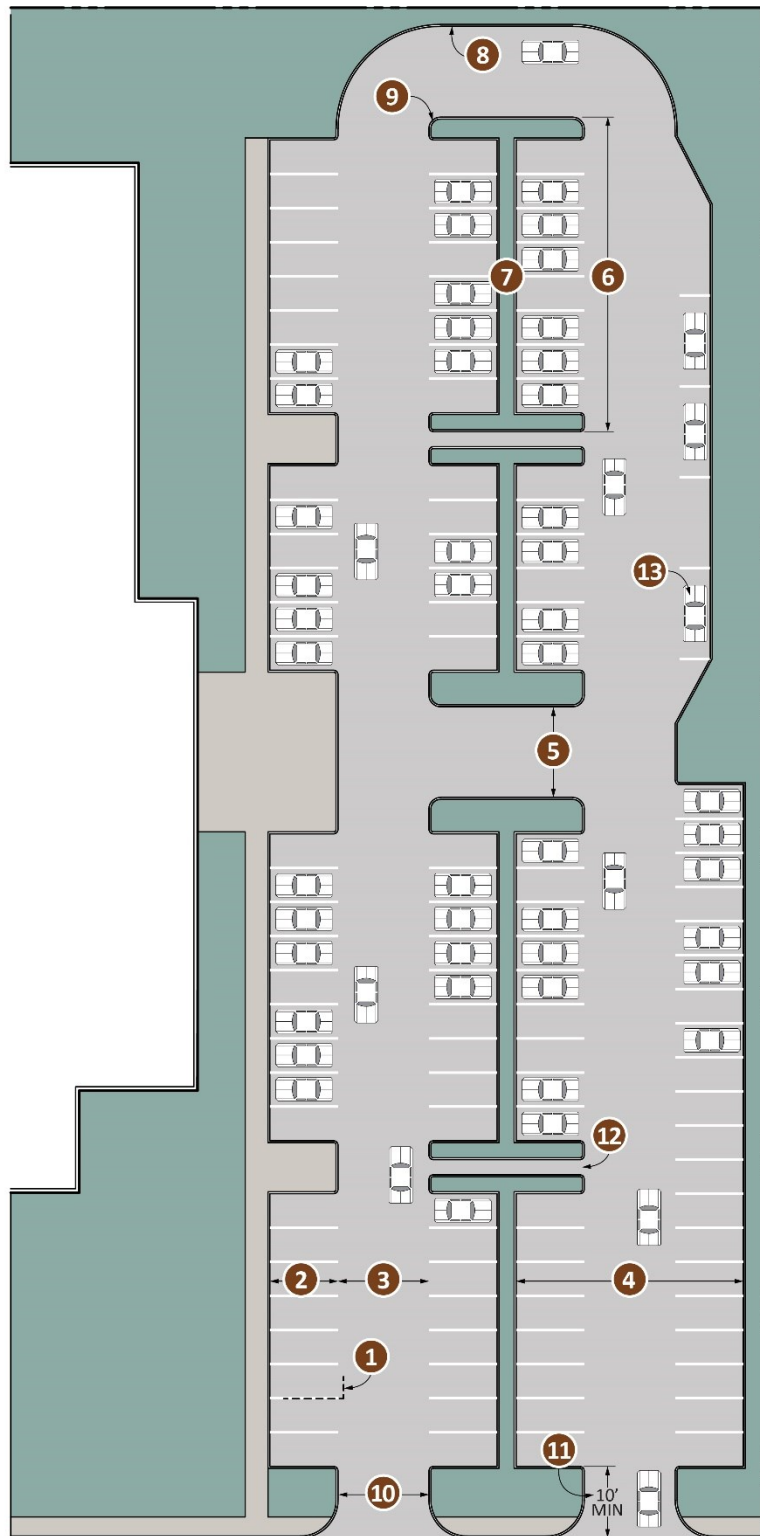
**TABLE 4-2: PARKING LOT STANDARDS**

Parking Lot Plot Plan Number		Parking Space, Drive Aisle, and Lot Widths			
		30°	45°	60°	90°
1.	Parking space angle	30°	45°	60°	90°
2.	Parking space length	16'	17'	18'	18'
3.	Drive aisle width between parking spaces	14'	16'	19'	24'
4.	Overall parking lot width	46'	50'	55'	60'
5.	14' for one-way traffic; 24' for two-way traffic (two-way aisles shall be permitted only on 90° parking designs).				
6.	Islands shall have a maximum length of 180 feet.				
7.	Islands shall have a minimum width of 5 feet. The minimum average width of islands at the extremities of 90° parking islands shall be 5 feet.				
8.	Curbs shall be installed at a minimum of 5 feet from walls, fences, Buildings, or other Structures. This requirement excepts driveways that are not a part of the maneuvering area for parking. A curb shall be installed a minimum of 3 feet from the edge of driveways that are parallel to block walls or fences.				
9.	Curb radius shall be 3-foot minimum.				
10.	Driveway widths shall be 24 feet minimum and constructed to County standards.				
11.	First parking space shall be 10 feet minimum distance from Front and Street Side Property Lines.				
12.	Walk openings 4 feet wide shall be permitted in the island every 5 spaces.				
13.	All parallel parking stalls shall be a minimum of 8 x 24 feet.				

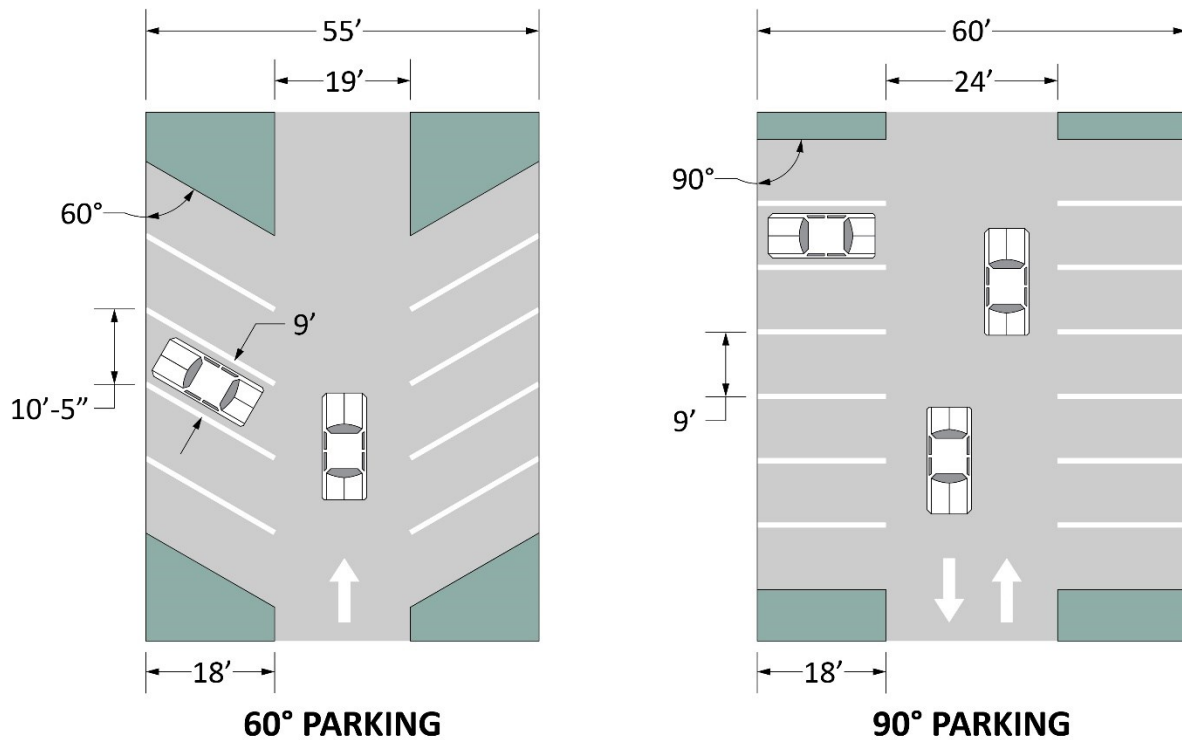
Note: Number in the left-hand column relates to numbers on sample parking lot plot plan.







Sample Parking Lot Plot Plan



#### Angled Parking Measurements

- E. Where off-street parking facilities are provided but not required by **Section 4.1**, such facilities shall comply with the development standards of this Section.
- F. Loading spaces shall be provided to the specifications of the Engineering Supervisor.
- G. Parking for the handicapped shall be provided in accordance with the requirements of all applicable laws.
- H. Where necessary, minimum dimensions for bus **Parking Spaces** shall be 12 x 42 feet for angle parking and 10 x 48 feet for parallel parking.
- I. Off-street parking facilities providing more than 40 **Parking Spaces** may contain an on-site traffic circulation and parking plan to accommodate both full-size and compact car spaces. Said optional parking plans shall meet the following criteria:
  - i. Not more than 40 percent of the total number of Parking Spaces shall be designed for compact and sub-compact vehicles.
  - ii. Compact spaces must be designed for 90-degree parking and located opposite a 45-degree or 30-degree full-sized aisle and parking stall.
  - iii. Compact car Parking Spaces shall measure at least 8 by 15 feet in size.

#### 4.1.D. Adjustments to Off-Street Parking Requirements

1. Adjustments to Off-Street Parking Requirements. A reduction in the required number of **Parking Spaces** may be requested as follows:
  - A. Shared On-Site Parking. Where two or more uses on the same site or **Adjacent** parcels have distinct and differing peak parking usage periods. An agreement between property owners to maintain shared parking may be required to be filed with building and use permits. 🌿
  - B. Modifications to Parking Standards. In the event practical difficulties and hardships result from the strict enforcement of the standards due to existing permanent **Buildings** or an irregularly shaped parcel, the **Community Development Director** may grant minor modifications to the standards set forth in this Section constituting not more than a 20 percent reduction of required Parking through the Administrative Adjustment process.
2. A reduction in the required number of **Parking Spaces** as determined by the Director pursuant to **Section 5.6**, or as approved by the Planning and Zoning Commission for **Conditional Use** permits, may be allowed based on the following information:
  - A. The reduction in number of required Parking Spaces shall be based on a parking demand study and a traffic management plan, when required, performed in accordance with established professional practices.
  - B. Modifications to Parking Standards constituting more than a 20 percent reduction of required Parking shall require approval of a Variance as outlined in **Section 5.8** of this Ordinance.

#### 4.1.E. Permits and Administration

Applicable Building, Environmental Quality, and Engineering Permits apply. Planning and Zoning review shall be conducted through the issuance of such permits.

## 4.2 Signs

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### 4.2.A. Purpose

The purpose of this section is to regulate the location, height, size, and illumination of **Signs** in order to maintain the attractiveness and environmental qualities of the County, to protect business sites from loss of prominence resulting from excessive Signs on nearby sites, and to protect the public safety and welfare.

### 4.2.B. Applicability

1. Exempt Signs. The following Signs shall be exempt from the provisions of this Section:
  - A. Official notices authorized by a court, public body, or public safety official.
  - B. **Directional**, warning, or information or **Wayfinding** sign package Signs authorized by federal, **State**, county, or municipal authority.
  - C. Memorial plaques and building cornerstones when cut or carved into a masonry surface or when made of incombustible material and made an integral part of the **Building** or Structure.
  - D. Commemorative symbols, plaques, and historical tablets.



- E. Political Signs, pursuant to A.R.S. § 16-1019, provided, however, that such Signs shall be displayed no more than 60 calendar days prior to the primary election, and shall be removed within 15 calendar days following the date of the general election. Signs shall not exceed 16 square feet in residentially zoned areas or 32 square feet in all other areas.
  - F. Noncommercial flags, emblems, insignias, and posters of any nation, state, international organization, political subdivision, or other governmental agency; unlighted non-verbal religious symbols attached to a **Religious Institution**; and temporary displays of a patriotic, religious, charitable, or civic character shall be exempt from the provisions of this Section. However, if the height exceeds the maximum allowed height of the zone, such Signs shall require an Administrative Adjustment as prescribed in **Section 5.6**, or shall require approval of a Variance as outlined in **Section 5.8** of this Ordinance.
2. Prohibited Signs. The following special purpose signs shall be prohibited:
- A. **Billboards**
    - i. Billboards and **Off-Premise Signs** shall not be permitted in any zone. All existing Billboards and Off-Premise Signs are **Nonconforming Uses** subject to the provisions of **Section 3.13** of this Ordinance.
    - ii. If any existing Billboard contains copy advertising a Use, business, or product no longer in existence, or is left blank, or is maintained without paid copy for a period of 180 days or more, such Billboard shall be removed immediately unless a **Conditional Use** permit is approved for its reuse.

**B. Vehicle Signs**

Signs painted on or attached to vehicles parked on public or private premises that are displayed in view of vehicular or pedestrian traffic for a period in excess of 24 hours shall be prohibited.

### 4.2.C. Performance Standards

1. All Signs

- A. All Sign illumination shall be from the interior or from top-mounted, downward-directed flood light projection. Signs may not be illuminated between the hours prescribed in **Table 4-5** and sunrise, unless the Use they advertise is open to the public during those hours. If illumination is provided, all lights must be **Installed** and used in conformance with **Section 4.3** of this Ordinance.
- B. No Sign shall rotate, simulate movement, or be animated.
- C. No Sign may encroach upon or overhang any **Adjacent** property or any public **Right-of-Way**. No Sign shall be attached to any utility pole, light standard, tree, or any other public facility. No Sign may be placed in any public Right-of-Way or **Easement** without an **Encroachment** permit.
- D. **Canopy** Signs shall not project above the Canopy; Signs attached to a **Building** shall not project above the eave line except as approved by the Planning and Zoning Commission.
- E. Ground mounted signs may be placed within the building **Setback** of the applicable zoning district.



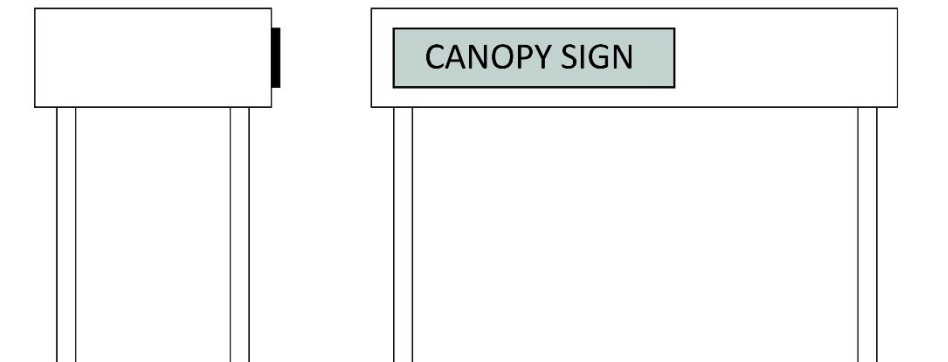
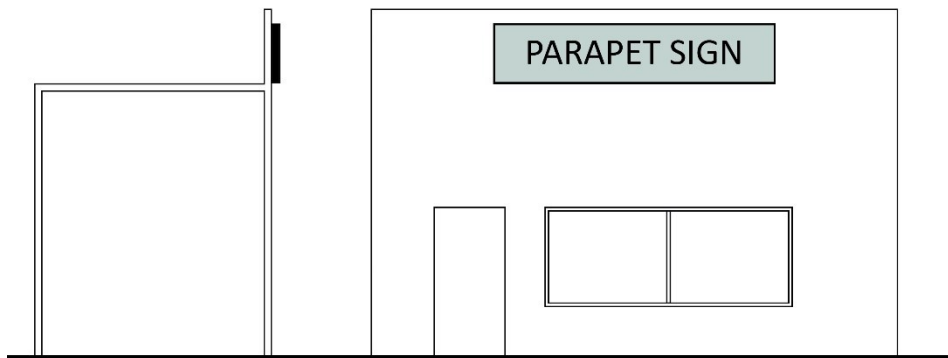
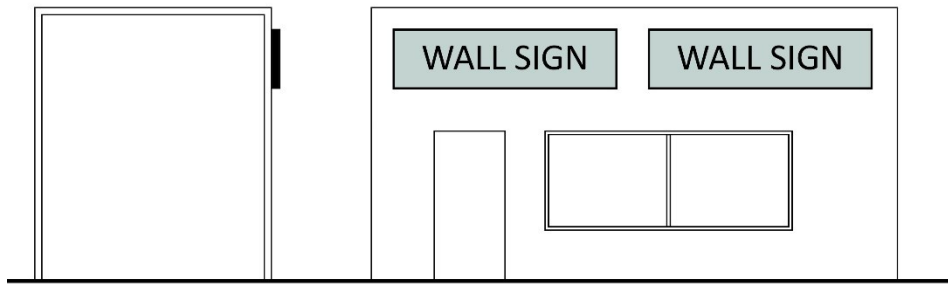
- F. The square footage of a Sign made up of letters, words, or symbols within a frame shall be determined from the outside edge of the frame itself. The square footage of a Sign composed of only letters, words, or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters, words, or symbols. Only those portions of the construction elements that are an integral part of the Sign itself shall be considered in the allocation of square footage allowed.
- G. All Signs shall be structurally safe and shall be maintained in good condition as determined by the **Community Development Director** and the Chief Building Official. Furthermore, it shall be the responsibility of the owner of the land and/or improvements to remove any Sign or Signs on premises where the use has been discontinued for a period of 90 days.
- H. All Signs, together with all of their supports, braces, guys, and anchors shall be kept in good condition. The display surfaces of all Signs shall be kept neatly painted or posted at all times. Also, all weeds shall be removed periodically as necessary. The **Community Development Director** may order the removal of any sign not in conformance with the provisions of this Section.
- I. No cloth, paper, plastic, or similar Advertising Signs or Devices other than in rigid frames as provided herein shall be permitted.
- J. For retail commercial Uses in any zone where such Uses are listed as permitted or **Conditional Uses, Window Signs** may be permitted. Signage exceeding 25 percent of the window area is prohibited. Window Signs above the ground floor shall be considered equivalent to a wall Sign and shall be included in the overall signage calculation.
- K. No **Roof Signs** shall be permitted.
- L. **Projecting Signs** shall not extend out more than 32 inches from the wall to which they are attached, and shall not exceed 10 square feet in area. A minimum of 8 feet of clearance between the ground and the bottom edge of the Sign shall be provided.
- M. No **Person** shall exhibit, post, or display upon any Sign or wall any statement, symbol, or picture of an obscene nature.
- N. No **Person**, firm, or corporation shall erect, construct, enlarge, modify, or relocate any Sign in the County without first obtaining a **Building Permit**, as applicable, for each such Sign. Where said Sign is electrical or illuminated by electricity, a separate electrical permit shall be obtained.
- O. Signs shall not blink, flash, or be animated by lighting in any fashion. **Electronic Message Board Sign** copy shall not be changed more than once in 24 hours. Electronic signs are considered unshielded and externally illuminated and shall comply with **Section 4.3**.
- P. The operation of searchlights or similar lighting sources for advertising, display, or any other commercial purpose is prohibited.
- Q. No Sign shall be located in such a manner as to obstruct or otherwise interfere with an official traffic Sign, signal or device, or obstruct or interfere with a driver's view of approaching, merging, or intersecting traffic. A clear sight triangle shall be maintained at all street intersections and driveway entrances. Such clear sight triangle shall be determined by



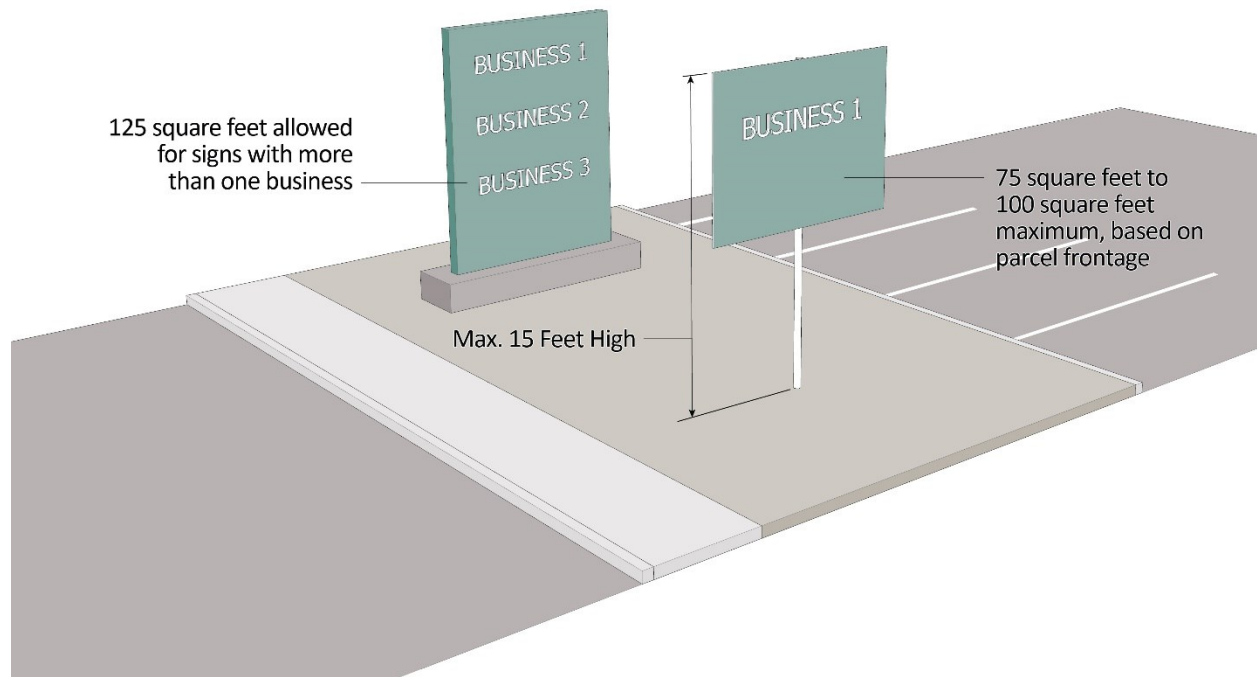
measuring 25 feet along each property line at Street intersections, and along the property line and the driveway for driveway entrances. Signs that are to be located in such a clear sight triangle shall not exceed 3 feet in height.

- R. Signs that are placed on gasoline pumps or on spanners above gasoline pumps that do not exceed  $\frac{1}{4}$  square foot in area shall not be counted toward the maximum number of wall Signs allowed for each Use. One such Sign may be placed on each side of a gasoline pump or spanner. If such Signs exceed  $\frac{1}{4}$  square foot in area, they shall be considered wall Signs and will be counted toward the maximum number of wall Signs allowed for each Use.

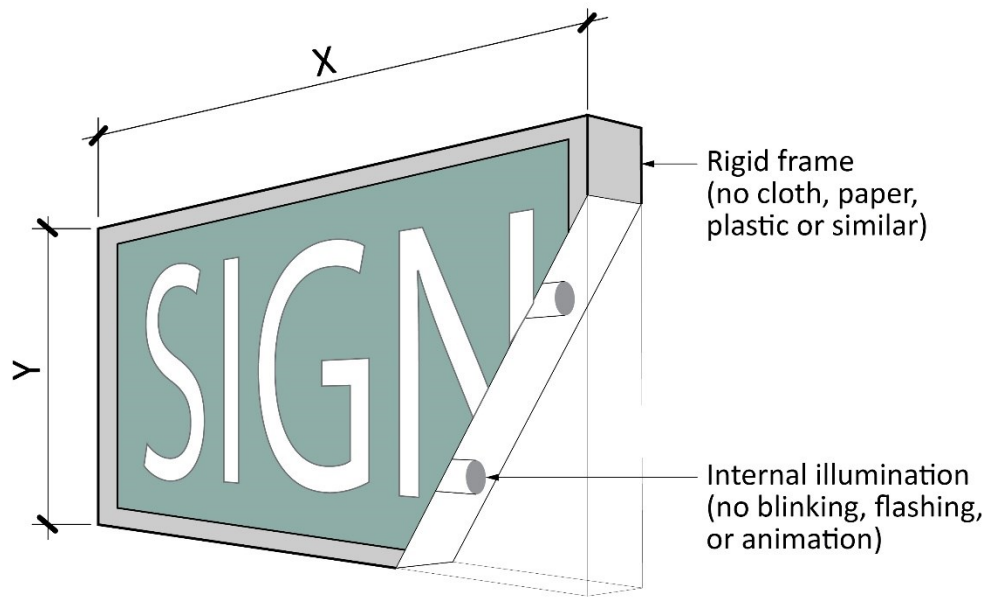




Sign Types



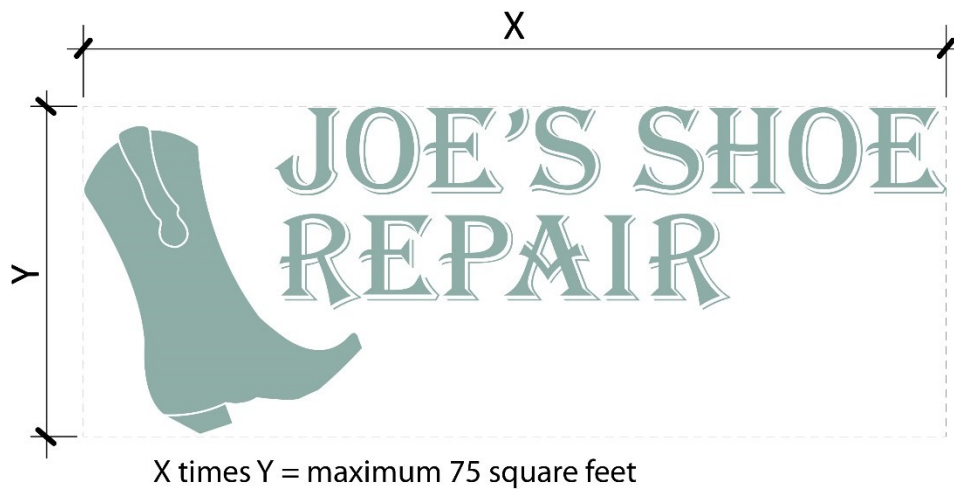
Examples of Freestanding Signs in Commercial Zones



X times Y = maximum 75 square feet

Sign Measurement and Illumination





### Sign Measurement of Irregularly Shaped Signs

#### 2. Special Purpose Signs. The following special purpose Signs shall be permitted:

##### A. Permanent Special Purpose Signs

- i. **Directional Signs.** In any zone, one parking Directional Sign not exceeding 10 square feet in area or 6 feet in height at each **Parking Area** entrance or exit. Directional Signs painted on paved Parking Areas shall be permitted. No advertising message of any kind shall be displayed on a parking Directional Sign.
- ii. **Subdivision** entrance Signs. At the major Street entrance(s) to a Subdivision or development, not more than two signs, each not exceeding 20 square feet in area per Sign, shall be permitted. Such Signs shall be attached to and shall not extend above a wall or fence, and shall indicate only the name and/or the address of the Subdivision or development. Design, color scheme, and height of entrance Signs are subject to the approval of the **Community Development Director**. Such Signs shall be constructed of materials and shall be affixed to the wall or fence in such a manner as to render them not readily susceptible to vandalism.

##### B. Temporary Real Estate, Development, and Sale Signs

- i. For sale or rental Signs. In any zone, one on-site unlighted Sign not exceeding 6 square feet on each Street **Frontage** adjoining a Site. **Freestanding Signs** shall not exceed 6 feet in height. Parcels of 40 acres or more shall be allowed one freestanding Sign not exceeding 20 square feet in area and 8 feet in height. All sale and rental Signs shall be removed within 30 days from the date of sale.
- ii. Open house Signs. Open house Signs shall be limited to 4 square feet and shall not exceed 3 feet in height. They shall be limited to no more than two days per week for any given property. One on-site and no more than three **Off-Premise Signs** are permitted. The Signs shall be placed no more than 30 minutes prior to the beginning of the open house and shall be removed within 30 minutes of the end of the open house. Off-Premise Signs placed in

public Rights-of-Way or **Easements** shall be placed such that they do not obstruct traffic or visibility at the intersection. They shall not obstruct multi-purpose paths or sidewalks. When placed on private Easements, they shall be placed with the property owner's permission.

- iii. Construction Signs. On the Site of a property actively under construction, one unlighted Sign not exceeding 20 square feet in area and 6 feet in height in a residential zone or 40 square feet in area and 8 feet in height in a commercial or industrial zone to identify each contractor, architect, or engineer engaged in the project. Said Signs shall be removed within 5 days after the issuance of a certificate of occupancy by the Chief Building Inspector.
- iv. Directional Subdivision Signs. In any zone, unlighted Signs advertising Subdivisions containing only the name of the Subdivision, the name of the developer and/or agent, an identification emblem, and directional message shall be permitted, provided:
  - a. There shall be no more than three such Signs for each Subdivision;
  - b. The total area of all Signs shall not exceed 30 square feet;
  - c. The total height of each Sign shall not exceed 8 feet;
  - d. Directional subdivision Signs may be displayed during the 2 years following the date of recordation of the final plat for the Subdivision, or until 100 percent of the Lots have been sold, whichever occurs first.
  - e. Directional Subdivision Signs may be located outside the boundaries of the Subdivision, but no further than the closest intersection of a public Street.
- v. Temporary on-site Subdivision Signs shall be permitted provided there shall be no more than 100 square feet of total Sign area for each Subdivision and a total of five Signs. **Freestanding Signs** shall not exceed 15 feet in height in a commercial Subdivision and 8 feet in height in a residential Subdivision. Such on-site Signs shall be permitted to remain for 2 years from the date the required Sign permit is issued. An extension beyond the 2-year limitation may be granted for a 1-year period subject to the approval of the Planning and Zoning Commission. However, if a **Conditional Use** permit is approved for a sales office, any temporary on-site Subdivision signs may remain for the term of the Conditional Use permit.
- vi. **Office** buildings and shopping centers and industrial Subdivisions may display leasing and rental Signs for a period of 1 year following final construction inspection. These Signs shall be limited to one **Freestanding Sign** and two **Building-mounted** Signs not to exceed a total of 150 square feet in area. Freestanding Signs shall not exceed 8 feet in height.
- vii. Special Sale Signs. For retail commercial Uses in any zone where such Uses are listed as permitted or **Conditional Uses**, special sale Signs may be permitted while a special sale of goods or services is being conducted. Signs attached to the **Building** or to an existing **Freestanding Sign** shall securely attached to a building or support structure, and the display of the Signs shall be limited to 14 days per calendar quarter. The size of special sale Signs shall not exceed 100 percent of the total square footage of any permanent on-

premise Signs that advertise the commercial Use. Portable and sandwich board signs shall be limited to 4 square feet and shall not exceed 3 feet in height.

### 3. Signs in General, Agricultural Residential, and Rural Residential Zones

Except as prescribed in **Section 4.2.C.2**, only the following signs shall be permitted in a General, Agricultural Residential, or Rural Residential Zone:

#### A. Residential Uses

- i. One nameplate not exceeding 1 square foot in area indicating the name of the occupant.
- ii. One **Ranch Arch Sign** meeting the following provisions.
  - a. The Lot shall be a minimum of 2 acres in area.
  - b. Signs may identify only a property and its residential use. No Ranch Arch Sign shall be permitted in conjunction with other Uses of the property.
  - c. A minimum of 14 feet of clearance or alternative access for emergency vehicles shall be provided.
  - d. The Ranch Arch Sign and associated supports may be a maximum of 16 feet tall.
  - e. The maximum square footage of the Sign is capped at 15 square feet.

#### B. Agricultural Uses

- i. One unlighted Sign not exceeding 6 square feet in area or 6 feet in height pertaining to the sale of products raised on the premises.
- ii. One unlighted identification Sign not exceeding 10 square feet in area identifying an Agricultural or related Use conducted on the premises. **Freestanding Signs** shall not exceed 6 feet in height.
- iii. Only one Sign pertaining to the Agricultural or related Use of the premises shall be permitted.

#### C. Public and Quasi-Public Uses

One **Freestanding Sign** not to exceed 15 square feet in area and 6 feet in height, and one unlighted wall Sign not to exceed 6 square feet in area.

#### D. Commercial and Other Uses

One Sign not to exceed 15 square feet in area. **Freestanding Signs** shall not exceed 6 feet in height.

### 4. Signs in Residential Zones

Except as prescribed in **Section 4.2.C.2**, only the following Signs shall be permitted in a Single Family Residential, Multi-Family, Residential, and **Manufactured Home** or Manufactured Home Park Zone:

#### A. Residential Uses



- i. Single-family **Dwelling Units**: one name plate not exceeding 1 square foot in area indicating the name of the occupant. On a site with more than one Dwelling Unit, name plates shall not be combined.
- ii. Multi-family Dwellings, **Apartment** developments, boarding or rooming houses, **Dormitories**: one unlighted identification Sign not exceeding 15 square feet in area. **Freestanding Signs** shall not exceed 6 feet in height.

**B. Agricultural Uses**

One unlighted Sign not exceeding 6 square feet in area pertaining to the sale of products raised on the premises. **Freestanding Signs** shall not exceed 6 feet in height.

**C. Public and Quasi-Public Uses**

One **Freestanding Sign** not to exceed 15 square feet in area and 6 feet in height, and one unlighted wall Sign not exceeding 6 square feet in area. Lighting requirements for Signs shall be as specified in the required **Conditional Use** permit.

**D. Commercial and Other Uses**

One Sign not to exceed 15 square feet in area. **Freestanding Signs** shall not exceed 6 feet in height.

**5. Signs in Commercial Zones**

Except as prescribed in **Section 4.2.C.2**, only the following Signs shall be permitted in a **Commercial Zone**:

- A. Agricultural Uses in all Commercial Zones.** One unlighted Sign not exceeding 6 square feet in area pertaining to the products raised on the premises. **Freestanding Signs** shall not exceed 6 feet in height.
- B. Commercial Uses in the CN-2/A and CG-10,000 Zones**
  - i. One Freestanding identification Sign may be placed on each Lot or parcel of land. **Freestanding Signs** shall not exceed 15 feet in height. The maximum area of Freestanding Signs shall be as follows:
    - a. In the CN-2/A Zone, Freestanding Signs shall not exceed 75 square feet in area.
    - b. In the CG-10,000 Zone, Freestanding Signs shall not exceed 75 square feet in area provided, however, that for each lineal foot of property frontage in excess of 75 feet, an additional 1 square foot of Sign area shall be permitted to a maximum of 100 square feet.
    - c. Where more than one business or land use is being conducted on a single Lot or parcel of land, the permitted sign area for each business may be combined into one Freestanding Sign up to a maximum combined area of 125 square feet.
  - ii. Wall and Parapet Signs shall be allowed as follows:
    - a. The total area of all wall Signs shall not exceed 1 square foot of area for each lineal foot of property frontage up to a maximum of 150 square feet;



- b. The maximum size of any one Sign shall be 75 square feet;
  - c. A maximum of two wall Signs may be placed on any side of a **Building**;
  - d. The total area of Signs displayed on any side of a **Building** shall not exceed 75 square feet.
  - e. A maximum of six wall Signs may be displayed for each Use;
  - f. Should a portion of a parcel be leased for development, the dimensions and orientation of the leased portion shall be used to determine frontage and total Sign face square footage.
- iii. Wall Signs on multiple tenant commercial **Buildings** shall be allowed as follows:
- a. One tenant directory wall Sign may be displayed. The maximum size of the directory Sign shall be 75 square feet. The directory Sign may be located on any wall of the Building.
  - b. One wall Sign may be displayed for each tenant. The maximum size of the wall Sign shall be 40 square feet. Each wall Sign shall be located on a wall of the space occupied by the tenant that is advertised.
  - c. One **Projecting Sign** may be displayed for each tenant. The maximum size of each Projecting Sign shall be as prescribed in **Section 4.2.C.1.L**. Each Projecting Sign shall be attached to a wall of the space occupied by the tenant that is advertised.
- iv. Signs on canopies above gasoline pump islands shall be allowed as follows:
- a. The total area of Signs placed on such canopies shall be deducted from the total area allowed by **Section 4.2.C.5.B.ii.a** above;
  - b. A maximum of two Signs may be placed on such canopies. The number of Signs placed on such canopies shall be deducted from the total number of Signs allowed by **Section 4.2.C.5.B.iv** above;
  - c. A maximum of two Signs that do not exceed 6 square feet in area (i.e., franchise logos) may be placed on such a **Canopy**. No more than one such Sign may be placed on any one side of a Canopy. Such Signs shall not be counted toward the maximum total area allowed or the maximum number of Signs allowed.

#### C. Commercial Uses in the CH-10,000 Zone

Signs identifying commercial Uses in the CH-10,000 Zone shall be permitted to the same extent as in the CG-10,000 Zone provided, however, that additional signage may be approved under design review when applicable.

#### D. Public and Semi-Public Uses: Commercial Zones

One Sign not exceeding 30 square feet in area. **Freestanding Signs** shall not exceed 6 feet in height. Lighting requirements for Signs shall be as specified in the required **Conditional Use** permit.

### 6. Signs in Industrial Zones



Except as prescribed in **Section 4.2.C.2**, only the following Signs shall be permitted in an Industrial Zone:

- A. Agricultural Uses in all Industrial Zones. One unlighted Sign not exceeding 6 square feet in area or 6 feet in height pertaining to the products raised on the premises.
- B. Industrial Uses in the IP-20,000 Zone
  - i. One single-faced wall or **Canopy** Sign per Use, not exceeding 1 square foot of area for each lineal foot of **Building** or portion thereof, may be placed on the side of the Building facing the major Street **Frontage** up to a maximum of 100 square feet.
  - ii. One monument-type Sign per Use may be permitted, providing the maximum area shall not exceed 20 square feet and the maximum height shall not exceed 6 feet.
- C. Industrial Uses in the IL-10,000 Zone
  - i. One single-faced wall or **Canopy** Sign per Use, not exceeding 1 square foot of area for each lineal foot of **Building** or portion thereof, may be placed on the side of the Building facing the major Street **Frontage** up to a maximum of 100 square feet.
  - ii. One **Freestanding Sign** not exceeding 100 square feet in area provided, however, that there be no more than one such Sign per lot or parcel of land. Where more than one Use is being conducted on a single Lot or parcel of land, the permitted Sign area for each business may be combined into one Freestanding Sign up to a maximum of 125 square feet. Freestanding Signs shall not exceed 15 feet in height.
- D. Industrial Uses in the IH-6,000 Zone

Signs identifying industrial Uses in the IH-6,000 Zone shall be permitted to the same extent as in the IL-10,000 Zone.

E. Public and Semi-Public Uses: Industrial Zones

One Sign not exceeding 30 square feet in area. A **Freestanding Sign** shall not exceed 6 feet in height.

Should a portion of a parcel be leased for development, the dimensions and orientation of the leased portion shall be used to determine **Frontage** and total Sign face square footage.

7. Signs in Planned District and Special Purpose Zones

Except as prescribed in **Section 4.2.C.2**, only the following Signs shall be permitted in the following Special Purpose Zones:

A. Signs in the MHP Zone

At the major Street entrance(s) to the **Manufactured Home Park** or Manufactured Home Subdivision, not more than two lighted Signs, each not exceeding 20 square feet in area, attached to and not extending above a wall or fence, indicating only the name and/or the address of the **Manufactured Home Park** or Subdivision.

B. Signs in the PRD Zone



At the major Street entrance(s) to the **Planned Residential Development**, not more than two Signs, each not exceeding 20 square feet in area, attached to and not extending above a wall or fence, identifying only the name and/or the address of the Planned Residential Development.

**C. Signs in the PC Zone**

Signs in the PC Zone shall be as specified in the text that constitutes the standards of development as approved by the **Board of Supervisors**.

**D. Signs in the PS Zone**

Except as prescribed in **Section 4.2.C.2**, only the following Signs shall be permitted in the PS Zone:

- i. **Agricultural Uses.** One unlighted Sign not exceeding 6 square feet in area or 6 feet in height pertaining to the products raised on the premises.
- ii. **All Other Uses.** Signs shall be as specified in the **Conditional Use** permit required for all Uses except Agricultural Uses.

**E. Signs in the OS Zone**

- i. **Permitted Uses.** One unlighted Sign not exceeding 10 square feet in area or 6 feet in height.
- ii. **Conditional Uses.** Signs identifying Uses permitted subject to the granting of a Conditional Use permit shall be as specified in the approved use permit.

**F. Signs in the FPM Zone**

Signs in the FPM Zone shall be in accordance with the regulations applicable to the underlying zone in which the FPM Zone is combined or as authorized under a **Conditional Use** permit required for specified uses.

**G. Signs in the RC Zone**

Signs in the RC Zone shall be as specified on the **Development Plan** as approved by the **Board of Supervisors**.

**H. Signs in the MR Zone**

- i. **Permitted Uses.** One unlighted Sign not exceeding 10 square feet in area or 6 feet in height.
- ii. **Conditional Uses.** Signs identifying Uses permitted subject to the granting of a Conditional Use permit shall be as specified in the approved use permit.

#### **4.2.D. Permits and Administration**

**1. Cash Deposit on Certain Signs**

Directional Subdivision Signs. Applications for permits for directional Subdivision Signs shall be accompanied by a cash deposit of \$250.00 for each Sign, which shall be posted with the Finance Department. Such \$250.00 cash deposit shall be used to defray the costs of Sign removal by the County in the event the permit holder defaults upon the agreement to remove same. Before any permit for any such Sign is issued, the applicant and the record owner(s) of the property shall furnish the Department

of Community Development written authority granting the County permission to enter upon the premises to remove such Sign.

## 2. Elimination of **Nonconforming Signs**

The elimination of Nonconforming Signs shall be as prescribed in **Section 3.13.C.2**.

## 3. Sign Permit Requirements

- A. The following Signs shall not require a Sign permit: Real Estate For Sale, Rental, and Open House Signs (see **Section 4.2.C.2.B.i** and **Section 4.2.C.2.B.ii**), residential name plates (see **Section 4.2.C.3.A.i**) and residential construction Signs (see **Section 4.2.C.2.B.iii**). A Sign permit shall be obtained for all other Signs including new construction, modifications, replacements, and Sign face changes prior to their installation.
- B. The following information shall be submitted when applying for a Sign permit in addition to the requirements of **Section 5.1.B**.
  - i. Provide specific signage information (sketch or photographs) indicating color scheme, lettering or graphic style, lighting, and material for each proposed or existing Sign.
  - ii. If required, Design Review Overlay, **Conditional Use** permit, Variance, and other permits and licensing as necessary shall be obtained prior to the acceptance of a complete Sign permit application.

## 4.3 Lighting

### 4.3.A. Purpose

1. The topography and atmospheric conditions of Coconino County are uniquely suited for astronomical observation. A substantial investment has been made in observatories in the County, and the use of certain types of outdoor lights and certain outdoor lighting practices have an adverse impact on astronomical observation. Naturally dark landscapes and star-filled skies are valued by many, and poor lighting practices in outdoor lighting waste energy; hamper the reasonable use and enjoyment of property; can interfere with foraging, courtship, or other behaviors of nocturnal wildlife; and can endanger the public welfare by producing unnecessary glare.
2. The intent of this Ordinance is to encourage lighting practices and systems that will minimize **Light Pollution**, light trespass, impacts to nocturnal wildlife, and conserve energy while maintaining night-time safety, utility, security, and productivity. Because not all areas in the County are near established observatories, four Lighting Zones are established, allowing increased flexibility in the uses of outdoor lighting farther from the observatories.
3. There may be other areas where protection of the night sky is deemed to be highly important, and where the establishment of more restrictive Lighting Zones is desired.

### 4.3.B. Applicability

1. In the event of conflict between the regulations set forth in this Ordinance and any other regulations applicable to the same area, the more stringent limitation and requirement shall govern.





2. **Airports:** Airport navigation lighting systems are exempt from the provisions of this Ordinance. All other lighting at airports, including that used for loading areas, hangars, terminal aprons, **Parking Areas**, etc., shall conform to all applicable standards of this Ordinance.
3. **Holiday Decorations:** Low-wattage holiday decorations are exempt from the provisions of this Ordinance from October 25 through January 15. Such lighting and all associated wiring used outdoors must be certified for outdoor use by Underwriters Laboratories.

### 4.3.C. Performance Standards

1. **Approved Materials and Methods of Construction or Installation/Operation**
  - A. The provisions of this Ordinance are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this code, provided any such alternate has been approved by the **Community Development Director**. The Community Development Director may approve any such proposed alternate provided he or she finds that it:
    - i. Provides at least approximate equivalence to the applicable specific requirements of this Ordinance; and
    - ii. Is otherwise satisfactory and complies with the intent of this Ordinance.
2. **Lighting Zones.** Different areas, with different developed and natural conditions, and different distances from astronomical observatories, have differing levels of appropriate light usage, and different sensitivities to the various obtrusive aspects of outdoor light usage. Because of this, three Lighting Zones are hereby defined and established. These Zones are shown on the Lighting Zone Maps on file with Community Development and by this reference made a part hereof. In general, these Zones are described as follows:
  - A. **Zone I:** all areas within Coconino County located within 2½ miles of the following locations:
    - i. The Hall telescope at Lowell Observatory on Anderson Mesa
    - ii. The Kaj Strand telescope at the U.S. Naval Observatory
    - iii. Roden Crater
    - iv. The Discovery Channel Telescope
  - B. **Zone II:** all areas within Coconino County more than 2½ miles, yet less than 7 miles, of the locations listed in **Section 4.3.C.2.A** above.
  - C. **Zone III:** all other areas within Coconino County.
  - D. **Split Parcels:** A parcel located in more than one of the described Lighting Zones shall be considered to be only in the more restrictive Lighting Zone.
3. **Preferred Source and Zone I Use Preference**
  - A. **Preferred Source:** **Low-Pressure Sodium (LPS)** lamps are the preferred illumination source throughout the County; their use is to be encouraged, when not required, for outdoor illumination whenever its use would not be detrimental to the use of the property.



- B. Day/Night Uses: Uses that can turn off their outdoor lighting during night hours are to be encouraged in Lighting Zone I; those that require all-night illumination are to be discouraged.
4. General Requirements, all Zones.
- A. Upward-directed Floodlighting: Outdoor floodlighting by flood light projections above the horizontal plane is prohibited.
  - B. The requirements for lamp source and shielding of light emissions for **Outdoor Light Fixtures** are as follows (**Table 4-3**):

Use Code:

- i. A = allowed
- ii. F = fully shielded, allowed
- iii. X = prohibited

**TABLE 4-3: LAMP TYPE AND SHIELDING STANDARDS**

Lamp Type	Zone I	Zone II	Zone III
<b>Class 1 Lighting</b>			
Low-Pressure Sodium	F	F	F
Others above 2,500 Lumens <sup>(1)</sup>	X	F	F
Others below 2,500 Lumens <sup>(1)</sup>	F	F	A <sup>(1,2)</sup>
<b>Class 2 Lighting</b>			
Low-Pressure Sodium	F	F	F
Others above 2,500 Lumens <sup>(1)</sup>	X	X	X
Others below 2,500 Lumens <sup>(1)</sup>	F	F	A <sup>(1,2)</sup>
<b>Class 3 Lighting</b>			
Low-Pressure Sodium	F	F	F
Others above 2,500 Lumens <sup>(1)</sup>	X	X	F
Others below 2,500 Lumens <sup>(1)</sup>	F	A <sup>(1,2)</sup>	A <sup>(1,2)</sup>
<b>Residential Lighting (all classes)</b>			
All types over 1,000 Lumens <sup>(1)</sup>	F	F	F
All types below 1,000 Lumens <sup>(1)</sup>	F	A <sup>(1,3)</sup>	A <sup>(1,3)</sup>

Note 1. Lights shall be shielded whenever feasible to minimize light spilled into the night sky or adjacent properties.

Note 2. Unshielded lighting is limited to a total of 3,000 Lumens per acre on non-residential and multi-family residential lands Uses; 2,000 Lumens per residence on single-family residential properties.

Note 3. For single-family residential Uses, unshielded fixtures up to 2,000 Lumens output per lamp and a total of 8,000 Lumens per residence are permitted if used in functioning motion-sensing fixtures that remain on for short periods only.

- C. **Total Outdoor Light Output**, excluding streetlights used to illuminate public Rights-of-Way, shall not exceed the following limits averaged over the entire project (values listed in **Table 4-4** are total initial lamp Lumens per acre and per residence):



**TABLE 4-4: MAXIMUM TOTAL OUTDOOR LIGHT OUTPUT STANDARDS (IN LUMENS PER ACRE AND LUMENS PER RESIDENCE)**

Land Use	Lighting Zone		
	I	II	III
<b>Commercial, Industrial, and Multi-family (Lumens per Acre)</b>			
Total (shielded + unshielded)	25,000	50,000	100,000
Unshielded only	0	3,000	3,000
Non-LPS	2,500	50,000	100,000
<b>Single Family Residential (Lumens per Residence)</b>			
Total (shielded + unshielded)	10,000	30,000	30,000
Unshielded only	0	2,000	2,000

Note: Fixtures installed such that all parts of the fixture are located underneath and at least 5 feet from the nearest edge of a Building overhang, roof eave, or balcony are to be included in the Total Outdoor Light Output as though they produced only one-quarter of the lamp’s rated Lumen output.

- D. **Effective Shielding:** All light fixtures that are required to be shielded shall be **Installed** in such a manner that the shielding is effective as defined in **Chapter 6, Definitions**, under **Fully Shielded Fixture** and **Partially Shielded Fixture**.
- E. **Direct Lighting on Site:** All fixtures, except streetlamps, shall be aimed or shielded so that the **Direct Illumination** shall be confined to the property boundaries of the source as much as is feasible.
- F. **Direct lighting off Roadways:** All fixtures, except streetlamps, shall be **Installed** in such a manner that the **Direct Illumination** does not fall onto any public or private Street or Road as much as is feasible.
- G. **Curfews: Class 1 Lighting and Class 3 Lighting** must be extinguished at the curfew times listed, or no later than 30 minutes after the business closes, whichever is later (**Table 4-5**):

**TABLE 4-5: LIGHTING CURFEWS (SPORTS, CLASS 1, CLASS 3, SIGNS)**

Lighting Zone		
I	II	III
9:00 pm	10:00 pm	11:00 pm

- H. **High-Intensity Lights:** Search lights, laser source lights, or any similar high-intensity light shall not be permitted, except in emergencies by police and fire personnel or at their direction.
  - I. **Mercury Vapor Sales:** The installation, sale, offering for sale, lease, or purchase of any mercury vapor light fixture or lamp for use as outdoor lighting is prohibited, except that until January 1, 2006, the provisions of this subsection shall not apply to any replacement lamp.
5. Special Requirements, Outdoor Advertising Signs



- A. **Externally Illuminated Sign Standards:** External illumination for Signs shall conform to all provisions of this Ordinance. In particular, such lighting shall be treated as **Class 1 Lighting** and shall conform to the lamp source, shielding restrictions, and **Lumen** caps of **Section 4.3**. All upward-directed Sign lighting is prohibited.
  - B. **Internally Illuminated Sign and Neon Sign Standards:** Illumination of Copy and Background; Colors: Outdoor internally illuminated advertising Signs must be constructed as follows:
    - i. In Lighting Zone I: The Sign face(s) must be composed of illuminated text and symbols against an opaque (unilluminated) background. The colors of these elements are not restricted.
    - ii. In Lighting Zones II and III: The Sign face(s) must be either composed of illuminated text and symbols against an opaque background or with generally LIGHTER text and symbols against a colored (not white, off-white, light gray, cream, or yellow) background.
  - C. **Exclusion of Lamp Outputs:** Lamps used for internal illumination of Signs shall not be counted toward the **Lumen** cap in **Section 4.3**.
  - D. **Neon Signs:** Neon Signs shall be treated as **Internally Illuminated Signs** for the purpose of this Code, and shall not have their luminous outputs counted toward the **Lumen** caps of **Section 4.3**. Neon lighting extending beyond the area considered to be the Sign area (as defined in Sign Code of this jurisdiction) shall conform to all provisions of this Code. In particular, such lighting shall be treated as **Class 3 Lighting** (decorative) and shall conform to the Lumen caps and shielding standards of **Section 4.3**.
  - E. **Non-Sign Lighting:** Other internally illuminated panels or decorations not considered to be signage according to the Sign code of this jurisdiction (such as illuminated **Canopy** margins or **Building** faces), shall be considered decorative (**Class 3 Lighting**), and shall be subject to the standards applicable for such lighting, including but not limited to the lamp source, shielding standards, and **Lumens** per acre caps of **Section 4.3.C**.
  - F. **Curfews:** Illumination for all advertising Signs, both externally and internally illuminated, shall be turned off no later than the curfew times listed in **Table 4-5** or when the business closes, whichever is later. Signs subject to curfews are required to have functioning and properly adjusted automatic shut-off timers.
  - G. **Curfews for Pre-Existing Signs:** Light background (white, off-white, light gray, cream, or yellow) **Internally Illuminated Signs Installed** legally before enactment of this code (December 18, 2001), may continue to be used and illuminated but must conform to the curfews of **Section 4.3.C.4.G** and **Table 4-5**.
6. **Special Requirements, Special Uses**
- A. **Service Station Canopies:**
    - i. **Lighting Class:** Lighting for service station canopies shall be considered **Class 1 Lighting**.
    - ii. **Shielding:** All **Luminaires** mounted on or recessed into the lower surface of service station canopies shall be fully shielded and utilize flat lenses.

- iii. **Total Under-Canopy Output:** The total light output used for illuminating service station canopies, defined as the sum of all under-canopy initial bare-lamp outputs in **Lumens**, shall not exceed 60 **Lumens** per square foot of **Canopy** in Lighting Zones II and III, and shall not exceed 20 Lumens per square foot in Lighting Zone I (note: these values are not footcandle illuminances). All lighting mounted under the Canopy, including but not limited to **Luminaires** mounted on the lower surface or recessed into the lower surface of the Canopy and any lighting within signage or illuminated panels over the pumps, is to be included toward the total at full initial Lumen output.
- iv. **Inclusion Toward Total Outdoor Light Output:** The **Lumen** output of lamps mounted on or within the lower surface of a **Canopy** is also included toward the lumen caps in **Table 4-4** as follows:
  - a. Fixtures **Installed** such that any part of the fixture is 5 feet or less from the nearest edge of the Canopy are to be included in the Total Outdoor Light Output by simply adding the Lumen outputs of the lamps used;
  - b. Fixtures **Installed** such that all parts of the fixture are located at least 5 feet but less than 10 feet from the nearest edge of the Canopy are to be included in the Total Outdoor Light Output as though they produced only one-quarter of the lamp's rated Lumen output;
  - c. Fixtures **Installed** such that all parts of the fixture are located 10 or more feet from the nearest edge of a Canopy are to be included in the Total Outdoor Light Output as though they produced only one-tenth of the lamp's rated Lumen output.

#### B. Outdoor Recreational Facilities:

- i. **Lighting Class:** Lighting for Outdoor Recreational Facilities shall be considered **Class 1 Lighting**.
- ii. **Lumen Cap Exemption:** Lighting for Outdoor Recreational Facilities areas only is not subject to the Lumens per acre limit set in **Section 4.3.C** and **Table 4-4**.
- iii. **Shielding:** Fixtures used for field/track/**Arena** Facilities areas must be fully shielded.
- iv. **Curfew:** No such facility shall be illuminated after the curfew times listed here except to conclude a scheduled recreational or sporting event in progress prior to the curfew, and prevented from concluding before the curfew by unforeseeable circumstances.

### 4.3.D. Permits and Administration

#### 1. Temporary Lighting Permits

- A. **Findings:** The **Community Development Director** may grant a permit for Temporary Lighting if he or she finds the following:
  - i. The purpose for which the lighting is proposed is not intended to extend beyond 30 days; and
  - ii. The proposed lighting is designed in such a manner as to minimize **Light Pollution** as much as is feasible; and



- iii. The proposed lighting will comply with the general intent of this Ordinance; and
  - iv. The permit will be in the public interest.
- B. Application Contents: The application for the Temporary Lighting Permit shall include the following information:
- i. Name and address of applicant and property owner;
  - ii. Location of proposed fixtures;
  - iii. Type, wattage, and **Lumen** output of lamp(s);
  - iv. Type, shielding, and use of proposed fixtures;
  - v. **Intended Use** of the lighting;
  - vi. Duration of time for requested exemption;
  - vii. The nature of the exemption;
  - viii. Such other information as the **Community Development Director** may request.
- C. The **Community Development Director** shall endeavor to rule on the application within 5 business days from the date of submission of the request and notify the applicant in writing of his or her decision. The Community Development Director may grant one renewal of the permit for an additional 30 days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Community Development Director is not authorized to grant more than one temporary permit and one renewal for the same property within 1 calendar year. A denial by the Director may be appealed to the Planning and Zoning Commission within 30 days.

## 2. Nonconforming Uses

- A. Mercury Vapor: Mercury vapor lamps in use for outdoor lighting on the effective date of this Ordinance shall not be so used after May 1, 2006.
- B. Bottom-mounted Sign Lighting: Bottom-mounted outdoor advertising Sign lighting shall not be used in Zones I, II, and III after May 1, 1996.
- C. Pre-existing Nonconforming Lighting: No Outdoor Lighting Fixture that was lawfully **Installed** prior to the enactment of this Ordinance shall be required to be removed or modified except as expressly provided herein; however, no modification or replacement shall be made to a nonconforming fixture unless the fixture thereafter conforms to the provisions of this ordinance.
- D. Conformance after **Abandonment**/Damage: In the event that an Outdoor Lighting Fixture is abandoned or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixtures shall comply with the provisions of this Ordinance.
3. Variances. Any **Person** desiring to install an Outdoor Lighting Fixture in violation of this Ordinance may apply to the **Board of Adjustment** for a Variance from the regulation in question per **Section 5.8**. Such Variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary **Hardship** and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of the



regulations and this Ordinance. Provided that any Variance may be allowed subject to any reasonable conditions that the Board may deem necessary to effectuate the purpose of this chapter.

#### 4. Lighting Permit Requirements

##### A. Non-Single Family Residential Lighting:

- i. Whenever new outdoor lighting is **Installed**, or existing outdoor lighting, including fixtures and/or bulbs, is replaced, a Lighting Permit must be applied for and granted. The applicant shall, as a part of said application, submit sufficient information to enable the **Community Development Director** to determine whether the proposed lighting will comply with this Ordinance.
- ii. The following information shall be submitted when applying for a Lighting Permit in addition to the requirements of **Section 5.1.B**.
  - a. A description of each illuminating device, fixture, lamp, support, and shield. This description may include, but is not limited to, manufacturer's catalog cuts and drawings (including sections where required), lamp types, and **Lumen** outputs. For existing lighting, photographs of the fixtures will be accepted if original manufacturer's information is not available.
  - b. A separate **Building Permit** application shall be submitted for new lighting construction and electrical installation. Required Building Permits shall be obtained prior to the installation of lighting.

##### B. Single Family Residential Lighting:

When lighting on single family residential sites is a condition of approval, the above permit process is to be applied and compliance with the **Zoning Ordinance** verified before issuance of the Certificate of Occupancy.

## 4.4 Landscaping

### 4.4.A. Purpose

The purpose of this Section is to establish **Landscaping** standards and guidelines in order to maintain, enhance, and protect native landscapes and the environmental qualities of the County; mitigate the impacts of adjacent Uses; and enhance the quality and appearance of new or existing development. Requiring adequate and environmentally compatible Landscaping will enhance the visual qualities of the environment, promote conservation of water used for Landscaping, address wildfire safety concerns, control **Noxious Weeds** and **Invasive Plants**, and provide erosion and stormwater runoff control. Use of native and **Drought Tolerant** plants will help encourage the preservation of existing trees and vegetation.

### 4.4.B. Applicability

These Landscape standards shall apply to all new and existing development and redevelopment except Single Family and **Duplex** residential on individual lots/parcels, unless the Use has been determined to be legal nonconforming in conformance with **Section 3.13.B**. **Section 4.4.F.1** describes the threshold for



when redevelopment will require additional **Landscaping**. Specific standards may apply to different Uses as described in this Section and other sections of this Ordinance.

In the event of conflict between the regulations set forth in this Section and any other regulations applicable to the same area, the more stringent requirement shall govern.

#### 4.4.C. Performance Standards

##### 1. Requirements for all **Landscaping**

- A. All Landscaped Areas shall be permanently maintained in a neat and orderly manner and all plants shall be maintained in a healthy, living condition. Dead plants, weeds, and non-plant materials must be removed and replaced as necessary.
- B. All Landscaped Areas shall be provided with irrigation pursuant to **Section 4.4.F.2.E**, unless that requirement is waived by the **Community Development Director** pursuant to **Section 4.4.F.2.E.iii**.
- C. All portions of a Site where existing vegetative cover is damaged or removed, or where weeds have become the predominant vegetation, shall be successfully revegetated with a substantial mix of native and/or **Drought Tolerant** grasses and **Ground Covers**. The density of the reestablished vegetation must be adequate to prevent soil erosion and invasion of weeds after one growing season.
- D. All required Landscaping must be located on the property it serves. Elements such as plants, walls, fences, buffering, and screening located on **Adjacent** properties or public **Rights-of-Way** shall not count toward the Landscaping requirements.
- E. Additional Landscaping may be established in public **Rights-of-Way** with the approval of the appropriate jurisdiction (i.e., ADOT or County Public Works).
- F. Retention of existing native vegetation and natural features is encouraged. Areas of native vegetation shall be protected with vegetation protective fencing to avoid construction impacts. See **Table 4-6**, Landscaping Credit for Existing Trees. 🌿
- G. All landscape design shall take into consideration the need for **Defensible Space**.
- H. Lighting used in the landscape plan must comply with the provisions of **Section 4.3** of this Ordinance.
- I. Parking, **Buildings**, and display or storage of equipment or vehicles are not permitted in required Landscaped Areas.

##### 2. Landscape Materials

- A. All landscape plans must use native and/or **Drought Tolerant** plant materials appropriate for their location. **Invasive Plants** and **Noxious Weeds** are prohibited. Preferred **Landscaping** materials are **Native Plants** as defined by the Native Plants for Northern Arizona Landscapes compiled by The Arboretum at Flagstaff. Plants not listed on the Native Plants guide may be approved if the applicant can demonstrate the plant is non-invasive, is **Drought Tolerant**, and is appropriate for the climate zone. A detailed plant list shall be included with all plans. The list shall include both the botanical and common names. 🌿





- B. If turf areas are included, they must use a sod or seed mix specifically cultivated to thrive in the conditions present at the particular Site. The use of non-native and/or high water consumptive turf such as Kentucky Blue Grass is prohibited. The applicant must provide information regarding the composition of a sod or seed mix as part of the detailed plant list as required.
  - C. Rock material used in **Landscaping** shall be subordinate to and not a substitute for plant material.
  - D. The use of artificial trees, shrubs, or plants shall not be permitted as **Landscaping**. Artificial turf may be approved by the Director if it is a minor feature and the use is based on special and unique situations.
3. Landscape Design
- A. Site design shall consider the location of existing native trees and shrubs and these shall be retained to the greatest extent possible and only removed where required for fire prevention or to allow for the placement of roads, buildings, and other development. There shall be no clearing of the site prior to the approval of a Landscape plan. 🌿
  - B. Plants should be grouped in strategic areas and not spread thinly around the site.
  - C. Trees must be planted to allow for maximum growth in height and shape without the need for pruning in excess of that required to maintain the health of the plant.
  - D. New vegetation shall be selected, planted, and maintained so that at maturity it will not interfere with utility lines, snow storage areas, vehicular parking, pedestrian circulation, and traffic sight visibility at driveways and Street intersections, and will not cause damage and upheaval of sidewalks and pavement.
  - E. All landscape designs shall take into consideration the need for **Defensible Space**, as described in **Section 4.4.E** of this Section.
  - F. All Landscaped Areas shall incorporate a **Ground Cover** to tie the **Landscaping** together and to discourage weed growth.
  - G. A mix of **Deciduous** and **Evergreen** plant materials shall be used to provide a year-round effect.
  - H. A clear sight triangle shall be maintained at all Street intersections and driveway entrances. Such clear sight triangle shall be determined by measuring 25 feet along each property line at Street intersections, and along the property line and the driveway for driveway entrances. Landscape materials in this area shall have a clear trunk height of 6 feet from grade level; mature shrubs, groundcover, or other materials shall not exceed 3 feet in height from grade level.
4. Preservation of Existing Vegetation 🌿
- A. All landscape plans must identify methods for protecting existing vegetation that will remain. Construction materials and debris may not be stockpiled within 1½ times the **Drip Line** perimeter outside the Drip Line of all trees and shrubs being retained. This protection area must be clearly marked with temporary fencing or similar material.
  - B. The preservation of healthy existing trees and shrubs shall be provided wherever possible, as described in **Section 4.4.C.3.A** above. These trees and shrubs must be shown on the landscape

plan and labeled as “existing.” They must also be listed on the plant list with their current size shown.

**TABLE 4-6: LANDSCAPING CREDIT FOR EXISTING TREES**

Existing Tree Size (DBH)	Number of Trees Not Required
6–8”	1 tree
10–18”	2 trees
>18”	3 trees

Notes: When existing native trees and shrubs are retained, for each tree not required to be planted, the requirement for shrubs and groundcover associated with the tree shall be waived. DBH = diameter at breast height.

#### 4.4.D. Required Landscaping

1. **Standard Plant Units.** All **Landscaping** requirements are stated in terms of the number of standard Plant Units as described in **Table 4-7** and in the areas described in **Table 4-8**, unless otherwise noted in this Section. **Table 4-7** below describes one Plant Unit. All landscape plans shall include a mixture of **Evergreen** and **Deciduous** plants and trees.

**TABLE 4-7: ONE LANDSCAPE PLANT UNIT**

Quantity of Plants Required <sup>(1)</sup>	Type and Size at Time of Installation
3	6-foot-high Evergreen trees or 8-foot-high Deciduous trees with a minimum DBH of 3 inches or 3-foot-high cacti with a minimum breadth of 2 feet <sup>(2)</sup>
8	2-foot-high shrubs (or 5-gallon minimum)
All landscaped areas	Landscape rock, bark, and vegetative groundcover including native grasses. Artificial turf may be allowed when approved by the Community Development Director.

Note 1: When applied through the Ordinance, and where the resulting number of required plant units is expressed in a fraction, the required number of plant units shall be rounded off to the nearest whole number (rounding is done at the end of calculations). DBH = diameter at breast height.

Note 2: In desert and grassland areas where trees are not common, large cacti may be used in lieu of trees subject to the approval of the Community Development Director.

**TABLE 4-8: AREAS REQUIRED TO BE LANDSCAPED**

Required Area	Landscaped Area	Plant Units
Parking lots	The perimeter and interior of parking areas	As shown in the Parking Lot Landscaping table below
Street frontages	10-foot-wide strip along all street frontages	1 unit per 100 lineal feet of street frontage
Building perimeter	Adjacent to and within 50 feet of buildings	1 unit per 100 lineal feet of building perimeter



**TABLE 4-8: AREAS REQUIRED TO BE LANDSCAPED**

Required Area	Landscaped Area	Plant Units
Parking lot perimeter	5-foot perimeter along the side and rear property boundaries	See Table 4-9
Multi-Family Developments or Manufactured Home Parks (building perimeter does not apply to these developments)	Within the multi-family development or manufactured home space	1 tree and 5 shrubs per multifamily residence or manufactured home space
Detention basins within Setbacks or high visibility areas	Perimeter of the detention basin	2 units per 100 lineal ft. of basin perimeter

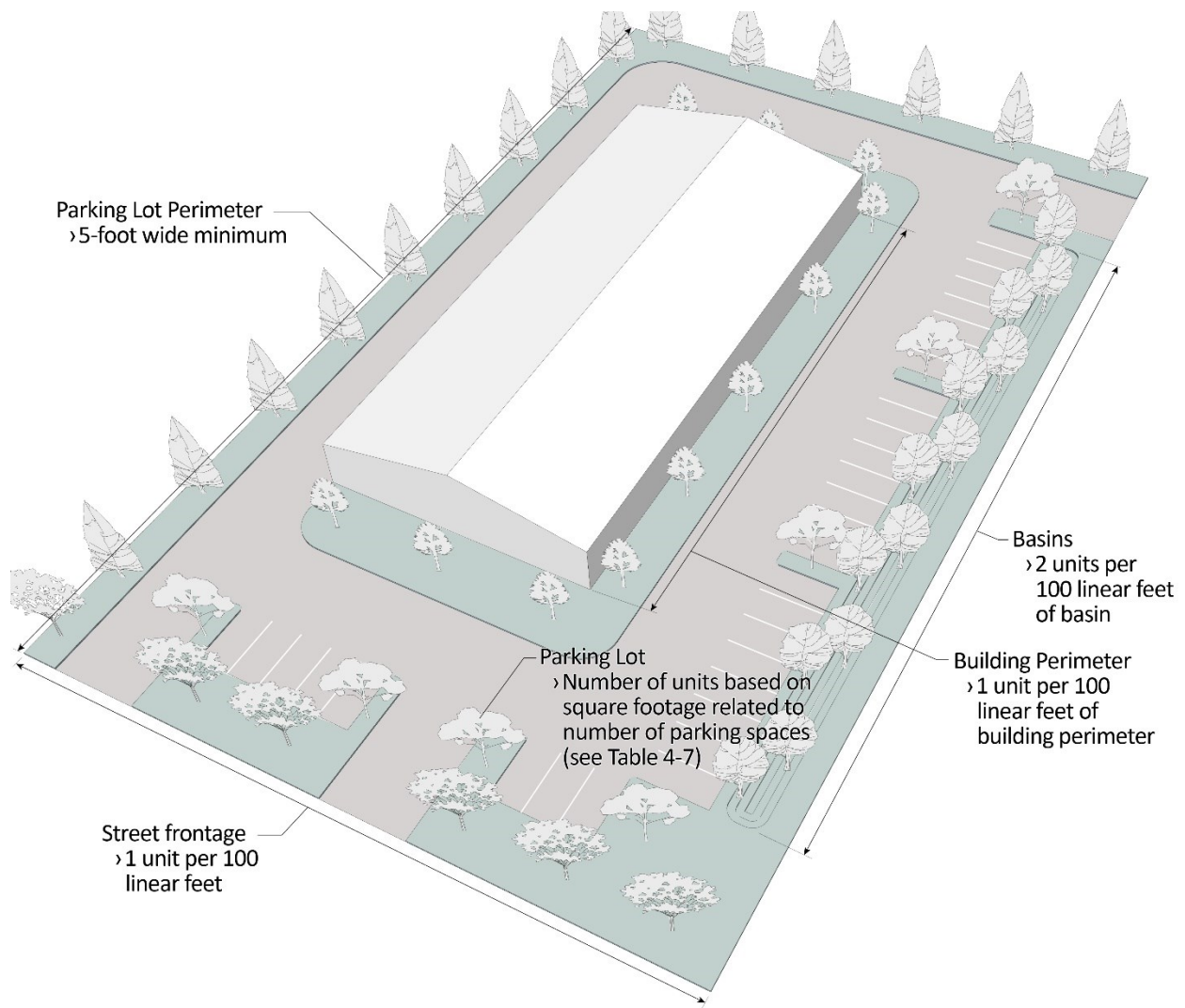
2. **Parking Lot Landscaping.** Landscaping in parking lots shall be provided according to **Table 4-9** and the standards provided below.

**TABLE 4-9: PARKING LOT LANDSCAPING**

Parking Spaces	Minimum Landscaped Area Required	Minimum Plant Units
0–5	None	None
6–20	324 square feet	1 unit
21–32	27 square feet/space	2 units
33–44	27 square feet/space	3 units
45+	40 square feet/space	3+ units <sup>(1)</sup>

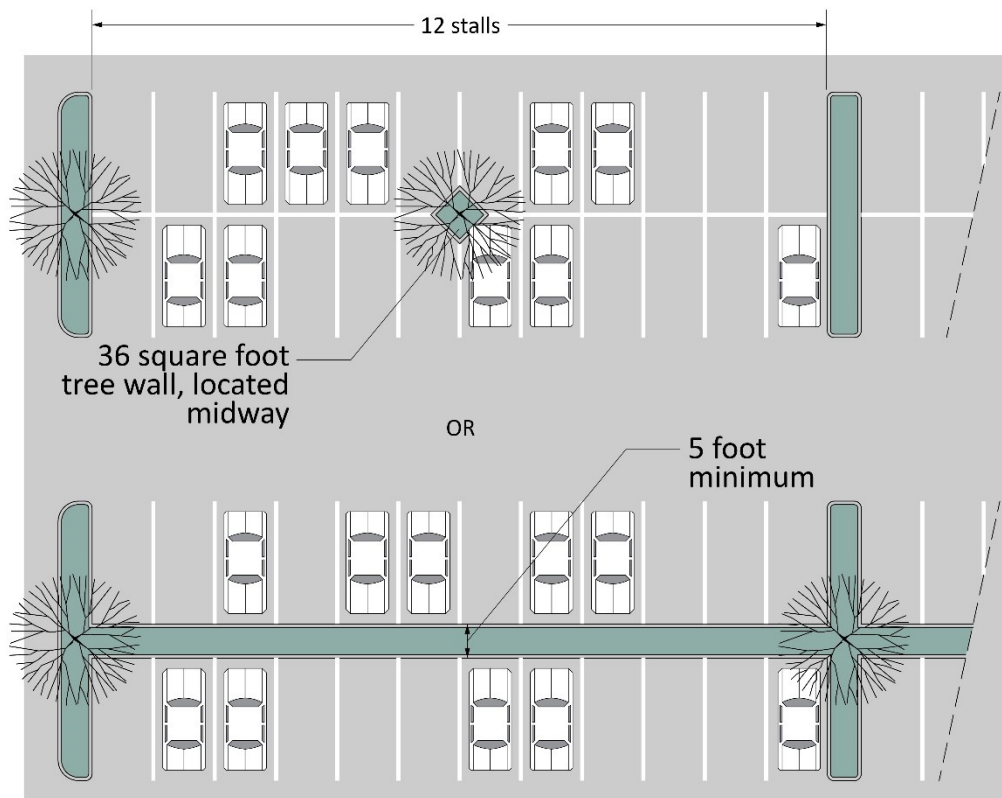
Note 1: The number of plant units required shall be pro-rated for parking lots over 44 spaces at the rate of one plant unit per 324 square feet of landscaped area.





### Areas Required to be Landscaped

- A. Landscaping shall be proportionally distributed throughout parking and driveway areas, including the perimeter and interior of the **Parking Area**.
- B. Landscape Islands. For parking lots with eight or more spaces aligned in a row, the required interior **Parking Area** Landscaping shall be **Installed** in islands separating adjacent **Parking Spaces** or in peninsulas parallel to the individual Parking Spaces. Up to 12 back-to-back spaces may be laid out in a row between islands or peninsulas if either a 36-square-foot tree well is located midway between them or a landscape strip with a minimum width of 5 feet is installed between the rows of Parking Spaces. All rows of Parking Spaces shall have a terminal island no less than 5 feet in width to protect parked vehicles, confine moving traffic to aisles and driveways, and provide space for landscaping.



### Landscape Islands

- C. Where parking lots, including drive aisles, are adjacent to side or rear property lines, a minimum 5-foot-wide perimeter strip of Landscaping shall be provided.
  - D. All Landscaped Areas adjacent to vehicular parking and access shall be protected by 6-inch vertical concrete curbing, 6-inch bumper stops, or similar materials in order to control stormwater flows and minimize damage by vehicular traffic.
  - E. The curb or barrier around Landscaped Areas may be used as a wheel stop provided the area of vehicle overhang does not exceed 2½ feet and does not damage or interfere with the Landscaping. A minimum 5-foot-wide planter is required for a single vehicle overhang and an 8-foot-wide planter for a double vehicle overhang.
  - F. To ensure that landscape materials do not constitute a driving hazard, trees used to landscape parking islands shall have a clear trunk height of 6 feet from grade level; mature shrubs, groundcover, or other Landscaping material shall not exceed 3 feet in height from grade level.
3. **Street Frontage Landscaping.** Front and street side **Landscaped Areas** shall be a minimum 10 feet in width and fully landscaped in accordance with a minimum of one **Plant Unit** for every 100 lineal feet of Frontage.
  4. **Building Perimeter Landscaping.** One **Plant Unit** shall be required for every 100 lineal feet of perimeter of the **Building** footprint, located within 50 feet of, and adjacent to, the perimeter of the

Building. Landscaping shall be consistent with Firewise and **Defensible Space** standards as prescribed in **Section 4.4.E**. In situations where the Use or Building design makes planting within 50 feet impractical, such as mini-storage **Warehousing**, it may be permitted to place all or a portion of on-site Building Landscaping beyond the 50-foot limit, subject to the approval of the **Community Development Director**.

5. Detention Basin **Landscaping**. Where detention basins and/or drainage ways are constructed partially or entirely within Setback areas or other high-visibility areas on Sites, they must be adequately landscaped. A minimum of two **Plant Units** shall be required for every 100 feet of the perimeter of the basin, measured at the top of the basin. All detention basin surfaces shall be treated with a native groundcover seed mix as required; native rock, retention fabric, or similar non-plant alternative may be allowed subject to the approval of the **Community Development Director**.
6. General **Landscaping** Requirements
  - A. Undeveloped Areas. If phasing is proposed, or if only a portion of the parcel is being developed, the undeveloped area shall be maintained in existing **Native Plants**. If the area has been disturbed or the existing vegetation consists primarily of weeds, the area must be successfully revegetated with a substantial mix of native and/or **Drought Tolerant** grasses and **Ground Covers**. The density of the reestablished vegetation must be adequate to prevent soil erosion and invasion of weeds after one growing season.
  - B. Buffering and Screening. Where landscape screening is required by the Ordinance or through **Commission** or **Board** action, such Landscaping shall be in addition to the general Landscaping requirements.
  - C. In areas where greater buffering or screening is desirable, additional **Plant Units** may be required by the Planning and Zoning Commission.
  - D. When required, fences and walls adjacent to County roads or **State** highways shall have a unifying theme and provide variation by using any of the following: changes in height, different material combinations, offset angles, material articulation, and/or plant materials.
7. Installation and Maintenance
  - A. **Landscaping** and irrigation devices shall be **Installed** in accordance with the approved landscape plan prior to issuance of a Certificate of Occupancy or commencement of the use. If approved Landscaping and irrigation cannot be installed prior to occupancy or commencement of the Use, a temporary Certificate of Occupancy may be issued upon posting of an approved financial assurance based on a contractor's estimate for completing the work, plus a 10 percent contingency. The work shall be completed prior to the end of the next planting season.
  - B. It is the responsibility of the property and/or business owner to maintain the Site as approved and provide for replacement of plant materials that have died or otherwise been damaged or removed, and for maintenance of all landscape materials including, but not limited to, fencing, paving, rocks, and retaining walls.



### 4.4.E. Fire Protection and Weed Mitigation

#### 1. Firewise Standards and Defensible Space

All subdivisions and developments requiring a landscape plan located within the **Wildland/Urban Interface** shall incorporate Firewise management practices into the design and maintenance of **Landscaping**. Firewise standards identify three zones at different distances from buildings and structures, and describe the landscape design and maintenance that should occur in these zones. All Defensible Space within these zones shall be maintained at least once annually.

- A. Zone 1: 0 to 10 feet from buildings, structures, decks, etc.
  - i. Remove native brush from under trees.
  - ii. Trim all trees so that the lowest branches and **Canopy** are above the roofline.
  - iii. Tree canopies shall be a minimum 10 feet apart.
  - iv. Trim or prune shrubs/vegetation to a maximum height of 2 feet and provide a clear space around each plant of at least 4 feet. Shrubs that normally grow taller than 2 feet shall be removed rather than being improperly pruned. Exception: Cultivated **Ground Cover** does not require clear space.
  - v. Remove all dead materials.
  - vi. Remove all combustible materials and vegetation from under decks.
  - vii. Remove native brush and grass within 10 feet of buildings, structures, and decks.
- B. Zone 2: 10 to 30 feet from buildings, structures, decks, etc.
  - i. Remove all ladder fuels by trimming, pruning up, or removing vegetation from under trees. The distance to the lowest tree branch shall be a minimum of three times the shrub height.
  - ii. Trim tree limbs a minimum of 6 feet from the ground.
  - iii. Tree canopies shall be a minimum of 10 feet apart and no closer than 10 feet to any structure.
  - iv. Reduce the continuity of fuels by removing dead materials and removing/thinning shrubs so that a **Person** can walk between them. Creating islands of shrubs/vegetation for wildlife habitat is recommended.
  - v. Cut grasses to a height no greater than 4 inches above ground level.
  - vi. Where vegetation is greater than 4 feet in height, create a clear space around each plant (or group of plants), with a width that is twice the height of the plant(s).
  - vii. On slopes greater than 20 percent gradient, vegetation treatment shall be extended an additional 100 feet to a total of 130 feet from the structure, or to the property line, if less than 130 feet.
  - viii. Remove the top or most recent layer of undecomposed (light-colored) pine needle or leaf droppings. The underlying darker, decomposing material should remain undisturbed.

- C. Zone 3: 30 to 150 feet from buildings, structures, desks, etc. where no slope exists.
  - i. Remove all ladder fuels by trimming, pruning up, or removing vegetation from under trees. The distance to the lowest tree branches shall be a minimum of 3 times the brush height.
  - ii. Remove all dead materials.

## 2. Weed Mitigation

All new subdivisions and developments requiring a landscape plan within the County shall provide for weed mitigation on development sites as outlined in this subsection. A qualified professional shall be consulted to develop effective weed treatment, revegetation, and monitoring plans. The landscape plan shall be prepared by a landscape architect, a professional landscape designer, a plant nursery, or other qualified professional, unless a waiver is approved by the **Community Development Director**.

- A. Pre-Construction: Existing Weeds and Proposed Ground Disturbance.
  - i. Identify all **Noxious Weed** species on the development site, including weeds on new roads and in staging and **Parking Areas**.
  - ii. Treat and remove all existing weeds prior to any ground disturbance. Methods for removal should combine tools such as direct removal and herbicide application.
  - iii. Minimize the area of the ground disturbance footprint to the greatest extent practical.
  - iv. Use only outside aggregate materials that are certified or guaranteed to be weed-free.
  - v. Decontaminate the undercarriages of all heavy equipment and machinery prior to use on the site.
- B. Post-Construction: Weed Control and Reseeding Plan.
  - i. Use integrated weed management to eradicate any reoccurrence of weeds using direct removal, herbicide application, and follow-up treatment.
  - ii. Reseed or plant disturbed areas with native, **Drought Tolerant** plants in sufficient density to prevent soil erosion and re-invasion of **Invasive Plants**. Soil conditions shall be evaluated prior to revegetation, treatment applied, and soil amendments added where necessary to establish reseeding.
- C. Long-term: Monitoring and Control.
  - i. Monitor the reoccurrence of **Noxious Weeds** across the entire property on an annual basis following construction.
  - ii. If weeds are found during annual monitoring, control is required as described above until the site is weed free.
  - iii. The site must remain weed free. A site visit may be conducted by the Community Development Department to document compliance.

### 4.4.F. Permits and Administration

- 1. Landscape Plan required: A landscape plan designed in accordance with this Section is required for all new subdivisions, development, and redevelopment for any Use other than single family





residential and **Duplexes** located on individual lots/parcels. The landscape plan shall be approved prior to any Site clearing. The landscape plan shall be prepared by a landscape architect, a professional landscape designer, or a plant nursery, or other qualified professional, unless a waiver is approved by the **Community Development Director**. Additions to an existing **Building**, or substantial improvements comprising 25 percent of the value of the Building prior to the improvements, as determined by the Chief Building Official, shall prompt compliance with these requirements for that portion of the Site affected by the improvements. Additions to an existing Building, or substantial improvements comprising over 50 percent of the value of the Building prior to the improvements, as determined by the Chief Building Official, shall prompt compliance with these requirements for the entire Site.

2. The plan shall include the following:
  - A. A **Site Plan** drawn to scale providing sufficient detail to evaluate the features of **Landscaping** and irrigation required by this Section. The Site Plan shall show the location of property lines, proposed contours, drainage Structures, existing and proposed development including all **Buildings** and parking, pedestrian, and circulation areas. If phased development is proposed, the phasing plan shall be identified. The plan shall show the location of all proposed Landscaped Areas, and the dimensions and total area (in square feet) for each interior parking lot Landscaped Area.
  - B. The location, design, and materials of all **Landscape Areas** including planting strips along all Streets, earth berms, retaining walls, fences, water features, retention areas, trash enclosures, lighting, and paved areas shall be shown.
  - C. The location, size, and type of all proposed plant and non-plant materials, including any existing vegetation to be retained and existing trees over 6-inch **Caliper** proposed to be removed.
  - D. A chart comparing the **Landscaping** requirements to the proposed materials and area covered, including, but not limited to, the following information:
    - i. Total parking lot and circulation areas, including interior drives and driveways (in square feet);
    - ii. Total number of parking stalls required and total provided;
    - iii. Total parking lot Landscaped Area required and total provided (in square feet);
    - iv. Total buffer and screen Landscaped Area required and total provided (in square feet);
    - v. Total site Landscaped Area required and total provided (in square feet);
    - vi. Total quantity and size of plant material required and the total provided;
    - vii. Size, type, and quantity of non-plant material to be provided;
    - viii. Any other information as the **Community Development Director** may determine is necessary to ensure compliance with this Ordinance.
  - E. All landscape plans must provide an irrigation plan. Irrigation systems shall be designed to maximize efficient water use and minimize the waste of water. An automatic irrigation system designed to provide efficient irrigation coverage is required.



- i. The irrigation system should be designed to correlate to the organization of plants into zones with similar watering requirements.
  - ii. The use of an approved greywater or treated effluent system, a collection system to capture rainwater runoff, and other alternatives for irrigation purposes are encouraged. 🌿
  - iii. A waiver from the automatic irrigation system requirement may be approved by the **Community Development Director**. If an alternative means of watering is proposed, a specific plan must be provided. Examples include manual watering, raingarden or permaculture design. 🌿
3. Modification to **Landscaping Standards**. The **Community Development Director** may grant minor modifications to the standards set forth in this Section constituting not more than a 20 percent reduction of required Landscaping, or a modification to the grouping of required plants through the Administrative Adjustment process as prescribed in **Section 5.6**. The following Findings shall be made before approving a modification.
    - A. The strict application of these standards is not practical due to existing physical conditions including limited water availability;
    - B. The modification is consistent with the purpose of this Section; and
    - C. The modification is the minimum modification that would afford relief and would be the least modification of the applicable provisions of this Section.
  4. Modifications to **Landscaping Standards** constituting more than a 20 percent reduction of required Landscaping shall require approval of a Variance as outlined in **Section 5.8** of this Ordinance.
  5. If the **Community Development Director** determines that the proposed Landscaping does not comply with this Ordinance, the plan will not be approved.

## 4.5 Projections into Required Yards

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### 4.5.A. Purpose

The purpose of required Yards is to ensure that the use of a property does not infringe on the rights of neighbors, to allow room for light and sunshine in the building, to reduce the spread of fire from Structure to Structure, to provide space for outdoor recreation, and to serve as filtration areas for stormwater runoff. Minor Allowed projections are permitted into Yards in order to provide reasonable levels of flexibility for encroachment into required Yards while protecting the purpose of the Yard.

### 4.5.B. Applicability and Exemptions

The following **Performance Standards** apply in all zones unless otherwise specified.


### 4.5.C. Performance Standards

1. Separation distances between Structures on the same property are regulated by the adopted Building Code.
2. Projections of a Structure, such as steps or stairways, chimneys, bay or bow windows, and attached greenhouses, shall be permitted the following projections:



- A. In any Residential Zone may project not more than 6 feet into any required Front, Street Side, or Rear Setback, nor into any required Side Setback more than one half of said required Side Setback.
  - B. In any **Commercial Zone**, may not project more than 4 feet into any required Setback. Greater projections may be permitted when it is demonstrated that such additional projections are needed for solar or alternative energy purposes, subject to the approval of the **Community Development Director**. 🌿
  - C. In any Industrial Zone, may not project more than one-half the width of the required Setback. Greater projections may be permitted when it is demonstrated that such additional projections are needed for solar or alternative energy purposes, subject to the approval of the **Community Development Director**. 🌿
3. Uncovered paver/stone patios or slabs on grade may encroach into any Setback. Balconies, porches, or decks shall not encroach or project into any required Setback.
  4. Swimming pools and spas, including all Accessory or appurtenant Structures and equipment, shall be allowed to encroach so long as they maintain a minimum Setback of 5 feet from all property lines and **Buildings**, except as permitted in **Section 2.3.D.5.A**.
  5. A detached **Accessory Structure**, including **Distributed (Individual) Renewable Energy Systems** in Residential Zones, regardless of the requirements for **Building Permits**, shall meet all Setback and separation requirements for the underlying zone except as provided herein:
    - A. A detached Structure shall meet the Setback requirements of the main **Building** for the Front and Street Side Setbacks.
    - B. A detached Accessory Structure which does not exceed 15 feet in height and 600 square feet in area shall meet the Front and Street Side Setbacks but may be located within an Interior Side or Rear Setback provided, however, that such Structure shall not be located closer than 5 feet to an Interior Side or Rear **Lot Line**.
    - C. In the RS-6,000, RS-10,000, RMH, and MHP Zones on parcels of ½ acre or smaller:
      - i. Structures that are 120 square feet or less shall meet the Front and Street Side Setbacks but may be within 3 feet from any Interior Side or Rear Property Line.
      - ii. Structures that are 64 square feet or less and 8 feet or less in height measured to the highest peak may have a 0 foot separation from the main **Dwelling** and a 1 foot Interior Side or Rear Setback as long as the roof does not drain onto an **Adjacent** property.
6. Canopies and Eaves
    - A. In any residential Zone on Lots smaller than 1 acre, Canopies or roofs attached to the main **Building** or connecting the main Building with a detached **Accessory Structure** may extend into a required Rear or Interior Side Setback provided that portions of such Structure extending into the Setback:
      - i. Shall not exceed 15 feet in height nor project closer than 5 feet to an Interior Side or Rear **Lot Line**;



- ii. Shall be entirely open on at least three sides except for necessary supporting columns, except that a roof connecting a main **Building** and an Accessory Structure shall be open on at least two sides.
  - B. In any non-Residential Zone, detached canopies shall be considered **Accessory Structures** and shall meet all of the Setback requirements for main **Buildings**. No portion of the **Canopy** shall extend into the Setback. Canopies may be located in front of the main Building outside the required Front and Street Side Setback.
  - C. In any Zone, roof eaves may extend into any required Setback up to 3 feet.
7. Energy Efficient Improvements and Cisterns, Rain Barrels, and other Water Collection Systems 
- A. Above-ground water collection systems may be located within an Interior Side or Rear Setback provided, however, that such Structure shall not be located closer than 3 feet to an Interior Side or Rear **Lot Line**.
  - B. The exterior walls of buildings of that are retrofitted for improved energy efficiency such as for insulation or vertical solar arrays, may project into required Yard Setbacks by 1 foot.

#### 4.5.D. Permits and Administration

1. Applicable Building, Environmental Quality, and Engineering Permits apply. Planning and Zoning shall review requested projections into required **Yards** through the issuance of such permits.
2. Administrative Adjustments
  - A. Required Yards may be reduced per the standards of **Section 5.6**.

## 4.6 Walls and Fencing

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### 4.6.A. Purpose

The purpose of walls and fencing at or near the property line is to provide visual screening, security, privacy, decorative enhancement, and containment of animals, between properties of the same use and zone, and between properties that are zoned differently and that allow land uses that may require additional screening between uses. Wildlife-friendly fence construction that is compliant with these standards is encouraged to maintain and promote wildlife migration and movement (guidelines are available online with the Arizona Game and Fish Department).

### 4.6.B. Applicability

The provisions of this Section shall not apply to a wall or fence required by any law or regulation of the State of Arizona or any agency thereof.

### 4.6.C. Performance Standards

1. In any required Front or Street Side Setback, an opaque or solid wall or fence shall not exceed 3 feet in height. Non-opaque fences, which are at least 50 percent transparent, may be established in any required Front or Street Side Setback to a maximum height of 6 feet.
2. A wall or solid fence not more than 6 feet in height, as measured from the **Highest Adjacent Grade**, may be maintained along the Interior Side or Rear **Lot Lines** provided that such wall or solid fence

does not extend into a required Front or Street Side Setback. Stacking firewood along a property line shall be considered a wall or fence and must meet height limits.

3. A wall or fence adjacent to a driveway providing vehicular **Access** to an **Abutting** Lot shall not exceed 3 feet in height within 15 feet of the intersection of said driveway and the Street **Right-of-Way** so as not to obstruct visibility.
4. Tires may not be used to construct walls, unless they are fully encapsulated so as to prevent the accumulation of water inside the tires, and subject to the granting of a **Building Permit**.
5. Industrial Zones allowances

Barbed wire, electrical fences, or other similar materials on top of walls and fences in Industrial Zone may be permitted per the standards of **Section 5.6**.

#### 4.6.D. Permits and Administration:

1. Applicable Building, Environmental Quality, and Engineering Permits apply. Planning and Zoning review shall be conducted through the issuance of such permits.
2. Walls or fences exceeding 6 feet in height may be permitted only through the Variance or Administrative Adjustment procedure set forth in **Chapter 5, Administration**, and subject to the granting of a **Building Permit**.

## 4.7 Outdoor Storage and Associated Visual Screening

### 4.7.A. Purpose

The purpose of outdoor storage and visual screening requirements is to ensure visual and aesthetic compatibility of uses that may impact neighboring properties, either within the same zoning or between properties of different zoning districts.

### 4.7.B. Applicability

The following performance standards apply in all zones unless otherwise specified.

### 4.7.C. Performance Standards

#### 1. Residential

In all Residential Zones, outdoor storage of **Unlicensed** or **Inoperable Vehicles**, vehicle parts, tires, secondhand building material, pipe, drums, appliances, household furniture, household refuse, unlicensed Travel Trailers or utility trailers, etc., shall be permitted subject to the following conditions:

- A. For any Lot or parcel of land, the area permitted for the above-described outdoor storage shall be 200 square feet. An additional 100 square feet of outdoor storage per acre for properties larger than 1 acre shall be permitted up to a maximum of 2,000 square feet.
- B. On any Lot or parcel of land, all outdoor storage shall be located to the rear of the primary structure on the property, and screened from neighboring properties and roadways by a wall; opaque, rigid fencing; **Landscaping**; or other Structure. **Secondhand Materials** may not be used for the construction of such screening unless otherwise approved by the **Community Development Director**. Any wall or fencing shall not exceed 6 feet in height and shall be



subject to the provisions of **Section 4.6**. Stored Secondhand Materials, vehicle parts, etc., shall not be stacked so as to be visible above the required screening, or more than 6 feet high. The provisions of this paragraph shall not be construed to restrict the storage of firewood maintained for personal use by the occupant of the premises.

- C. All permitted screened outdoor storage areas shall meet the minimum required Building Setbacks as prescribed by this Section.
- D. Outdoor storage shall not be permitted on any parcel unless there is a **Dwelling** or approved residential use on the parcel.
- E. Temporary storage of construction materials shall be permitted on any Lot or parcel of land provided such materials are being used in conjunction with a valid construction project on that Lot or parcel.
- F. In the MHP Zone, outdoor storage of **Unlicensed or Inoperable Vehicles**, vehicle parts, auto parts, tires, secondhand building materials, pipe, drums, appliances, household furniture, household refuse, unlicensed Travel Trailers or utility trailers, etc. shall be subject to the following conditions:
  - i. A maximum area of 200 square feet may be used on any one Lot or **Manufactured Home Space** for outdoor storage.
  - ii. Such outdoor storage shall be located to the rear of the main **Dwelling**.

## 2. Commercial

The outdoor storage of any items, **Unlicensed and/or Inoperable Vehicles**, Travel Trailers, boats, **Recreational Vehicles**, or **Secondhand Materials** is prohibited, unless a **Conditional Use** permit is approved by the Planning and Zoning Commission for said outdoor storage.

## 3. Industrial

The outdoor storage of any items, including but not limited to items for sale, **Unlicensed and/or Inoperable Vehicles**, Travel Trailers, boats, **Recreational Vehicles**, or **Secondhand Materials** is prohibited, unless a **Conditional Use** permit is approved by the Planning and Zoning Commission for said outdoor storage.

## 4. Outdoor Storage Associated with a **Conditional Use** Permit

Screening and **Landscaping** requirements for a Conditional Use shall be specified in the use permit.

### 4.7.D. Permits and Administration

1. Applicable Building, Environmental Quality, and Engineering Permits apply. Planning and Zoning review shall be conducted through the issuance of such permits
2. Establishment of Storage and Screening requirements through the issuance of a **Conditional Use** permit shall be in compliance with the provisions of **Section 5.7**.



## 4.8 Performance Standards Between Zones

### 4.8.A. Purpose

The purpose of this Section is to provide additional required standards between zoning districts to create visual, safety, noise, and aesthetic buffers in order to improve compatibility between zoning districts.

### 4.8.B. Applicability

The following performance standards apply to all new public/semi-public, commercial, and industrial development, and existing parcels being redeveloped, except for Single Family and **Duplex** residential on individual lots/parcels, unless otherwise specified.

### 4.8.C. Performance Standards

The following requirements are in addition to the requirements of the specific zoning district.

1. Compatibility Setback Standards apply as presented in **Table 4-10**:

**TABLE 4-10: COMPATIBILITY SETBACK STANDARDS**

Land Use Category	Side and Rear Setbacks When Abutting or Adjacent to a Residential Zone	Use of Compatibility Setbacks
Public/Quasi-Public Use within a G, AR, RR, RS, RM, or RMH Zone	50 feet	20 feet of Setback near a street or residential zone boundary must be landscaped; interior side and rear Setbacks not adjacent to streets or residential zones may be used for off-street parking, landscaping, and recreation purposes.
Industrial Use	50 feet	20 feet of Setback near a street or residential zone boundary must be landscaped; interior side and rear Setbacks not adjacent to streets or residential zones may be used for off-street parking, landscaping, and recreation purposes.
Commercial Use	20 feet	10 feet of Setback near a street or residential zone boundary must be landscaped; interior side and rear Setbacks not adjacent to streets or residential zones may be used for off-street parking, landscaping, and recreation purposes.
Commercial and Other Use, or Interstate Highway Interchanges, or G, AR, or RR Zone	50 feet	Interior side and rear Setbacks may be used for off-street parking, landscaping, and recreation purposes.
Mineral Resource Zone	100 feet	20 feet of Setback near a street or residential zone boundary must be landscaped; interior side and rear Setbacks not adjacent to streets or residential zones may be used for off-street parking, landscaping, and recreation purposes.



**TABLE 4-10: COMPATIBILITY SETBACK STANDARDS**

Land Use Category	Side and Rear Setbacks When Abutting or Adjacent to a Residential Zone	Use of Compatibility Setbacks
COMMERCIAL USE	10' (landscaped portion), 20' (setback)	
INDUSTRIAL USE	20' (landscaped portion), 50' (setback)	
PUBLIC/QUASI-PUBLIC USE	20' (landscaped portion), 50' (setback)	
MINERAL RESOURCE USE	20' (landscaped portion), 100' (setback)	

**Compatibility Setbacks**

- 2. Screening at the Property Line Standards apply as presented in **Table 4-11:**

**TABLE 4-11: SCREENING AT THE PROPERTY LINE STANDARDS**

Land Use Category	Screening at the Property Line along Streets and When Abutting a Residential Zone
Public/Semi-Public, Commercial, or Industrial Use	Along front and street side Setbacks, a 3-foot wall or berm in back of the landscaped area; along all property lines between a residential use, a 6-foot masonry wall or solid fence of wood or other material in back of the landscaped area.
Mineral Resource Zone	Along front and street side Setbacks, a 3-foot wall or berm in back of the landscaped area; along all property lines between a residential use, a 6-foot masonry wall or solid fence of wood or other material in back of the landscaped area.



#### 4.8.D. Permits and Administration

1. Applicable Building, Environmental Quality, and Engineering Permits apply. Planning and Zoning review shall be conducted through the issuance of such permits.
2. Modification to Performance Standards Between Zones. The **Community Development Director** may grant minor modifications to the standards set forth in this Section. Modifications will constitute not more than a 20 percent reduction of required compatibility Setback, or a waiver for screening at the property line through the Administrative Adjustment process, as prescribed in **Section 5.6**. The following Findings shall be made before approving a modification.
  - A. The modification is consistent with the purpose of this Section, and
  - B. The modification is the minimum modification that would afford relief and would be the least modification of the applicable provisions of this Section, and
  - C. If the property requesting a reduction in compatibility Setback is **Adjacent** to non-residential development within a residential zone, or
  - D. If existing or new **Landscaping** provides solid screening at the property line, the requirement for a solid masonry wall or fence may be waived.

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## CHAPTER 5: Administration

### 5.1 Permit Application Requirements and Time Frames

#### 5.1.A. Purpose

The purpose for permit application requirements is to ensure that the proposed **Use** conforms with the purposes, intent, and policies of the **Comprehensive Plan** and any applicable area, neighborhood, or other plan adopted by the **Board of Supervisors**; to establish information that is required from permit applicants for all Planning and Zoning permits; and to establish processing time frames for each application type. Permit information is required to ensure that the proposed use will not be detrimental to the health, safety, or general welfare of **Persons** living or working in the vicinity; to **Adjacent** property; to the neighborhood; or to the public in general.

#### 5.1.B. Administrative Permits

1. The following information shall be submitted when applying for an **Administrative Permit**. The **Community Development Director** may require additional information or plans, if they are necessary to enable a determination as to whether the circumstances prescribed for the granting of the Permit exist. The Community Development Director may authorize omission of any or all of the plans and drawings required by this Section if they are not determined to be necessary.
  - A. A completed Coconino County Permit application form including, name, address, phone number, and signature of the property owner; name, phone number, fax number, and email address (if applicable) of applicant or contact **Person**, if different from the property owner; Assessor's Parcel Number; **Subdivision**/unit/lot if applicable; **Site** address/location; existing zoning; existing land use; **Lot Size**; written description of the permit request; and permit fee.
  - B. Two copies, or a digital submittal, of a **Site Plan** drawn to an engineering scale using accurate dimensions showing all property lines, improvements, uses, landscaped areas, location of all adjacent **Streets** or **Right-of-Ways** providing access to the Site, **Easements**, traffic flow, and **Parking Areas**.
  - C. A copy of all recorded **Easements** applicable to the request shall be provided.
  - D. A separate **Building Permit** application shall be submitted for all **New Construction** and electrical installation. Required Building Permits shall be obtained prior the initiation of construction.
  - E. A separate Lighting Permit application shall be submitted for any new exterior lighting as required by **Section 4.3**.
  - F. A separate **Sign** Permit application shall be submitted for any new signage as required by **Section 4.2**.
  - G. Prior to the issuance of a Permit, a bond or other accepted assurance may be required. This deposit shall be used to defray the costs of cleanup of the property by the **County** in the event the permittee fails to do the same.
2. **Administrative Permit** time frames pursuant to A.R.S. § 11-1605 are as follows:



- A. Administrative completeness shall be determined within 30 calendar days of the submittal of an application. Applicants will be notified in writing of an incomplete application with a list of deficiencies. Notice in writing of application deficiencies shall suspend the administrative completeness time frame until such time as all deficiencies have been addressed.
  - B. Substantive review of all Permit applications shall be completed within 30 calendar days from the determination that the Permit application is administratively complete. One written request for additional information may be made to the applicant during this review process.
  - C. The total time frame for the granting or denying of an Administrative Permit is 60 days.
  - D. Time frames are tolled and may be waived in accordance with A.R.S. § 11-1601 et seq.
3. The following Uses shall require issuance of an **Administrative Permit** prior to initiating or constructing the Use:
    - A. **Campgrounds** in commercial zoning districts, **Community Coops**, **Community Gardens**, Floodplain Permits, **Group Homes for the Disabled**, **Home Occupations**, **Medical Marijuana Dispensaries**, Medical Marijuana Cultivation Facilities, **Metal Storage Containers**, **Recreational Vehicle Parks**, **Recreational Vehicles** and Travel Trailers as a Permanent Residence, **Temporary Use Permits**, and **Minor Changes** to a Planned District **Development Plan**.
    - B. Consult the applicable Section for **Performance Standards** and other requirements.
  4. Issuance of **Administrative Permits** shall comply with the following:
    - A. Permits shall be issued when compliance with this Ordinance is verified. If the **Community Development Director** determines that the proposed use does not comply with this Ordinance, the permit shall be denied.
    - B. All open zoning violations shall be resolved prior to the issuance of a Permit.
    - C. All other required Permits, approvals, and licensing as necessary (approvals from the Sheriff's Office, Fire Marshall or Fire District, Public Works or the Public Health District, Design Review Overlay, **Conditional Use** permit, **Variance**, etc.) shall be obtained prior to the issuance of an Administrative Permit.

#### 5. Revocation

If a zoning permit or **Conditional Use** permit is revoked, a new **Administrative Permit** for the same owner and location may not be issued for a period of at least 1 year from the date of revocation.

#### 6. Validity Limit

The Administrative Use Permit shall be valid for the use for which the permit was granted for the length of time indicated on the permit as long as the use is in compliance with the conditions of approval and other applicable ordinances.

### 5.1.C. Permits Requiring Hearing

1. The following information shall be submitted when applying for a Permit requiring public hearing. The **Community Development Director** may require additional information or plans, if they are



necessary to enable a determination as to whether the circumstances prescribed for the granting of a Permit exist. The Director may authorize omission of any or all of the plans and drawings required by this Section if they are not necessary.

- A. A completed Permit application form including, name, address, phone number, and signature of the property owner; name, phone number, fax number, and email address of applicant or contact **Person**, if different from the property owner; Assessor's Parcel Number; **Subdivision**/unit/lot if applicable; site address/location; existing zoning; existing land use; **Lot Size**; written description of the permit request; date of pre-application meeting; and permit fee.
  - B. When required, a Citizen Participation Plan and Report shall be completed in accordance with **Section 5.3**.
  - C. A narrative describing the request and the precise manner of compliance with each of the applicable provisions of this Chapter, together with any other data pertinent to the findings prerequisite to the granting of the Permit.
  - D. A **Site Plan** drawn in an engineering scale using accurate dimensions showing property boundaries, existing and proposed improvements and Uses, and locations of driveways, pedestrian walks, landscaped areas, **Open Space**, fences, walls, off-street **Parking Areas** including ingress and egress, traffic flow, and **Easements**. The number of copies and size of required Site Plans that shall be provided for hearings are determined based on the permit type and may be modified on a case-by-case basis by the **Community Development Director**.
  - E. A copy of all recorded **Easements** applicable to the request.
  - F. A landscape plan detailing the locations of existing vegetation (both to be retained and to be removed); the location and design of landscaped areas; the number, varieties, and sizes of proposed plant materials; and other landscape features including sprinkler and irrigation systems as required by **Section 4.4**.
  - G. Architectural drawings including floor plans in sufficient detail to determine **Setback** and parking requirements and elevations of all proposed **Structures** as they will appear upon completion. All exterior surfacing materials and colors shall be specified. Color renderings or paint and material samples are required.
  - H. Signage plan detailing all existing and proposed **Signs**, including their location, size, materials, color, and method of illumination as required by **Section 4.2**.
  - I. Lighting plan including location of all outdoor lighting fixtures and description of each (i.e., Lamp Type, **Lumen** output, Shielding) as required by **Section 4.3**.
  - J. Plans and/or a preliminary report describing the proposed provisions for storm drainage, sewage disposal, and such other public improvements and utilities as the Director may require in order to give a full evaluation of the project.
  - K. The application shall be accompanied by a fee established by resolution of the **Board of Supervisors** to cover the cost of handling the application as prescribed in this Section.
2. Time Frames for Permits requiring Hearings pursuant to A.R.S. § 11-1605 are as follows:



- A. Administrative completeness pursuant to A.R.S. § 11-1605 shall be determined within 60 calendar days of the submittal of an application. Applicants will be notified in writing of an incomplete application with a list of deficiencies. Notice in writing of application deficiencies shall suspend the administrative completeness time frame until such time as all deficiencies have been addressed.
- B. Substantive review of applications shall be completed within 120 calendar days from the determination that the application is administratively complete. One written request for additional information may be made to the applicant during this review process. To accommodate changing conditions or plans, the applicant may agree to respond to additional requests for information. The substantive review includes investigation and report on the case. The substantive review time frame is suspended during the public hearing process. The public hearing process begins at the posting of the case and is complete upon mailing of the permit resolution per A.R.S. § 11-1605(c)(8)(c).
- C. The total time for the granting or denying of the Permit approval is 180 days.
- D. Time frames are tolled and may be extended in accordance with A.R.S. § 11-1601 et seq.

## 5.2 Pre-Application Review

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### 5.2.A. Purpose

The purpose of a pre-application review is to familiarize applicants with application requirements and the review process and procedures, to identify land use and development policies that may affect the development proposal, and to identify and address potential problems as early in the process as possible.

### 5.2.B. Administration

#### 1. Pre-Application Review Requirements

Pre-application reviews must occur within 6 months prior to the submittal of an application. The following applications are required to have a pre-application review prior to the submittal of an application: **Conditional Use** permits; **Zone Changes**; **Subdivisions**; Design Review Overlay approval for cases that require a hearing; Zoning Code, **Area Plan**, and **Comprehensive Plan** Amendments; Medical Marijuana Facilities; Variances; and Abandonments.

#### 2. Request for Pre-Application Review

Applicants shall request a pre-application review unless waived by the Director. A pre-application request form is required. Applicants are strongly encouraged to develop a preliminary **Site Plan** depicting property lines, locations of existing and proposed Structures, parking and landscaped areas, property constraints including significant topographic features or flood hazard areas to be utilized during review, and infrastructure. A narrative report is also recommended detailing the specific request and potential operation.

#### 3. Pre-Application Review Meeting





The Director shall maintain a pre-application meeting schedule. The pre-application meeting includes, but is not limited to, representatives from planning, zoning, building, sustainable building, flood control, engineering, hydrology, and environmental services. Staff shall provide applicants with information on process requirements including, but not limited to, application submittal requirements, citizen participation plan and notification requirements, and background information or additional studies necessary to adequately assess a project. Whether or not a development proposal meets relevant ordinances and plan policies may be discussed, but a final staff recommendation will not be made until a formal application is evaluated.

#### 4. Pre-Application Review Waiver

The Director may waive the requirement for pre-application review upon formal request by the applicant.

## 5.3 Citizen Participation

### 5.3.A. Purpose

The purpose of the citizen participation process is to maximize the opportunity for citizen involvement for Permits requiring a public hearing. This process is to ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and mitigate any real or perceived impacts their application may have on the community or on the neighborhood. The purpose is also to ensure that the citizens and property owners of Coconino County have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process, and to facilitate ongoing communication between the applicant, interested citizens, property owners, County staff, and elected officials throughout the application review process. The citizen participation process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making.

### 5.3.B. Administration

Citizen Participation Plan and Citizen Participation Plan Report Requirements. Every **Subdivision** (if applicable), zone change, and **Conditional Use** permit application shall include a Citizen Participation Plan that is developed in consultation with Planning and Zoning staff during the pre-application meeting. The Citizen Participation Plan Report will contain written results of a neighborhood community meeting. The Citizen Participation Plan and Citizen Participation Plan Report shall be prepared in accordance with the following:

1. Citizen Participation Plan. At a minimum, the Citizen Participation Plan shall include the following:
  - A. A draft letter or notice of a Neighborhood Community Meeting, with flyers and other written material. The letter or notice shall notify residents, property owners, interested parties, and public and private agencies who may be affected by the application of the substance of the zone change, amendment, or development proposed by the application. Planning and Zoning staff shall review the letter prior to mailing.

- B. Interested and affected parties will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing at a Neighborhood Community Meeting, as outlined in **Section 5.3.B.2**.
  - C. A mailing list of residents, property owners, interested parties, and public and private agencies who will receive the invitation, as determined by **Section 5.3.B.2.D**. The Coconino County Community Development Department will generate the list.
  - D. The applicant's schedule for completion of the Citizen Participation Plan.
2. Neighborhood Community Meeting. Applicants for a **Subdivision** (if applicable), zone change, or a **Conditional Use** permit must conduct a Neighborhood Community Meeting that meets the following requirements:
- A. The meeting must be conducted on site or in the general vicinity of the property involved in the application, subject to the approval of the Director. The meeting serves as a forum for information exchange between applicants and affected members of the public.
  - B. Affected members of the public shall be noticed in writing of a Neighborhood Community Meeting not less than 10 days or more than 21 days prior to the meeting.
  - C. An applicant may make a written request and receive a written determination whether, due to impractical circumstances, such as a site surrounded by federal lands, the requirement for a community meeting may be waived by the Director. At a minimum the request must explain why the applicant's Citizen Participation Plan provides other adequate, alternative opportunities for citizens to express any concerns, problems, or issues they may have with the proposal in advance of the public hearing. The Director shall make his or her determination a part of the written record in the case.
  - D. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the Site. The target area for notification will be determined after consultation with Community Development Department staff. At a minimum, the target area shall include the following and, when applicable, notice shall conform to requirements set forth in A.R.S. § 11-813 and A.R.S. § 11-814:
    - i. Property owners within the 300-foot public hearing notice area required or further as required by other sections of this Ordinance, or as determined by the Director;
    - ii. The head of any property owners' association within the notice area required by other sections of this Ordinance;
    - iii. Other potentially affected property owners outside of the legal notice area as determined by Community Development Department staff; and
    - iv. Other interested parties who have requested that they be placed on a list of interested parties maintained by the Community Development Department.
  - E. These requirements apply in addition to any notice provisions required elsewhere in this Ordinance.

3. Citizen Participation Plan Report. The applicant shall provide a written report on the results of his or her Citizen Participation Plan. This report shall be attached to the staff report submitted to the Planning and Zoning Commission. At a minimum, the Citizen Participation Plan Report shall include the following information:
  - A. Details of the techniques the applicant used to involve the public, including:
    - i. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
    - ii. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters, and other publications;
    - iii. The address list of residents, property owners, and interested parties notified, as well as newsletters or other written materials; and
    - iv. A sign-in sheet from the Neighborhood Community Meeting listing the number of people notified about the meeting, the number of people that participated in the process, and the percentage of those notified that participated in the process.
  - B. A written summary of concerns, issues, and problems expressed during the process, including:
    - i. The substance of the concerns, issues, and problems;
    - ii. How the applicant has addressed or intends to address concerns, issues, and problems expressed during the process; and
    - iii. Concerns, issues, and problems the applicant is unwilling or unable to address and why.

## 5.4 Public Hearing Time and Notice

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### 5.4.A. Duties of the Director

The **Community Development Director** shall set the time and place of public hearings required by this Ordinance to be held by the Planning and Zoning Commission and **Board of Adjustment**, as listed in this Section, provided that the **Commission** or Board may change the time or place of a hearing with 24 hours advance notice. However, the Planning and Zoning Commission or Board of Adjustment shall hold a public hearing within 75 days after a complete application has been filed unless extended at the request of the applicant.

1. Public notice shall be given for the following hearings to be held by the Planning and Zoning Commission:
  - A. **Comprehensive Plan** Adoption and Amendments
  - B. **Conditional Use** Permits
  - C. Design Review Overlay Applications
  - D. Determinations of Uses Not Listed
  - E. **Subdivisions**
  - F. Rezoning



**G. Zoning Ordinance Adoption and Amendments****H. Public Easement Abandonment**

2. Public notice shall be given for the following hearings to be held by the **Board of Adjustment**:
  - A. Variances
  - B. Interpretations of the Zoning Ordinance
3. Public Notice. A minimum of 15 days prior to a Planning and Zoning Commission or Board of Adjustment hearing, the **Community Development Director** shall provide notice by:
  - A. Mailing notices of public hearings to all **Persons** who appear on the latest adopted tax roll of Coconino County as owning property within 300 feet of the exterior boundaries of the property that is the subject of the hearing.
  - B. Posting notice of the public hearing on the subject property to be considered at the hearing.
  - C. For Rezoning, Zoning Ordinance Adoption or Amendments, and **Comprehensive Plan** Adoption or Amendments, the Director shall mail, post, and publish notice in accordance with A.R.S. § 11-805, § 11-813, and § 11-814.

**5.4.B. Duties of the Clerk of the Board**

1. The Clerk of the Board shall set the time and place of public hearings required by this Ordinance to be held by the **Board of Supervisors**, provided that the Board may change the time or place of a hearing with 24 hours advance notice. The Board of Supervisors shall hold a public hearing on a rezoning request, a subdivision preliminary plat, a public **Easement Abandonment**, appeals, a Zoning Ordinance amendment, or **Comprehensive Plan** adoption or amendment not less than 60 days after notice of a recommendation by the Planning and Zoning Commission, or an appeal filed with the Clerk of the Board, unless the applicant or appellant shall consent to an extension of time.
2. For Rezoning, Zoning Ordinance Adoption or Amendments, or **Comprehensive Plan** Adoption or Amendments, the Clerk of the Board shall mail, post, and publish notice in accordance with A.R.S. § 11-805, § 11-813, and § 11-814.

**5.5 Appeals: Board of Supervisors Review****5.5.A. Appeal of Decision of Planning and Zoning Commission**

Where this Ordinance provides for appeal to the **Board of Supervisors** of an administrative decision of the Planning and Zoning Commission on a **Conditional Use** permit, Design Review Overlay, or Determination of Uses Not Listed, the appeal shall be made within 15 days of the date of the decision by filing a letter of appeal, with the associated fee, if so adopted, with the **Community Development Director**. The appeal shall state in writing the grounds for the appeal including specific conditions of concern, if applicable.

**5.5.B. Board Action on Appeal**

The **Board of Supervisors** shall hold at least one public hearing on a decision of the Director or Planning and Zoning Commission that has been appealed. The hearing shall be held within 90 days from the filing



of the appeal unless an extension is requested by the applicant; the time and place of the hearing shall be set by notice given as prescribed in **Section 5.4**. The Board shall render a decision on an appeal within 40 days following the closing of the public hearing on the appeal unless an extension is requested by the applicant. Failure of the Board to act within the time period prescribed by this Section shall be deemed approval of the Planning and Zoning Commission action. The Board shall review appeals de novo. The Board may affirm, reverse, or modify a decision of the Planning and Zoning Commission. The decision of the Board of Supervisors shall be final.

## 5.6 Administrative Adjustments

### 5.6.A. Purpose

The purpose of this Section is to grant authority to the **Community Development Director** to take action on requests for minor modifications or adjustments to certain requirements of this Ordinance when such requests constitute a reasonable use of property not permissible under a strict, literal interpretation of the regulations.

### 5.6.B. Adjustments Allowed

For the purpose of administering this Section, an Administrative Adjustment is any modification of the terms or requirements of this Ordinance, which, if granted, would allow the following:

1. A decrease of not more than 10 percent of the required minimum **Parcel or Lot Size**, width or depth.
2. A decrease of not more than 20 percent of the required width of a front, side, or rear Setback.
3. An increase of not more than 20 percent in the permitted height of a fence or wall.
4. An increase of not more than 10 percent of the Projection into Required **Yards** permitted in **Section 4.5** of steps, stairways, landings, eaves, overhangs, masonry chimneys, and fireplaces into any required front, rear, side, or Yard between **Buildings**.
5. An increase of not more than 10 percent of the permitted height or area of signs.
6. An increase of not more than 10 percent in the maximum allowable **Lot Coverage**.
7. An increase of not more than 10 percent in the permitted height of buildings.
8. An increase of not more than 20 percent in the permitted height of the zone for **Appurtenances** such as religious symbols or watch **Towers**.
9. A decrease of not more than 10 percent in minimum Setbacks, parcel or **Lot Size** for animal keeping. A corresponding reduction of one of the total number of horses or other **Livestock**, goat, sheep, or swine shall be required with the requested reduction in Setback, Parcel, or Lot Size.
10. An adjustment to a Parcel or **Lot Size** based on eminent domain action taken by a public agency, or a dedication and acceptance of a portion of a parcel or lot for public **Right-of-Way**. No fees shall be collected with this type of administrative adjustment.
11. All other administrative adjustments and waivers to standards as listed in this Ordinance for: **Accessory Dwelling** Unit separation distance and maximum square footage in **Section 3.4.D.2**, Off-



Street Parking requirements in **Section 4.1.D**, Off-street Parking paving in **Section 4.1.C.3.C.i**, **Parking Area** design dimensions in **Section 4.1.C.3.D**, Exempt Noncommercial Signs height in **Section 4.2.B.1.F**, **Landscaping** standards in **Section 4.4.F.3**, Compatibility Setback standards in **Section 4.8.D.2**, and **Minor Changes** to a Planned District Zone in **Section 2.11.C.5.B**.

### 5.6.C. Permits, Findings, and Administration

#### 1. Permits

- A. Administrative Adjustments and waivers shall require issuance of an **Administrative Permit** subject to the provisions of **Section 5.1.B**.
- B. In addition to the Administrative Permit, applicable Building, Environmental Quality, and Engineering Permits may be required. Planning and Zoning review shall be conducted through the issuance of such permits.

#### 2. Findings. In granting an Administrative Adjustment, the **Community Development Director** shall make the following findings of fact:

- A. The proposed Use will not be detrimental to health, safety, or general welfare of **Persons** living or working in the vicinity, to **Adjacent** property, to the neighborhood, or to the public in general;
- B. The proposed Use otherwise conforms with the conditions, requirements, or standards of this Ordinance and any other applicable local, **State**, or federal requirements;
- C. For items listed in **Section 5.6.B.11**, the Director must find compliance with the standards listed in the Sections specified.

#### 3. Administration and Other Requirements

- A. Permits shall be issued when compliance with this Ordinance is verified. If the **Community Development Director** determines that the proposed use does not comply with this Ordinance, the permit shall be denied.
- B. Expiration of Approval. The administrative adjustment approval shall expire within 1 year of issuance if a building permit, when required, is not obtained, or if construction is not commenced.
- C. Reduced Interior Side and Rear Setbacks: At the discretion of the Director, in order to grant approval of an Administrative Adjustment allowing a reduction in minimum interior side Setback, a letter from the affected neighbor supporting the request must be submitted by the applicant.
- D. **Minor Change** to a Planned District Zone: In order to grant an Administrative Adjustment for a Minor Change within a Planned District Zone, as per **Section 2.11.C.5.B**, the following additional requirements must be satisfied prior to approval of such Administrative Adjustment:
  - i. Planning staff shall notify the Planning and Zoning Commission about the requested change as an update during its regular session. If the Planning and Zoning Commission finds the change constitutes a **Major Amendment** to a Planned District Zone, then the Major Amendment process shall be required to process the request.



#### 4. Decision of Director

If the **Community Development Director** denies an application for an Administrative Adjustment, or if the applicant disagrees with the conditions imposed by the granting of an Administrative Adjustment, if any, the applicant may file for a Variance in accordance with **Section 5.8**. Any Minor Amendments to a Planned District Zone denied by the Director shall be referred to the Planning and Zoning Commission as a **Major Amendment**.

## 5.7 Conditional Use Permits

### 5.7.A. Purpose

In order to give the Use regulations the flexibility necessary to achieve the objectives of this Section, in certain zones **Conditional Uses** are permitted, subject to the granting of a Conditional Use permit. Because of their unusual characteristics, Conditional Uses require special consideration so that they may be located properly with respect to the objectives of the zoning regulations and their effects on surrounding properties, including impacts to the transportation system; public health, safety, and welfare; and the natural environment. In order to achieve these purposes, the Planning and Zoning Commission is empowered to grant and to deny applications for Conditional Use permits in such zones as are prescribed in the zone regulations and to impose reasonable conditions upon the granting of Conditional Use permits, subject to the right of appeal to the **Board of Supervisors**.

### 5.7.B. Administration

1. **Conditional Use** permits shall be subject to the provisions of **Section 5.1.C**.

#### 2. Investigation and Report

The **Community Development Director** shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the Planning and Zoning Commission and made available to the applicant prior to the public hearing.

#### 3. Public Hearing

The Planning and Zoning Commission shall hold at least one public hearing on each application for a **Conditional Use** permit. The hearing shall be set and notice given as prescribed in **Section 5.4**. At the public hearing, the **Commission** shall review the application and drawings submitted therewith and shall receive pertinent evidence concerning the proposed Use and the proposed conditions under which Use would be operated or maintained, particularly with respect to the findings prescribed in **Section 5.7.B.5**.

#### 4. Action of the Planning and Zoning Commission

Within 40 days following the closing of the public hearing on a **Conditional Use** permit application, the Planning and Zoning Commission shall act on the application. The **Commission** may grant, by resolution, a Conditional Use permit as the permit was applied for or in modified form, or the application may be denied. A **Conditional Use** permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions or waivers as the **Commission** may prescribe as follows:

- A. Conditions prescribed by the Commission may include but shall not be limited to Drainage, sewage, water, and other utility requirements; required special **Yards, Open Spaces**, buffers, fences, and walls; required installation and maintenance of **Landscaping**; protection of **Environmentally Sensitive Features**; required street dedications and improvements; regulation of points of vehicular ingress and egress; regulation of traffic circulation; access from public **Rights-of-Way**; requirements for public safety and emergency services; regulation of signs; regulation of hours of operation and methods of operating; control of potential **Nuisances**; prescribed standards for maintenance of buildings and grounds; prescribed development schedules and development standards; and such other conditions as the Commission may deem necessary to ensure compatibility of the Use with surrounding developments and Uses and to preserve the public health, safety, and welfare.
- B. The Commission may grant waivers from the Zoning Ordinance in conjunction with the approval of a **Conditional Use** permit for such property development standards and performance standards as: fences, walls, screening and **Landscaping**; **Site Area**, width, and depth; front, rear, and side **Setbacks**; **Lot Coverage**; height of structures; usable **Open Space**; signs; off-street parking facilities or parking lot standards; **Frontage** on a public street; number of **Persons** employed and/or the ratio of **Floor Area** of a **Cottage Industry**; and **Campsite** in a residential zone **Density**. The Planning and Zoning Commission shall make the following findings before granting a waiver from the Zoning Ordinance:
  - i. The proposed waiver will not be detrimental to health, safety, or general welfare of Persons living or working in the vicinity, to **Adjacent** property, to the neighborhood, or to the public in general;
  - ii. The proposed Use otherwise conforms with the conditions, requirements, or standards of this Ordinance and any other applicable local, **State**, or federal requirements;
  - iii. That the granting of the waiver is the minimum that will accomplish this purpose and will not constitute the granting of a special privilege inconsistent with the limitations on other properties in the same zone.

## 5. Findings of Fact

The Planning and Zoning Commission shall make the following findings before granting a **Conditional Use** permit:

- A. That the proposed location of the Conditional Use is in accord with the objectives of this Ordinance and the purpose of the Zone in which the site is located.
- B. That the proposed location of the Conditional Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- C. That the proposed Conditional Use will comply with each of the applicable provisions of this Ordinance, except for approved variances.
- D. That the proposed Conditional Use is consistent with and conforms to the goals, objectives, and policies of the **Comprehensive Plan** or **Area Plan** for the area.





## 6. Effective Date of the Use Permit

The decision of the Planning and Zoning Commission shall be effective 15 days at the close of business from the date of the decision unless prior to the expiration of said 15-day period an appeal has been filed with the **Board of Supervisors**.

## 7. Appeal to **Board of Supervisors**

A decision of the Planning and Zoning Commission may be appealed within 15 days to the Board of Supervisors by the applicant or any other **Person** as prescribed in **Section 5.5**; or by appeal of an individual member of the Board without fee.

## 8. Determination by the **Board of Supervisors**

The Board of Supervisors shall hold a public hearing on a **Conditional Use** permit as prescribed in **Section 5.5.B** if an appeal has been filed within the prescribed fifteen-day appeal period. The decision of the Board shall be final.

## 9. Lapse of **Conditional Use** Permit

A **Conditional Use** permit associated with construction shall lapse and shall become void 2 years following the date on which the Conditional Use permit became effective, unless prior to the expiration of 2 years, a building permit is issued and construction is commenced and diligently pursued toward completion on the site that was the subject of the use permit application, or a Certificate of Occupancy is issued for the structure that was the subject of the Use permit application, or the site is occupied if no building permit or Certificate of Occupancy is required, unless a longer time frame is approved by the Planning and Zoning Commission. A request for extension may be submitted to the Planning and Zoning Commission that will be evaluated based on current circumstances including, but not limited to, percentage of project completed, estimated completion date, surrounding land use, and citizen input.

- A. A **Conditional Use** permit shall also lapse if the use for which the permit is approved is terminated for a period of 2 years. Recommencement of the Use after the 2-year period of inactivity shall require filing a new application following the requirements and processes specified in **Section 5.7**.

## 10. Renewal of **Conditional Uses**

- A. A Conditional Use permit subject to expiration may be renewed, provided that prior to the expiration date, an application for renewal of the use permit is filed with the Community Development Department. An expired Conditional Use permit requires reinstatement as a new Conditional Use permit application.
- B. Upon application for renewal, a case review and site inspection shall be made to determine compliance with conditions of approval. Legal notice of application for renewal shall be posted on the property within public view and mailed to property owners within a minimum radius of 300 feet a minimum of 15 days prior to determination of approval for renewal.
- C. A Conditional Use permit may be renewed administratively where all prior conditions of approval remain in full force and effect, except that the duration of the Conditional Use permit

renewal may be extended if requested by the applicant. The Director will evaluate each request for an extension of the renewal time period on a case-by-case basis. Administrative renewal of a Conditional Use permit must meet the following criteria:

- i. The current Conditional Use permit remains valid and in full force;
- ii. There have not been any complaints lodged with the Department during the current term of the Conditional Use permit or during the notice period for the application of renewal. Complaints lodged during the notice period must be resolved within 30 days from the date of the complaint or the case will be referred to the Planning and Zoning Commission for public hearing;
- iii. The Use of the property remains the same as the approved Use;
- iv. The Use is in compliance with conditions of approval;
- v. There are no active violations of the zoning code at the time of renewal; and
- vi. No modifications to the Use or conditions of approval are requested by the applicant or staff, except a request for an extension of the renewal time period will be evaluated by the Director based on justification submitted by the applicant for the extension.

An application meeting the criteria for administrative renewal will be processed by the **Community Development Director** in the same manner as Renewal of Conditional Use permits, except that a Public Hearing and Action of the Planning and Zoning Commission are not required.

- D. A Conditional Use permit must be renewed upon a hearing before the Planning and Zoning Commission where:
  - i. Any complaint is lodged with the Department during the current term of the Conditional Use permit or during the notice period for the application of renewal; or
  - ii. Any conditions of approval are not met to the satisfaction of the Department; or
  - iii. A change in the described Use of the property has occurred; or
  - iv. A change in the predicted impacts of the Use has occurred; or
  - v. There is a violation of the zoning code or any other applicable law; or
  - vi. A request to modify the Use or conditions of approval is made.
  - vii. Additional fees may apply to Conditional Use permits renewed by the Planning and Zoning Commission.
- E. An application for renewal of a Conditional Use permit not eligible for renewal pursuant to **Section 5.7.B.10** above may be granted or denied by the Planning and Zoning Commission subject to the modification of existing conditions of approval and/or the addition of new conditions of approval. A primary consideration of renewal is compliance with the original conditions of approval. Such applications shall be subject to the provisions of **Section 5.7**.

## 11. Modification of **Conditional Use**



A. **Section 5.1.C** and **Section 5.7.B.1** through **Section 5.7.B.10** shall apply to an application for modification, expansion, or other change in a Conditional Use.

**12. Noncompliance with Conditional Use Permit Terms.** Failure to comply with any of the conditions of approval or performance standards of a Conditional Use permit is a violation of the Zoning Ordinance, and may result in enforcement action pursuant to **Section 5.14** or the revocation of a Conditional Use permit. Revocation shall require a public hearing before the Planning and Zoning Commission in accordance with public notice criteria. The Planning and Zoning Commission shall hold a public hearing within 90 days of sending notice to both applicant and property owner, in accordance with the procedure prescribed in **Section 5.7.B.3** and **Section 5.7.B.4**. If not satisfied that the regulation, general provisions, or conditions are being complied with, the **Commission** may revoke the Conditional Use permit or take such action as may be necessary to ensure compliance with the regulation, general provisions, or conditions. The decision may include time frames for ensuring compliance or decommissioning the project unless an appeal has been filed within the prescribed 15-day appeal period, in which case **Section 5.5.B** shall apply.

**13. New Applications Following Denial**

Following the denial of a **Conditional Use** permit application or the revocation of a Conditional Use permit, no application for a Conditional Use permit for the same or substantially the same Conditional Use on the site shall be filed within 1 year from the date of denial or revocation of the Conditional Use permit.

**14. Conditional Use Permit to Run with the Land**

A Conditional Use permit granted pursuant to the provisions of this Section shall run with the land and shall continue to be valid upon a change in ownership of the site or structure that was the subject of the use permit application.

**15. Use Permit and Change of Zone Filed Concurrently**

Application for a **Conditional Use** permit may be made at the same time as an application for a change in zone boundaries including the same property, in which case the Planning and Zoning Commission shall hold the public hearing on the zoning reclassification and the Conditional Use permit at the same meeting and may combine the required hearings. For the purposes of this Section, the date of the **Commission** decision on the Conditional Use permit application shall be deemed to be the same as the date of enactment by the **Board of Supervisors** of an ordinance changing the zone boundaries, provided that if the Board modifies a recommendation of the Commission on a zoning reclassification, the Conditional Use permit application shall be reconsidered by the Commission in the same manner as a new application.

**16. Planning and Zoning Division Inspections**

The Planning and Zoning Division may conduct periodic site inspections during the duration of the **Conditional Use** permit to ensure compliance with conditions of approval.



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## 5.8 Variances

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### 5.8.A. Purpose and Authorization

1. Variances from the terms of the Zoning Ordinance shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any Variance granted shall be subject to such conditions as will ensure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.
2. The power to grant Variances does not extend to Use regulations. Flexibility to the zoning regulations is provided in the **Conditional Use** provisions of this Ordinance.
3. The **Board of Adjustment** may grant Variances to the regulations prescribed by this Section, in accord with the procedure prescribed in this Section, with respect to fences, walls, hedges, screening, and **Landscaping; Site Area**, width, and depth; front, rear, and side **Yard Setbacks**; coverage; height of structures or **Appurtenances**; distances between structures; usable **Open Space**; signs; off-street parking facilities; minimum **Lot Size** and Setbacks for animal keeping; or **Frontage** on a public street.

### 5.8.B. Administration

#### 1. Investigation and Report

The **Community Development Director** shall make an investigation of each application that is the subject of a public hearing and shall prepare a report thereon that shall be submitted to the **Board of Adjustment** and made available to the applicant prior to the public hearing.

#### 2. Public Hearing

The **Board of Adjustment** shall hold a public hearing on an application for a Variance. The hearing shall be set and notice given as prescribed in **Section 5.4**. At a public hearing, the Board shall review the application, statements, and drawings submitted therewith and shall receive pertinent evidence concerning the Variance, particularly with respect to the findings prescribed in **Section 5.7.B.4**.

#### 3. Action by the Board of Adjustment

Within 40 days following the close of the public hearing on a Variance application, the Board of Adjustment shall act on the application. The Board may grant, by resolution, a Variance as the Variance was applied for or in modified form, or the application may be denied. A Variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Board may prescribe. Upon failure to act within the prescribed 40-day period, an appeal may be taken to the Superior Court as prescribed in A.R.S. § 11-807.

#### 4. Findings of Fact

The **Board of Adjustment** may grant a Variance to a regulation prescribed by this Ordinance with respect to fences, walls, hedges, screening, or **Landscaping; Site Area**, width, or depth; front, rear, or

side **Yard Setbacks**; coverage; height of structures or **Appurtenances**; distances between structures; usable **Open Space**; signs; off-street parking facilities; minimum **Lot Size** and Setbacks for animal keeping; or **Frontage** on a public street, if, on the basis of the application and the evidence submitted, the Board of Adjustment makes the following findings of fact that establish that the circumstances prescribed in paragraphs A, B, or C and in paragraphs D and E do apply.

- A. That the Variance is necessary for the preservation of substantial property rights and that strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Ordinance.
- B. That there are preexisting exceptional or extraordinary circumstances or conditions applicable to the land or buildings that were not created or self-imposed by the applicant, and that do not apply generally to other properties in the same zone.
- C. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.
- D. That the granting of the Variance as conditioned is the minimum that will accomplish this purpose and will not constitute the granting of a special privilege inconsistent with the limitations on other properties in the same zone.
- E. That the granting of the Variance will not be detrimental to the public health, safety, or welfare, or materially injurious to the public or properties or improvements in the vicinity.

#### 5. Additional Findings

- A. Signs. The **Board of Adjustment** may grant a Variance to a regulation prescribed in this Ordinance with respect to signs as the Variance was applied for or in modified form, if, on the basis of the application and the evidence submitted, the Board of Adjustment makes findings of fact that establish that the circumstances prescribed in **Section 5.8.B.4** apply and the following circumstances also apply.
  - i. That the granting of the Variance will not detract from the attractiveness or orderliness of the surrounding neighborhood or infringe on the similar rights of others.
  - ii. That the granting of the Variance will not create a hazard to public safety.
- B. Parking. The **Board of Adjustment** may grant a Variance to a regulation prescribed by this Ordinance with respect to off-street parking facilities as the Variance was applied for or in modified form, if, on the basis of the application and the evidence submitted, the Board of Adjustment makes findings of fact that establish that the circumstances prescribed in **Section 5.8.B.4** apply and the following circumstances apply.
  - i. That neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.
  - ii. That the granting of the Variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.



- iii. That the granting of the Variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance.

#### 6. Appeals to Superior Court

A decision of the **Board of Adjustment** on a Variance may be appealed within 30 days to the Superior Court by the applicant or any other aggrieved **Person** as prescribed in A.R.S. § 11-807.

#### 7. Effective Date of Variance

A decision of the **Board of Adjustment** on a Variance shall be final 30 days after the date of the decision, unless an appeal has been filed.

#### 8. Lapse of Variance

- A. A Variance shall lapse and shall become void 1 year following the date on which the Variance became effective unless the **Board of Adjustment** grants a specific time frame for obtaining a building permit, or prior to the expiration of 1 year, a building permit is issued and construction is commenced and diligently pursued toward completion on the site that was the subject of the variance application, or a permit is issued authorizing occupancy of the site or structure that was the subject of the variance application, or the site is occupied if no building permit or Certificate of Occupancy is required.
  - B. A Variance may be renewed for an additional period of 1 year provided that prior to the expiration of 1 year from the date when the Variance or the renewal became effective, an application for renewal of the Variance is filed with the **Community Development Director**.
  - C. A Variance shall also lapse if the use for which the Variance is approved is terminated for a period of 1 year. Recommencement of the use after the one-year period of inactivity shall require filing a new Variance application according to the process and requirements listed in **Section 5.8.A** through **Section 5.8.B.10**.
9. A Variance subject to expiration may be renewed, provided that prior to the expiration date, an application for renewal of the Variance is filed with the **Board of Adjustment**. The Board of Adjustment may grant or deny an application for renewal of a Variance subject to the modification of existing conditions of approval and/or the addition of new conditions of approval. A primary consideration of renewal is compliance with conditions of approval.

#### 10. Revocation

Failure to comply with any of the conditions of approval is a violation of the Zoning Ordinance and may result in the revocation of a Variance. Revocation shall require a public hearing before the **Board of Adjustment** in accordance with public notice criteria. The Board of Adjustment shall hold a public hearing within 90 days of sending notice to both applicant and property owner, in accordance with the procedure prescribed in **Section 5.8.B.2**. If not satisfied that the regulation, general provisions, or conditions are being complied with, the Board may revoke the Variance or take such action as may be necessary to ensure compliance with the regulation, general provisions, or conditions. The decision may include time frames for ensuring compliance or decommissioning the project.

#### 11. New Application



Following the denial or revocation of a Variance application, no application for the same or substantially the same Variance on the site or substantially the same site shall be filed within 1 year from the date of denial or revocation of the Variance.

#### 12. Variance Related to Plans Submitted

Unless otherwise specified at the time a Variance is granted, it shall apply only to the plans and drawings submitted as part of the application.

## 5.9 Determination as to Uses Not Listed

### 5.9.A. Purpose

In order to ensure that the zoning regulations will permit all similar Uses in each zone, the **Community Development Director**, upon his or her own initiative or upon written request shall determine whether a Use not specifically listed as a permitted or **Conditional Use** in any zone shall be deemed a permitted Use or a Conditional Use in any one or more zones on the basis of similarity to Uses specifically listed. The determination of the Community Development Director shall be adopted through the Planning and Zoning Commission consent agenda. The Community Development Director may request the determination be made directly by the Planning and Zoning Commission. The procedures of this Section shall not be substituted for the amendment procedure as a means of adding new Uses to the list of permitted or **Conditional Uses**.

### 5.9.B. Administration

#### 1. Request for Determination

Requests for determination of similar Uses shall be made in writing to the **Community Development Director** and shall include a detailed description of the proposed Use and such other information as may be required by the Director to facilitate the determination.

#### 2. Investigation and Report

The **Community Development Director** shall make such investigations of the request as necessary to compare the nature and characteristics of the proposed Use with those Uses specifically listed and shall make a report of his findings to the Planning and Zoning Commission.

#### 3. Determination

The determination of the **Community Development Director** and the Planning and Zoning Commission shall be effective 15 days from the date of the decision unless an appeal is filed.

#### 4. Appeal to Board of Supervisors

A decision of the Planning and Zoning Commission may be appealed within 15 days to the Board of Supervisors by the applicant or any other **Person**, as prescribed in **Section 5.5**, or by any member of the Board of Supervisors without fee.

#### 5. Determination by Board of Supervisors



The Board of Supervisors shall make a determination as prescribed in **Section 5.5.B** if an appeal has been filed within the prescribed 15-day appeal period or upon the initiative of the Community Development Department staff. The decision of the Board shall be adopted as a resolution and shall be final.

## 5.10 Interpretations

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### 5.10.A. Purpose and Authorizations

The **Board of Adjustment** may interpret the Zoning Ordinance if the meaning of any word, phrase, or section is in doubt; if there is a dispute over a staff interpretation; or if the location of a district boundary is in doubt. Appeals to the Board of Adjustment may be taken by any **Person** who feels that there is an error or doubt in the interpretation of the ordinance pursuant to A.R.S. § 11-816.

### 5.10.B. Request for Interpretation

All requests for interpretation shall be made in writing to the **Community Development Director**, and accompanied by a fee as established in the adopted fee schedule, if so adopted. Interpretations shall be submitted to the **Board of Adjustment** for review based on its next available calendared meeting.

## 5.11 Substantive Policy Statement

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### 5.11.A. Purpose and Authority

Substantive policy statements are written expressions intended to inform the general public of the department's current approach to, or opinion of, the requirements of the federal or state constitution, federal or state statute, administrative rule or regulation, or final judgment of a court of competent jurisdiction, including, where appropriate, the agency's current practice, procedure, or method of action based on that approach or opinion. A substantive policy statement is advisory only and does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties, confidential information, or rules made in accordance with this Ordinance.

### 5.11.B. Administration

#### 1. Adoption

Substantive policy statements are adopted at the discretion of the **Community Development Director**. All substantive policy statements are reviewed on an annual basis and updated as required.

#### 2. Access

Substantive policy statements are available for inspection at the Community Development Department office or on the Coconino County website.

#### 3. Format

All substantive policy statements shall include the effective date, policy number, title, purpose, background, policy statement, and information pertaining to the approval of the substantive policy



statement and any previous substantive policy statements affected or revised by the new substantive policy statement.

## 5.12 Amendments to the Zoning Ordinance and Rezonings

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### 5.12.A. Purpose

The zoning map and zoning regulations may be amended by changing the boundaries of any zone or by changing any zone regulation or any other provision of this Ordinance in accord with the procedure prescribed in this Section.

### 5.12.B. Administration

#### 1. Initiation

- A. A change in the boundaries of any zone may be initiated by a property owner or authorized agent of a property owner by filing an application for a change in zone boundaries as prescribed in this Section.
- B. A change in the boundaries of any zone or change in the regulations may be initiated by the Planning and Zoning Commission or the **Board of Supervisors**.

#### 2. Conformity with **Comprehensive Plan**

An application for a change in zone classification that does not conform to the land use designation as identified in the Comprehensive Plan shall not be processed until an amendment to the Comprehensive Plan has been filed, as prescribed in **Section 5.13.C.1**.

#### 3. Investigation and Report

The **Community Development Director** shall make an investigation of the application or proposal and shall prepare a report thereon that shall be submitted to the Planning and Zoning Commission and to the applicant prior to the public hearing.

#### 4. Public Hearing

The Planning and Zoning Commission shall hold at least one public hearing on each application for a change in zone boundaries or for a change of the zoning regulations. The hearing shall be set and notice given as prescribed in **Section 5.4**.

#### 5. Public Hearing Procedure

At the public hearing, the Planning and Zoning Commission shall review the application or the proposal and may receive pertinent evidence as to why or how the proposed change is consistent with the objectives of this Ordinance, the **Comprehensive Plan**, and the development policies of the County.

#### 6. Action by the Planning and Zoning Commission and Findings of Fact

- A. Within 40 days following the closing of the public hearing, the Planning and Zoning Commission shall make a decision based on the following findings of fact:

- i. That the change is consistent with the goals, objectives, and policies of the **Comprehensive Plan** and this Ordinance.
  - ii. That the change will not be detrimental to the public health, safety, comfort, convenience, and welfare.
  - iii. That the change will not adversely affect the established character of the surrounding neighborhood nor be detrimental to **Adjacent** properties.
- B.** Based on these findings, the **Commission** shall recommend that the application be approved, approved in modified form, or denied. Said recommendation shall be transmitted to the **Board of Supervisors** for final hearing and disposition.

#### 7. Action by the **Board of Supervisors**

- A.** If the Planning and Zoning Commission has held a public hearing, the Board of Supervisors may adopt the recommendations of the commission through use of a consent calendar without holding a second public hearing if there is no objection, request for public hearing, or other protest. If there is an objection, the Board of Supervisors shall hold at least one public hearing on an application or a proposal within 90 days after the Planning and Zoning Commission hearing. The hearing shall be set and notice given as prescribed in **Section 5.4**. Within 40 days following the closing of a public hearing, the Board shall make a decision based on the findings required by **Section 5.12.B.6.A**.
- i. If the Board finds that the change is consistent with the findings required by **Section 5.12.B.6.A**, it shall approve an ordinance amending the zoning map or zoning regulations, whichever is appropriate.
  - ii. The Board may modify a decision of the Planning and Zoning Commission recommending the granting of an application or adoption of a proposal. However, prior to making a final decision on the amendment or proposal, the Board may, but shall not be required to, submit any or all modifications to the **Commission** for reconsideration at a public meeting. The Commission may, but is not required to, provide supplemental comments on the modifications to the Board. The Board may consider any supplemental comments from the Commission before making the findings required by **Section 5.12.B.6.A** and rendering a final decision. Failure of the Commission to report within 30 days after receipt of the Board request shall be deemed concurrency.
  - iii. If the Board finds that the change is not consistent with the findings required by **Section 5.12.B.6.A**, it shall deny the application or reject the proposal.
- B.** In accordance with A.R.S. § 11-814, if 20 percent of the owners of property by area and number within the zoning area (for the purpose of this Section, “zoning area” means the area within 300 feet of the proposed amendment or change) file a protest to the proposed change, the change shall not be made except by a three-fourths vote of all members of the Board. If any members of the Board are unable to vote on the question because of a conflict of interest, the required number of votes for the passage of the question is three-fourths of the remaining membership of the Board, except that the required number of votes in no event shall be less than a majority of the full membership of the Board. In calculating the owners by area, only that portion of a lot

or parcel of record situated within 300 feet of the property to be rezoned shall be included. In calculating the owners by number or area, County property and public **Rights-of-Way** shall not be included.

#### 8. New Application

Following the denial of an application for change in zone boundaries or a change in the zoning regulations, an application or request for the same or substantially the same change on the same or substantially same property shall not be filed within 1 year of the date of denial.

#### 9. Conditional Zoning

The **Board** may approve a change of zone conditioned on a schedule for development of the specific Use or Uses for which the rezoning is requested. If at the expiration of this period the property has not been improved for the Use for which it was conditionally approved, the Board after notification by registered mail to the owner and applicant who requested the rezoning, shall schedule a public hearing to grant an extension, determine compliance with the schedule for development, or cause the property to revert to its former zoning classification.

#### 10. Change of Zone Accompanied by a Subdivision Plat

When a zone change request is accompanied by a preliminary subdivision plat, the change of zoning shall not vest or become effective until recordation of a final plat.

## 5.13 Comprehensive Plan

### 5.13.A. Applicability of State Law

Except as otherwise specifically provided herein, the provisions of A.R.S., Title 11 relating to the adoption, amendment, effect, and all other aspects of comprehensive plans shall apply to Coconino County.

### 5.13.B. Purpose

The purpose of this Section is to establish procedures by which the County's **Comprehensive Plan** may be amended, and to establish associated application requirements and time frames for public hearing and approvals.

### 5.13.C. Administration

#### 1. Amendments to the **Comprehensive Plan**

- A. The Comprehensive Plan of Coconino County or any part or element thereof, including **Area Plans** for individual communities, or the Regional Plan, may be amended as per **Section 5.13.C.4.**
- B. An amendment to the Comprehensive Plan or any part or element thereof may be initiated by:
  - i. The **Board of Supervisors**;
  - ii. The Planning and Zoning Commission;

- iii. The owner of the property in question;
  - iv. Any member or members of the public.
- C. However, any amendment initiated by the property owner or member or members of the public shall be made by application. The following information shall be submitted when applying for an Amendment to the Comprehensive Plan:
- i. A completed Coconino County Plan/Ordinance Amendment application form including name and address of the applicant, name of contact **Person**, phone number, fax number and email address, description of the request, and pre-application meeting date.
  - ii. A typewritten narrative describing the request and the precise manner of compliance with each of the applicable provisions of this Section, together with any other data pertinent to the findings prerequisite to the granting of an amendment.
  - iii. Documentation shall be provided in a written description as well with supplemental data to show overall compliance with the Coconino County Comprehensive Plan.
  - iv. A citation of the specific section(s) of the applicable Plan to be amended and specific language proposed.
  - v. The application shall be accompanied by a fee established by resolution of the **Board of Supervisors** to cover the cost of processing the application as prescribed in this Section.
  - vi. Other information determined to be necessary for the Director to make a recommendation on the requested action.
- D. Any hearing held in conjunction with an amendment to the Zoning Ordinance for the purpose of bringing zoning into consistency with the Comprehensive Plan or any part or element thereof may be held at any time after the date on which an amendment to the Comprehensive Plan or any part or element thereof has been recommended for adoption by the Planning and Zoning Commission provided, however, that no such amendment to the Zoning Ordinance shall be adopted by the **Board of Supervisors** until the Board has first adopted the appropriate amendment to the Comprehensive Plan or any part or element thereof.

## 2. Types of **Comprehensive Plan** Amendments

- A. **Administrative Amendments.** Administrative Amendments are minor corrections made under the authorization of the **Community Development Director**, such as:
- i. Updates to formatting, typographical errors, URLs, references to other reports or studies that may be amended, and similar edits,
  - ii. Corrections to scrivener's errors that occurred in mapping or in text and did not reflect the **Board** action on a property or policy.
- B. **Major Amendments.** An amendment is a Major Amendment if it meets any of the following criteria:
- i. Changes to the text conflict with or alter one or more of the goals and policies in this Plan,  
or



- ii. The proposal represents a substantial alteration to the County’s land use mixture and balance, or
  - iii. It adds a new element or substantially changes one or more chapters of the **Comprehensive Plan** prior to the required full 10-year update, or
  - iv. It adds a new **Area Plan** or a new **Rural Planning Area**, or
  - v. It establishes a land use map, growth boundary, or **Activity Center** under County jurisdiction.
- C. Minor Amendments. An amendment is a Minor Amendment if it meets any of the following criteria:
- i. Revisions or updates to an existing **Area Plan** or **Rural Planning Area** that meet the **Comprehensive Plan’s** vision, goals, and policies; or
  - ii. Changes mandated by any new **State** laws; or
  - iii. Text changes and corrections that do not compromise the intent or impact the substantive mixture and balance of the Plan; or
  - iv. Corrections to planning errors or a planning oversight; or
  - v. A change to a map, location-based policy, or other specific policy within an **Area Plan**; or
  - vi. Any other changes that do not fall under the major amendment criteria listed above and are not administrative amendments.
3. Amendment Approval Criteria. Major and Minor Amendments must meet the following approval criteria:
- A. The amendment constitutes an overall improvement to the County.
  - B. The amendment will not adversely impact a portion of the County or the existing character (visual, physical, environmental, and functional) of the immediate area.
  - C. The amendment is supported by “Our Vision for the Future” and other goals and policies of the Plan.
  - D. The requested change benefits the County or a specific community.
  - E. Conditions have changed substantially since the last update; such conditions may involve surrounding land uses.
  - F. The subject property or concept was misinterpreted or overlooked in the Plan.
  - G. The amendment will effectively help implement the Plan’s other goals or vision.
  - H. The identified site is appropriate for the proposed use.
4. Amendment Review Time Frames
- A. Major Amendments shall be heard once per calendar year, and shall be considered by the Planning and Zoning Commission at its regular meeting in October of that year. The application deadline for Major Amendments shall be May 1 of each year.

B. Minor Amendments may be considered at any time of the year.

#### 5. Investigation and Report

The **Community Development Director** shall make an investigation of the application or proposal and shall prepare a report thereon that shall be submitted to the Planning and Zoning Commission and to the applicant prior to the public hearing.

#### 6. Public Hearing

The Planning and Zoning Commission shall hold at least one public hearing on each application for a Major or Minor amendment to the **Comprehensive Plan**. The hearing shall be set and notice given as prescribed in **Section 5.4**.

#### 7. Public Hearing Procedure

At the public hearing, the Planning and Zoning Commission shall review the application or the proposal and may receive pertinent evidence as to why or how the proposed change is consistent with the objectives of this Ordinance, the **Comprehensive Plan**, and the development policies of the County. The Planning and Zoning Commission shall forward its recommendation for a Major or Minor Amendment to the **Board of Supervisors**.

#### 8. Action by the Board of Supervisors

If the Planning and Zoning Commission has held a public hearing, the Board of Supervisors shall hold at least one public hearing on an application or a proposal for a Major or Minor Amendment within 90 days after the Planning and Zoning Commission hearing. Minor Amendments are subject to a simple majority vote of the Board of Supervisors. Major Amendments require a four-fifths majority vote of the Board of Supervisors. The hearing shall be set and notice given in accordance with A.R.S. § 11-805. Within 40 days following the closing of a public hearing, the Board shall make a decision on the amendment.

## 5.14 Enforcement

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### 5.14.A. Purpose and Scope

This section identifies what constitutes a violation of this Ordinance, establishes penalties and remedies, and authorizes enforcement procedures.

### 5.14.B. Violation

Pursuant to A.R.S. § 11-815:

1. It shall be a violation of this Ordinance to erect, construct, reconstruct, alter, or use a building or any other structure without first obtaining a building permit.
2. It shall be a violation of this Ordinance, and considered a public **Nuisance Per Se**, to make any Use of any **Lot**, parcel, or piece of property in such a way as to conflict with the provisions of this Ordinance.
3. Each day during which an illegal erection, construction, reconstruction, alteration, maintenance, or Use continues is a separate offense.



### 5.14.C. Enforcement

#### 1. Zoning Inspection and Investigation

**A.** The **Board of Supervisors, Community Development Director, County Attorney, County Sheriff, Zoning Inspector, Hearing Officer,** and all officers of Coconino County otherwise charged with the enforcement of the law are responsible for the enforcement of the provisions of this Ordinance

#### **B. Zoning Inspector/Compliance Manager**

- i. The Zoning Inspector, also known as the Compliance Manager, shall administer and enforce this Ordinance. The Zoning Inspector shall:
- ii. Receive and investigate allegations of violations of this Ordinance.
  - a. Make necessary inspections to secure compliance with the provisions of this Ordinance.
  - b. Make investigations in connection with any matter referred to in this Ordinance and render written reports thereof when requested by the **Board of Supervisors**, or when the interests of Coconino County so require.
  - c. Issue such notices or orders as may be necessary for the purpose of enforcing compliance with the provisions of this Ordinance.
  - d. Keep careful and comprehensive records of all alleged violations of this Ordinance, including comprehensive notes as to the condition and existing Uses of the subject property, location, property owner, and address, and specific section(s) of the Ordinance corresponding to the alleged violation. The Zoning Inspector shall further retain on file copies of all papers for such time as may be required by law.
- iii. May perform any duties as assigned to the Deputy Zoning Inspector, as outlined in **Section 5.14.C.1.C.**

#### **C. Deputy Zoning Inspector**

- i. Deputy Zoning Inspectors shall be appointed by the Coconino County **Board of Supervisors** as needed to assist the Zoning Inspector. The Deputy Zoning Inspector shall:
  - a. Investigate and report on all allegations of zoning violations as assigned by the Zoning Inspector.
  - b. Determine whether a condition or existing Use constitutes a violation of this Ordinance.
  - c. When the Deputy Zoning Inspector confirms that a condition or existing Use constitutes a violation of this Ordinance, the Deputy Zoning Inspector may:
    - 1) Serve notice of the violation to the **Alleged Violator**. The notice shall cite:
      - a) The nature of the violation,
      - b) The section of the Ordinance violated,
      - c) Information of possible penalties if violation is not ceased,



- d) Steps necessary to bring the subject property into compliance with this Ordinance, and
      - e) A reasonable time frame in which all necessary actions should be completed to correct the noticed violation.
  - 2) Re-inspect the subject property upon the expiration of the reasonable time frame provided in accordance with **Section 5.14.C.1.C.i.c.1)e)**.
  - 3) Provide a reasonable time frame for remedy of violations.
    - a) The final deadline for compliance may be extended where the property owner demonstrates, with reasonable documentation, an effort to correct the existing violation(s).
  - 4) Issue citations for violations of this Ordinance not corrected by the final deadline provided in accordance with **Section 5.14.C.1.C.i.c.3)**. The citation shall include:
    - a) The nature of the violation.
    - b) The section(s) of this Ordinance that has/have been violated.
    - c) Possible penalties that can be assessed by the **Hearing Officer**.
  - 5) Serve, together with the citation, a notice to appear before the **Hearing Officer**, in accordance with A.R.S. § 11-815(E). The notice to appear shall:
    - a) Include the specific date and time at which the **Alleged Violator** must appear at the Zoning Violation Hearing.
    - b) Include information regarding the right to be represented by counsel or other designated representative and that failure to provide timely written notification of an election to be represented by counsel or other designated representative constitutes a waiver of that right.
    - c) If the Deputy Zoning Inspector is unable to personally serve the notice, the notice may be served by any form of mail requiring a signed and returned receipt, or in the same manner prescribed for alternative methods of service by the Arizona Rules of Civil Procedure, provided that a notice by means other than personal service must be effected at least 30 days before the hearing.
  - 6) Present evidence showing the existence of a violation, or testimony showing the existence of a violation when the County Attorney presents evidence on behalf of the Zoning Inspector, in accordance with A.R.S. § 11-815(F).

## 2. Hearings

### A. Hearing Officer

The Hearing Officer is appointed by the Coconino County **Board of Supervisors** to hear and decide all civil proceedings established by this Ordinance.

### B. The Hearing Officer shall:





- i. Preside over Zoning Violation Hearings
  - ii. Decide all objections as to the relevance of evidence or testimony presented during a Zoning Violation Hearing.
  - iii. Determine responsibility for alleged zoning violations.
  - iv. Impose civil penalties for zoning violations, pursuant to **Section 5.14.C.2.D.ii.a.2)** or **Section 5.14.C.4.A.iii.a.**
  - v. Include in all findings of responsibility, pursuant to **Section 5.14.C.2.D.ii.a.2)** or **Section 5.14.C.2.D.ix.i,** a non-compliance and daily penalty schedule to accrue should the violation(s) not be abated by the compliance date specified by the **Hearing Officer.**
- C. The **Hearing Officer** may:
- i. Continue Zoning Violation Hearings at the request of either party for good cause shown.
    - a. The Hearing Officer shall not continue a hearing without first giving notice to both parties.
    - b. The Hearing Officer shall notify both parties in writing of the new hearing date.
  - ii. Question witnesses or representatives of either party during a Zoning Violation Hearing.
  - iii. Attach a recurrence penalty to a parcel for a maximum of 2 years from the hearing date. Said penalty shall be levied according to the recall procedure in **Section 5.14.C.2.E** if a violation of the same section of this Ordinance, as addressed in the Hearing Officer's findings, occurs within the specified time period.
- D. Zoning Violation Hearings
- i. Every action or proceeding brought before the **Hearing Officer** for a violation of this Ordinance shall be commenced by the filing of a copy of the notice to appear, as provided by Section 5.14.C.1.C.i.c.5) and a copy of the citation, as provided by Section 5.14.C.1.C.i.c.4) with the **Hearing Clerk.**
  - ii. The **Alleged Violator** shall, no later than 15 days after service of citation, submit an admission or denial of responsibility.
    - a. When an Alleged Violator submits an admission of responsibility:
      - 1) The **Hearing Officer** shall waive the initial fee of \$100.
      - 2) The **Hearing Officer** shall enter a finding of responsibility against the Alleged Violator providing 30 days to remedy the violation(s), unless extraordinary circumstances warrant an extension.
      - 3) The **Hearing Officer** shall vacate the Zoning Violation Hearing.
    - b. When an Alleged Violator submits a denial of responsibility:
      - 1) The **Hearing Officer** shall promptly notify the Alleged Violator of the right to be represented by counsel.

- 2) The Alleged Violator must then notify the **Hearing Officer** in writing at least 10 days prior to the hearing date of his or her choice to be represented by counsel.
- iii. Failure to respond with either an admission or denial of responsibility is deemed admission by default.
  - iv. If the Alleged Violator submits a denial of responsibility, the alleged violator, or his or her representative or attorney, must appear at the Zoning Violation Hearing.
  - v. If the Alleged Violator, or his or her representative or attorney, fails to appear at the Zoning Violation Hearing, the violation(s) alleged in the citation shall be deemed admitted and the **Hearing Officer** shall enter a finding of responsibility against the Alleged Violator and impose a penalty pursuant to **Section 5.14.C.4.A.ii** of this Ordinance.
  - vi. The County need not be represented by counsel at the Zoning Violation Hearing. Should the County elect to secure counsel, the County must, in writing, notify the **Hearing Officer** and the Alleged Violator at least 15 days prior to the hearing.
  - vii. No later than 10 days prior to the hearing, both parties shall disclose a list of witnesses and prepared exhibits to the opposing party and shall place prepared exhibits on file with the **Hearing Clerk**.
  - viii. At the **Hearing Officer's** discretion, a failure to comply with **Section 5.14.C.2.D.vii** may result in either the granting of a continuance to permit inspection, or the Hearing Officer shall deny the admission of the evidence.
  - ix. The order of the Zoning Violation Hearing shall be as follows:
    - a. The **Hearing Officer** shall call the case and briefly describe the procedures to be followed.
    - b. Opening Statement by the County
    - c. Opening Statement by Alleged Violator
    - d. Testimony of the County's Witnesses
    - e. Testimony of Alleged Violator's Witnesses
    - f. Testimony of other attendees, at the discretion of the **Hearing Officer**
    - g. Closing Statement by the County
    - h. Closing Statement by the Alleged Violator
    - i. Upon conclusion of the Zoning Violation Hearing, or within 10 days thereof, a decision shall be made by the **Hearing Officer**. The decision of the Hearing Officer shall include the findings and judgment of the Hearing Officer.
  - x. The Zoning Violation Hearing shall be governed by the following:
    - a. The Arizona Rules of Civil Procedure and Evidence shall not apply to a Zoning Violation Hearing. Any evidence offered may be admitted subject to a determination by the **Hearing Officer** that the offered evidence is relevant.

- b. Audio recordings of the hearing shall be made and kept on record with the **Hearing Officer** for a period of 1 year.
  - c. Either party may elect to utilize a court reporter during the Zoning Violation Hearing, at that own party's expense. Transcripts shall be obtained by each party directly from the court reporter and at the requesting party's expense.
  - d. If the **Zoning Inspector** or Deputy Zoning Inspector does not appear at the time set for the hearing, the **Hearing Officer** shall dismiss the citation without prejudice.
  - e. The **Hearing Officer** may set aside a finding entered upon a failure to appear, pursuant to **Section 5.14.C.2.D.v**, if it is determined by the Hearing Officer that the Alleged Violator was not served a citation, or for any other reason where necessary to prevent an injustice.
- E. Recall Hearings
- i. Recall of a case may occur when the conditions and/or compliance time frame have not been met by the Alleged Violator. The citation and Zoning Violation Hearing are considered to be open until complete compliance has been reached as outlined in the **Hearing Officer's** decision.
  - ii. Notice of a recall hearing shall be made according to **Section 5.14.C.1.C.i.c.5**).
  - iii. Recall hearings to determine whether a violation has recurred shall be conducted according to **Section 5.14.C.2.D**.

### 3. Appeals

#### A. Appeals to the Board of Supervisors

The Alleged Violator or the County may appeal to the Board of Supervisors the final decision of the **Hearing Officer**. A written notice of appeal shall be filed with the Hearing Officer within 7 days after the Hearing Officer's finding.

- i. The notice of appeal shall identify the finding appealed from. It shall be signed by the appellant or the appellant's counsel, and shall contain the names, addresses, and telephone numbers of all parties and their attorneys. When a party appeals, the **Hearing Clerk** shall send a copy of the notice of appeal to the other party or the other party's attorney.
- ii. Appeals shall be limited to the record of the proceeding before the Hearing Officer, and no new evidence may be introduced. The record of the proceedings shall include all materials in the Hearing Officer's file, all evidence admitted at the hearing, and the official record as per **Section 5.14.C.2.D.x** of this Ordinance.
- iii. Upon receiving the notice of appeal, the **Hearing Clerk** shall, within 30 days, prepare and transmit the record and provide notice of the transmittal to the parties.
- iv. The parties may stipulate that the appeal may be heard on less than a complete record or upon stipulated facts. The designation of the stipulated record shall be in writing, filed with the Hearing Officer within 15 days after the notice of appeal.



- v. Upon sending the record to the Board of Supervisors, the Hearing Officer shall notify both parties that they have 5 days from the date of the letter to submit memoranda stating their positions to be submitted to the Clerk of the Board of Supervisors. The memoranda shall not exceed five pages in length.
- vi. Public notice of the appeal before the Board of Supervisors shall be posted at least 24 hours prior to the hearing. The Hearing Officer shall mail a notice of the hearing to both parties not less than 10 business days prior to the hearing.
- vii. The Chairperson of the Board of Supervisors shall preside at the appeal and shall decide on all questions pertaining to procedure.
- viii. At the hearing before the Board of Supervisors, arguments by the parties shall be limited to 5 minutes for each party unless extended by the Chairperson of the Board of Supervisors.
- ix. After consideration of the parties' arguments, the record, and any submitted memoranda, the Board of Supervisors shall make a determination as to whether the Hearing Officer abused his or her discretion by a motion and majority vote of the quorum.
- x. If the Board of Supervisors finds that the Hearing Officer abused his or her discretion, the Board of Supervisors may:
  - a. Increase, decrease, or modify any sanction imposed by Hearing Officer; and
  - b. Affirm the decision of the Hearing Officer; or
  - c. Affirm in part and reverse in part and remand for further proceedings; or
  - d. Reverse the decision of the Hearing Officer and remand for further proceedings; or
  - e. Vacate the decision of the Hearing Officer.

#### B. Appeals to Superior Court

Decisions by the Board of Supervisors may be appealed to the Coconino County Superior Court pursuant to A.R.S. § 12-910.

#### 4. Penalties and Remedies

##### A. Pursuant to A.R.S. § 11-815:

- i. The County may withhold all **Building Permits** and Zoning permits for properties on which a Use of the property, **Building**, or any other Structure exists that does not meet the standards of this Ordinance.
- ii. If a zoning violation is found to exist pursuant to **Section 5.14.C.2.D.ii.a.2)** or **Section 5.14.C.2.D.ix.i**, the **Hearing Officer** shall impose a civil sanction not to exceed the maximum fine established in **Section 5.14.C.4.A.iii** for each violation, for each day the violation continues.
- iii. **Violations** of this Ordinance may be punished by:
  - a. Civil or criminal fines, per day, per violation, amounts of up to:



- 1)** Seven hundred fifty dollars (\$750) for an individual, pursuant to A.R.S. § 13- 802(B);  
or
  - 2)** Ten thousand dollars (\$10,000) for any enterprise, corporation, association, labor union, or other legal entity, pursuant to A.R.S. § 13-803(A)(3).
- b.** Four months imprisonment, pursuant to A.R.S. § 13-707(A)(2), in extreme circumstances.
- c.** Should the daily penalty balance for violation(s) on a single Lot or parcel exceed \$1,500 for agricultural and residential Uses or \$3,000 for commercial and industrial Uses, the matter shall be forwarded to the County Attorney’s Office for further legal action.
- d.** Civil penalties assessed by the **Hearing Officer** shall not relieve the Alleged Violator from responsibility for correcting any violation(s).
- e.** Payment of penalties shall be made to the Community Development Department.

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## CHAPTER 6: Definitions

### 6.1 Purpose and Scope

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1. For the purposes of this Ordinance, certain words, phrases, and terms used herein shall have the meaning assigned to them by this Section.
2. Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.
3. When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural; and those in the plural number include the singular. The word “shall” is mandatory; the word “may” is permissive.
4. Any dispute regarding the meaning of any word, phrase, or section of this Ordinance shall be decided by the **Community Development Director**. Appeals of the decision of the Community Development Director shall be heard by the **Board of Adjustment** as described in **Section 5.8** and A.R.S. § 11-816.
5. The Planning and Zoning Commission shall make determinations to Uses not listed as described in **Section 5.9**.
6. Within the body of this Ordinance, a term or word beginning with a Capital letter indicates a definition is given in this chapter.

### 6.2 General Definitions

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ABANDONMENT means the discontinuation of use for a period of 180 days.

ABANDONMENT (lighting) means the discontinuation of use for a period of 6 months.

ABUT shall mean to touch or adjoin along a common border or property line.

ACCESS OR ACCESS WAY shall be the means of ingress and egress connecting a Site to the public roadway system.

ACCESSORY DWELLING shall mean a second Dwelling Unit in residential zones.

ACCESSORY DWELLING, ATTACHED shall mean an Accessory Dwelling that is attached to the principal Dwelling. An identifying characteristic of an Attached Accessory Dwelling is connection to the main Dwelling either internally or by a common wall.

ACCESSORY DWELLING, DETACHED shall mean an Accessory Dwelling that is not connected internally or by a common wall to the principal Dwelling. Any Accessory Dwellings not meeting the definition of Attached Accessory Dwelling shall be considered Detached.

ACCESSORY STRUCTURE shall mean a Building, part of a Building, or Structure, which is for Accessory Use. Accessory Structures may include overhangs, movable insulating walls, and roofs. Swimming pools, hot tubs, and spas shall be considered detached Accessory Structures.

ACCESSORY USE shall mean a Use incidental, related, appropriate, and clearly subordinate to the main Use of the Lot or Building, which Accessory Use does not alter the Principal Use of such Lot or Building.

ACCESSORY WIND ENERGY SYSTEM shall mean a system designed as a secondary use to existing Buildings or facilities, wherein the power generated is used primarily for on-site consumption. The system consists of a wind turbine and associated controls and may include a Tower.

ACTIVITY CENTER, URBAN, SUBURBAN, AND RURAL shall mean a mixed-use center in a location identified by the Comprehensive Plan, Regional Plan, or Area Plan. Activity centers vary by scale and activity mix depending on location and include commercial, retail, office, and residential Uses and shared parking and public spaces. Activity centers are intended to support concentrated, mixed-use development connected to existing water, wastewater, utility, and transportation infrastructure.

ADJACENT shall mean property that Abuts or is directly across from a street, access easement, alley, or Right-of-Way, other than an interstate or State highway.

ADMINISTRATIVE PERMIT shall mean a permit that is issued by the staff of the Community Development Department without requiring a hearing or other body to approve the permit.

ADULT USE, ADULT ENTERTAINMENT BUSINESS shall mean any adult bookstore, adult motion picture arcade, adult motion picture theater, cabaret, sexual encounter center, or any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical area, but not including those uses or activities, the regulation of which is preempted by State law.

ADVERTISING DEVICE shall mean any figure, symbol, design, model, or device, whether it contains a lettered advertising message or not, used to attract attention or convey a message and that is visible from any area outside a Building. Advertising Devices can include, but are not limited to: vehicles, vehicle parts, wagons, trailers, railroad cars, shipping containers, water storage tanks, and goods for sale.

AGRICULTURAL AND COOPERATIVE EXTENSIONS AND EXPERIMENTAL FACILITY shall mean a scientific research facility that investigates difficulties and potential improvements to food production and agribusiness. Agricultural Experiment Facilities may work with farmers, ranchers, suppliers, processors, and others involved in food production and agriculture.

AGRICULTURAL COMPOSTING, EXEMPT shall mean the controlled biological decomposition of organic solid waste under in-vessel anaerobic or aerobic conditions where all or part of the materials are generated on the farmland or will be used on the farmland associated with the Agricultural Composting operation. The Agricultural Composting Use is exempt from zoning if it meets the requirements of A.R.S. § 11-812.

AGRICULTURAL FACILITY shall mean an open field or enclosed building with transparent walls or roof whether publicly or privately owned including, but not limited to, greenhouses used for the production of horticultural products, and the pasturing of animals.

AGRICULTURE, EXEMPT shall mean use of property exempt from zoning under A.R.S. § 11-812.

AGRICULTURE, GENERAL shall mean the tilling of the soil together with the raising of crops, farming, horticulture, viticulture, silviculture, small livestock farming, dairying, and/ or pasture and range Livestock production, and systems design such as permaculture, including all uses customarily incidental, thereto. Agriculture shall not include slaughter houses, fertilizer yards, cultivation of cannabis (as defined in A.R.S. § 13-3401) or marijuana (as defined in A.R.S. § 13-3401 or § 36-2801) or plants for the reduction of animal matter or any other industrial Use that is similarly objectionable because of noise, odor, smoke, dust, or fumes, as well as the concentrated single-use operation of Feed Lots, hog, turkey, chicken, fur-bearing animals, or other similar farms, unless these operations are operated in conjunction with or are a part of the crop production of the same or adjoining parcels under common ownership. Agriculture does not include Exempt Agriculture.

AGRITOURISM shall mean a commercial enterprise at a working farm, ranch, or agricultural enterprise conducted for the enjoyment or education of visitors. The tourism enterprises are supplemental and primarily related to the agricultural use. Agritourism can include, but is not limited to, shops, farm stays, tours, on-farm classes, seasonal festivals, pumpkin patches, seasonal tree farms, wineries and tasting rooms, orchard dinners, barn dances, and guest ranches.

AIRPORT shall mean any area that is used for the taking off and landing of aircraft, including helicopters, and appurtenant areas that are used for airport Buildings or facilities, including open spaces, landing fields, taxiways, and tie-down areas.

ALLEGED VIOLATOR shall mean a person, natural or corporate, responsible for a property upon which the Zoning Inspector or Code Enforcement Officer has reason to believe a violation of the Zoning Ordinance exists, including, but not limited to, the owner or tenant for the subject property.

ALLEY shall mean any dedicated way, intended for vehicular service to the rear or side of property served by a Street. An Alley is not intended for general traffic circulation.

ANEMOMETER shall mean an instrument for measuring wind force. See also Meteorological (MET) Tower.

ANIMAL HOSPITAL shall mean a place where animals are given medical or surgical treatment and are cared for during the time of such treatment. Use as a Kennel shall be limited to short-term boarding and shall be only an Accessory Use.

ANIMAL HUSBANDRY shall mean the branch of Agriculture concerned with breeding and rearing of farm animals conducted primarily for educational purposes or school credits.

ANIMAL SHELTER shall mean a rescue and sanctuary facility that provides humane care for domestic animals and/or any other animals not under the jurisdiction of the Arizona Game and Fish Department, operates as an animal welfare facility, and provides adoption services for adoptable animals. Animals maintained at such premises are not, for commercial purposes, bought, sold, intentionally bred, or traded. Individual residences where animals are fostered under the auspices of a third-party, nonprofit 501(c)(3) animal welfare organization or Coconino County animal care are not considered to be an animal shelter if they comply with limits on the number of animals set forth in this Code.

ANTENNA means any exterior device for transmitting and receiving wireless communication that is mounted on a Tower, Building, or Structure and that is used to send and receive signals for cellular

telephone, personal communication service, mobile radio, paging, wireless Internet access, and similar communication services. Antennas may include panels, microwave dishes, satellite dishes, whip antennas, or other devices that may be affixed to a Tower, pole, or other Structure.

ANTENNA, ATTACHED means an Antenna mounted on the exterior of an existing Building, silo, smokestack, water tower, utility, or power pole, existing wireless communication Tower, or an alternative support Structure.

ANTENNA, CONCEALED (STEALTH) means an Antenna with a support Structure that screens or camouflages the presence of Antennas and/or Towers from public view in a manner appropriate to the site's context and surrounding environment. Examples include human-made trees, flagpoles that do not extend 10 feet above the maximum allowable Structure Height for the zone, utility poles, light poles, water tanks, steeples, and architectural and façade features.

APARTMENT: See DWELLING, MULTIPLE.

APPURTENANCE is a visible, functional, aesthetic, or ornamental object accessory to and part of a building. An appurtenance is not calculated as part of the building height. Chimneys, Antenna, or flagpoles are not appurtenances.

AREA PLAN shall mean an official amendment to the Coconino County Comprehensive Plan that reflects the local residents' vision of the future, contains goals and policies for development, and provides guidance for decision makers. An Area Plan may serve a community, specific neighborhoods, or rural areas.

ARENA shall mean an area enclosed by a fence or a building, or delineated by other means, for equestrian, livestock, or other animal events and exercise. An arena may be constructed for private use or public spectator events such as a rodeo, barrel racing, dressage, or similar events. An arena shall be considered a commercial use when lights, grandstands, announcer booths, and parking facilities are added.

ASPHALT AND CONCRETE MANUFACTURING AND BATCH PLANT is a manufacturing facility for the sorting, grading, and storage of aggregates as construction materials, and including the manufacture or mixing of concrete, cement, concrete and cement products, asphalt, block, brick, pipe, or tile, including equipment incidental to such manufacturing.

ASSISTED LIVING FACILITY shall mean establishments that provide a special combination of housing, supportive services, personalized assistance with daily activities—such as dressing, grooming, bathing, etc.—and health care to respond to the individual needs of those who need help with activities of daily living. A facility with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential.

AUTO LUBRICATION AND OIL CHANGE OPERATION shall mean any Building or premises used primarily for the purpose of lubrication, fluid replenishment, and oil changing. Such servicing shall not entail the overnight storage of vehicles, nor shall such services include tire recapping, wheel repair, sale or rebuilding of engines, battery manufacturing or rebuilding, radiator repair, transmission repair, engine steam cleaning, auto body work, welding, reupholstering, or installation of auto glass.

AUTOMOBILE (see MOTOR VEHICLE)

AUTOMOBILE AND MOTOR VEHICLE BODY SHOP AND PAINTING is a facility that provides collision repair services, including body frame straightening, replacement of damaged parts, and painting. Body and frame repair does not include mechanical engine or power train repair.

AUTOMOBILE AND MOTOR VEHICLE SALES AND RENTAL shall mean the storage, display, sale, rental, or lease of new or used passenger automobiles, trailers, Off-highway Vehicles, recreational vehicles, trucks, farm implements and machinery, and any warranty repair work and other repair service conducted as an Accessory Use.

AUTOMOBILE AND MOTOR VEHICLE REPAIR AND SERVICE GARAGE shall mean an establishment engaged in the retail sales of vehicular fuels, and for furnishing automotive and light-truck maintenance, repair, and servicing to the general public, such as engine tune-ups, lubrication, and the sale and service of tires and batteries. Automotive Repair and Motor Vehicle Repair and Service Garage shall entail only incidental overnight parking of vehicles. These facilities shall not include tire recapping or battery manufacturing or rebuilding, or automotive body shop and painting.

BAR shall mean premises used primarily for the sale or dispensing of alcohol for on-site consumption and where food may be available for consumption on the premises as an accessory to the principal use.

BATCH PLANT (see ASPHALT AND CONCRETE MANUFACTURING AND BATCH PLANT)

BED AND BREAKFAST ESTABLISHMENT shall mean a portion of a Single Family Dwelling in which one to five bedrooms are completely furnished guest rooms occupied, or intended to be occupied, or advertised as available on a nightly basis for compensation. **See Section 3.7.**

BEDROOM shall mean a room meeting the provisions of the building code and environmental quality as determined by the Building Official.

BILLBOARD shall mean any off-premise Sign that directs attention to or advertises a business, commodity, service, person, enterprise, proposition, or entertainment.

BOARD or BOARD OF SUPERVISORS shall mean the Board of Supervisors of Coconino County, Arizona.

BOARD OF ADJUSTMENT shall mean the Board of Adjustment of Coconino County, Arizona.

BORROW PIT shall mean any place or premises where dirt, soil, sand, gravel, or other unconsolidated earthy material is removed by excavation, without further processing, as fill for activities such as landscaping or Building construction at another location.

BREWERY shall mean a facility that brews ales, beers, meads, and/or similar beverages on site. Breweries are classified as a use that manufactures more than 15,000 barrels of beverage.

BUILDING shall mean a Structure having a roof supported by columns or walls. See STRUCTURE.

BUILDING PERMIT shall mean a permit required for any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a Building or Structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this Code, or cause such work to be done in the unincorporated areas of Coconino County, pursuant to Building codes adopted by the Board of Supervisors.

BURIAL PLOT, PRIVATE shall mean a designated burial area consisting of one or multiple plots/urns on private property that is used by the property owners with no exchange of money.

CABANA shall mean any Building or Structure erected, constructed, or placed with a Building Permit on a Mobile or Manufactured Home space and used in conjunction with a Mobile or Manufactured Home.

CABIN shall mean a permanent structure intended for short-term occupancy in a Campground. Cabins may or may not include cooking or sanitary facilities. Manufactured and Mobile Homes do not constitute a Cabin. Park Model Recreational Vehicles modified to meet minimum Building Code standards as required by the Building Division may be considered as Cabins.

CALIPER shall mean the diameter of a tree trunk measured 4½ feet above the ground. Also known as Diameter at Breast Height (DBH).

CAMPGROUND shall mean a plot of ground, with or without sanitation facilities or water, developed for overnight or limited camping in tents, travel trailers, Recreational Vehicles, Cabins, yurts, or similar Structures.

CAMPSITE shall mean a space for temporary occupancy of one individual or a group within a Campground. Campsites can include up to one Cabin, one yurt, two tents, or one Recreational Vehicle space, with or without a fire pit, bench, or similar facilities. A campsite may include up to two passenger vehicle spaces. A group campsite is a cluster of two or more campsites.

CANOPY shall mean a roof-like Structure supported by a permanent foundation and open on all four sides.

CARE CENTER shall mean any child or adult care arrangement that provides care and/or supervision for six or fewer children or adults for compensation.

CARETAKER'S RESIDENCE is a Dwelling Unit that is accessory and incidental to, and on the same site as, a permitted or Conditional Use.

CARPORIT shall mean a permanent roofed Structure or a portion of a main Structure with not more than two enclosed sides used or intended to be used for automobile storage for the occupants of the premises.

CEMETERY shall mean land used for the burial of the dead, and dedicated for such purposes, including columbariums and mausoleums when operated in conjunction with and within the boundaries of such premises.

CLUB shall mean an association of persons (whether or not incorporated) for a common purpose including entities qualified under Section 501(c)(3) of the Internal Revenue Code, but not including groups organized solely or primarily to provide a product or to render a service or that provide products or services that are contrary to the public policy of this State or the United States.

CODE ENFORCEMENT OFFICER shall mean a deputy zoning inspector, appointed by the Board of Supervisors pursuant to A.R.S. § 11-815(A), responsible for assisting the Zoning Inspector with the enforcement of the Zoning Ordinance and to investigate possible violations thereof.

CO-LOCATION means use by two or more wireless communication providers on the same Tower or other alternative Structure.

COMMERCIAL shall mean activity involving the sale of goods or services carried out for profit.

COMMERCIAL ACRE shall mean a unit of land area that is only 82.6 percent of an acre. It measures 36,000 square feet, 4,000 square yards, 3,342.8 square meters, or 0.334 hectare.

COMMERCIAL COMPOSTING FACILITY is a facility where organic matter, including leaves, grass, manures, and non-meat food production wastes, is received primarily from off-site residential, commercial, and industrial non-hazardous sources to be processed by composting for commercial purposes.

COMMERCIAL EQUIPMENT shall mean any motorized or non-motorized piece of machinery designed for construction, demolition, excavation, logging, shipping, Warehousing, freight-hauling, etc., including but not limited to backhoes, bulldozers, dump trucks, equipment trailers, fork lifts, drill rigs, front-end loaders, or other similar Commercial Equipment.

COMMERCIAL FERTILIZER OPERATIONS shall mean a place where any substance that contains one or more recognized plant nutrients, that is used for its plant nutrient content and is designed for use or claimed to have a value in promoting plant growth, except unmanipulated animal and vegetable manures, and other projects exempted by rule of the Arizona Department of Agriculture, is collected, processed, or stored on a commercial basis. A Commercial Fertilizer Operation must be licensed by the State of Arizona or meet an exemption from licensing requirements per A.R.S. § 3-262.

COMMERCIAL VEHICLE shall mean any licensed and operable bus, truck, or truck tractor or other vehicle having a gross vehicle weight of 26,000 pounds or more, not including a water hauling apparatus for purposes of transporting water for personal use.

COMMERCIAL VEHICLE, INDUSTRIAL AND CONSTRUCTION EQUIPMENT SALES AND RENTAL shall mean a commercial enterprise dealing principally with industrial customers in the sales, rental, and service of Commercial Vehicles, heavy construction and earthmoving equipment, machines, presses, forges, material sales and related uses, conducted either within an enclosed building or out of doors.

COMMISSION shall mean the Coconino County Planning and Zoning Commission.

COMMUNICATION TOWER shall mean a freestanding Structure including appurtenances (greater than 34 feet in height) used for the following commercial communication purposes:

1. AM and FM radio
2. Two-way radio
3. Common carriers
4. Wireless communication
5. Microwave

Amateur (HAM) towers for the personal use of the property owner are excepted from this definition unless in excess of 100 feet in height.

COMMUNITY CENTER shall mean a meeting place used by members of a community for social, cultural, or recreational purposes, and may include such facilities as country clubs, tennis, racket, and aquatic facilities; fitness facilities; and golf courses. Incidental limited Commercial uses commonly associated with and directly related to the primary use may be included.

COMMUNITY COOP shall mean the keeping of poultry or other animals on a Lot which is different from the Lot on which the owner(s) of the animals resides, or the keeping of animals owned by a cooperative.

COMMUNITY DEVELOPMENT DIRECTOR means the Director of the Community Development Department for Coconino County, or his or her designee or appointee.

COMMUNITY GARDEN shall mean a piece of land cultivated by more than four Families living on Lots that are different from the location of the Community Garden. The use by four Families or less shall be considered Gardening.

COMMUNITY SERVICE AGENCY CAMP shall mean a campground used by an organization such as the YMCA, YWCA, Boy Scouts, Girl Scouts, Campfire, and any organization established as a nonprofit corporation qualified under 501(c)(3) of the Internal Revenue Code or an organization supported in whole or in part by public subscription and primarily established to serve the social or welfare needs of the community or any part thereof, and that is not organized for the purpose of personal profit or to earn income for any individual, group of individuals, or corporation and that is not contrary to the public policy of this State or the United States.

COMPOSTING is the processing, in a controlled environment, of organic matter including leaves, grass, manures, Forest Products Processing byproducts, and non-meat food production wastes, by microbiologically degrading organic matter under aerobic conditions to produce a stable product.

COMPREHENSIVE PLAN shall mean the Coconino County Comprehensive Plan and all special Area Plans adopted as amendments to the Comprehensive Plan. A statement of a community's future, it is intended to serve as the primary decision-making guide for growth and development in the County.

CONDITIONAL USE shall mean a land Use that, because of its inherent nature, extent, and external effects, requires special care in the control of its location, design, and methods of operation to ensure that its location is appropriate and the public health, safety, and general welfare is protected. Such Uses are allowed only pursuant to issuance of a Conditional Use permit. See **Section 5.7**.

CONDOMINIUM shall mean an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a residential complex located on such real property. A Condominium may include, in addition, a separate interest in other portions of such real property.

CONDOMINIUM CONVERSION shall mean the development of land and existing Structures as a Condominium, regardless of the present or prior Use of such land or Structure, and regardless of whether substantial improvements have been made to such Structures.

CONIFER shall mean a plant that produces cones such as a plant belonging to the family Coniferae, such as Pines, Cypresses, Junipers and Cedars.



**CONTRACTOR’S YARD** shall mean the Use of any Lot or parcel of land for the commercial or noncommercial parking, storage, maintenance of Commercial Vehicles; and/or more than one piece of Commercial Equipment; and/or outdoor storage of Building materials, aggregates, lumber, piping, vehicle parts, tires, etc. Contractor yards may include offices for the operations and management of the building trades.

**CONVALESCENT HOME** shall mean a facility appropriately licensed by the State, or Coconino County, which provides bed and ambulatory care for patient during post-operative convalescence, chronic illness or dietary problems, and aged or infirm persons unable to care for themselves.

**CONVENIENCE MARKET** shall mean a retail store that is intended to attract stop-and-go traffic, with or without fuel sales, and sell primarily food, beverages and other household supplies to customers who purchase only a few items.

**COTTAGE INDUSTRY** shall mean any business or commercial Use conducted within a Dwelling or an Accessory Structure and carried on by the inhabitants thereof, which Use is clearly incidental and secondary to the Use of the Structure for Dwelling purposes and which use does not change the character thereof or does not adversely affect the Uses permitted in the Zone of which it is a part. See **Section 3.6** for specific requirements.

**COUNTY** shall mean the County of Coconino, State of Arizona.

**COUNTY RECORDER** shall mean the County Recorder of the County of Coconino.

**CRAFT DISTILLERY** shall mean an establishment that produces, bottles, and packages spirituous beverages for sale on site in a taproom in which customers may sample or purchase the product, or for retail carry-out. May or may not include wholesale sales. Craft distilleries shall comply with all applicable state and local regulations.

**DECIDUOUS** shall mean a plant that loses its leaves annually at the end of the growing season.

**DEFENSIBLE SPACE** shall mean that area between a Structure and a potential oncoming wildfire where the vegetation has been modified to reduce the wildfire threat and which provides an opportunity to effectively defend the Structure. This is also known as Survivable Space.

**DENSITY** shall mean the total number of Dwelling Units, Recreational Vehicle Spaces, and Campsites permitted on an acre of land exclusive of all streets and Rights-Of-Way that restrict the surface use of the property in question.

**DESIGN REVIEW GUIDELINES** are specific design standards that apply to an identified, bounded area to guide the physical development of buildings and site design, including architectural elements, materials, color, lighting, signs, and landscaping.

**DEVELOPMENT PLAN** is a dimensioned site plan describing the proposed development on a specific building site. The plan depicts site characteristics and elements such as the location of buildings, streets and driveways, easements, parking calculations, engineered structures such as drainage basins, and landscaping.

**DEVELOPMENT PROJECT** means any residential, commercial, industrial or mixed use Subdivision plan or development plan which is submitted to the County for approval.

DIRECTIONAL SIGN see SIGN, DIRECTIONAL.

DIRECTOR shall mean the Community Development Director of Coconino County, their designee or appointee.

DISTRIBUTED (INDIVIDUAL) RENEWABLE ENERGY SYSTEM shall mean a system designed to be accessory to an existing primary use, wherein electricity is generated in small amounts for primarily on-Site use. Examples may include but are not limited to detached or attached solar collectors, including vertical solar arrays attached to exterior building walls, reflectors and piping, apparatus needed for the operation of active solar energy systems, geothermal or other renewable energy systems, and Accessory Wind Energy Systems. 🌿

DORMITORY shall mean a Building used primarily for sleeping accommodations, where such Building is related to an educational or religious institution or for employee housing associated with a commercial enterprise. For purposes of calculating Density, three dorm rooms shall be equivalent to one Dwelling Unit.

DRY CLEANING or DYING PLANT shall mean a building, portion of or premises used for commercial cleaning or dyeing of fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents or dyes.

DRY CLEANING ESTABLISHMENT shall mean a business which launders articles dropped off on the premises directly by the customer, or where articles are dropped off, sorted and picked up for dry cleaning but where dry cleaning is done elsewhere.

DRIP LINE shall mean an area around the tree trunk that generally includes the spread of the tree branches. It also may refer to that area around a Structure that is beneath the roof overhang.

DRIVE-IN THEATER shall mean an outdoor Structure designed for theatrical performances, displays or shows where the performance is viewed by all or part of the audience from a vehicle.

DROUGHT TOLERANT shall mean non-native species that can survive extended periods of time with little or no water, and that are appropriate for a particular Site without posing a threat of invasiveness or possessing characteristics of Invasive Species or Noxious Weeds.

DUPLEX shall mean a single, separate structure containing two Dwelling Units of the same type, each of which has direct access to the outside.

DWELLING shall mean one or more habitable rooms for residential Use that are used as a home, residence, or sleeping place by one or more persons and which may contain sleeping, sanitary and cooking facilities. Dwelling includes an Apartment or Condominium, Manufactured Home, Modular Home, Mobile Home, Guest House or Dormitory or other structure meeting the provisions of the Building Division.

DWELLING, MULTIPLE shall mean a Building containing three or more individual Dwelling Units or a combination of three or more separate, Dwelling Units on one Lot or Building Site.

DWELLING, SINGLE FAMILY shall mean a detached Dwelling Unit used by one family.

DWELLING UNIT shall mean a Structure with one or more rooms and a single kitchen or cooking accommodation and a bathroom for living and sleeping purposes.

EARLY CHILDHOOD EDUCATION CENTER shall mean the use of any Building or Structure, in conjunction with any child care arrangement that provides care, supervision, education or instruction for more than six preschool-aged children.

EASEMENT shall mean a right-of-use over the property of another.

EDUCATIONAL FACILITY, TRADE SCHOOL shall mean a specialized instructional establishment established to provide for the on-site teaching and training of industrial, clerical, managerial or artistic skills. This applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum. Sometimes referred to as a vocational school.

EDUCATIONAL INSTITUTIONS shall mean public, charter and private schools, provided they offer a curriculum of general instruction similar to public schools, and other non-profit institutions conducting regular academic instruction at an Early Childhood Education Center, kindergarten, elementary, secondary, collegiate levels, and including graduate schools, universities, non-profit research institutions and religious institutions. Such institutions must either (1) offer general academic instructions, or (2) confer degrees as a college or university of undergraduate or graduate standing, or (3) conduct research, or (4) give religious instruction. This definition does not include commercial or trade schools.

ELECTRIC GENERATING STATION shall mean an electrical generating facility including traditional and renewable-energy power plants.

EMERGENCY RESPONSE PLAN is a peace-time plan coordinated by the Emergency Management Department to guide emergency actions in the initial phase of an event, such as a weather-related natural hazard or human-caused disaster, except nuclear power plant accidents. The plan should incorporate a risk assessment and identify potential emergency scenarios to supplement the County Emergency Operations Plan. An emergency response plan may also address hazard mitigation, emergency preparedness, emergency response, and emergency evacuation.

ENVIRONMENTALLY SENSITIVE FEATURES shall mean elements in the landscape that play a particularly large role in supporting wildlife and plant diversity, and are at the same time especially sensitive to degradation. These are determined by best available science and include Water Features (Floodplains, Riparian Areas, Springs/Seeps, Rivers/Streams, and Wetlands), Wildlife Corridors, Large-diameter Trees and Standing Snags, Important Habitat, Steep Slopes, and Rock Outcrops.

EQUESTRIAN CENTER, STABLES, and RIDING ACADEMIES shall mean facilities for the training, boarding and lessons in the riding and care of equines. This use includes commercial stables.

EROSION means the process of the gradual wearing away of land masses. This peril is not per se covered under the program. (See FLOOD-RELATED EROSION.)

EVERGREEN shall mean a plant that retains its needles or leaves all year long, although losing some of the older leaves regularly throughout the year.

EXOTIC ANIMALS shall mean animals that are not native to North America that are not included within the definition of Livestock.

**FAMILY** shall mean any number of individuals related by blood, marriage, affinity or legal adoption/guardianship, or a group of not more than five unrelated persons living together as a single housekeeping unit in a single Dwelling unit sharing common cooking facilities.

**FAIRGROUND** shall mean an area of land designed for, but not limited to, the following facilities and activities: agricultural related buildings, animal shows and judging, sales and auctions, arenas, carnivals, circuses, food vendors, games, rides, meeting facilities, recreational uses, special events, concerts, and indoor and outdoor festivals.

**FARM** shall mean a parcel of land used for the primary purpose of agriculture, horticulture, floriculture or viticulture.

**FARM STAND** shall be a building or structure, weather permanent or temporary, used for the retail sales of fresh fruits, vegetables, flowers, herbs, or plants that are produced on-site. May also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces, or baked goods; but not including any commercially processed or packaged foodstuffs.

**FARMERS MARKET** shall mean an occasional or periodic market held in an open pre-designated area where groups of individual sellers offer their own home-grown and/or hand-made items such as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages dispensed from booths located on-site for sale to the public. Does not include second-hand goods.

**FEED STORE** is an establishment engaged in retail sale of primarily agricultural products and supplies related to the day-to-day activities of agricultural production, including the bulk storage of livestock feed.

**FEEDLOT, COMMERCIAL** shall mean a feeding operation on a Parcel of land where Livestock are temporarily kept or exchanged in corrals or yards on a sustained basis and where feed is brought to the yard.

**FIRE STATION** shall mean a building designed and used for storage of firefighting apparatus, related vehicles and equipment. A Fire Station may include living, training and work facilities for firefighters, and community areas for general public assembly.

**FIREWISE PLAN** is an individual property owner or community level effort to utilize technology, policy, and practices to minimize the loss of life and property to wildland fire independent of firefighting efforts. Firewise plans generally address site design, building techniques, landscaping, creation of defensible space, and maintenance efforts to reduce wildfire impact.

**FIREWOOD STORAGE AND SALES** is a commercial operation involving the storage and sales of wood for use as firewood on property other than that on which it is processed.

**FLOOR AREA** shall mean the total area of a Building measured by taking the outside dimensions of the Building at each floor level intended for occupancy or storage, but excluding courts, Carports, and Garages used for the parking of motor vehicles.

**FLYWAY BARRIER:** A solid wall, fence, dense vegetation, or combination of these materials at least 6 feet high that extends at least 10 feet beyond the hives on each end of a bee colony.

**FOREST PRODUCTS** are products obtained from stands of forest trees which have been either naturally or artificially established, including Holiday trees, but excluding nursery stock.

**FOREST PRODUCTS PROCESSING** shall mean the on-site preparation or processing of Forest Products to produce wood materials for use in manufacturing, as construction materials, and for industrial-scale firewood sales, and may include wood drying kilns, pole peeling equipment and industrial wood chipping operations. Includes Lumbermill and Forest Products Storage.

**FOREST PRODUCTS STORAGE** shall mean any storage, sorting and initial processing or reuse of Forest Products into, but not limited to wood chips, poles, compost, mulch and bio-fuels. Excludes Forest Products Processing.

**FRONTAGE** shall mean that side of a Lot abutting a Street or access Easement.

**FUEL ISLAND** shall mean a facility for filling automobiles and trucks with gasoline, diesel, propane and other types of fuels, including electric car charging stations.

**GARAGE, PRIVATE** shall mean a detached Accessory Building or a portion of a main Building on the same Lot for the parking and temporary storage of vehicles of the occupants of the premises.

**GARDENING** shall mean areas where residents and neighbors have the opportunity to contribute and manage the cultivation of plants, vegetables, and fruits.

**GOVERNING BODY** is the local governing unit, i.e., county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

**GRAZING** shall mean the feeding of domestic Livestock on an open range or fenced pasture for commercial purposes and uses customarily incidental thereto, but not including slaughterhouses, Feedlots, stockyards, packing houses, bone yards, or plants for the reduction of animal matter.

**GROSS AREA** shall mean the total horizontal area within the Lot lines of a Lot or parcel of land before public streets, easements or other areas to be dedicated or reserved for public use are deducted from such Lot or parcel.

**GROSS VEHICLE WEIGHT** shall mean the weight of the vehicle or vehicle combination together with the weight of the maximum load to be carried thereon at any one time; or, the declared gross weight per current vehicle registration.

**GROUND COVER** shall mean low growing plant materials intended to spread over the ground, and which typically grow to a height of 2 ½' or less. Also, organic or inorganic materials such as bark, crushed rock, cinders, or other similar materials typically use in Landscaped Areas between plantings.

**GROUP HOME FOR THE DISABLED** shall mean a Dwelling Unit that is licensed or authorized by a governmental authority having jurisdiction over operations for 10 or fewer disabled persons who reside together as a single housekeeping unit and who receive care, supervision, or counseling from one or more staff persons. This Use includes, homes for the mentally ill, group care agencies and similar residential living arrangements for disabled persons, but shall not include boarding houses, nursing homes, or other group homes not for the disabled. A facility is not a Group Home for the Disabled unless it meets the provisions of Title VII of the Civil Rights Act of 1968 as amended by the Fair Housing Act.

HEARING CLERK shall mean the person, or persons, responsible for the receipt of reports from the Zoning Inspector of Code Enforcement Officer that a violation of the Zoning Ordinance exists, schedules Zoning Hearings, and develops and maintains the files of the Hearing Officer.

HEARING OFFICER shall mean a person, or persons, appointed by the Board of Supervisors pursuant to A.R.S. 11-815(E) to hear and determine whether a violation of the Zoning Ordinance exists, and if a violation is found to exist, impose civil penalties in accordance with Section 5.14.C.4 of the Zoning Ordinance.

HEIGHT, TOWER means the vertical distance from the preexisting Grade at the base of the Tower to the highest point of the Tower including Antennas.

HELIPORT shall mean any area which is used for the landing and taking off of helicopters.

HISTORIC STRUCTURE means any Structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either;
5. By an approved state program as determined by the Secretary of the Interior; or
6. Directly by the Secretary of the Interior in states without approved programs.

HOME OCCUPATION shall mean any Use customarily conducted entirely within a Dwelling and carried on solely by the inhabitants thereof, which use is clearly incidental and secondary to the Use of the Structure for Dwelling purposes and which use does not change the character thereof or does not adversely affect the uses permitted in the zone of which it is a part. A Home Occupation shall meet all of the requirements of **Section 3.5**.

HOSPITAL/HEALTH CLINIC shall mean an institution for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

HOTEL-MOTEL shall mean a Structure or portion thereof or a group of attached or Detached Structures, with a main entrance for multiple units, containing completely furnished individual guest rooms or suites typically occupied on a temporary basis, by any one individual or group of individuals, for compensation.

IMPORTANT WILDLIFE HABITAT shall mean habitat that supports federally endangered plant or animal species, Species of Greatest Conservation Need (SGCN) in Arizona, or sensitive plant species.

INOPERABLE VEHICLE shall mean any whole, dismantled or partially dismantled, vehicle which cannot be started and driven under its own power.

INSTALLED means attached, or fixed in place, whether or not connected to a power source.

INTENDED USE shall mean a new Use that is not currently taking place on a property but that will begin on the property within a reasonable amount of time as determined solely by the Director of Community Development. A Use is not an Intended Use unless progress toward the new Use is indicated by objectively verifiable evidence.

INVASIVE PLANT shall mean an alien (non-native) species whose introduction does or is likely to cause economic or environmental harm or harm to human health and which tend to disrupt natural ecosystems by displacing native species.

KENNEL, COMMERCIAL shall mean any Kennel maintained for the purpose of boarding, breeding, raising or training dogs or cats for a fee or for sale.

KENNEL, NONCOMMERCIAL shall mean any property where five or more dogs and/or cats, over the age of 4 months, are kept or maintained for the use and enjoyment of the occupant for noncommercial purposes.

KITCHEN shall mean any room or portion thereof in a Building or Dwelling unit which is used or intended to be used for cooking or the preparation of food that includes a gas or electric range, oven or stovetop. A kitchen does not include wet bars or specialized home canning or preserving facilities.

LABORATORY is a facility for scientific research, investigation, testing or experimentation of dental, medical, electrical, optical and mechanical products, equipment and treatments, but not facilities for the manufacture or sale of products.

LANDFILL, SANITARY shall mean an engineered facility for the disposal of nonhazardous and nonradioactive solid waste which is located, designed, constructed and operated under permit by the Arizona Department of Environmental Quality, to contain and isolate the solid waste so that it does not create a hazard to human health or to the environment.

LANDSCAPE AREA shall mean that part of the property exclusively set aside for living plant materials and associated non-living ornamental materials such as mulch, fencing, walls or decorative rock.

LANDSCAPING shall mean the placement of living plant materials including trees, shrubs, vegetative and organic or inorganic materials in a prescribed area. Organic and inorganic materials include gravel, cinders, rock and bark materials.

LARGE-DIAMETER TREES AND STANDING SNAGS (20 inches Diameter at breast height) shall mean a live or dead standing tree of any species that has a diameter of 20 inches or more when measured at 4.5 feet above ground level.

LAUNDROMAT shall mean a facility where customers wash, dry or iron clothing or fabrics in machines for hire and operated by customers on the premises.

LIVESTOCK shall mean all animals that are used as (or which are the sources of) agricultural commodities. Included are cattle (beef or dairy), bison, equines (all horses, mules, burros, and asses), sheep, goats (excluding miniature goats), swine (excluding feral pigs), camelids and ratites.

LOT shall mean any Parcel, tract of land, or combination thereof, shown on a plat of record (subdivision) or recorded by metes and bounds, having frontage on a public or private street or on a permanent roadway easement which adjoins a street, and intended for transfer of ownership or intended or used for building development.

LOT, CORNER shall mean a Lot located at the intersection or interception of two or more Streets at an angle of not more than 135 degrees. If the angle is greater than 135 degrees, the Lot shall be considered an Interior Lot.

LOT (SITE) COVERAGE shall mean that portion of a Lot or Building Site which is occupied by any Building or Structure footprint, excepting paved areas, uncovered parking areas, driveways, walks, at grade patios and landscaped areas.

LOT DEPTH shall mean the average horizontal distance between the Front and Rear Lot Lines measured in the mean direction of the side Lot lines.

LOT, FLAG shall mean an Interior Lot not having direct Frontage to a public Street or highway, except for a portion of said Lot used for Access purposes. That portion of a Flag Lot used for Access purposes shall have a minimum width of 20 feet.

LOT, INTERIOR shall mean a Lot other than a corner Lot.

LOT LINE shall mean any line bounding a Lot as herein defined.

LOT LINE, FRONT on an Interior Lot shall mean the property line Abutting the Street. On a corner Lot, the Front Lot Line is the shorter property line Abutting a Street, except in those cases where the subdivision or parcel map specifies another line as the Front Lot Line. On a through Lot or a Lot with three or more sides Abutting a Street or a Corner Lot with Lot Lines of equal length, the Director shall determine which property line shall be the Front Lot Line for purposes of compliance with Yard and Setback provisions of this Ordinance. On a private Street or Easement, the Front Lot Line shall be designated as the edge of the Easement.

LOT LINE, REAR shall mean a Lot Line not Abutting a Street which is opposite and most distant from the Front Lot Line. In the case of an irregular-shaped Lot, a line within the Lot, parallel to and at a maximum distance from the Front Lot Line, having a length of not less than 10 feet. A Lot which is bounded on all sides by Streets may have no Rear Lot Lines.

LOT LINE, SIDE shall mean any Lot Line which is not a Front or Rear Lot Line.

LOT SIZE the area contained within the boundaries lines of a Lot including Easements.

LOT, THROUGH shall mean a Lot having Frontage on two dedicated parallel or approximately parallel Streets.



LOT WIDTH shall mean the horizontal distance between the Side Lot Lines, measured at right angles to the Lot Depth at a point midway between the Front and Rear Lot Lines. The strip of land used for Access or utilities shall not be included in the calculation of Lot Width.

LUMBER AND BUILDING MATERIALS YARD shall mean a facility where building materials such as lumber, plywood, drywall, paneling, cement blocks, tile, insulation, brick, roofing materials and other similar building produces are stored and sold. Lumber and Building Materials Yard does not include Forest Products Processing.

LUMBERMILL is a stationary or temporary facility for the processing of Forest Products from the property on which it is located, from adjoining or other properties, to produce rough and finished lumber and other wood materials for use in manufacturing, craft or construction by sawing, planing, splitting, shaving, stripping, chipping or otherwise processed to produce wood products. A Lumbermill is sometimes referred to as a sawmill.

MACHINE, WELDING SHOP AND MICRO-FOUNDRY shall mean shops where lathes, presses, grinders, shapers and other wood and metal working machines are used, to include but not limited to blacksmith, tinsmith, welding, and sheet metal shops, plumbing, heating, and electrical repair shops, and overhaul shops. Micro-foundry includes processing of raw materials via melting, casting and tempering into a finished product.

MAJOR AMENDMENT TO A PLANNED DISTRICT is a substantial modification to an approved Development Plan and/or Subdivision Plat within a Planned District Zone.

MANUFACTURED HOME shall mean a factory built Dwelling Unit constructed after June 15, 1976 to standards established by the U.S. Department of Housing and Urban Development (HUD) with a HUD seal affixed, and which is designed to be used as a year-round Dwelling when connected to the required utilities. A Manufactured Home does not include Mobile Homes, Travel Trailers, or Recreational Vehicles. May include Park Models when constructed and sited to manufactured home standards.

MANUFACTURED HOME PARK shall mean any area or tract of land where one or more Manufactured or Mobile Home spaces are rented or leased or held out for rent or lease to accommodate Manufactured or Mobile Homes used for habitation.

MANUFACTURED HOME SPACE shall mean a plot of ground within a Manufactured Home Park designed for the accommodation of one Manufactured or Mobile Home.

MANUFACTURING, HEAVY shall mean establishments engaged in the initial processing or treatment of raw material or manufacturing of products that require additional processing, fabrication, or assembly for ultimate use by the consumer, such as the refining of oils or fats (tallow works), rendering or refining of animal byproducts, or uses that are hazardous, such as manufacturing of fireworks or other explosive-type items.

MANUFACTURING, LIGHT shall mean the indoor manufacture, from predominantly prepared materials such as canvas, cellophane, cloth, cork, felt, fiber, fur, glass, leather, paper (no milling), precious or semi-precious stones or metals, metals, plaster, plastic, rubber, shells, textiles, tobacco, wood and yarns, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, which does not create or generate noise, dust, hazardous or noxious emissions, smoke, odor,

heat, glare or vibration outside of the building. Examples include but are not limited to manufacture and assembly of furniture, novelty and artisanal items; small-scale welding, blacksmithing and micro-foundries; scientific and precision medical, dental, and optical instruments or products, rubber and metal stamps, electronics, office and related machinery, bottling plants, and manufacture of pharmaceuticals such as cosmetics, drugs, perfumes, cannabis oils, toiletries and soap (not including refining or rendering of animal oils or fats).

MANUFACTURING, MEDIUM shall mean the manufacturing of products from processed or unprocessed raw materials, where the finished product is noncombustible and nonexplosive. This manufacturing may produce noise, vibrations, illumination or particulate that is perceptible to adjacent land uses, but is not offensive or toxic. Odors produced shall not have a negative effect on land uses within the range of the emission. Packaging of the product is permitted on site. Examples include but are not limited to the production of glass products made from manufactured glass; clay and pottery; food, dairy, beverages, candy and confections products; packing houses; computer hardware; products made from rubber, plastic, or resin, converted paper and cardboard; heavy machine and welding shops, and foundries.

MEAT PROCESSING FACILITY, GAME shall mean the preparation of meat for human consumption by a processor or slaughterer regulated by the Arizona Department of Agriculture through an Exempt Processing License under A.R.S. § 3-2001(11) whose products are specifically labeled “not for sale.”

MEAT PROCESSING FACILITY, SMALL shall mean the preparation of meat for human consumption as regulated by the Arizona Department of Agriculture for sale only within the state of Arizona.

MEAT PROCESSING PLANT shall mean a facility where live animals are slaughtered and prepared for distribution to a butcher shop or retail establishment, such as a grocery store. This use includes the cooking, smoking, processing and packing of eggs, meat or poultry, but does not include rendering or refining of animal byproducts. Retail sales are accessory to the plant.

MEAT RECEIVING FACILITY, GAME shall mean a mobile refrigeration unit for the collection of game meat to be processed at a separate location.

MEDICAL CLINIC shall mean a building other than a hospital operated by one or more physicians, dentists, chiropractors or other licensed practitioners of the healing arts for the examination and treatment of persons solely on an outpatient basis. May include an on-site laboratory, and sale of articles, that are clearly incidental to the services provided.

#### MEDICAL MARIJUANA DISPENSARIES AND OFF-SITE CULTIVATION FACILITIES DEFINITIONS

MEDICAL MARIJUANA: All parts of any plant of the genus cannabis whether growing or not, and the seeds of such plant that may be administered to treat or alleviate a qualifying patient’s debilitating medical condition or symptoms associated with the patient’s debilitating medical condition.

MEDICAL MARIJUANA DISPENSARY: A not-for-profit entity defined in A.R.S. § 36-2801(11) that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells, or dispenses marijuana or related supplies and educational materials to qualifying patients or their designated caregivers.

MEDICAL MARIJUANA INFUSION FACILITY: A facility that incorporates Medical Marijuana by means of cooking, blending, or incorporation into consumable/edible goods.

**MEDICAL MARIJUANA OFF-SITE CULTIVATION LOCATION:** A Building, Structure, or premises associated with, but separate from a Medical Marijuana Dispensary where cultivation, storage, infusion, and/or manufacture of Medical Marijuana products is accomplished.

**METAL STORAGE CONTAINERS** are defined as prefabricated, portable metal containers used for storage of personal property.

**METEOROLOGICAL (MET) TOWER** shall mean Structures used to mount atmospheric sensors to measure wind and other local conditions.

**MICRO-BREWERY** shall mean an establishment that produces, bottles, and packages beer and other fermented malt beverages for sale on site in a taproom in which customers may sample or purchase the product, or for retail carry-out. May or may not include wholesale sales. Micro-breweries shall comply with all applicable state and local regulations.

**MICRO-LUMBERMILL** is a temporary and portable operation for the processing of Forest Products for use as a Cottage Industry, or for personal craft, construction or firewood use.

**MINING** shall mean those activities conducted to develop or extract materials from a mine including on-site transportation, concentrating, milling, leaching, smelting or other processing of ores or other materials. Mining includes activities such as stone quarries, gravel and aggregate pits and washing, screening and drying facilities, stone mills, and rock crushing plants. Offices and maintenance buildings, weight stations, materials and machinery storage in association with mining activities are accessory to the mining use. Mining also includes land reclamation activities regulated pursuant to A.R.S. Title 27.

**MINOR CHANGE TO A PLANNED DISTRICT ZONE** is an administrative amendment that modifies a Development Plan and/or Subdivision Plat within a Planned District Zone. Such changes do not substantially modify the approved plan.

**MIXED USE DEVELOPMENT, IN AN ACTIVITY CENTER** shall mean a project located within an Activity Center identified by either the Comprehensive, Area or Regional Plan, and which integrates a combination of primary commercial, residential, cultural, and/or institutional uses, where those functions are physically and functionally integrated on the same Site. Integrated Sites share driveways, parking, architectural elements, details and style to include but not limited to color and building materials, and that provide pedestrian connections within and outside of the site. The residential portion may include any of the residential land uses listed in this Code, except for mobile homes and recreational vehicles.

**MIXED USE DEVELOPMENT, NOT IN AN ACTIVITY CENTER** shall mean a project located in the commercial zones of an Area Plan or Regional Plan, but outside of a designated Activity Center, on an existing road network, and which integrates a combination of primary commercial, residential, cultural, and/or institutional uses, where those functions are physically and functionally integrated on the same Site. Integrated Sites share driveways, parking, architectural elements, details and style to include but not limited to color and building materials, and that provide pedestrian connections within and outside of the site. The residential portion may include any of the residential land uses listed in this Code, except for mobile homes and recreational vehicles.

MOBILE HOME shall mean a factory built Dwelling Unit constructed prior to June 15, 1976, on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a residence. Mobile Homes do not include Recreational Vehicles, Travel Trailers, or Manufactured Homes.

MODEL HOME as a temporary use associated with subdivision sales, until sales are complete.

MODULAR HOME shall mean a factory built Dwelling Unit which conforms to the following:

1. Built to the building code as adopted by Coconino County;
2. Built with exterior materials customarily used on conventional Site built Dwellings; e.g. wood siding, asphalt roof shingles;
3. Constructed to be set on a permanent foundation similar to Site built Dwellings; e.g. footings and stem walls or piers, in compliance with the building codes as adopted by Coconino County.

MORTUARY shall mean a place for the storage of human or animal bodies prior to their burial or cremation. These uses may include crematoriums.

MOTEL shall mean the same as “Hotel”.

MOTOR VEHICLE is a licensed and operable self-propelled vehicle designed primarily for transportation of persons or goods along public streets, including motorcycles, passenger cars, light trucks, vans and similar size vehicles that have gross vehicle weights less than 26,000 pounds. Excludes Commercial Vehicle.

MOTOR VEHICLE, BOAT, AND RECREATIONAL VEHICLE STORAGE YARDS shall mean the outdoor storage of licensed and operable automobiles, trucks, boats and recreational vehicles in a facility providing space for lease to private individuals, excluding Wrecking and Salvage Yards.

NATIVE PLANTS shall mean plant species occurring naturally and native to a given ecosystem or plant community.

NET AREA shall mean the total horizontal area within the property lines of a Lot or parcel of land excluding all vehicular access ways except those private easements which serve as primary access to no more than four individual Lots or parcels.

NEW CONSTRUCTION shall mean structures for which the “start of construction” commenced on or after the effective date of this Ordinance.

NONCONFORMING SITUATIONS DEFINITIONS - See **Section 3.13**

NONCONFORMING LOT shall mean a Lot, the area or dimensions of which was lawful prior to the adoption, revision, or amendment of the Zoning Ordinance or zoning map, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NONCONFORMING PROJECT shall mean any Structure, development, or undertaking that is incomplete on the effective date of this Ordinance or any amendment thereto or of any zoning map change and

which would be inconsistent with any regulation applicable to the zone in which it is located if completed as proposed or planned.

**NONCONFORMING SIGN** shall mean any Sign lawfully existing on the effective date of the Zoning Ordinance or any amendment thereto which fails by reason of such adoption or amendment to conform to all standards and regulations of the Ordinance.

**NONCONFORMING SITUATION** shall mean a situation that occurs when, on the effective date of adoption of this Ordinance or a previous ordinance or on the effective date of a Zoning Ordinance text amendment or a zoning map change, an existing Lot or Structure or Use of an existing Lot or Structure does not conform to one or more of the regulations applicable to the district in which the Lot or Structure is located. A Nonconforming Situation may be any of the following.

**NONCONFORMING STRUCTURE OR BUILDING** shall mean a Structure or Building the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the Zoning Ordinance but which fails by reason of such adoption, revision, or amendment to conform to the present regulations applicable to the zone in which the property is located.

**NONCONFORMING USE** shall mean a Use or activity which was lawful prior to the adoption, revision, or amendment of the Zoning Ordinance or zoning map, but which is unlawful by the use regulations applicable to the district in which the property is located.

**NOXIOUS WEEDS** shall mean plant species designated as such by the Secretary of Agriculture, Secretary of the Interior, or by State law or regulation. Generally, noxious weeds will possess one or more of the characteristics of being aggressive and difficult to manage, parasitic, a carrier or host of serious insects or disease, and being non-native or new to or not common to the United States or parts thereof. Noxious Weed species have extensive and costly impacts on human health, safety, commerce, recreation, and general well-being. Noxious weeds can adversely affect food production, wilderness values, wildlife habitat, visual quality, forage production, reforestation, recreational opportunities, natural wild-fire regimes, and land values.

**NUISANCE** shall mean an interference with the enjoyment and use of a property.

**NUISANCE PER SE** shall mean a violation of any provision of this Ordinance, regardless of the degree of severity, which is a nuisance pursuant to A.R.S. 11-815 and 13-2917.

**NURSERY AND GARDEN SUPPLY STORE** shall mean an establishment, including greenhouses, for the growth, display and/or sale of plants, trees, shrubs, flowers, vegetables, seeds or other horticultural items, as well as the sale of materials and accessory items directly related to indoor or outdoor plant care and maintenance. These stores do not include the sale of power equipment such as gas or electric lawn mowers and farm implements.

**OFF-HIGHWAY VEHICLE (OHV)** shall mean any motorized vehicle designed for use off paved roadways, and shall include motorcycles, motorbikes, three-wheelers, quads, four-wheel-drive vehicles, snowmobiles, go carts, sandrails, UTVs and any similar vehicle.

**OFF-HIGHWAY VEHICLE FACILITY** shall mean a track utilizing existing terrain or other constructed facility, generally with berms, hills, banked turns, and other grading, or created by simply driving over an area to

create a track, excluding ranching and agricultural operations, over which vehicles would traverse repetitively for recreational purposes. The facility may be for either personal or commercial use.

OFFICE shall mean a room, group of rooms or a building used for conducting administrative, business, public business and service, or public building and utility activities, or for the practice of professional or research operations, not including medical offices.

OIL, GAS AND PETROLEUM PUMPING, DISTRIBUTING OR STORAGE FACILITY shall mean the commercial operation of outdoor space for the storage or transfer of materials or products that may threaten the public health or safety because of combustibility, flammability, toxicity or disease potential. Examples include but are not limited to gasoline or flammables bulk stations, petroleum or liquefied gas products tank farms.

OPEN SPACE shall mean a primarily undeveloped landscape that provides scenic, ecological or recreational values or that is set aside for resource protection or conservation; an area of managed production such as forestland, rangeland or agricultural land that is essentially free of visible obstructions. Open space shall be primarily left in existing, native topography and vegetation with irrigated areas comprising less than half of the area.

OVERLAY ZONE shall mean a zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone.

PACKING HOUSE shall mean a facility where fruit and/or vegetables are received and processed prior to market distribution.

PARCEL shall mean a legally described lot, tract or plot of land.

PARK AND RIDE shall mean a facility designed for parking automobiles, the occupants of which then transfer to public transit, a carpool or vanpool to continue their trips.

PARK MODEL shall mean a Recreational Vehicle built to either Recreational Vehicle Industry Association or American National Standards Institute (ANSI) standard, typically 12 feet in width that is built on a single chassis, mounted on wheels, designed to be connected to utilities necessary for operation of installed fixtures and appliances, and has a gross trailer area of not less than 320 square feet and not more than 400 square feet, except that it does not include fifth wheel trailers.

PARK, PRIVATE shall mean land owned or controlled by a private or semi-public entity and used for passive or active recreation.

PARK, PUBLIC shall mean a natural or landscaped area, with or without buildings or structures, designed principally to offer passive or active recreation to the public.

PARKING AREA shall mean an area designed and constructed for the parking, storage and maneuvering of vehicles.

PARKING GARAGE, LOT, OR STRUCTURE shall mean the primary use of a public or private off-street, surfaced facility or open parking lot for the short term parking of motor vehicles by the hour, day, or week, and for which a fee may or may not be charged. This use includes incidental appurtenances, control gates, and pay boxes, but does not include Motor Vehicle, Boat and Recreational Vehicle Storage Yard.

**PARKING SPACE** shall mean a space within a public or private parking area, exclusive of driveways, ramps, columns, offices and work areas, which space is for the temporary parking or storage of one motor vehicle.

**PERFORMANCE STANDARD** shall mean criteria or limits relating to certain characteristics that a particular use or process may not exceed. A Conditional Use Permit may be applied for in order to request a waiver or change to Performance Standards.

**PERSON** means any individual, lessee, owner, or any commercial entity including but not limited to firm, business, partnership, joint venture, or corporation.

**PERSONAL SERVICES ESTABLISHMENT** shall mean establishments providing individual, nonmedical, services related to personal needs, such as barber shops, beauty and nail salons, body art studio, massage and spa services, shoe repair, tailor shops, laundromats (self-service), dry cleaning services, and health and fitness centers.

**PLANNED RESIDENTIAL DEVELOPMENT (PRD)** shall mean a tract of land developed as a unified residential development under single ownership or unified control. The PRD shall include is description the proposed development, consisting at a minimum a map and ordinance setting forth the specific regulations governing, and the location and phasing of all proposed uses and improvements to be included in the development.

**PLANT UNIT** shall mean a method of identifying Landscaping requirements. Alternative plant units are set forth in Section 4.4.C.13.

**POULTRY** A domesticated bird that is used to produce meat or eggs, including but not limited to chickens, hens, roosters, ducks, turkeys, peafowl and geese.

**PRINCIPAL USE** shall mean the primary or predominant use of any Lot or parcel.

**PRINTING AND PUBLISHING SHOP** shall mean a commercial printing operation for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses, to include but not limited to photocopying, blueprinting, lithography, imprinting, offset printing and newspaper publishing.

**PUBLIC UTILITY SERVICE YARD** is an open area used by any public utility for the storage of public utility equipment, vehicles or supplies.

**RECREATION, PASSIVE** may include trails for purposes of exercising or observing various activities participated in passively by individuals or organized groups.

**RECREATIONAL FACILITIES, INDOOR** shall mean those buildings or structures built or developed for purposes of entertaining, recreating, exercising or observing various activities participated in either actively or passively by individuals or organized groups, such as amusement arcades, bowling alleys, billiard halls, climbing gyms, fitness facilities, racquetball and handball, movie and live theaters, skating rinks, archery and shooting range, excluding Community Centers.

**RECREATIONAL FACILITIES, OUTDOOR** means an area built or developed for active or passive recreation or entertainment, whether publicly or privately owned, including, but not limited to, Arenas, Fairgrounds, amusement parks, amphitheaters, Drive-In Theaters, skating rinks, batting cages and

baseball diamonds, driving ranges, archery and shooting range, soccer and football fields, golf courses, miniature golf, tennis courts, swimming pools, and horse race tracks, excluding Community Centers, Equestrian Centers, Stables and Riding Academies.

RECREATIONAL VEHICLE shall mean a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

RECREATIONAL VEHICLE PARK shall refer to facilities for the temporary storage, parking and maneuvering of Recreational Vehicles (motor homes, Travel Trailers, campers, etc.) with adequate roads and stall sites, including sanitary and water facilities. Site locations are provided on a day-by-day, month-to-month, or seasonal basis. Employee housing is permitted as a permanent accessory residential use in a Recreational Vehicle. This use does not constitute a Manufactured Home Park.

RECYCLING CENTER shall mean a Building or Site within which recoverable resources are collected, separated, and processed prior to shipment to others for use in the manufacture of new products. A recycling center does not include Junk Yards.

RECYCLING-COLLECTION POINT shall mean an Accessory Use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. Such facilities would consist of small enclosed containers, and would generally be located in shopping center parking lots or other public/quasi-public area such as at schools or churches.

RELIGIOUS INSTITUTIONS shall mean Buildings and locations such as churches, convents, monasteries, temples and similar organizations where people regularly participate in or hold religious services, meetings or other activities related to the exercise of their religious beliefs. This definition does not include schools, preschools or residential Uses or small home group religious meetings occurring in a Dwelling.

RELIGIOUS INSTITUTIONS ACCESSORY USES shall mean Uses that are Accessory Uses to the Principal Use of a Church including schools, preschools and residential Uses.

RESIDENTIAL COLLECTIVE HOME shall mean facilities for living, sleeping and sanitation and may include facilities for eating and cooking, for occupancy by other than a Family.

RESORT shall mean a building or group of buildings containing guest rooms, including timeshares, with a large portion of the site devoted to recreational activities, such as tennis, horseback riding, swimming, and golf.

RESTAURANT shall mean an establishment in which the principal use is to serve food and/or beverages, with or without outdoor seating, and including the sale of alcoholic beverages, as defined by State statute, for consumption onsite.

RESTAURANT, DRIVE-IN/THRU shall mean an establishment that primarily delivers prepared food and/or beverages to customers in motor vehicles or to customers at a service window for consumption either on or off the premises.

RETAIL SALES ESTABLISHMENT shall mean a commercial enterprise, conducted primarily within an enclosed building, that provides goods, wares, merchandise or service for sale directly to the ultimate



consumer, without a resale license. May include outdoor display and sales that are accessory to the retail building.

RETAIL SALES ESTABLISHMENT, LARGE shall mean a retail establishment (store) with any commercial retail uses or a combination of such commercial retail uses comprised of greater than 25,000 square feet and less than 70,000 square feet of gross floor area. The 25,000 square feet of floor area includes gross floor area and ancillary outdoor storage or merchandise display areas. The floor area does not include motor vehicle parking or loading areas. For the purpose of determining the applicability of the 25,000 square foot of floor area, the aggregate square footage of all adjacent stores which share common check stands, management, a controlling ownership interest, and storage areas, shall be considered one establishment, e.g. a plant nursery associated with a general merchandise area such as a home improvement area.

RIGHT-OF-WAY shall mean land dedicated to public use for pedestrian, equestrian and vehicular movement, which may also accommodate public utilities, that is either publicly owned or subject to a public Easement. See County Engineer Design and Construction Manual.

ROCK OUTCROPS shall mean rock outcrops and volcanic extrusions connected to bedrock, not piles of loose rock, larger than 25 feet in their longest dimension.

ROCK, SAND, AND GRAVEL YARD shall mean the stockpiling of soil, rock, sand and gravel for retail or wholesale sales. This use may include rock crushing, sorting, washing and screening, but does not include cement mixing.

RODEO shall mean a competitive equestrian sport activity in which riders demonstrate their skill barrel racing, riding broncos, roping cattle, wrestling steers and other events, usually organized as a spectator sport held within an Arena.

RURAL PLANNING AREA shall mean an area created by petition of owners of a majority of the property to prepare a plan that emphasizes voluntary, nonregulatory incentives for accommodating the continuation of traditional rural and agricultural enterprises; designated by the Board of Supervisors under A.R.S. § 11.806.D.3.

SECONDHAND MATERIALS shall mean manufactured goods that are deteriorated as to make them unusable in their current condition including but not limited to cloth, rope, rubber, glass, machinery, tools, appliances, fixtures, lumber, paper, cartons and containers, pipe, junk, auto parts, appliances, furniture, building materials, used tires, etc. that is stored for more than 24 hours in the same place.

SELF-SERVICE STORAGE FACILITIES shall mean any multi-unit facility designated or used for the purpose of providing individual compartmentalized and controlled access stalls or lockers for the indoor storage of customers' goods and wares.

SETBACK shall mean the distance between the established Lot Line and any Building or Structure.

SETBACK LINE, FRONT shall mean the line which defines the depth of the required Front Setback. Said Setback line shall be parallel with the street line and be removed therefrom by the perpendicular distance prescribed for the Front of the zone in which the property is located.

SETBACK LINE, REAR OR SIDE shall mean the line which defines the width or depth of the required Rear or Side Setback. Said Setback line shall be parallel with the property line, removed therefrom by the perpendicular distance prescribed by the zone in which the property is located. Where the side or rear Setback abuts a street, the distance shall be measured as set forth in the "Setback Line, Front."

SHIPPING CONTAINER shall mean a prefabricated, portable metal container used for storage also known as a Metal Storage Container.

#### SIGN DEFINITIONS

SIGN shall mean a Structure, Advertising Device, figure, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. This definition shall not include official notices issued by any court or public body or officer or directional warning or information Sign or Structure required by or authorized by law.

SIGN, DETACHED (FREESTANDING) SIGN shall mean a ground Sign with no form of support other than its own structural members.

SIGN, DIRECTIONAL shall mean a sign which conveys instructions for pedestrians and/or motorists such as entrance and exits of a parking lot, walking directions or directions to a particular site (i.e. park, library etc.).

SIGN, DOUBLE-FACED shall mean a Sign with two faces only, with each face oriented 180 degrees from the other.

SIGN, ELECTRONIC MESSAGE BOARD is a sign with a fixed or changing display, content, pictorial or informational message that can be changed or altered on a fixed electronic display screen. This includes LED-illuminated signs.

SIGN, EXTERNALLY ILLUMINATED is illumination of a sign by a light fixture separate from the sign that shines light on the sign. Lumens emitted from external sign illumination contributes to overall maximum total outdoor light output standards.

SIGN, INTERNALLY ILLUMINATED is illumination of a sign effected by a source of light contained within the sign itself. Any sign in which light becomes visible by shining through a translucent surface shall be considered an internally illuminated sign.

SIGN, OFF-PREMISE shall mean any Sign that directs attention to a business, commodity, service, idea or proposition, entertainment, product, Structure, Use or property different from a business existing on the property excluding appurtenant easements, where the Sign is located. An Off-Premise Sign also includes a Sign on which space is rented, donated, or sold by the owner of said Sign or property for the purpose of conveying a message.

SIGN, PERMANENT is a sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises. Permits for electrical, foundation and lighting may be required.

SIGN, PROJECTING shall mean a Sign attached to a Building wall or Structure that extends horizontally more than 12 inches from the face of the wall.

SIGN, RANCH ARCH shall mean a sign which spans the entrance to a residential property and indicates the name of the property, the property owner or address or merely is decorative.

SIGN, ROOF OR ROOF SIGN shall mean a Sign erected over or on, and wholly or partially dependent upon the roof of any Building for support, or attached to the roof in any way. This definition shall also include any sign painted directly on a roof.

SIGN, TEMPORARY is a sign that is designed to be displayed for seasonal or brief and limited time periods, and that is constructed of materials such as cloth, canvas, fabric, plywood or other light materials.

SIGN, WINDOW shall mean a Sign, which is displayed in a window so as to be visible beyond the boundaries of the parcel upon which such Signs are displayed.

SINGLE FAMILY DWELLING (see DWELLING, SINGLE FAMILY)

SITE shall mean a contiguous area of land, including a Lot or Parcel or a portion thereof, upon which a project is developed or proposed for development, and is in single ownership or has multiple owners, all of whom join an application for development.

SITE AREA shall mean the total gross area to be used for development of a project.

SITE AREA, NET shall mean the Site Area less the amount of land required to be dedicated for public purposes or other dedications.

SITE PLAN shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, all of the Buildings, Structures and Uses and the exact manner of development proposed for a specific parcel of land.

SOLID WASTE HAULER YARD shall mean a facility for the parking, storage or maintenance of trucks used primarily for the transport of solid waste to a Landfill, Sanitary, or to and from a Solid Waste Transfer Facility.

SOLID WASTE TRANSFER FACILITY shall mean a storage or collection facility that is permitted by the Arizona Department of Environmental Quality and operated as a relay point for solid waste and recycling materials, that is then transferred to a sanitary landfill.

STABLE, COMMERCIAL shall mean a Structure or Site for more than 2 horses, mules or ponies and other similar animals which is rented, used or boarded for others on a commercial basis for compensation. See Equestrian Center, Riding Academies or Hunt Clubs.

STABLE, PRIVATE shall mean an Accessory Structure for the keeping of horses, mules or ponies or other similar animals owned by the occupants of the premises and not rented, used or boarded on a commercial basis for compensation.

STATE shall mean the State of Arizona.

STEEP SLOPES shall mean improved or unimproved lands, any lot, parcel, tract of land where the existing natural terrain has an average cross-slope of 25 percent or greater and/or unstable slopes and where the natural state of such should be conserved as open space.

STONE AND MONUMENT YARDS shall mean a retail establishment for the display and sale of stone products used in residential and commercial building and construction, and for the cutting and shaping of stones, monuments and tombstones.

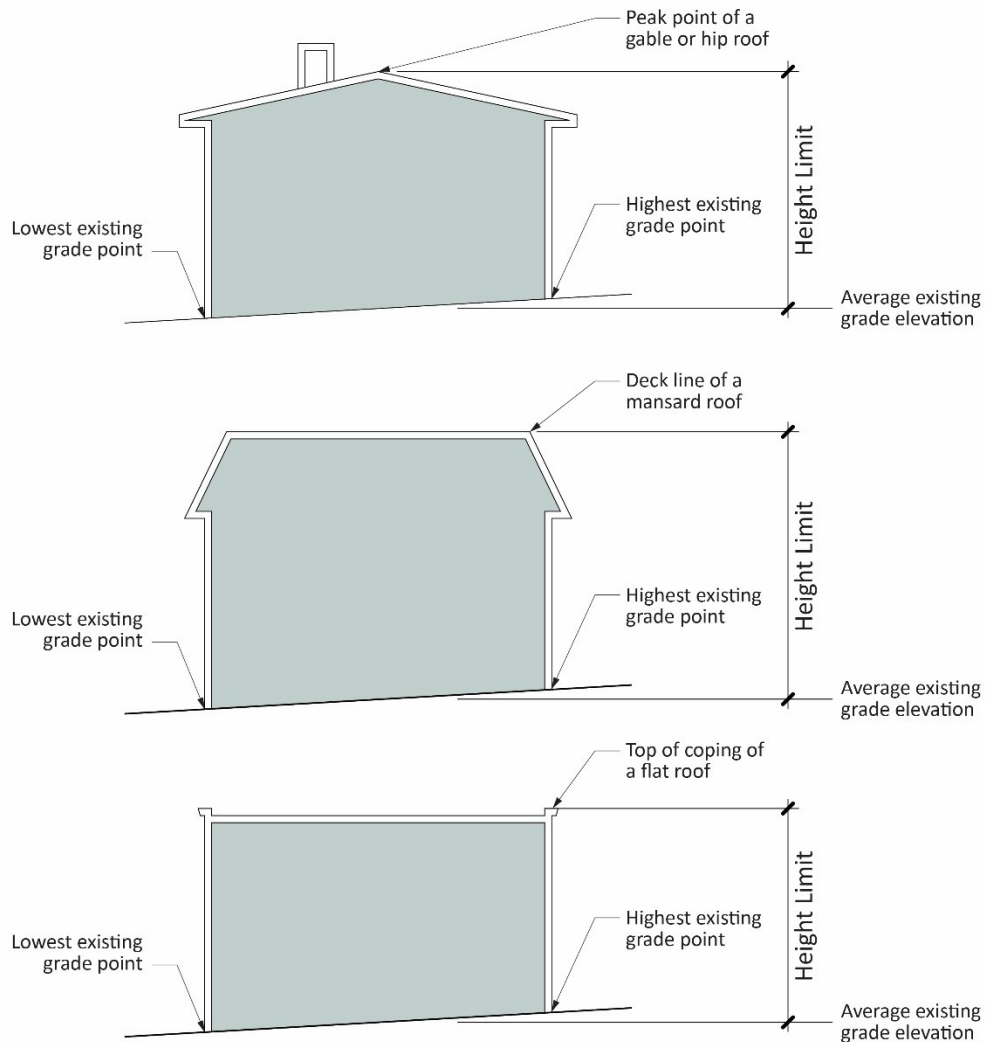
STORY shall mean that portion of a Building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

STREET shall mean a public thoroughfare or Right-of-Way or approved private thoroughfare or Right-of-Way determined by the Commission to be adequate for the purpose of Access, which affords the principal means of Access for Abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except as excluded in this Ordinance. The word "Street" shall include all major and secondary highways, collector Streets, and local Streets but shall not include Alleys. See County Engineering Design and Construction Manual.

STRUCTURAL ALTERATION shall mean any change in or alteration to a Structure involving a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, retaining walls, or similar components.

STRUCTURE shall mean anything constructed or erected, any edifice or Building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, which requires location on or in the ground or is attached to something having a location on or in the ground, including but not limited to Mobile Homes, Signs, pre-fab storage sheds, light standards, flag poles, church spires, antennas, swimming and wading pools, and covered patios, excepting paved areas, concrete walks, tennis courts, and similar outdoor areas, and further excepting fences and walls 3 feet or less in height.

STRUCTURE HEIGHT shall mean the vertical distance from the average line of the highest point and lowest points of the preexisting natural Grade of that portion of the lot covered by the Structure to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the highest point of the highest gable of a pitch or hip roof.



### Structure Height Calculation

SUBDIVISION OR SUBDIVIDED LANDS shall mean improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into six or more lots, parcels or fractional interests. Also includes a stock cooperative, lands divided or proposed to be divided as part of a common promotional plan and residential condominiums as defined in A.R.S. title 33, Chapter 9. See the Subdivision Ordinance for further details.

TEMPORARY USE shall mean a land use that is designed, operated, and occupies a site for a limited time pursuant to performance standards. See Special Uses and Conditions **Section 3.2**.

TINY HOUSE shall mean a dwelling that is 600 square feet or less, excluding lofts, and meets Building Code Standards for a tiny home. A tiny house can be site built, factory-built, built off-site or on an approved trailer. Park model structures that meet life and safety requirements of the adopted Building Code may qualify as a Tiny House.

TOWER shall mean a self-supporting Structure such as a lattice Tower or monopole, a guyed Tower, or a Structure affixed to or mounted on an existing or newly constructed Building or other permanent Structure, together with associated equipment, designed to support one or more Antenna.

TOWNHOUSE shall mean a Single-Family Dwelling that shares a party wall with another of the same type.

TRANSIT STOP CENTER shall mean a small scale covered or open waiting area for bus and other transit opportunities, usually located in public street right of way, and without parking facilities.

TRUCK STOP AND TRAVEL CENTER shall mean a facility for fueling and servicing trucks and tractor trailers, with or without a Convenience Market and/or other ancillary uses. May also serve passenger vehicles.

TRUCK YARD shall mean the parking, storage, or maintenance of two or more Commercial Vehicles on any given lot or parcel of land. This use does not include parking of solid waste hauling trucks.

TURBINE, HUB HEIGHT, The distance measured from ground level to the center of the turbine hub.

TURBINE, TOTAL HEIGHT is the distance measured from ground level to the blade extended at its highest point.

TURBINE, WIND is a device which converts the kinetic energy of the wind into a useable form of electrical energy.

UNLICENSED VEHICLE shall mean any motor vehicle which is not currently licensed.

USE shall mean the purpose for which land or a Building is occupied or maintained.

UTILITY FACILITY shall mean all above-ground Buildings, Structures and related equipment for electric, telephone (other than wireless), and television, water distribution, reservoirs, pumping plants, wastewater treatment, propane storage facilities and natural gas providing utility services, public service sub-stations, and similar installations. Public utility offices, transmission and distribution lines and supporting Structures are not included.

VETERINARY FACILITIES shall mean a Building or Site where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use. This use does not include Kennels, Stables or animal shelters.

WAREHOUSING shall mean the use of a Building or portion thereof for the commercial storage of goods or merchandise and where no retail or Wholesale operation is conducted at the Site.

WATER FEATURES shall include Floodplains, Riparian Areas, Rivers/Streams, Springs/Seeps, and Wetlands as defined below:

FLOODPLAINS: The area along a perennial or ephemeral stream or river that fills with water periodically. Floodplains can include riparian areas and sometimes have a distinct vegetative community that included water-loving plants. However, in Coconino County, many floodplains are simply characterized by grassy areas. (See the Zoning Ordinance for Floodplain Management Regulations.)

**RIPARIAN AREAS:** The ecosystem located along a perennial or ephemeral river. Usually characterized by water-loving plants/trees, riparian areas run parallel to streams and rivers.

**RIVERS/STREAMS:** The lowest point within a watershed where water moves downstream. Streams and rivers in Coconino County can be perennial or ephemeral.

**SPRINGS/SEEPS:** Fixed locations where groundwater emerges from the earth perennially or ephemerally. These features usually have a distinct water-loving plant community associated with them which can include mesic grasses, reeds, rushes, sedges, cattails and a variety of shrubs and trees.

**WETLANDS:** An area that is saturated by water perennially or seasonally and have a distinct vegetation community associated with water. The term wetlands encompass both the aquatic environmental associated with the pond or lake and the distinct vegetative community around the periphery which can be characterized by mesic grasses, reeds, rushes, sedges and/or cattails. (See the USACOE for regulations.)

**WAYFINDING SIGNAGE** is a consistent, comprehensive organization of signs with a graphic design theme, placed at key decision point locations to guide travelers, pedestrians and bicyclists as they navigate a community. Wayfinding signage is developed for a defined, specific area as a comprehensive directional sign package.

**WHOLESALE** shall mean the selling of any type of goods or materials for the purpose of resale.

**WILD ANIMALS** shall mean which are normally found living and growing in the natural environment and are not usually domesticated or cultivated.

**WILDLAND-URBAN INTERFACE (W/UI)** is the area in and around a community where structures meet or intermingle with undeveloped land, and the immediate or secondary effects of a wildfire would threaten a community's environmental, social, and economic values, causing serious detriment to the area's overall health and viability.

**WILDLIFE CORRIDOR** shall be as defined by the Coconino County Wildlife Connectivity Assessment or expert opinion by the Arizona Game and Fish Department.

**WINERY** shall mean an agricultural processing facility used for the commercial purpose of processing grapes, other fruit products, or vegetables to produce wine or similar spirits. Processing includes wholesale sales, crushing, fermenting, blending, aging, storage, bottling, administrative office functions for the winery with retail sales as part of the winery operations.

**WIRELESS TELECOMMUNICATION FACILITIES** mean any combination of one or more Antennas, Towers and/or Structures with equipment used for the transmission of wireless communication.

**WIRELESS TELECOMMUNICATION FACILITIES DEFINITIONS** - See **Section 3.9**

**WRECKING AND SALVAGE YARD** shall mean the area outside of an enclosed Building used for the dismantling or wrecking of motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts, or the outdoor storage of any used or secondhand materials, including but not limited to lumber, household appliances, pipe, fencing, drums, machinery or furniture for the purposes of resale as parts or parts as salvage only. A Wrecking and Salvage Yard does include the incidental storage of vehicles in connection with the operation of an

Automotive Repair and Service Garage, providing the repair period for any one vehicle does not exceed 30 days.

YARD shall mean an opening that lies between Structures or a Structures and the nearest lot line. The minimum required yard (Building Setback) as set forth in the Ordinance is unoccupied and unobstructed from the ground upward except as specifically provided for.

ZONE shall mean a classification established by this Ordinance which limits or permits various and specific Uses subject to specific performance and development standards. Zone shall mean the same as “District” in A.R.S. § 11-801.

ZONING HEARING shall mean a proceeding before the Hearing Officer in which the Zoning Inspector, a Code Enforcement Officer, or the County Attorney’s Office presents evidence showing the existence of a violation of the Zoning Ordinance and the Alleged Violator, or other designated representative, has the opportunity to present evidence.

ZONING INSPECTOR/COMPLIANCE MANAGER shall mean the person appointed by the Board of Supervisors pursuant to A.R.S. 11-815(A) to enforce the provisions of the Zoning Ordinance and investigate possible violations thereof.

ZONING ORDINANCE OR ORDINANCE shall mean the Zoning Ordinance of the County of Coconino, Arizona.

### **6.3 Floodplain Management Definitions**

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See Section 2.15.B. Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance it’s most reasonable application.

ACCESSORY USE, FLOODPLAIN means a Use which is incidental and subordinate to the Principal Use of the parcel of land on which it is located.

ACCESSORY STRUCTURE means a Structure that is on the same parcel of property as a principal structure, and the use of which is incidental to the use of the principal structure.

APEX means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and Alluvial Fan Flooding can occur.

APPEAL means a request for a review of the Floodplain Administrator’s interpretation of any provision of this Ordinance or a request for a Variance.

AREA OF SHALLOW FLOODING means a designated AO, AH, or VO Zone on the Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of Flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of Flooding is unpredictable and where velocity flow may be evident. Such Flooding is characterized by ponding or sheet flow.

BACKFILL means the placement of fill material within a specified depression, hole or excavation pit below the surrounding adjacent ground level as a means of improving Flood water conveyance or to restore the land to the natural contours existing prior to excavation.



**BASE FLOOD** shall mean the flood having a one-percent chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION** means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**BREAKAWAY WALL** means a wall that is not part of the structural support of the Building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the Building supporting foundation system.

**COMMUNITY, FLOODPLAIN** means any state or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or authorized native organization which has authority to adopt and enforce Floodplain management regulations for the area within its jurisdiction.

**CRITICAL FEATURE** means an integral and readily identifiable part of a Flood Protection System without which the Flood protection provided by the entire system would be compromised.

**DEVELOPMENT, FLOODPLAIN** means any human-made change to improved or unimproved real estate, including but not limited to Buildings or other Structures, mining, dredging, filling, grading, paving, and excavation or drilling operations, and storage of materials and equipment located within the Special Flood Hazard Area.

**ENCROACHMENT, FLOODPLAIN** means the advance or infringement of Uses, plant growth, fill, excavation, Buildings, permanent Structures or development into a Floodplain which may impede or alter the flow capacity of a Floodplain.

**EXISTING MANUFACTURED HOME PARK or SUBDIVISION** means a Manufactured Home Park or Subdivision for which the construction of facilities for servicing the Lots on which the Manufactured Homes are to be affixed (including, at a minimum, the installation of utilities, the construction of Streets, and either final site grading or the pouring of concrete slabs) is completed before the effective date of the Floodplain management regulations adopted by the Community.

**FINANCIAL ASSISTANCE** means any form of loan, grant, guaranty, insurance, payment, re-bate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance, other than general or special revenue sharing or formula grants made to States.

**FLOOD or FLOODING** means a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of Flood waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source, and/or (3) the collapse or subsidence of land along the shore of a lake or other body of water as a result of Erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash Flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in Flooding as defined in this definition.

**FLOOD INSURANCE RATE MAP (FIRM)** means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the Special Flood Hazard Areas and the risk premium zones applicable to the Community.



**FLOOD INSURANCE STUDY** means the official report provided by the Federal Insurance Administration that includes Flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base Flood.

**FLOODPLAIN OR FLOOD-PRONE AREA** means any land area susceptible to being inundated by water from any source (see definition of “Flood”).

**FLOODPLAIN ADMINISTRATOR** means the Director of Public Works who is hereby authorized by the Floodplain Board to administer and enforce the provisions of this Ordinance.

**FLOODPLAIN BOARD** means the Board of Directors of the Flood Control District of Coconino County at such times as they are engaged in the enforcement of this Ordinance.

**FLOODPLAIN MANAGEMENT** means the operation of an overall program of corrective and preventive measures for reducing Flood damage and preserving and enhancing, where possible, natural resources in Floodplains, including but not limited to emergency preparedness plans, Flood control works and Floodplain Management Regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS** means this Ordinance and other Zoning ordinances, Subdivision regulations, Building codes, health regulations, special purpose ordinances (such as Floodplain ordinance, grading ordinance and Erosion control ordinance) and other applications or police power which control development in Flood-prone areas. This term describes federal, state or local regulations in any combination thereof, which provide standards for preventing and reducing Flood loss and damage.

**FLOOD PROTECTION SYSTEM** means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify Flooding in order to reduce the extent of the area within a community subject to “Special Flood Hazard” and the extent of the depths of associated Flooding. Such a system typically includes dams, reservoirs, levees or dikes. These specialized Flood modifying works are those constructed in conformance with sound engineering standards.

**FLOODPROOFING** means any combination of structural and non-structural additions, changes, or adjustments to Structures which reduce or eliminate Flood damage to real estate or improved real property, water and sanitary facilities, Structures and their contents.

**FLOOD-RELATED EROSION** means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in Flooding.

**FLOOD-RELATED EROSION AREA MANAGEMENT** means the operation of an overall program of corrective and preventive measures for reducing Flood-related Erosion damage, including, but not limited to, emergency preparedness plans, Flood-related Erosion control works, and Floodplain Management Regulations.

**FLOODWAY** means the channel of a river or other Watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as “Regulatory Floodway”

**FLOODWAY FRINGE** is that area of the Floodplain on either side of the “Regulatory Floodway” where encroachment may be permitted.

**FREEBOARD** means a factor of safety usually expressed in feet above a Flood level for purposes of Floodplain Management. “Freeboard” tends to compensate for the many unknown factors that could contribute to Flood heights greater than the height calculated for a selected size Flood and Floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**FUNCTIONALLY DEPENDENT USE** means a Use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship Building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**HARDSHIP** as related to Section 2.16.B.7, Variances, of this Ordinance means the exceptional hardship that would result from a failure to grant the requested Variance. The governing body requires that the hardship be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one’s neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**HIGHEST ADJACENT GRADE** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a Structure.

**LEVEE** means a human-made Structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary Flooding.

**LEVEE SYSTEM** means a Flood Protection System which consists of a Levee, or Levees, and associated Structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**LOWEST FLOOR** means the lowest floor of the lowest enclosed area (including Basement). An unfinished or Flood resistant enclosure, usable solely for parking of vehicles, Building Access or storage in an area other than a Basement area is not considered a Building’s lowest floor; provided, that such enclosure is not built so as to render the Structure in violation of the applicable non-elevation design requirements of this Ordinance.

**MANUFACTURED HOME, FLOODPLAIN** means a Structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term “Manufactured Home” does not include a “Recreational Vehicle”.

MANUFACTURED HOME PARK OR SUBDIVISION, FLOODPLAIN means a parcel (or contiguous parcels) of land divided into two or more Manufactured Home Lots for sale or rent.

MARKET VALUE shall be determined by estimating the cost to replace the Structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the Structure was constructed. The cost of replacement of the Structure shall be based on a square foot cost factor determined by reference to a Building cost estimating guide recognized by the Building construction industry. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the Floodplain Administrator, but shall not include economic or other forms of external obsolescence. Use of replacement costs or accrued depreciation factors different from those contained in recognized Building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.

MEAN SEA LEVEL means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

MUDSLIDE (i.e., MUDFLOW) describes a condition where there is a river, flow or inundation of liquid mud down a hillside usually as a result of a dual condition of loss of brush cover, and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A Mudslide (i.e., mudflow) may occur as a distinct phenomenon while a landslide is in progress, and will be recognized as such by the Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

MUDSLIDE (i.e., MUDFLOW) AREA MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing Mudslide (i.e., mudflow) damage, including, but not limited to, emergency preparedness plans, mudslide control works, and Floodplain Management Regulations.

MUDSLIDE (i.e., MUDFLOW) PRONE AREA means an area with land surfaces and slopes of unconsolidated material where the history, geology and climate indicate a potential for mudflow.

NEW CONSTRUCTION (floodplain) means, for the purposes of determining insurance rates, Structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such Structures. For Floodplain Management purposes, "New Construction" means Structures for which the "start of construction" commenced on or after the effective date of a Floodplain Management Regulation adopted by the Flood Control District and includes any subsequent improvements to such Structures.

NEW MANUFACTURED HOME PARK or SUBDIVISION means a Manufactured Home Park or subdivision for which the construction of facilities for servicing the Lots on which the Manufactured Homes are to be affixed (including at a minimum, the installation of utilities, the construction of Streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of Floodplain Management Regulations adopted by the community.

OBSTRUCTION includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, Building, wire, fence, rock,

gravel, refuse, fill, Structure, vegetation, or other material in, along, across, or projecting into any Watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

ONE HUNDRED YEAR FLOOD means the Flood having a 1 percent chance of being equaled or exceeded in any given year (see “BASE FLOOD”).

PERSON, FLOODPLAIN means an individual or his agent, firm, partnership, association or corporation, or agent of the aforementioned groups, or this state or its agencies or political subdivisions.

PROGRAM, FLOODPLAIN means the National Flood Insurance Program authorized by 42 U.S.C. 4001–4128.

PROGRAM DEFICIENCY means a defect in a community’s Floodplain Management Regulations or administrative procedures that impairs effective implementation of those Floodplain Management Regulations or of the NFIP standards.

RECREATIONAL VEHICLE, FLOODPLAIN means a vehicle which is: built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.

REGULATORY FLOOD ELEVATION means an elevation one foot above the Base Flood Elevation for a Watercourse for which the Base Flood Elevation has been determined and shall be as determined by the criteria developed by the director of water resources for all other Watercourses.

REGULATORY FLOODWAY means the channel of a river or other Watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than a designated height.

REMEDY A VIOLATION means to bring the Structure or other development into compliance with State or local Floodplain Management Regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the Structure or other affected development from Flood damages, implementing the enforcement provision of this Ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the Structure or other development.

REPETITIVE LOSS STRUCTURE means a Structure, covered by a contract for flood insurance issued pursuant to the National Flood Insurance Act, that has incurred Flood-related damage on two occasions during any 10-year period ending on the date of the event for which a second claim is made, in which the cost of repairing the Flood damage, on average, equaled or exceeded 25% of the market value of the Structure at the time of each such Flood event.

RIVERINE means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SHEET FLOW AREA (see “AREA OF SHALLOW FLOODING”).

**SPECIAL FLOOD HAZARD AREA** means an area in the Floodplain subject to a 1 percent or greater chance of Flooding in any given year. It is shown a Flood Insurance Rate Map as Zone A, AO, A1-30, AE, A99, or AH.

**START OF CONSTRUCTION (floodplain)** includes substantial improvement and other proposed development, and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a Structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of Streets and/or walkways; nor does it include excavation for a Basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory Buildings, such as Garages or sheds not occupied as Dwelling Units or not part of the main Structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a Building, whether or not that alteration affects the external dimensions of the Building.

**STRUCTURE (floodplain)** means a walled and roofed building that is partially above ground, including a gas or liquid storage tank that is principally above ground, as well as a Manufactured Home.

**SUBSTANTIAL DAMAGE** means damage of any origin sustained by a Structure whereby the cost of restoring the Structure to its before-damaged condition would equal or exceed 50 percent of the market value of the Structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** means any reconstruction, rehabilitation, addition or other improvement of a Structure, the cost of which equals or exceeds 50 percent of the market value of the Structure before the "start of construction" of the improvement. This term includes Structures which have incurred "Substantial Damage", regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a Structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) any alteration of a "Historic Structure," provided that the alteration will not preclude the Structure's continued designation as a "Historic Structure."

**VARIANCE** shall mean a grant of relief from certain requirements of this Ordinance which permits development in a manner that would otherwise be restricted by this Ordinance.

**VIOLATION** means the failure of a Structure or other development to be fully compliant with the community's Floodplain Management Regulations. A Structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of Floods of various magnitudes and frequencies in the Floodplains of Riverine areas.



WATERCOURSE shall mean any lake, river, creek, stream, wash, arroyo, channel, or other topographic feature on or over which waters flow at least periodically. The term may include specifically designated areas in which substantial flood damage may occur.

WATERCOURSE MASTER PLAN means a hydraulic plan for a Watercourse that examines the cumulative impacts of existing development and future encroachment in the Floodplain and future development in the watershed on potential Flood damages, and establishes technical criteria for subsequent development so as to minimize potential Flood damages for all Flood events up to and including the One Hundred-Year Flood.

## 6.4 Lighting Definitions

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CLASS 1 LIGHTING means all outdoor lighting used for but not limited to outdoor sales or eating areas, assembly or repair areas, advertising and other Signs, Recreational Facilities and other similar applications where COLOR RENDITION IS IMPORTANT to preserve the effectiveness of the activity.

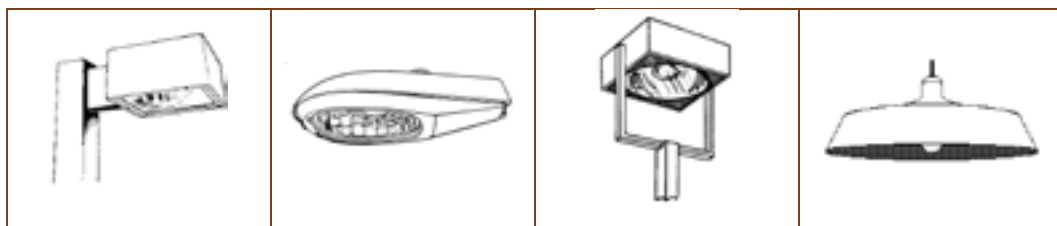
CLASS 2 LIGHTING means all outdoor lighting used for but not limited to illumination for walkways, roadways, equipment yards, parking lots and outdoor security where GENERAL ILLUMINATION of the grounds is the primary concern.

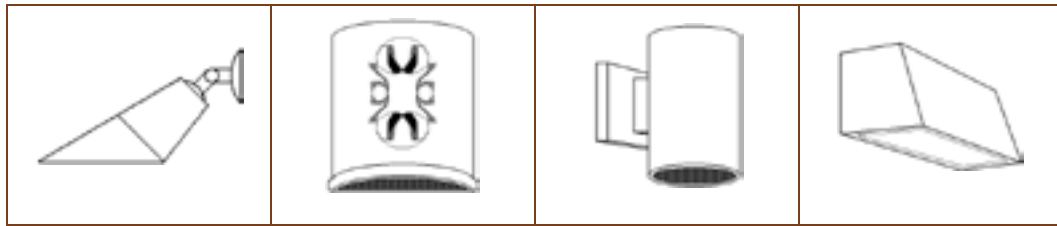
CLASS 3 LIGHTING means any outdoor lighting used for DECORATIVE effects, including but not limited to architectural illumination, flag and monument lighting, and illumination of trees, bushes, landscape features, etc.

DIRECT ILLUMINATION means illumination resulting from light emitted directly from a lamp or Luminaire, not light diffused through translucent Signs or reflected from other surfaces such as the ground or Building faces.

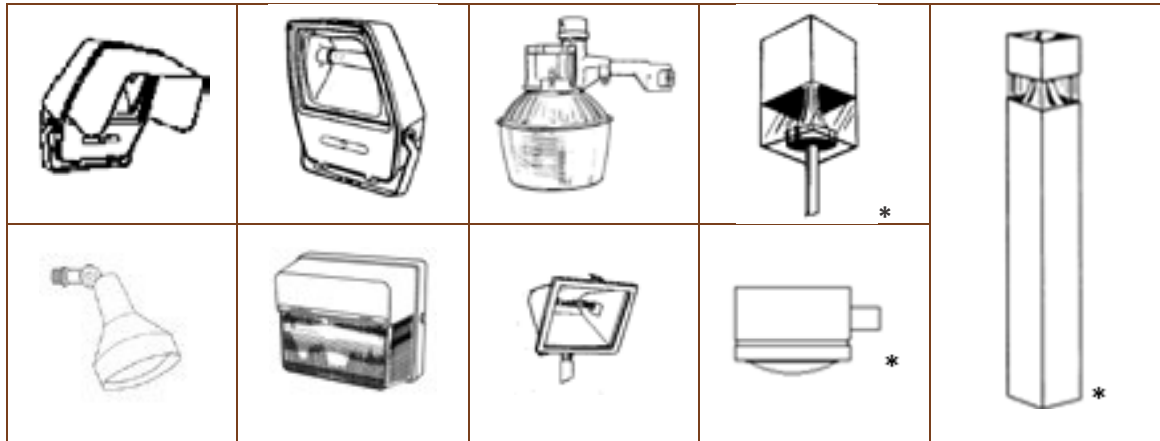
FIXTURE, FULLY SHIELDED means a light fixture or luminous tube constructed and mounted such that all light emitted by the fixture or tube, either directly from the lamp, tube, or a diffusing element, or indirectly by reflection or refraction from any part of the Luminaire, is projected below the horizontal.

1. A practical working way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube is not fully shielded.
2. Examples of fixtures that are Fully Shielded (Note: to be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal):





3. Examples of fixtures that are NOT Fully Shielded:



Note: Even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces and/or lens covers are directly visible from the side.

Note for luminous (neon) tubes: When such lighting is installed under or behind a roof overhang, if the roof-line or eave is not horizontal the tubing may be visible from above when viewed from the side and therefore be unshielded.

**HIGH-PRESSURE SODIUM** is a type of lamp using sodium and mercury vapor at high pressure to produce light.

HPS = high-pressure sodium.

**LOW-PRESSURE SODIUM** is a type of lamp using sodium vapor at low pressure to produce light.

LPS = low-pressure sodium.

**LIGHT POLLUTION** is any adverse effect of manmade lighting; light where it is not needed or wanted; wasted light.

**LUMEN** is the unit used to measure the actual amount of visible light that is produced by a lamp.

**LUMINAIRE** means the complete lighting assembly, including the lamp, housing, shields, lenses and associated electronics, less the support assembly. A light fixture.

**LUMINOUS TUBE** means a glass tube filled with a gas or gas mixture (including neon, argon, mercury or other gasses), usually of small diameter (10-15 millimeter), caused to emit light by the passage of an electric current, and commonly bent into various forms for use as decoration or signs. A “neon” tube does not include common fluorescent lamps.



METAL HALIDE is a type of lamp using mercury and metal halide(s) to produce light.

MH = metal halide.

OUTDOOR LIGHT FIXTURE means an outdoor electrically powered illuminating device, outdoor lighting or reflective surface, lamp, luminous tube and/or similar devices, either permanently installed or portable, which is used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and flood lights for:

1. Buildings and Structures
2. Recreational areas
3. Parking lot lighting
4. Landscape and architectural lighting
5. Billboards and other Signs (advertising or other)
6. Street lighting
7. Product display area lighting
8. Building overhangs and open canopies
9. Pedestrian walkways or areas
10. Building or Landscape decoration

NEON TUBE (see Luminous Tube)

SPOT LAMP means a lamp designed to direct its output in a specific direction (a beam) with a reflector formed from the glass envelope of the lamp itself (see below).

TEMPORARY LIGHTING means lighting which does not conform to the provisions of this Ordinance and which will not be used for more than one 30-day period within a calendar year. Temporary lighting is intended for uses which by their nature are of limited duration; e.g. civic events, or construction projects.

TOTAL OUTDOOR LIGHT OUTPUT means the maximum total amount of light, measured in lumens, from all Outdoor Light Fixtures on a project site. Includes all lights and luminous tubing used for Class 1, Class 2, Class 3 lighting, and lights used for external illumination of Signs, but does not include lights used to illuminate internally illuminated Signs or luminous tubing used in neon signs. For lamp types that vary in their output as they age (such as high pressure sodium, metal halide, and fluorescent), the initial output, as defined by the manufacturer, is the value to be considered. For luminous tubes, output is calculated per linear foot of tubing rather than per lamp.