PLANNING AND ZONING ORDINANCE

FOR THE UNINCORPORATED AREAS OF

YAVAPAI COUNTY, ARIZONA

YAVAPAI COUNTY BOARD OF SUPERVISORS
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YAVAPAI COUNTY DEVELOPMENT SERVICES FEE SCHEDULE AND REFUND POLICY

CHAPTER 1 - INTRODUCTORY PROVISIONS

SECTION 101 SHORT TITLE

This Ordinance shall be known and may be cited as the "Planning and Zoning Ordinance of the County of Yavapai".

SECTION 102 PURPOSE

Relating to the adoption of a comprehensive long term plan of development for the unincorporated of jurisdiction of Yavapai County, Arizona as provided in Title 11, Chapter 6 of the Arizona Revised Statutes (A.R.S.); in order to conserve and promote the public health, safety, convenience and general welfare, by guiding and accomplishing a coordinated and harmonious County development for future growth.

SECTION 103 SCOPE

In the interpretation and application, the provisions of this Ordinance (unless otherwise provided) shall be deemed minimum requirements designed to govern the division and use of land in order to: secure safety from fire, panic and other dangers; provide adequate light and air; prevent overcrowding of land and avoid undue concentration of population in certain areas; facilitate adequate provision of transportation, water, sewerage, schools, parks and other public requirements; maintain and promote stable values of land and structures. These provisions shall govern whenever they are more stringent than any other statute, ordinance, legal covenant, agreement or contract, but shall not abrogate any other such requirement which is more stringent or restrictive than these provisions.

SECTION 104 SEVERABILITY

This Ordinance and the various parts thereof are hereby declared to be severable. If any section, subsection, clause, word or phrase within this Ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 105 REPEAL OF INCONSISTENT PROVISIONS

All Ordinances and portions of Ordinances of Yavapai County in conflict herewith are hereby repealed.

CHAPTER 2 – ADMINISTRATION

SECTION 201 APPLICABILITY AND EXEMPTIONS

A. All of Yavapai County shall be subject to the provisions of this Ordinance; provided, however, that there shall be EXEMPT from these provisions the following:

1. That part of the County lying within the corporate limits of any municipality.
2. Indian trust lands.
3. Other publicly owned and operated facilities used for essential government purposes.
4. The use or occupation of land or improvements for railroad, mining, metallurgical, grazing, agricultural composting or general agricultural purposes, if the tract concerned is not less than five (5) contiguous commercial acres. An agricultural composting operation shall notify in writing the Board of Supervisors and the nearest fire department of the location of the composting operation. This exemption shall not be construed to include commercial feedlots and other allied commercial or industrial uses.

SECTION 202 NON CONFORMING USES

The lawful use of any building, structure, or land existing at the time of the effective date of this Ordinance may be continued, although such use does not conform with the provisions hereof.

A. DISCONTINUANCE: If a non-conforming use shall be discontinued on a continuous basis for a period of twelve (12) months except as noted for dwelling units, any subsequent use shall conform with the provisions of this Ordinance. If the use of a dwelling unit as non-conforming lodging is discontinued on a continuous basis for a period of thirty (30) days, such use shall conform with the provisions of this Ordinance.

B. WEAR AND TEAR: Nothing in this Ordinance shall prevent the reconstruction, repairing and continued use of a non-conforming structure or part thereof rendered necessary by wear and tear, deterioration or depreciation.

C. RESTORATION: Any non-conforming structure or a conforming building containing a non-conforming use, damaged, or destroyed by casualty or Act of God may be restored within a twelve (12) month period therefrom without impairment to any non-conforming status.

D. CHANGE OF USE: A non-conforming use may not be changed to another use unless or without complying with the provisions of this Ordinance.

E. EXPANSION: Except as otherwise specifically allowed in this Section, no increase in the extent of non-conformity of a non-conforming situation is permitted. In particular, no non-conforming 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 which it did not occupy at the time it became a non-conforming use, or in such a way as to displace any conforming use occupying a structure or site, except as permitted in this Section. Pursuant to Arizona Revised Statutes §11-830, within any zoning district, subject to the granting of a Use Permit, a non-conforming business use may expand if such expansion does not exceed one hundred percent (100%) 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 non-conforming. 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 contractors' yards, area shall be strictly construed to mean the square footage or acreage of the use at the time it became non-conforming. Expansion of a non-conforming business use, other than within an existing building, requires compliance with the District requirements for yards, spacing, percent of lot coverage and all other such regulations. Additional parking area necessitated by such expansion shall not count against the one hundred percent (100%) expansion allowance. Where such expansion is an open-land use a solid masonry wall (or other wall, fence, or hedge as may be approved by the County Adjustment Board) must be installed as protective sight screening between such expanded use and any Residential Zoned lot within two hundred feet (200').

F. MIXED USES: Non-conforming and conforming uses and structures may be included on the same lot within limits of the District regulations for conforming uses and structures.

SECTION 203 ESTABLISHMENT OF DISTRICTS

In conformity with the Purpose and Effect of this Ordinance USE DISTRICTS and DENSITY DISTRICTS are hereby established in order to classify, regulate, restrict and separate: uses of land and structures; lot dimensions and areas; yard widths and depths, percent of lot coverage and open spaces; density formulas, height and bulk of structures, etc. These Districts are designed to be used in combinations and as such are hereby referred to as a ZONING DISTRICT. Any reference to a "Use" shall be deemed to include "principal and accessory uses and structures".

SECTION 204 ZONING MAP

Any map officially adopted delineating the locations and boundaries of the various "Use" and "Density" Districts within any portion of the unincorporated County area of jurisdiction, together with subsequent supplementary maps, shall be known collectively as the ZONING MAP for the County of Yavapai, Arizona and becomes an official record, as part of this Planning and Zoning Ordinance as if the matters and information set forth by said map were fully described in the Ordinance. Where a Use District has been adopted but not combined with a specific Density District, then the provisions of Density District 2A (Section 516) shall govern. Until such a time as an official Zoning Map is adopted, all of the unincorporated portion of Yavapai County is hereby deemed to be zoned RCU (Section 413) the same as though such zone were shown on an official map.

A. DISTRICT BOUNDARY DETERMINATION: The District boundaries on the map are intended to follow lot lines, subdivision lines, section lines or centerlines of streets, alleys, or other rights-of-way (or extensions thereof) as they existed at the time of the enactment of the Map, except where referenced by dimensions thereon. Uncertainty of location of a District boundary shall be determined by the County Adjustment Board unless same can be resolved to the satisfaction of the Development Services Director and persons of interest by using the scale of the map. Where such boundary scales to within twenty-five feet (25') of a common division line or a right-of-way, then it shall be deemed as following such division line or the center of the right-of-way, as the case may be.

B. ABANDONED RIGHTS-OF-WAY: Where a public street or alley or other right-of-way is officially abandoned, the abutting District boundaries shall automatically extend to the centerline thereof.

SECTION 205 ENFORCEMENT

A. LAND USE SPECIALIST (for reference this title equates to Zoning Inspector as mandated in A.R.S.): For the purpose of enforcement of the provisions of this Ordinance, there is hereby created the position of Land Use Specialist and such deputy specialists as may be required, who shall be appointed by the Board of Supervisors. The Land Use Specialist shall administer and enforce this Ordinance, including the receiving of applications, the inspection of premises, and the issuing of permits. No building permit or certificate of occupancy shall be issued by him, except where the provisions of this Ordinance have been complied with.

B. ZONING INSPECTION:

1. Responsibility: The Chief Deputy Land Use Specialist is responsible for investigating all complaints of suspected violations of this Ordinance and other applicable codes within Development Services jurisdiction.

2. Inspection: The Land Use Specialist or designee may, in the discharge of his duties during assigned working hours, enter private property for the sole purpose of contacting the owner or occupant of same, provided the property is not posted with "No Trespassing" notices or otherwise secured. With proper, prior permission from the property owner or his agent, the Land Use Specialist may, in the discharge of his duties during assigned working hours and for good and probable cause, enter private property to inspect same in connection with any application made under the terms of this Ordinance, or for any investigation as to whether or not any portion of such property, building or other structure was constructed or is being used in violation of this Ordinance. If permission to enter property is unobtainable, refused or withdrawn, the Inspector shall follow legally prescribed procedures for seeking a search warrant subject to the protections provided for rights of the property owner by the State of Arizona and the United States Constitution.

C. ZONING VIOLATION:

1. The erection, construction or alteration of any structure or the use of any property or structure, not in conformance with this Ordinance constitutes a violation.

2. Violations of this Ordinance are subject to civil penalties or other legal action for failure to comply with any provision of the Ordinance.

D. ZONING VIOLATION HEARING:

1. The Hearing Officer may hear and decide complaints alleging violations of this Ordinance, as authorized by A.R.S. §11-815 and Section 205.

2. The form and service of complaints, and the hearing procedures of the Hearing Officer, shall follow the zoning enforcement Rules of Procedure adopted by the Board of Supervisors.

3. If the Hearing Officer determines a zoning violation exists, civil penalties may be imposed by the Officer in accordance with Section 206 A. Imposition of civil penalties listed in Section 206 A. shall not preclude persons from pursuing remedies provided for in Section 206 C.

E. HEARING OFFICER:

1. Scope: The Hearing Officer hears and decides zoning violations, as authorized by

A.R.S. §11-815 (E).

2. Powers and Duties: The Hearing Officer performs the following duties. Refer also to Section 205 D.

   a. The Hearing Officer hears and decides complaints alleging civil violations of this Ordinance.

   b. The Hearing Officer administers oaths.

   c. The Hearing Officer issues subpoenas and summonses ordering appearance before the Hearing Officer.

   d. The Hearing Officer makes any other order necessary for the determination and resolution of zoning violations.

3. Appeals: The decision of the Board of Supervisors may be appealed to the Superior Court in accordance with A.R.S. §12-901 et seq.

4. Appointment: The Hearing Officer shall be appointed by the Board of Supervisors.

5. Qualifications:

   a. The Hearing Officer shall have training, experience or familiarity with administrative hearings and this Ordinance.

   b. The Hearing Officer may be an employee of Yavapai County, except that the Hearing Officer shall not be a Land Use Specialist.

6. Annual review: The Board of Supervisors shall conduct an annual review of the Hearing Officer.

7. Removal: The Board of Supervisors has the authority to remove the Hearing Officer, by majority vote, for neglect of duty, inefficiency or misconduct in office.

8. Transaction of Business: The Hearing Officer shall follow the procedures set forth in the zoning enforcement Rules of Procedures, as adopted and amended by Resolution.

F. ZONING CLEARANCE: No building or structure shall be erected, added to, usage/occupancy changed (Zoning Clearance used as a Change of Use Permit) or structurally altered until a Zoning Clearance therefore has been issued by the Land Use Specialist. All applications for such clearances shall be made in the office of the Land Use Specialist on forms provided, together with a plot plan of the proposed construction containing sufficient information for the enforcement of this Ordinance. All such clearances shall be obtained prior to the start of construction and the place card prominently displayed upon the site thereafter.

1. Exemptions from clearances:

   a. No such Zoning Clearance shall be required for repairs or improvements (except as required by adopted building codes) to include the following:

      (1) Any non-habitable residential detached structure under 200 square feet. Any non-habitable accessory structure for residential lots, under 200 square feet may abut any residential structure provided that the accessory structure does not encroach into the required yard setbacks and does not block means of egress or compromise the safety of the structure.

      (2) Any residential fence under 50 linear feet (fences over six feet will require a permit regardless of length).

(3) Any residential block, masonry, stone or concrete wall under 50 linear feet (walls over four feet in height from grade will require a permit regardless of length).

(4) Any addition to an existing residential structure where sum of total square footage is less than 200 square feet.

b. The following are exempted from the definition of structure and, hence, do not require a Zoning Clearance:

(1) Roof-mounted solar equipment and ground-mounted solar equipment (not including walls, foundations, enclosures, etc.).

(2) Swimming pools, hot tubs, whirlpools, and other pre-fabricated above ground re-locatable outdoor recreational equipment (not including slabs, foundations, enclosures, decks, etc.).

(3) Satellite dishes or up-right mast antennae (not including slabs, foundations, enclosures or permanent structural supports).

(4) Machinery and equipment substantially manufactured elsewhere and placed on site (not including slabs, foundations, supports, enclosures or other structural features built on site or permanently attached to the ground).

(5) Propane, LPG, natural gas and similar pressurized tanks (not including above ground gasoline, oil and similar non-pressurized tanks or tanks which are assembled on site).

(6) Underground installations with no significant above ground structural features such as fuel tanks (not including installations which permit the entry of persons or domestic animals).

(7) Vehicles (except for mobile homes).

(8) Tents, tepees, tree houses for children's play use.

(9) Fences for agricultural or grazing purposes on parcels of five (5) acres or more.

(10) Earthworks with no added structural materials that do not exceed fifty (50) cubic yards on any one (1) lot and do not obstruct a drainage course.

(11) Landscaping including the use of ground level structural materials (not including vertical walls, fences, concrete walks, paved parking areas, concrete or asphalt driveways, patios, slabs, decks, enclosures, gazebos, arbors and any above ground features).

(12) Improvements within mine shafts and caves.

(13) Public Utility lines, structures, and installations.

(14) Pavement and drainage structures in rights-of-way and non-exclusive easements.

(15) Above-ground water storage tanks 5,000 gallons or less (not including walls, foundations, enclosures, etc.).

(16) Well houses under 200 square feet are exempt from the definition of

structure and not subject to yard setbacks, provided that access sight distance requirements are met as referenced in the definitions.

c. Signs do not require regular Zoning Clearances but do require sign permits as provided in Section 601.

d. The exemption of an object or improvement from the requirement for a Zoning Clearance does not remove such object or improvement from the requirement to comply with all other regulations of this Ordinance and other codes.

2. Zoning Clearance Issuance: No clearance referencing the utilization of a licensed contractor shall be issued without first confirming the referenced license is in good standing utilizing information provided by the Arizona Registrar of Contractors. For each clearance issued the Land Use Specialist shall provide:

a. To the applicant, a fee receipt and a place card of a distinctive and easily identifiable color that shall state permit number, the date issued, and the work authorized thereby.

b. To the Department's files, one (1) copy of the fee receipt and one (1) copy of the permit data and drawing.

3. Information Required:

a. Assessor's Parcel Number identifying the property.

b. Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel, which is a parcel that is not part of a recorded subdivision, a copy of the recorded legal description must be submitted with the application.

c. The location of any creek, river, or dry wash on or within two hundred feet (200') of the property and/or the establishment of the property location with respect to determined floodplains. Any property within a delineated floodplain (flood way or flood fringe) must have approval from the Yavapai County Flood Control District prior to issuance of a zoning clearance, building and/or grading permit.

d. A permit or statement of approval from the County Environmental Unit concerning the sanitary system and facilities; or evidence of hookup to an existing sewer system; or evidence of a state-approved system.

e. A culvert permit issued by the County Public Works Department, if the property abuts a County road.

f. Nature of the proposed use of the structure and premises and true value of the structure.

g. Commercial, industrial, multi-family, or non-residential uses or structures require additional information concerning such matters as parking, signs, screening, landscaping, lighting, drainage and similar details. These items require review by the Planning and Design Review Division prior to the issuance of a zoning clearance.

h. In cases where the lot does not meet the minimum lot size, minimum depth or width for the designated zone, evidence to prove "grandfathered" status as a legal non-conforming lot in the form of the recorded instrument creating the lot

prior to the effective date of the zoning; or a Board of Adjustment variance to permit the substandard lot.

i. In cases where the lot contains a non-conforming use and/or non-permitted structure otherwise disallowed in the designated zone, evidence to prove "grandfathered" status as a pre-existing use or structure or a Board of Supervisors' approved Use Permit granted to permit the prohibited use.

j. A signed plot plan showing the following:

(1) Shape and dimensions of lot boundaries.

(2) Location of rights-of-way or ingress and egress easements lying on the parcel or providing access to the parcel.

(3) Location, dimensions, spacing and heights of existing and proposed structures on the lot.

(4) Washes or waterways on or within two hundred feet (200’) of the lot.

(5) North designation.

(6) Location of sanitary facilities and hook-ups.

k. Such other information as the Land Use Specialist may require for the purpose of determining whether the application complies with the Ordinance requirements.

4. Clearance Validity: No Zoning Clearance presuming to give authority to violate any of the provisions of this Ordinance or any existing law, shall be issued, and if issued shall not be valid except in so far as the work or use which it authorizes is lawful and permitted. In all other instances the clearance is valid provided:

a. A place card is openly displayed at the improvement site during construction, repair, or alteration.

b. Every Zoning Clearance issued by the Land Use Specialist under the provisions of this Ordinance shall expire by limitation and become null and void if the building or work authorized by such clearance is not commenced within one hundred eighty (180) days or six (6) months from the date of issuance of such clearance, or if the building or work authorized by such clearance is suspended or abandoned at any time after the work is commenced or a period of one hundred eighty (180) days, the equivalent of six (6) months has passed. Before such work can be recommenced, a new permit shall first be obtained to do so. A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence the work within the time required by this Section for good and satisfactory reasons. The Chief Land Use Specialist may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days or six (6) months upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

c. Any requirements or stipulations conditional upon which the clearance was issued are complied with.

d. Suspension or Revocation: The Land Use Specialist may, in writing, suspend or

revoke a permit issued under the provision of this Ordinance when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of these codes.

5. Expiration of Clearance Application: Applications for which no permit is issued within one hundred eighty (180) days following the date of application, shall be voided. The Chief Land Use Specialist may extend the time of action by the applicant for a period not exceeding one hundred eighty (180) days or six (6) months upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application.

G. CERTIFICATE OF OCCUPANCY: Shall be issued upon written request of the owner, his agent or tenant, for any structure or premises existing at the time such comes under the influence of these Regulations or amendment thereto, certifying the extent and kind of use made thereof and whether such is a conforming use.

H. OTHER PERMITS: All other permit applications provided for in this Ordinance shall be filed in the office of the Land Use Specialist and therefrom transferred through proper channels.

I. CERTIFICATE OF COMPLIANCE:

1. Scope: The requirements for Certificate of Compliance shall apply to planning and zoning action specified by motion of the Planning and Zoning Commission, Board of Supervisors and/or an Adjustment Board.

2. A Certificate of Compliance may be required as stipulated in the action specified by motion of the Planning and Zoning Commission, Board of Supervisors and/or a Board of Adjustment.

3. Reviews and Inspections:

a. Upon approval of an application, the Development Services staff shall determine which of the following agencies have jurisdiction and shall obtain proof of compliance from the applicant:

(1) County Public Works (streets and roads, drainage structures, access to County Highways)

(2) Arizona Department of Transportation (access to State Highways)

(3) Fire District, Fire Department, or State Fire Marshal (water storage, hydrants, line size, access)

(4) County Environmental Unit or State Department of Environmental Quality (septic/sanitation systems)

(5) Water and/or sewer providers (facilities, fees)

(6) County Hydrologist (drainage plan, flood variance conditions)

(7) County Planner (uses, conformance to plans, conditions of approval, lighting, signs, parking, landscaping, building exteriors)

(8) County Land Use Specialist (setbacks, heights, compliance with subdivision regulations, zoning ordinance)

(9) Arizona Office of Manufactured Housing (manufactured home

installation)

(10) County Health Department or State Health Department (restaurants/food establishments).

b. Development Services staff shall arrange for an on-site inspection of the property, which shall be completed within the timeframes specified in the application approval unless additional time is requested by the applicant. Any additional time requested may be approved administratively by the Development Services Director.

4. Statement of Finding: If a Certificate of Compliance cannot be issued, a statement of the specific points of noncompliance shall be included together with advice to the applicant as to alternate methods of remedy including rights of appeal.

5. Issuance of Certificate of Compliance: The Development Services staff shall issue to an applicant a Certificate of Compliance, if appropriate, specifying precisely what use or occupancy is permissible. Certificates may be issued for a phase or portion of a project even though phases or portions were not specified in the original application.

6. Suspension, Revocation, and Reinstatement: Upon receipt of new information, the Development Services staff, when warranted in his opinion, may review a Certificate of Compliance, re-inspect, amend or issue new findings, and, if necessary, suspend or revoke all or a portion of a Certificate of Compliance. The failure of an applicant to reinstate a Certificate of Compliance within thirty (30) days shall constitute an Ordinance violation and may result in the revocation of a Use Permit or other approvals.

7. Interpretation and Appeals: The applicant has the right of appeal to the Board of Adjustment with regard to matters within their jurisdiction.

SECTION 206 PENALTIES AND REMEDIES

A. PENALTIES (Civil):

1. Each day's continuance of a zoning violation shall be deemed a separate offense.

2. The maximum penalty for each offense shall be:

a. Seven hundred fifty dollars ($750.00) for an individual; or

b. Ten thousand dollars ($10,000.00) for any enterprise corporation, association, labor union or other legal entity.

B. PENALTIES (Criminal): The maximum penalty for each offense shall be a Class 2 misdemeanor as established by the A.R.S.

C. REMEDIES:

1. All remedies provided in this Ordinance shall be cumulative and not exclusive.

2. The imposition of penalties on any person under this Ordinance shall not relieve such person from the responsibility of correcting prohibited conditions or removing prohibited structures or improvements, and shall not prevent the enforced correction or removal of such violations.

3. If any structure is erected, constructed, reconstructed, altered, maintained or used, or any land is used, in violation of this Ordinance, the Board of Supervisors, the County

Attorney, the Land Use Specialist or any adjacent or neighboring property owner who is especially damaged by the violation may institute injunction, mandamus (court order), abatement or any other appropriate legal action or proceedings to prevent, abate or remove the violation.

D. It is unlawful to erect, construct, reconstruct, alter or use any building or other structure within any area subject to the provisions of this Ordinance without first obtaining a building permit/zoning clearance from the Land Use Specialist, where such permit is required thereby.

E. All remedies provided herein shall be cumulative and not exclusive. The conviction of any person, firm or corporation hereunder shall not relieve such person from the responsibility to correct such violation, nor prevent the enforcement, correction or removal thereof.

F. Any fees authorized by the Board of Supervisors shall be doubled for failure to apply prior to commencing construction or sale of lots, except when such construction was done by a/the prior owner.

SECTION 207 ADJUSTMENT BOARD

There shall be one (1) Board of Adjustment, which shall be appointed and shall have jurisdiction in each Supervisorial District in which this Ordinance has been applied.

A. STRUCTURE: The Board shall be composed of five (5) resident taxpayers, one from each Supervisorial District, who shall serve without pay, except for normal travel expenses. The Supervisors may hire clerical and technical aid for the Board. The Land Use Specialist will serve as an ex-officio member (without vote) in official matters of the Board.

B. PROCEDURE: The Board shall have meetings, hold hearings which shall be open to the public and make decisions for which a quorum of three (3) will be necessary; the Board shall adopt rules not inconsistent with this Ordinance and the laws of Arizona; the Board shall select, from its members, a Chairman and a Secretary; the Chairman shall be the executive officer of the Board with the power of administrating oaths and taking evidence and shall preside over its meetings and hearings; the Secretary shall cause minutes of the meetings and hearings to be kept, showing records of votes, examinations, and other official actions, all of which shall be filed in the office of the Land Use Specialist.

C. POWERS: The Board shall have power to:

1. Decide if there is error in any order, requirement or decision of the Land Use Specialist in the enforcement of this Ordinance; reverse or affirm, wholly or partly, or modify the order or decision appealed from and make such order or decision as ought to be made, and to that end shall have the powers of the Land Use Specialist.

2. Interpret the Planning and Zoning Ordinance when the meaning of any word, phrase, or section is in doubt, or where doubt exists as to the proper District of a specific use.

3. Authorize in specific cases such variance from the terms of this Ordinance as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of these provisions will, in the Board's opinion, result in unnecessary hardships.

4. Allow the extension of a District where the boundary thereof divides a lot and providing the Board authority to grant such extension conditional upon development of the extended area following an approved plan, with particular significance in instances where the Supervisors have adopted a zoning request in such a manner that a project

development is to follow permission to extend such zoning.

5. Determine the location of a District boundary where doubt exists as to the location of same on the zoning map.

6. Modify the Land Use Specialist's protective requirements in instances where a District use is conditional upon certain stipulations to be specified by the Land Use Specialist.

7. Grant the Land Use Specialist clearance to issue a building permit where the applicant has failed to secure such prior to commencing construction (but only in cases where the Land Use Specialist has chosen to allow such application to be filed prior to court action).

D. Hearing Applications shall be filed in the office of the Land Use Specialist on forms provided therefore by any person or by any officer, department, board or bureau of the County affected by any order or decision of the Land Use Specialist within thirty (30) days thereafter, and specifying the grounds thereof; or for rulings on other matters of Board jurisdiction.

1. An appeal shall stay all proceedings in the matter appealed from unless the Land Use Specialist certifies to the Board that by reason of the fact stated in his certificate, a stay would (in his opinion) cause imminent peril to life or property. In such case, proceedings shall not be stayed except by restraining order granted by the Board or by a Court of record on application and notice to the Land Use Specialist.

2. If an application involves a definite development scheme it must be accompanied by:

   a. A layout and landscape plan.

   b. A typical building elevation and other pertinent development characteristics.

   c. Total cost of the project.

   d. Evidence of ability and intention of the applicant to proceed with the actual construction and diligently pursue to completion.

3. A variance appeal applicant should be prepared to show:

   a. That there are special circumstances or conditions applicable to the property of application, or to the adjacent property, or to the neighborhood, that justify variance from the requirements so that strict application thereof would work an unnecessary hardship and that the granting of the request is necessary for preservation and enjoyment of substantial property rights.

   b. That such granting will not materially affect the health or safety of the neighborhood residents or the public welfare or be injurious to property or improvements.

E. HEARINGS AND RULINGS: The Board of Adjustment shall hold at least one (1) public hearing, within a reasonable time from the date of application, after giving a minimum of seven (7) days notice thereof to parties of interest and the public by posting at the property of application (if property is involved) and by publishing once in a newspaper of general circulation in the County. The Board of Adjustment shall render a decision within thirty (30) days after the initial hearing on same, unless an extension is agreed to by the Board and the applicant.

1. In approving an application, in all or in part, the Board of Adjustment may designate such conditions in conjunction therewith that will, in its opinion, secure substantially the objectives of this Ordinance and may require guarantees in such form as it deems

proper under the circumstances to insure that such condition be complied with. Where any such conditions are violated or not complied with, the approval shall cease and the Land Use Specialist shall act accordingly.

2. In granting of permission to proceed on a specific development scheme or of a permit for a construction variance, the same shall be contingent upon permits being obtained and work commenced within six (6) months and being diligently pursued. Failure of such shall void the ruling unless a longer time had been granted or an extension in time is secured.

3. The concurring vote of three (3) members shall be necessary to render a ruling.

F. The purpose of this Subsection is to grant authority to the Development Services 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 this Ordinance.

1. For the purpose of administering this Subsection, an adjustment in any variance to the terms or requirements of this Ordinance, which, if granted, would allow the following:

   a. A decrease of not more than two percent (2%) of the required minimum lot area.

   b. A decrease of not more than five percent (5%) of the required minimum lot area per dwelling.

   c. A decrease of not more than ten percent (10%) of the required minimum lot width and/or depth.

   d. A decrease of not more than twenty percent (20%) of the required width of a side yard or the required building separation.

   e. A decrease of not more than twenty percent (20%) of the required front or rear yard.

   f. An increase of not more than twenty percent (20%) of the permitted height of a fence or wall.

   g. An increase of not more than ten percent (10%) of the permitted projection of steps, stairways, landings, eaves, overhangs, masonry chimneys, and fireplaces into any required front, rear or side setback.

   h. An increase of not more than ten percent (10%) of the permitted height or areas of signs as required by Section 601 (Sign Code).

   i. An increase of not more than ten percent (10%) in the maximum allowable lot coverage.

   j. An increase of not more than ten percent (10%) in the permitted height of buildings.

2. Application for an Adjustment shall be filed with the Development Services Director and shall include the following:

   a. Statement as to the nature of the request.

   b. Legal description.

   c. Signatures of the property owner(s) of record or the authorized agent of the owner(s).

d. A letter of authorization if the property owner is represented by an agent.

e. A site plan of the subject property showing existing and proposed structures, access, parking, and distances from structures to property lines and to other structures.

f. Written permission to enter the property.

g. Any other information reasonably necessary to evaluate the application, which is required by the Director or his designee.

h. Name and mailing address of adjacent affected property owner(s). Notification of the request will be sent to the adjacent affected property owner(s) for their information and comment.

3. Findings:

In granting an Adjustment, the Development Services Director shall make findings of fact as provided for in Subsections 207 C. and 207 D. of this Section, which establish the criteria for granting a Variance.

4. Site Area - Additional Findings:

In order to grant approval of an Administrative Adjustment allowing a reduction in minimum lot area or parcel size, the Director must make the following additional finding: That the property cannot otherwise meet the minimum lot area requirement of its current Zoning Classification.

5. Fees:

A processing fee shall be submitted in association with a Minor Administrative Variance Application. Upon receipt of an Appeal as set out under Subsection 207 F.6, a fee equal to a standard variance application shall be necessary to cause the matter to be presented to the Board of Adjustment. Any fee submitted for the Minor Administrative Variance Application shall be applicable to the standard variance application.

6. Appeals:

If the Development Services Director denies an application for an Adjustment, or, if the applicant disagrees with the conditions imposed on the granting of an Adjustment, if any, the applicant may file for a Variance in accordance with this Section.

SECTION 208 AMENDMENTS

The Board of Supervisors may, from time to time, following public hearings and Commission report as prescribed by this Ordinance, amend, supplement or change the Zoning Regulations or Map. Any such proposed change may be initiated by the Commission, the Board of Supervisors or by petition and application of property owners. Application for Amendment shall be filed in the office of the Land Use Specialist on forms provided.

A. DISTRICT BOUNDARY CHANGE (Rezoning): A property owner or authorized agent of a property owner desiring an amendment or change in the Zoning Ordinance changing the Zoning District boundaries within an area previously zoned shall file an application for the Amendment or Change. Site plans and/or graphic representations are required with rezoning applications, unless waived by the Board of Supervisors upon recommendation from the Commission.

B. ZONING REGULATIONS CHANGE (Text): An application for a change in the Regulations (not fixed by A.R.S. requirements) shall be accompanied by the written consent of at least twenty (20) owners of property in the Yavapai County area of jurisdiction.

C. COMMISSION ACTION: Upon receipt of any proposed amendment, the same shall be submitted to the Planning and Zoning Commission for a report. Prior to reporting to the Board of Supervisors, the Commission shall hold at least one (1) public hearing thereon, after giving at least fifteen (15) days notice thereof by publication (at least once) in a newspaper of general circulation in the County seat, and by posting the area included in any proposed Zoning District change.

1. Prior to noticing for a proposed Zoning District change, the Commission may (on its own motion) delimit a more compatible zoning area (or require the applicant to).
2. If a proposed amendment is a Commission initiative at the written request of others, the proposal shall not be noticed prior to receiving the required fee and charges.
3. In the event an application has been denied, the Commission may refuse to consider a similar application within twelve (12) months of application date.
4. Failure of the Commission to report to the Board of Supervisors within sixty (60) days of date of application shall be deemed to be a neutral report.

D. BOARD OF SUPERVISORS ACTION: Upon receipt of the Planning and Zoning Commission report, the Board of Supervisors shall, within a reasonable time thereafter, hold at least one (1) public hearing after giving at least fifteen (15) days notice thereof by publication at least once in a newspaper of general circulation in the County seat and by posting the area included in any proposed Zoning District change. Such hearing notice may be simultaneous with that of the Planning and Zoning Commission or at anytime thereafter. After such hearing, the Board of Supervisors may take appropriate action. 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 in no event shall be less than a majority of the full membership of the Board.

E. NOTICING FOR HEARINGS:

1. Posting and Advertising: The Land Use Specialist shall post in no less than two (2) places with a least one (1) notice for each one-quarter (1/4) mile of frontage along perimeter public right-of-way so that notices are visible from the nearest public right-of-way, and determine the wording of the advertising so as to be, in his judgment, an

effective means of noticing the application hearing.

2. Notice by Mail: The Land Use Specialist shall mail notices by first class mail of the Planning and Zoning Commission hearing, from a list supplied by the applicant, to each real property owner as shown on the last assessment of the property within three hundred feet (300') of a proposed district boundary change.

   a. Such list shall be certified by a Title Company as current owners, or certified by the applicant as last owners of record in the County Assessor's Office.

   b. The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed amendment or change including a general explanation of the matter to be considered, a general description of the area of the proposed amendment or change, and how the real property owners within the Zoning area may file approvals or protests of the proposed rezoning.

SECTION 209 CITIZEN PARTICIPATION

I. CITIZEN PARTICIPATION PLAN

A. Every applicant who is proposing a project, which requires a public hearing, shall include a citizen participation plan, which shall be implemented prior to the first public hearing. This process shall be started prior to submitting a rezoning, General Plan Major Amendment or Use Permit application. This process should not occur until after the required pre-application meeting and consultation with the Planning and Design Review Division staff.

B. Purpose:

   1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community.

   2. Ensure that the citizens and property owners within the community 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.

   3. Facilitate ongoing communication between the applicant, interested citizens and property owners, County staff, Planning Commissioners and elected officials throughout the application review process.

C. The citizen participation plan 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.

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 early notification will be determined by the applicant after consultation with the Planning and Design Review Division. At a minimum, the target area shall include the following:

   1. Property owners notice area shall be as follows:

      <u>Subject Property Size Notice Boundary</u>

      a. One (1) acre or less – three hundred feet (300')

      b. More than one (1) acre – one thousand feet (1,000')

2. The head of any homeowners association or community/neighborhood within at least one thousand feet (1,000') radius of the project site unless a greater distance is required by other Sections of this Ordinance.

3. Other interested parties who have requested that they be placed on the interested parties' notification list maintained by the Development Services Department.

4. Those residents, property owners, interested parties, political jurisdictions and public agencies that may be affected by the application.

5. The Planning and Design Review staff may determine that additional notices or areas be included.

E. At a minimum, the following information regarding the involvement of the target area must be included:

1. How those interested in and potentially affected by an application will be notified that an application has been made.

2. How those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application.

3. How those affected or otherwise interested 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.

4. The applicant's schedule for completion of the citizen participation plan.

5. How the applicant will keep the Planning and Design Review Division informed on the status of their citizen participation efforts.

F. These requirements are in addition to any notice provisions required by State Statute and the Planning and Zoning Ordinance.

G. Additional Meetings:

Extenuating circumstances may warrant the Planning and Design Review staff to cause the applicant to hold additional citizen participation meetings including, but not limited to:

1. Timeframe between the last meeting and the date of the submittal.

2. Any substantial changes that have occurred to the development proposal since the last citizen participation meetings were held.

II. CITIZEN PARTICIPATION REPORT

A. The applicant shall provide a written report on the results of their citizen participation effort prior to the notice of public hearing. This report will be included in the information provided to the Planning and Zoning Commission by the Planning and Design Review staff at the public hearing on the matter.

B. That the citizen participation report will include the following information:

1. Details of techniques the applicant used to involve the public, including:

a. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;

b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications;

c. Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located;

d. The number of people that participated in the process.

2. A summary of concerns, issues and problems expressed during the process, including:

a. The substance of the concerns, issues, and problems;

b. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process;

c. Concerns, issues and problems the applicant is unwilling or unable to address and why.

CHAPTER 3 – DEFINITIONS

SECTION 301 DEFINITIONS

For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given on the following pages. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The word "person" includes individuals, partnerships, corporations, clubs, and associations. The following words or terms when applied to this Ordinance shall carry full force when used interchangeably: lot, plot, parcel, or premises; used, arranged, occupied, or maintained; sold, or dispensed; construct, reconstruct, erect, place, or alter (structurally or otherwise).

DEFINED TERMS, PHRASES AND WORDS:

ACCESS – Shall be the means of ingress and egress connecting a site to the public roadway.

ACCESSORY BUILDING - See BUILDING.

ACCESSORY USE - See USE.

ADJACENT - Nearby, but not necessarily touching (abutting).

ADJUSTMENT BOARD - Board of Adjustment of Yavapai County, Arizona.

ALLEY - A public passageway affording a secondary means of access to abutting property.

ANTIQUE - A product that is sold or exchanged because of increased value derived due to oldness as respects the present age but not simply because same is not a new product.

APARTMENT - A suite of rooms, with or without cooking facilities, used for living purposes. Each such suite of rooms having cooking facilities shall constitute a dwelling unit.

APARTMENT HOTEL - See HOTEL.

APARTMENT HOUSE - A building containing a group of dwelling units.

ARTERIAL - A highway used, or intended to be used, for heavy through-traffic flow or one connecting neighborhoods or communities.

ATTACHED BUILDING - See BUILDING.

AUTOMOBILE SERVICE STATION - A place of business having pumps and/or storage tanks from which liquid fuel and/or lubricants are dispensed at retail directly into the motor vehicle. Service, inspections and minor repairs are considered accessory to the sale of such fuel and lubricants.

BED & BREAKFAST GUEST UNIT – One (1) or more rooms intended for overnight occupancy for remuneration by persons other than those who permanently reside at the home.

BED & BREAKFAST HOMESTAY - An owner-occupied residence which has up to three (3) guest units within a single-family residential structure, the owners of which serve breakfast to guests and seldom advertise.

BED & BREAKFAST INN - An owner-occupied residence which has a maximum of five (5) guest units, the owners of which serve breakfast to guests and advertise on a regular basis.

BED & BREAKFAST COUNTRY INN - A residence or building which has six (6) or more guest units, the facility may have a restaurant open to the general public as well as registered guests, and the facility exhibits a character of use consistent with that normally associated with a hotel or motel. Performance standards for Hotel/Motel shall apply for application of Ordinance requirements.

BLOCK - That property fronting on one (1) side of a street and so bounded by other streets, canals, railroad right-of-way, non-subdivided acreage or other barriers (except alleys) of sufficient magnitude as to interrupt the continuity of development on both sides thereof.

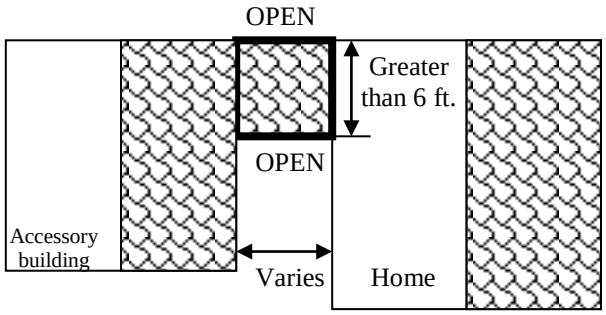
BOARD - Board of Supervisors of Yavapai County, Arizona (except as is referenced to Board of Adjustment in Section 207 Adjustment Board).

BOARDING HOUSE - See ROOMING HOUSE.

BUILDING - A structure having a roof supported by columns or walls.

BUILDING (ACCESSORY) - A subordinate building, either attached or detached from the principal building, containing an accessory use.

BUILDING (ATTACHED) - A building which has at least part of a wall in common with another building, or which is connected to another building by a roof that exceeds six feet (6') wide between opposite open ends. (See Example)

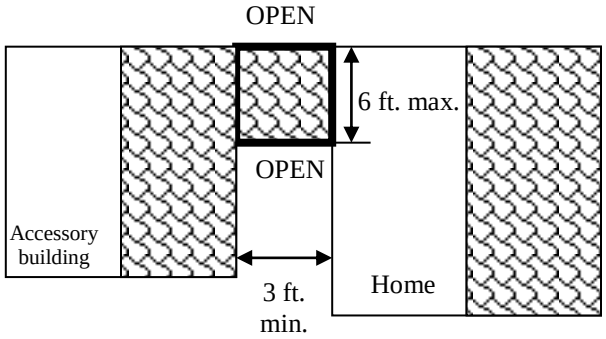


Example of attached buildings

BUILDING (CLOSED) - A building completely enclosed by a roof, walls and/or doors on all sides.

BUILDING (COMMUNITY) - A public or quasi-public building used for community activities of an educational, recreational or public service nature.

BUILDING (DETACHED) - A building, which is separated from another building or buildings on the same lot. Buildings connected only with a roof not more than six feet (6') wide between opposite open ends shall be deemed to be detached. (See Example)



Example of detached buildings

BUILDING (FACTORY BUILT) - A residential or nonresidential building including a dwelling unit or habitable room thereof which is either wholly or in substantial part manufactured at an off-site location (factory assembled) to be assembled on-site, and complies with current adopted Building Codes (except that it does not include a multi-section manufactured home, manufactured home, park model, recreational vehicle or mobile home).

BUILDING (PRINCIPAL) - A building or buildings in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the principal building of the lot on which the same is situated. Any commercial building with an adequate approved sanitary sewage disposal system may be considered the principal building

BUILDING (SITE BUILT) - A building, all or a major portion of which was constructed on site.

BUILDING AREA - The total areas (taken on a horizontal plane at the mean grade level) of the principal buildings and all accessory buildings and structures (exclusive of terraces and steps).

BUILDING FLOOR AREA - Sum of the floor areas of all stories of a building. This includes courts and decks or porches when covered by a roof.

BUILDING HEIGHT - The vertical distance (measured from the average natural grade level) to the average height of the highest roof surface. As provided for in Section 540, building height does not apply to portions of buildings extending above the general roof line and comprising an aggregate area not greater than twenty-five percent (25%) of the total roof area, or to structures other than buildings.

BUILDING PERMIT - Shall mean a permit required for the erection, construction, modification, addition to or moving of any building, structure or use in the unincorporated areas of Yavapai County, pursuant to building codes adopted by the Board of Supervisors.

BUILDING SEPARATION – The distance between two structures measured from the nearest two points (i.e., eave to eave).

CARPORT - An open porch used solely for the parking of motor vehicles and containing no enclosing walls, screen, lattice or other material other than the wall or walls of the building to which it attaches, or other than a storage room (where the side adjoining the lot boundary does not exceed six feet (6')).

CEMETERY - A burial ground for human remains.

COMMISSARY – A base of operations for all mobile food units, pushcarts and food peddlers selling potentially hazardous foods.

COMMISSION - Planning and Zoning Commission of Yavapai County, Arizona.

COMMUNITY BUILDING - See BUILDING.

COMMUNITY GARDEN – A piece of property gardened by an individual/group of people to produce flowers, fruits, orchards and/or vegetables for personal use, subject to performance criteria set out in Section 512 (Community Garden).

CONTIGUOUS - In actual contact.

COURT - Any space (other than a yard) on the same lot with a building or group of buildings which is unobstructed and open to the sky from and above the floor level of any room having a window or door opening on such court. The width of a court shall be its least horizontal dimension.

CUSTOM - Pertaining to work, service or assembly done to order for individual customers for their own use or convenience.

DEAD STORAGE - Goods not in use and not associated with any office, retail or other business use on premise in a self-storage facility or structure.

DECK - An exterior floor system supported on at least two (2) opposing sides by an adjoining structure and/or posts, piers, or other independent supports without a roof.

DETACHED BUILDING - See BUILDING.

DEVELOPMENT SERVICES DIRECTOR – Person appointed by the Board of Supervisors or person designated by the Development Services Director.

DIRECTIONAL SIGN - See SIGN.

DISTRICT - Refers to either a Use District, a Density District or a combination of both such Districts.

DRIVE-IN RESTAURANT - Any establishment where food or beverages are dispensed through openings in the building or by service to customers in a vehicle.

DRIVE-IN THEATER - An open-air theater where the performance is viewed by all or part of the audience from motor vehicles.

DWELLING - A building containing one (1) dwelling unit with an adequate approved sanitary sewage disposal system.

DWELLING (MULTIPLE) - A building containing two (2) or more dwelling units.

DWELLING UNIT - A room (or group of rooms) designed for one (1) or more persons living and cooking as one (1) homogeneous body (see FAMILY) and containing one (1) interior accommodation for preparation of meals. A dwelling unit does not include lodging as defined in this Ordinance.

EDUCATIONAL INSTITUTION – Any institution (including Charter Schools) established for the purposes of offering instruction acceptable to the educational authorities within the school district of jurisdiction in several branches of learning and study to pupils in programs for preschool children with disabilities, kindergarten programs or any combination of grades one through twelve but not including stand alone business colleges, riding academies, or trade, art, music, dancing, nursery or vocational schools. Can include an elementary school, high school, college, university or similar facility.

FAMILY -

a. An individual, or two (2) or more persons related by blood, marriage, or adoption, or other legal relationship including any live-in domestic help, living together as a single housekeeping unit in a dwelling unit, or

b. A group of not more than eight (8) persons who need not be related but function as a family customarily living together as a single housekeeping unit in a dwelling unit, or

c. A residential facility for not more than ten (10) persons duly licensed by the State of Arizona for the developmentally disabled, family foster home, adult foster care or similar residential facility.

FARM ANIMALS – Animals other than household pets that shall be permitted to, where permitted, be kept and maintained for commercial production and sale and/or family food production, education or recreation. Farm animals are identified as being e.g. horses, cattle, swine, llamas, sheep, goats, rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, and pigeons.

FENCE - A barrier constructed of materials such as solid wood slats, metal panels barbed wire, pipe and chain link.

FLOOR AREA - See BUILDING FLOOR AREA.

FREIGHT STATION - A facility for loading, unloading and warehousing of freight.

FREIGHT TERMINAL - A facility for loading and unloading of freight for current distribution but not warehousing.

GARAGE (PRIVATE) - An accessory building occupied primarily by the passenger motor vehicles of the families residing on the same lot.

GARAGE (PUBLIC) - Any building, other than that defined as a private garage, used for the storage or care of motor vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

GRADE (adjacent natural ground elevation). **-** The lowest point of elevation of the natural surface of the ground, within the area between the building and a line five feet (5') from the building.

GROSS VEHICLE WEIGHT (GVW) – The sum total of the weight of a vehicle plus the vehicle's maximum load capacity as stated by the vehicle's manufacturer.

GUEST HOME – One (1) secondary structure meeting the applicable Zoning District requirements as to construction type not exceeding seven hundred fifty (750) square feet of livable building area or twenty-five percent (25%) of the total square footage of livable building area under roof whichever is larger of the primary residential structure and meeting primary structure setbacks of the pertinent zoning district.

GUESTROOM – One (1) or more rooms intended for occupancy overnight (or longer) by other than members of the family. If such contains cooking facilities it is deemed a dwelling unit.

HOME OCCUPATION - A use within a primary dwelling or in an attached or detached structure carried on by residents thereof for gain, which use is merely incidental to the residential use and does not change the character thereof by display or otherwise.

HOSPITAL - A place for the treatment or care of human ailments, and, unless otherwise specified, the term shall include sanitarium, clinic, maternity home, rest home, convalescent home and similar.

HOTEL - A building other than a boarding house, which building contains more than five (5) guestrooms and where entrance to the sleeping rooms or apartments is from a common entrance or lobby used primarily for lodging on a daily or weekly basis. For Density Formula purposes, two (2) such guestrooms may be counted as one (1) dwelling unit.

HOTEL (APARTMENT) - A building or group of buildings containing a number of independent suites of rooms for dwelling purposes and in which at least one (1) common dining room is provided. For Density Formula purposes, each two (2) guestrooms may be counted as one (1) dwelling unit.

INSPECTOR - See LAND USE SPECIALIST.

INTERIOR LOT - See LOT.

JUNK YARD - See YARD.

KEY LOT - See LOT.

KINDERGARTEN - Same as Nursery School except when operated in conjunction with a school of general instruction and having accredited instruction.

LAND USE SPECIALIST (a.k.a. Zoning Inspector per State Statute) **-** Person or any deputy specialists charged with investigation and enforcement of these and other related regulations in Yavapai County. The Development Services Director as appointed by the Board of Supervisors assumes the title of Land Use Specialist in accordance with A.R.S. §11-815A and may assign these duties to the Land Use Unit or other designate.

LAUNDRY (SELF-HELP) - A building in which domestic type washing machines and/or dryers are provided on a rental basis for use by individuals doing their own laundry.

LODGING – The rental, lease or sale of a dwelling unit on a daily or weekly basis or any other basis for less than thirty (30) consecutive days.

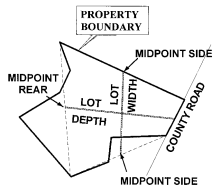
LOT - A parcel of land, or two (2) or more parcels, to be used as a unit and having its principal

frontage on a dedicated street or street easement. Where a half-street has been dedicated from such parcel, such shall be qualification for street frontage.

LOT (CORNER) - A lot abutting on two (2) or more intersecting or intercepting streets where the angle of intersection does not exceed one hundred thirty-five degrees (135°). A corner lot shall be considered to be in that block on which the lot fronts.

LOT COVERAGE – The percentage of the area of a lot that is occupied by the footprint of all buildings or other covered structures. Structures with a partial open roof, such as a pergola, shall be measured to the perimeter posts and shall be calculated as one hundred percent (100%) covered for the purposes of lot coverage.

LOT DEPTH - The shortest distance between the mid-point of each of the front and rear lot lines. Width determined similarly. (See Example)



LOT (INTERIOR) - Lots having no side lot line abutting on a street.

LOT (KEY) - An interior lot contiguous to the rear line of a corner lot and fronting on the side street of such corner lot.

LOT LINE (FRONT) - That part abutting a street. The front line of a corner lot shall be the shorter of the two street lines as originally platted, or if such are equal, the most obvious front by reason of usage by adjacent lots. The front line of a through lot shall be that line which is obviously the front by reason of usage by adjacent lots. Such a lot exceeding one hundred eighty-eight feet (188') in depth may be considered as having two (2) front lines.

LOT LINE (REAR) - That lot line opposite the front line. Where the side lines of the lot meet in a point, the rear line shall be considered parallel to the front line or a tangent of the mid-point of a curved front line and lying ten feet (10') within the lot.

LOT LINE (SIDE) - Those property lines connecting the front and rear property lines.

LOT (THROUGH) - A lot in which both the front and rear line abut on a street.

MAINTAIN - The replacing or renovating of a part (or parts) of a structure, which has been made unusable by ordinary wear or tear, or by the weather.

MANUFACTURED HOME - A structure manufactured after June 15, 1976, and placed within applicable zoning districts, transportable in one (1) or more sections, which in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, and when erected on-site, is three hundred twenty (320) square feet or more in size, and which is built on permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the typical plumbing, heating, air conditioning electrical systems and adequate sanitary sewage disposal system approved, installed and operational. Calculations used to determine the number of square feet in a manufactured home will be based on the exterior dimensions measured at the largest horizontal projections when erected on site. These dimensions will include all expandable rooms, cabinets and other projections containing interior space, but do not include bay windows. The term "Manufactured Home" does not include recreational vehicles, travel trailers, factory built buildings, multi-sectional manufactured homes or mobile homes.

MANUFACTURED HOME, MULTI SECTIONAL - A multi-sectional manufactured home not exceeding two (2) stories in height and manufactured after June 15, 1976, to standards established by the U.S. Department of Housing and Urban Development (HUD) that when joined forms a residence for human occupancy that measures sixteen feet by forty feet (16'x40') or larger and which is designed and required to be placed on a permanent foundation system when located on an individual lot of record. A multi-sectional manufactured home shall have roofing and siding materials similar in appearance and kind to those used in site built homes and be connected to the required utilities, including the typical plumbing, heating, air conditioning electrical systems and adequate sewage disposal systems approved, installed and operational. The term "Multi-Sectional Manufactured Home" does not include manufactured homes, mobile homes, recreational vehicles, factory-built buildings or travel trailers.

MANUFACTURED HOME (MOBILE HOME) COURT - A parcel of land used (or designed) for the location of more than one (1) mobile home or manufactured home for the purposes of rental or multiple family usage. Installation/units to comply with A.R.S. §41-2154, 2155.

MEMORIAL PARK CEMETERY - See CEMETERY.

MOBILE FOOD UNIT – A vehicle-mounted food establishment designated to be readily moveable from which food is composed, compounded, processed or prepared and from which food is vended, sold or given away. This term includes self-propelled kitchens and trailer mounted kitchens.

MOBILE HOME - A dwelling unit built prior to June 15, 1976, on a permanent chassis, capable of being transported in one (1) or more sections and designed to be used with or without a permanent foundation as a dwelling and placed within applicable zoning use districts when connected to on-site utilities including an adequate sanitary sewage disposal system approved, installed and operational. The term "Mobile Home" does not include recreational vehicles, travel trailers, manufactured homes, multi-sectional manufactured homes or factory built buildings. Mobile Homes can no longer be installed in Yavapai County except in Mobile Home Parks.

MODULAR HOME – See BUILDING (FACTORY-BUILT)

MOTEL - A building or group of buildings containing guestrooms or dwelling units, each of which maintains a separate outside entrance used primarily for lodging on a daily or weekly basis for the accommodation of automobile travelers and providing automobile parking space on the premises. For Density Formula purposes, two (2) such guestrooms may be counted as one (1) dwelling unit.

MULTIPLE DWELLING - See DWELLING.

NET METERING – A practice where a property owner can offset some of the costs of purchased electric power by selling surplus electric power back to the utility company.

NEWSPAPER OF GENERAL CIRCULATION - Shall be deemed to mean a daily newspaper (if one is published) or, if no daily newspaper is published, a weekly newspaper may be used.

NON-CONFORMING USE - See USE.

NURSERY SCHOOL - See SCHOOL.

PATIO, OUTSIDE (COMMERCIAL) – Outside seating for customers with food and beverage service by the establishment. No outside live or amplified music. Seating to be included in required parking calculations and wastewater systems for said business.

PETS (HOUSEHOLD) – Dogs, cats, rabbits, birds, etc. (and other small animals under one hundred (100) pounds), for family use only (noncommercial) with cages, pens, etc.

PORCH (OPEN) - A porch in which any portion extending into a front or side yard shall have no

enclosure by walls, screens, lattice or other material higher than fifty-four inches (54") above the natural grade line adjacent thereto; which porch is to be used solely for ingress and egress and not for occupancy as a sleeping porch or wash room.

POWER GENERATING UTILITY (for purposes of generating power - electrical or otherwise) – Any facility designed to generate power that transfers power off-site for sale. With the exception of NET METERING as adopted by the Arizona Corporation Commission.

PRINCIPAL BUILDING - See BUILDING.

PRIVATE GARAGE - See GARAGE.

PRIVATE USE - See USE.

PROFESSIONAL USE - See USE.

PUBLIC GARAGE - See GARAGE.

PUBLIC USE - See USE.

RESIDENTIAL USE - See USE.

RESTAURANT - An establishment (other than a boarding house) where meals that may be procured by the public are prepared.

REST HOME - Same as HOSPITAL.

ROOMING HOUSE - A dwelling, otherwise permitted in the District in which it is situated, containing five (5) or fewer guestrooms and in which food may or may not be served to the occupants thereof. Any dwelling in which more than five (5) rooms are occupied as guestrooms shall be deemed to be a hotel.

SALES OFFICE, TEMPORARY - Real estate sales facility for on-site sales only within an approved subdivision.

SCHOOL (NURSERY) - An institution intended primarily for the daytime care of children of pre-school age. Even though some instruction may be offered in connection with such care, the institution shall not be considered a "School" within the meaning of this Ordinance.

SEATS – Where parking spaces are based on numbers of seats in a facility, each thirty inches (30") of width for bench seating shall be deemed one (1) seat. In the case of fixed seating, each chair shall constitute one (1) seat.

SECONDARY MEDICAL DWELLING - A park trailer, recreational vehicle (excluding campers and tent trailers), travel trailer or manufactured home with kitchen facilities, used exclusively by an ill, handicapped or elderly person in need of special care or supervision, or a care provider for such a person, if the ill, handicapped or elderly person is the owner or resident of the main dwelling or a relative of the owner or resident of the main dwelling.

SELF-HELP LAUNDRY - See LAUNDRY.

SELF-SERVICE STORAGE FACILITIES - Any multi-unit facility designated or used for the purpose of providing individual, compartmentalized and controlled access stalls or lockers for the dead storage of customers' goods and wares as specified in Section 573 (Standards for Self-Storage Facilities).

SIGN – Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, vehicle, structure, or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution, or business.

SLEEPING ROOM - A room, other than a guestroom, in which no cooking facilities are provided.

STEEL STORAGE CONTAINER – A steel structure sometimes referred to as a cargo container, which is independent of any trailer or axles, and is commercially produced and designed for the purposes of storage of personal or commercial belongings/products. Does not include tractor-trailers or boxcars.

STORY - That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A basement, the ceiling of which is less than four feet six inches (4'6") above the natural grade level, shall not be considered a floor. A mezzanine floor shall be considered a story if it exceeds an area of forty percent (40%) of the area of the floor next below it.

STREET - A public passageway that affords a principal means of access to abutting property.

STRUCTURE - The result of arranging materials and parts together and attached to a lot (such as buildings, tanks and fences), but not including tents or vehicles.

SUPERVISORS - BOARD OF SUPERVISORS OF YAVAPAI COUNTY.

TIMESHARE – A project or use where a purchaser receives the right in perpetuity, for life or a term of years to the recurrent, exclusive use or occupancy of a lot, parcel unit or segment or property, annually or on some periodic basis, for a period of time that has been or will be allotted from the use or occupancy periods into which the project has been divided.

TRAILER PARK - Same as MOBILE HOME or RECREATIONAL VEHICLE PARK (COURT).

TRAILER (PARK MODEL) - A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, and manufactured to comply with ANSI A119.5 standards, except that it does not include recreational vehicles, travel trailers, campers or fifth wheel trailers.

TRAILER (TRAVEL) - A travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle and has a trailer area of less than three hundred twenty (320) square feet. This definition includes fifth wheel trailers and other like recreational vehicles. (See also VEHICLE (RECREATIONAL))

USE - The purpose for which a building, or lot, or structure, is arranged, designed, occupied or maintained.

USE (ACCESSORY) - A use incidental to the principal or primary use on the same lot.

USE (LEGAL NON-CONFORMING) - A use that lawfully occupied a building or land at the time this Code or amendments thereto became effective, which has been lawfully continued and which does not now conform with the use regulations.

USE (PERMITTED) - A use in a District, which is allowed by reason of being listed among the "Permitted Uses" in the District.

USE (PRIMARY) - A use that is conducted as the principal use of the lot on which it is situated. For example a single-family dwelling unit shall be deemed to be the primary use on a residentially zoned parcel or lot on which the unit is situated.

USE (PRIVATE) - A use restricted to the occupants of a lot or building together with their guests, where compensation is not received and where no commercial activity is associated with same.

USE (PROFESSIONAL) - The rendering of services of a professional nature by: members of the professions licensed by competent authority; teachers in a school of general instruction; artists practicing the fine arts; consultants recognized by organizations of licensed professions.

USE (PUBLIC) - A use (or building) located on public land to serve public benefits (but not necessarily available to the public admission).

USE (RESIDENTIAL) - Shall be deemed to include single and multiple dwelling units, guestrooms, rooming and boarding houses, fraternity and sorority houses, convents, homes for the aged and similar.

VEHICLE - The result of arranging materials and parts together for conveyance over roads (whether or not self propelled). Such is not deemed a structure in qualifying for a building permit, but as being accessory to the principal use on a lot (except in connection with vehicular rental or sales agencies and mobile home courts).

VEHICLE (COMMERCIAL) – A vehicle utilized for financial gain in relationship to a business, non-profit or other non-residential entity, regardless of the location of the entity.

VEHICLE (JUNK) – A vehicle that is in such a state of deterioration that it cannot be profitably dismantled or salvaged for parts and cannot be profitably restored (from A.R.S. §28-4881).

VEHICLE (PRIVATELY OWNED) – A vehicle used for private purposes.

VEHICLE (RECREATIONAL) - Means a motor vehicle that is designed and customarily used for private pleasure, including vehicles commonly called motor homes, pickup trucks with campers and pickup trucks with a fifth wheel trailing device. (See also TRAILER (TRAVEL))

WALL – A barrier constructed of materials such as solid block, native stone and rock or wood stucco. Barriers constructed with materials not designed for walls are not applicable to this definition.

WELL HOUSE – A building that may house equipment directly related to the operation of a well and may be utilized to store the well pump, pressure tank, tractor and tools to maintain the same lot.

WIND TURBINE (HEIGHT) – The height of a wind turbine is measured from the average natural grade to the tip of the rotor blade at its highest point.

WRECKING YARD - See YARD (WRECKING).

YARD - A required space of uniform width adjacent to the perimeter of a lot, the interior boundary of which is measured as a minimum horizontal distance to the required setback of a principal structure from a lot boundary; or from any future width line.

YARD (FRONT) - A yard abutting the front street.

YARD (JUNK) - An open-land area or portion thereof (exclusive of an area not exceeding the provisions of Section 564 (Outside Storage)) used for storage, keeping, sale or abandonment of junk (including scrap material, disabled vehicles or used vehicular parts).

YARD (REAR) - A yard abutting the rear lot line or alley.

YARD (SIDE) - A yard abutting a side street (exterior side yard) or a common side boundary (interior side yard), lying between required front and rear yards.

YARD (WRECKING) - An open-land area used for dismantling or demolition of motor vehicles, machinery, equipment or similar and usually the storage thereof.

ZONING AREA - The area within three hundred feet (300') of the proposed amendment or change.

ZONING CLEARANCE - The approval or authorization by the Land Use Specialist indicating that a

proposed building, structure or use of land meets all the standards contained in this Ordinance.

ZONING DISTRICT - A zoned area in which the same zoning regulations apply throughout.

CHAPTER 4 USE DISTRICTS

SECTION 400 USE DISTRICTS

Those areas of Yavapai County subject to the provisions of this Ordinance are hereby divided into Use Districts that together with the General Provisions (where applicable) control the uses and structures, and their manner of installation and operation in the various County areas. Any use or structure not specifically permitted by District Provisions (or analogous to a permitted use or structure) shall be deemed prohibited and unlawful (nor shall same be considered an accessory use or structure for the District). The following comprises the various Zoning Districts and their order (from higher to lower) in applying the change of use provisions of the Ordinance:

SECTION

410 R1L DISTRICT (Residential; Single Family Limited)

411 RMM DISTRICT (Residential; Multi-Sectional Manufactured Homes)

412 R1 DISTRICT (Residential; Single Family)

413 RCU DISTRICT (Residential; Rural)

414 R2 DISTRICT (Residential; Multi-Family)

415 RS DISTRICT (Residential and Services)

420 C1 DISTRICT (Commercial; Neighborhood Sales and Services)

421 C2 DISTRICT (Commercial; General Sales and Services)

422 C3 DISTRICT (Commercial and Minor Industrial)

430 PM DISTRICT (Performance Industrial)

431 M1 DISTRICT (Industrial; General Limited)

432 M2 DISTRICT (Industrial; Heavy)

440 PAD DISTRICT (Planned Area Development)

441 OPEN SPACE AND SUSTAINABLE DEVELOPMENT OPTION

442 CLUSTER AND OPEN SPACE OPTION

450 RCD DISTRICT (Residential Camping District)

460 OS DISTRICT (Open Space Resource Conservation Zone)

470 OVERLAY ZONES

SECTION 410 R1L DISTRICT

R1L DISTRICT (Residential; Single Family Limited to site built structures only) Permitted Uses:

Where no Zoning/Density District has been combined, then all provisions of Density District 10 shall prevail. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. Dwelling unit (site built) for one (1) family on any one (1) lot.

B. Religious institutions (in permanent site built buildings) upon Conditional Use Permit approval.

C. Educational institutions (publicly funded) as defined in Section 301 (Definitions) (in site-built buildings), except that a charter school may not operate in a single-family residence that is located on property of less than an acre.

D. Community parks, playgrounds or centers when part of a community plan.

E. Public utility facilities (but not business offices nor repair or storage facilities) when necessary for serving the surrounding territory on one (1) acre or less following Administrative Review with Comment Period.

F. When in conjunction with an approved development plan, golf courses with accessory uses such as pro shops, shelters, restrooms, etc. (but not commercial driving ranges or miniature putting courses). Subject to the performance standards set out in Section 534 (Golf Course Standards).

G. Accessory uses and structures (concurrent with and located on the same lot with the principal uses and structures and including the following):

1. Farm animals on lots of no less than seventy thousand (70,000) square feet for the convenience and pleasure of the lot occupants, not to exceed the number allowed as per the Allowed Animal Chart (Section 501 E.) except swine shall not exceed five (5) total per parcel. Stables, barns, or structures for sheltering or feeding animals must observe the same setbacks or yards as the dwelling unit.

   a. Non-commercial keeping of chickens on lots less than seventy thousand (70,000) square feet. Subject to the following development criteria:

      (1) Number of chickens limited to eight (8) per lot.

      (2) Location of containment areas must be at least fifteen (15) feet from all property lines.

      (3) Roosters are prohibited.

      (4) All structures shall be kept in a neat and slightly manner and shall be controlled from refuse, manure, and other nuisances at all times. Storage of feed, equipment and other material related to such animals shall be entirely within an enclosed building.

2. Swimming pools in other than the front yard primary use setback area.

3. Quarters for servants and/or non-paying guests attached to the dwelling (facilities for preparation of food are prohibited).

4. Temporary construction offices and construction sheds and yards incidental to a recorded subdivision development or other on-site construction project for a period not exceeding twenty-four (24) months from date of plat recordation or date of issuance of construction project permit with no permits (other than electrical permits) required to

install same (prohibited closer to lot boundary than is allowed for a principal building in the District).

5. Open land carnival and recreation facilities accessory to educational institutions (confined to same lot).

6. Temporary on-site sales (real estate) facility only as defined in Section 301 (Definitions) in compliance with the regulations and performance standards outlined under Section 570 (Real Estate Offices - Temporary).

7. Household pets.

8. Fences and free-standing walls.

9. Parking facilities to meet no less than the minimum requirements as provided under Section 602 (Parking and Off-Street Loading).

10. Solar installations and wind turbines for on-site use only (including NET METERING as adopted by the Arizona Corporation Commission) except that wind turbines and ground mount solar panels must meet district building height limitations above natural grade and principal setback requirements.

11. Entry feature structure to be allowed to encroach in the setbacks on parcels two (2) acres or larger, subject to the following development criteria:

    a. The entry feature shall be over a driveway.

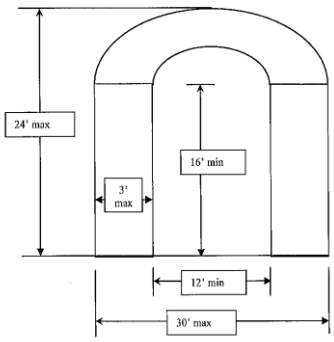
    b. There shall be no more than one (1) entry feature per parcel.

    c. The entry feature shall have a maximum height of twenty-four feet (24’) and a maximum width of no more than thirty feet (30’).

    d. The entry feature shall have a minimum opening of twelve feet (12’) in width and sixteen feet (16’) in height.

    e. Entry feature shall be set back one foot (1’) for every one foot (1’) in height.

    f. All lighting on any entry feature shall be subject to Section 603 (Light Pollution Control).



H. Occupancy of temporary housing, including travel trailers, recreational vehicles, park models and single-wide manufactured homes during the construction of a permanent dwelling is allowed during the twenty-four (24) month period after the issuance of a building permit (and the building permit remains valid). A permit must be obtained prior to occupancy of the temporary housing and the temporary housing must meet primary yard setbacks, unless otherwise approved at the discretion of the Development Services Director provided applicant

demonstrates evidence of special circumstances or conditions applicable to the property of application, that justify deviation from the requirements so that strict application thereof would work an unnecessary hardship and that the granting of the request is necessary for preservation and enjoyment of substantial property rights. One (1) extension of time for use of a recreational vehicle, travel trailer, park model or single-wide manufactured home as temporary housing may be granted at the discretion of the Development Services Director for a period not to exceed twelve (12) months. Further extensions will require a Use Permit.

I. Bed & Breakfast Homestays as defined under Section 301 (Definitions), subject to performance standards set out in Section 507 (Bed and Breakfasts) for Homestays with Administrative Review with Comment Period.

J. One (1) guest home as defined under Section 301 (Definitions), subject to the performance standards set out in Section 537 (Guest Home): with a minimum parcel size of seventy thousand (70,000) square feet.

K. Home Occupations as defined under Section 301 (Definitions), subject to approval by the Development Services Director; home occupation shall comply with the regulations and standards set out in Section 543 (Home Occupation).

L. Secondary Medical Dwelling Variance for medical hardships as defined under Section 301 (Definitions), subject to performance criteria found in Section 525 (Dwelling – Secondary Medical) and dwelling unit to conform to applicable zoning district performance criteria.

M. Private family cemeteries for the internment of human remains, with an Administrative Review with Comment Period subject to the following criteria:

1. Notification area for the Administrative Review with Comment Period is one thousand (1,000) feet from the property boundary.
2. Property owner to delineate cemetery boundary with a minimum three foot (3’) fence.
3. The application shall include a paper copy of a scale map, titled “Results of Survey” or similar, with the parcel area and dimensions showing existing parcel lines and all proposed easements. The map/survey shall be sized 18” x 24” (one 8.5” x 11” copy must also be submitted) or of a format acceptable to the County Recorder’s Office. The legal descriptions and the map/survey shall be prepared by an Arizona Registered Land Surveyor.
4. Cemetery to be recorded as a perpetual easement attached to a main parcel including ingress/egress access, within thirty (30) days of approval.
5. Cemetery is prohibited from becoming a separate tax parcel and must maintain minimum zoning district requirements.
6. If a private family cemetery is a primary use, no accessory uses are allowed.
7. A private family cemetery must meet primary setbacks.

N. Community Gardens as defined under Section 301 (Definitions), subject to performance criteria set out in Section 512 (Community Garden).

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft. per dwelling	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
			Front	Rear	Interior	Exterior			
7.5	7,500	75	20	25	7	10	2	30	50
10	10,000	80	20	25	7	10	2	30	40
12	12,000	90	20	25	7	10	2	30	40
18	18,000	100	30	30	10	15	2	30	25
25	25,000	130	30	30	10	15	2	30	20
35	35,000	145	40	40	20	20	2	30	15
70	70,000	200	50	50	25	30	2	30	15
2A	87,120	225	50	50	25	30	2	30	10
175	175,000	300	50	50	30	50	2	30	10
5A	217,800	325	50	50	40	50	2	30	10
10A	435,600	500	50	50	50	50	2	30	5
36A	1,568,160	500	50	50	50	50	2	30	5

SECTION 411 RMM DISTRICT

RMM (Residential; Single Family; site built, factory built and Multi-Sectional Manufactured Homes, no single-wide manufactured homes) Permitted Uses:

Where no Zoning/Density District has been combined, then all provisions of Density District 10 shall prevail. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses and structures permitted in the R1L Zoning District.

B. Multi-Sectional Manufactured Homes, as defined under Section 301 (Definitions). To be permitted, Multi-Sectional Manufactured Homes must conform to all provisions set out in Section 301 (Definitions) and Section 552 (Manufactured Housing/Multi-Sectional Manufactured Housing Standards).

C. Factory Built dwelling as defined under Section 301 (Definitions).

D. Steel storage containers to meet the minimum requirements as provided under Section 564 (Outside Storage).

E. Educational institutions (publicly funded) as defined in Section 301 (Definitions) (in any permitted buildings), except that a charter school may not operate in a single-family residence that is located on property of less than an acre.

F. Religious Institutions (in any permitted buildings) upon Conditional Use Permit approval.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft. per dwelling	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
			Front	Rear	Interior	Exterior			
7.5	7,500	75	20	25	7	10	2	30	50
10	10,000	80	20	25	7	10	2	30	40
12	12,000	90	20	25	7	10	2	30	40
18	18,000	100	30	30	10	15	2	30	25
25	25,000	130	30	30	10	15	2	30	20
35	35,000	145	40	40	20	20	2	30	15
70	70,000	200	50	50	25	30	2	30	15
2A	87,120	225	50	50	25	30	2	30	10
175	175,000	300	50	50	30	50	2	30	10
5A	217,800	325	50	50	40	50	2	30	10
10A	435,600	500	50	50	50	50	2	30	5
36A	1,568,160	500	50	50	50	50	2	30	5

SECTION 412 R1 DISTRICT

R1 DISTRICT (Residential; Single Family; site built, multi-sectional and manufactured) Permitted Uses:

Where no Zoning/Density District has been combined, then all provisions of Density District 10 shall prevail. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses and structures permitted in the R1L and RMM Districts.

B. Manufactured Homes and Park Models are permitted as a dwelling unit for a single family on an individual lot or parcel as set forth in Section 301 (Definitions) and subject to Section 552 (Manufactured Housing/Multi-Sectional Manufactured Housing Standards) or Section 565 (Park Model Standards).

C. Additional accessory uses and structures (concurrent with and located on the same lot with the principal uses and structures and including the following):

1. Roomers or boarders, not to exceed two (2) for any one (1) dwelling unit.

2. Farm animals on lots of no less than thirty-five thousand (35,000) square feet for the convenience and pleasure of the lot occupants, not to exceed the number allowed as per the Allowed Animal Chart (Section 501 E.) except swine shall not exceed five (5) total per parcel. Stables, barns or structures for sheltering or feeding animals must observe the same setbacks or yards as the dwelling unit.

a. Non-commercial keeping of chickens on lots less than thirty-five thousand (35,000) square feet. Subject to the following development criteria:

(1) Number of chickens limited to eight (8) per lot.

(2) Location of containment areas must be at least fifteen feet (15') from all property lines.

(3) Roosters are prohibited.

(4) All structures shall be kept in a neat and sightly manner and shall be controlled from refuse, manure, and other nuisances at all times. Storage of feed, equipment and other material related to such animals shall be entirely within an enclosed building.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft. per dwelling	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
			Front	Rear	Interior	Exterior			
7.5	7,500	75	20	25	7	10	2	30	50
10	10,000	80	20	25	7	10	2	30	40
12	12,000	90	20	25	7	10	2	30	40
18	18,000	100	30	30	10	15	2	30	25
25	25,000	130	30	30	10	15	2	30	20
35	35,000	145	40	40	20	20	2	30	15
70	70,000	200	50	50	25	30	2	30	15
2A	87,120	225	50	50	25	30	2	30	10
175	175,000	300	50	50	30	50	2	30	10
5A	217,800	325	50	50	40	50	2	30	10
10A	435,600	500	50	50	50	50	2	30	5
36A	1,568,160	500	50	50	50	50	2	30	5

SECTION 413 RCU DISTRICT

RCU DISTRICT (Residential; Single-Family; Rural) Permitted Uses:

This RCU District is intended to provide a zoning classification for all areas of the County not presently characterized by urban uses. Notwithstanding any other provision of this Ordinance, including any density designation, no lot or parcel zoned RCU shall have a density less than two (2) acres.

A. All Uses allowed in the R1L, RMM and R1 Districts.

B. Temporary occupancy of one (1) recreational vehicle or travel trailer as defined in Section 301 (Definitions) and subject to Section 571 (RVs and Travel Trailers Temporary Camping).

C. One (1) steel storage container or one (1) single storage shed that is 400 square feet or less is allowed prior to a primary use being established on a minimum ten (10) acre parcel, subject to Flood Control requirements and Zoning Clearance Permit, prior to the placement of the unit.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft. per dwelling	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
			Front	Rear	Interior	Exterior			
2A	87,120	225	50	50	25	30	2	30	10
175	175,000	300	50	50	30	50	2	30	10
5A	217,800	325	50	50	40	50	2	30	10
10A	435,600	500	50	50	50	50	2	30	5
36A	1,568,160	500	50	50	50	50	2	30	5

SECTION 414 R2 DISTRICT

R2 DISTRICT (Residential; Multi-Family) Permitted Uses:

Where no Zoning/Density District has been combined, then all provisions of Density District 3 shall prevail. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses and structures permitted in the RCU District.

B. Multi-family dwelling units and apartment hotels (site-built buildings only) in conformity with the Density Formula for the District.

C. Lots abutting an arterial highway permit the following:

1. Rooming and boarding houses.
2. Fraternity and sorority houses.
3. Orphanages and homes for the aged.

D. Bed & Breakfast Homestays as defined under Section 301 (Definitions).

E. Bed & Breakfast Inns as defined under Section 301 (Definitions), subject to the regulations and performance standards set out in Section 507 (Bed and Breakfasts) subject to Administrative Review with Comment Period.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling unit	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
				Front	Rear	Interior	Exterior			
1	7,500	1,000	75	20	25	7	10	2	50	50
2	7,500	2,000	75	20	25	7	10	2	40	50
3	7,500	3,000	75	20	25	7	10	2	30	50
4	7,500	4,000	75	20	25	7	10	2	30	50
5	7,500	5,000	75	20	25	7	10	2	30	50
7.5	7,500	7,500	75	20	25	7	10	2	30	50
10	10,000	10,000	80	20	25	7	10	2	30	40
12	12,000	12,000	90	20	25	7	10	2	30	40

SECTION 415 RS DISTRICT

RS DISTRICT (Residential and Services) Permitted Uses:

Where no Zoning/Density District has been combined, then all provisions of Density District 3 shall prevail. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses and structures permitted in any more restrictive Zoning District. Where the lot is contiguous to a less restrictive Zoning District, requirement for securing an Administrative Review is waived (unless otherwise provided for).

B. Offering of personal services within enclosed buildings (such as, but not limited to beauty and barber, massage, photography, group instruction, tailoring and small appliance repair). Such operations shall not include the offering of materials or equipment for sale. Small appliance repair not to include small gas engines. Subject to Administrative Review with Comment Period.

C. Hospitals, clinics, sanitariums and nursing homes for the care of humans on a minimum one-half (½) acre parcel excluding road right-of-way.

D. Offices in which only professional, administrative, clerical or sales services are conducted.

E. Private clubs and lodges operated solely for the benefit of bona fide members, including outdoor recreation or assembly facilities on two (2) acres or less. Subject to Administrative Review with Comment period.

F. Nursery schools on minimum one-half (½) acre parcel.

G. Revival tents and similar temporary operations.

H. Educational institutions (privately funded) as defined in Section 301 (Definitions) (provided they offer a curriculum of general instruction comparable to similar publicly funded educational institutions).

I. Landscaping to be developed as provided in Section 547 (Landscaping). Areas disturbed by development must be mitigated through re-vegetation or inorganic ground covers.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling unit	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
				Front	Rear	Interior	Exterior			
1	7,500	1,000	75	20	25	7	10	2	50	50
2	7,500	2,000	75	20	25	7	10	2	40	50
3	7,500	3,000	75	20	25	7	10	2	30	50
4	7,500	4,000	75	20	25	7	10	2	30	50
5	7,500	5,000	75	20	25	7	10	2	30	50
7.5	7,500	7,500	75	20	25	7	10	2	30	50
10	10,000	10,000	80	20	25	7	10	2	30	40
12	12,000	12,000	90	20	25	7	10	2	30	40
18	18,000	18,000	100	30	30	10	15	2	30	25
25	25,000	25,000	130	30	30	10	15	2	30	20
35	35,000	35,000	145	40	40	20	20	2	30	15
70	70,000	70,000	200	50	50	25	30	2	30	15
2A	87,120	87,120	225	50	50	25	30	2	30	10
175	175,000	175,000	300	50	50	30	50	2	30	10
5A	217,800	217,800	325	50	50	40	50	2	30	10
10A	435,600	435,600	500	50	50	50	50	2	30	5
36A	1,568,160	1,568,160	500	50	50	50	50	2	30	5

SECTION 420 C1 DISTRICT

C1 DISTRICT (Commercial; Neighborhood Sales and Services) Permitted Uses:

Permitted uses and structures shall be compatible with the neighborhood development. Storage of materials and supplies, displays (other than signs) and other non-residential uses are restricted to buildings closed on all sides (except as may otherwise be permitted). Intoxicating beverage sale restricted to that of off-site consumption only.

Where no Density District has been combined, then the provisions of Density District 2 shall prevail for dwelling units, hotels and motels. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses permitted in any more restrictive Zoning District and providing further that unless specifically provided to the contrary the requirements for an Administrative Review (except for lots contiguous to Residential Districts) are waived.

B. Mobile and Manufactured Home Courts. Subject to Administrative Review with Comment Period.

C. Retail sales, restricted to on-site sales only.

D. Commercial art galleries.

E. Restaurants and cafes, but prohibiting vending from openings in buildings (no drive-through windows).

F. Business offices, banks and similar.

G. Custom service and craft shops as follows, limited to three thousand (3,000) square feet of shop floor area: barber, beauty, massage, tailor and cleaning pickup, key and gun, photographic, fixit (home appliance, saw, mower, clock, radio, TV and similar) precision and musical instrument, optical.

H. Launderettes, limited to machines not exceeding twenty-five (25) pound capacity according to manufacturer's rating.

I. Dancing, art, music and business schools (prohibiting public recitals, concerts or dances).

J. Automotive Service Stations: See Section 531 (Fuel Storage Tanks).

K. Parking facilities limited to no more than two (2) trucks for any one (1) commercial project.

L. Signs: See Section 601 (Sign Code).

M. Bed & Breakfast Country Inns - As defined under Section 301(Definitions).

N. Hotel/Motel/Resorts.

O. Retail Liquid Propane dispensing stations on the premises and as an accessory to an allowed retail commercial use subject to design and siting approval and inspection by the Office of the Arizona State Fire Marshal and/or the applicable Fire District. See performance criteria in Section 549 (Liquid Propane Dispensing – Retail)

P. Lodging and Timeshares.

Q. Patio, Outside Commercial as defined in Section 301 (Definitions) as an accessory use and meeting all applicable codes and Ordinances.

R. Religious Institutions.

S. A Mobile Food Unit as defined in Section 301 (Definitions) as an accessory use shall be permitted subject to performance criteria set out in Section 556 (Mobile Food Units – Commercial) and meeting all applicable codes and Ordinances.

Yard Requirements: As provided under Section 500 (General District Provisions).

Building Heights: In accordance with Section 516 (Density Districts).

Building Density: In accordance with Section 516 (Density Districts).

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling unit	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
				Front	Rear	Interior	Exterior			
1	7,500	1,000	75	20	25	7	10	2	50	50
2	7,500	2,000	75	20	25	7	10	2	40	50
3	7,500	3,000	75	20	25	7	10	2	30	50
4	7,500	4,000	75	20	25	7	10	2	30	50
5	7,500	5,000	75	20	25	7	10	2	30	50

SECTION 421 C2 DISTRICT

C2 DISTRICT (Commercial; General Sales and Services) Permitted Uses:

Storage of materials and supplies, displays (other than signs), and other non-residential uses are restricted to buildings closed on sides facing lot perimeter (i.e. no service entries/bays facing street or readily visible from adjacent residential) (except as may otherwise be permitted).

Where no Density District has been combined, then the provisions of Density District 1 shall prevail for dwelling units, hotels and motels. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses permitted in any more restrictive Zoning District; and providing further that unless specifically provided to the contrary the following are waived:

   1. Requirements for Use Permits/Administrative Reviews (except for lots contiguous to Residential Districts).
   2. Area limitations for uses and buildings.
   3. Limitations on hours of operation.

B. Sales (retail and wholesale) and rentals.

C. Commercial parking facilities.

D. Bars, tap rooms and nightclubs.

E. Theaters, auditoriums, banquet and dance halls.

F. Dancing, art, music, business and trade schools (including permission for public recitals, concerts and dances).

G. Commercial bath and massage.

H. Frozen food lockers.

I. Custom craft and service shops, limited to five thousand (5,000) square feet of shop floor area. Cleaning and dyeing limited to closed unit machines with self-contained transmission and using solvents, shampoos, detergents and other agents of chlorinated solvent type and having a rating of five (5) or under by Underwriters Laboratories Inc.

J. Bowling alleys and poolrooms.

K. Water distillation and bottling for retail sales only, limited to five thousand (5,000) square feet of shop floor area.

L. Mortuaries (loading, unloading and automobile stacking for processionals confined to mortuary premises).

M. Vending for on or off-site consumption of foods, confections, non-intoxicating drinks (and other refreshments) through openings in buildings (no such vending allowed within three hundred feet (300’) of a public or parochial grade or high school).

N. General repair of automobiles, light trucks, recreational vehicles, cycles, and small stationary or portable machinery entirely within enclosed buildings or attached enclosures of solid material

at least six feet (6') in height: subject to performance criteria set out in Section 585 (Vehicle & Portable Machinery Repair).

O. General sales of new and used automobiles, light trucks, recreational vehicles, travel trailers, boats, boat trailers, utility trailers, motorcycles, ATV's (All Terrain Vehicles), bicycles and small stationary or portable machinery within enclosed buildings. Outside display of such vehicles or similar merchandise shall be permitted subject to performance criteria set out in Section 561 (Outside Display - Commercial)

P. Veterinary clinics and hospitals for the diagnosis and treatment of household pets and other small animals under one hundred (100) pounds, entirely within an enclosed building not exceeding three thousand (3,000) square feet. Boarding of animals incidental to their diagnosis or treatment shall be permitted provided that:

1. The boarding area is entirely within the same building as the clinic or hospital and does not exceed fifty percent (50%) of the total floor area; and,
2. The boarding area is either completely soundproofed or is no closer than three hundred feet (300') to any contiguous parcel of property. No on-site incineration shall be permitted.

Q. Pet shops within enclosed buildings not exceeding one thousand five hundred (1,500) square feet for the display and sale of household pets and other small animals, under one hundred (100) pounds, provided that:

1. The pet shop is either completely soundproofed or is no closer than three hundred feet (300') to any contiguous parcel of residential property zoned or used for residential purposes.
2. No on-site incineration shall be permitted.

R. Signs: See Section 601 (Sign Code).

S. Self-Service Storage Facilities: See Section 573 (Self-Service Storage Facilities).

Yard Requirements: Same as for C1 District.

Building Heights: In accordance with Section 516 (Density Districts).

Building Density: In accordance with Section 516 (Density Districts).

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling unit	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
				Front	Rear	Interior	Exterior			
1	7,500	1,000	75	20	25	7	10	2	50	50
2	7,500	2,000	75	20	25	7	10	2	40	50
3	7,500	3,000	75	20	25	7	10	2	30	50
4	7,500	4,000	75	20	25	7	10	2	30	50
5	7,500	5,000	75	20	25	7	10	2	30	50

SECTION 422 C3 DISTRICT

C3 DISTRICT (Commercial and Minor Industrial) Permitted Uses:

The front fifty feet (50') depth of a lot shall not be used for open-land storage of material or equipment, work yard or display (except display for sale or rental as may be granted under a Use Permit); such open-land storage or work areas on any other portion of the lot shall be secured by a solid wall, fence or hedge so as not to be visible from any higher ranking Zoning District (nor shall any materials or equipment extend higher than such screening).

Where no Density District has been combined, then the provisions of Density District 1 shall prevail for hotels and motels. (See Section 516 (Density Districts), most common ones shown in attached chart.)

A. All principal and accessory uses permitted in any more restrictive Zoning District (except dwelling units and manufactured home courts) and providing further that unless specifically provided to the contrary the following are waived:

   1. Requirements for Use Permits/Administrative Reviews (except for lots contiguous to Residential Districts).
   2. Area limitations for uses and buildings.
   3. Limitations on hours of operation.
   4. Confining of uses to closed or partially closed buildings.

B. Sales facilities, retail and wholesale.

C. Lumber yards (prohibiting milling and planing operations).

D. Custom warehouses within closed buildings and not including animals, limited to fifteen thousand (15,000) square feet of floor area.

E. Craft shops and work, storage and equipment yards in connection therewith, limited to fifteen thousand (15,000) square feet of floor area.

F. Cemeteries for human or animal internment. Subject to Administrative Review with Comment Period.

G. Pet shops within closed buildings.

H. Small animal hospitals for diagnosis, treatment or boarding, limited to five thousand (5,000) square feet of floor area entirely within a closed building. Outdoor runs, pens and cages and/or larger buildings, no less than one hundred feet (100') from any Residential District for such outdoor use, with special consideration to the neighborhood reaction to the administrative review application, type and number of day and night animal guests, whether to restrict to diagnosis and treatment or to permit boarding, the extent of outdoor activity; total lot and use area, and limitations on permit duration. Subject to Administrative Review with Comment Period.

I. Transportation terminal and transfer facilities within closed buildings, limited to fifteen thousand (15,000) square feet of floor area.

J. Cleaning and dyeing plants within closed buildings, limited to fifteen thousand (15,000) square feet of floor area.

K. Frame work, body and fender shops within closed buildings.

L. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.

M. Public auction within closed buildings, livestock sales prohibited.

N. Bottling plants confined to closed buildings, limited to fifteen thousand (15,000) square feet of floor area.

O. Custom tire recapping.

P. Signs: See Section 601 (Sign Code).

Yards Required: Same as for C1 and C2 Districts.

Building Heights: In accordance with Section 516 (Density Districts).

Building Density: No requirements.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling unit	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 3 Feet all classes				Max Building Height Stories / feet		Max Lot Coverage Percent
				Front	Rear	Interior	Exterior			
1	7,500	1,000	75	20	25	7	10	2	50	50
2	7,500	2,000	75	20	25	7	10	2	40	50
3	7,500	3,000	75	20	25	7	10	2	30	50
4	7,500	4,000	75	20	25	7	10	2	30	50
5	7,500	5,000	75	20	25	7	10	2	30	50

SECTION 430 PM DISTRICT

PM DISTRICT (Performance Industrial) Permitted Uses:

Intended to promote the development and operation of certain uses, such as, but not limited to, laboratories, light manufacturing and assembly, in such a restricted and limited manner that, because of the limitations on type of structures and uses, control on height and density, prohibitions against open land facilities, prohibitions against emission of such nuisances as fumes, odors, noise, glare and vibration, prohibition of general retail sales and service or other uses that cater to the general public, and the landscaping requirements, so as to protect and foster residential desirability adjacent to such industries. The prohibition of residential uses is intended to preserve the PM zoned land for the industrial development.

Residential uses prohibited (including dwelling units, manufactured home courts, motels, hotels and similar). General retail sales and service or other uses that cater to the public are prohibited. All uses as allowed confined to closed buildings (except parking, loading and unloading). Space for parking shall always be kept available to provide no less than two (2) square feet of land area for each square foot of building area. All development must progress in accordance with a general layout, architectural and landscape plans to assure a development compatible with the intent of the Zoning District. Such layout shall provide a landscaped area (per Section 547 C.2 Landscaping) fifty feet (50') in depth adjacent to any street and may not contain any other uses or structures except for walks, drives, signs and lighting.

A. All principal and accessory uses permitted in any more restrictive District, except those prohibited under these District Stipulations.

B. Manufacturing, machining, tooling, assembly, fabrication, processing, compounding, packaging, mixing, molding; equipping and decorating, glazing, repairing, servicing, cleaning, winding, printing and publishing, binding, weaving, knitting, sewing, baking, cooking, roasting, pickling, brewing, distilling, plating, polishing.

C. Warehouses.

D. Motion picture productions, radio and television studios.

E. In-plant restaurants as an appurtenant use, and including roof or landscaped patio dining facilities.

F. Signs: same as C1 District.

Lot Area and Dimensions: No lot shall be established smaller than a one hundred foot (100') width, three hundred foot (300') depth and seventy thousand (70,000) square foot area, nor to exceed a depth of six hundred fifty feet (650') unless it can be shown that a greater depth will not block projected streets or alleys.

Yards Required: Fifty feet (50') adjacent to any street or alley; fifty feet (50') adjacent to any Residential Zoned lot and twenty-five feet (25') adjacent to any other lot.

Building Heights: Maximum thirty feet (30') plus one foot (1') additional for each ten feet (10') of setback beyond all required yards.

Building Density: The total area of all buildings shall not exceed thirty percent (30%) of the total area of the lot.

Building Spacing: No building shall be closer to any other building than thirty feet (30').

SECTION 431 M1 DISTRICT

M1 DISTRICT (Industrial; General Limited) Permitted Uses:

Intended to provide the type of industrial facilities, which while not necessarily attractive in operational appearances, are installed and operated in a manner so as not to cause inconvenience to other uses in the Zoning District (or to adjacent Zoning Districts).

Where uncertainty exists as to compliance with the intent of this District, in differentiating between the light and heavy character of the proposed use, the Adjustment Board shall determine.

A. All principal and accessory uses permitted in any more restrictive Zoning District, except dwelling units, manufactured home courts, hotels, motels, rooming and boarding houses and similar, and provided further that unless specifically provided to the contrary, the following are waived:

   1. Requirements for Use Permits, except for lots contiguous to Residential Districts.
   2. Area limitations for uses and buildings.
   3. Limitations on hours of operations.
   4. Confining uses to closed (or partially closed) buildings.
   5. Prohibitions against livestock and other animals.

B. Dispensing of gasoline and similar petroleum products from exposed storage tanks (subject to requirements of Underwriters Laboratories Inc. or similar), provided no such tank shall be located closer than twenty-five feet (25') to the lot boundaries.

C. Manufacturing, machining, tooling, assembly, fabrication, welding, milling, molding, equipping, decorating, glazing, repairing, servicing, cleaning, winding, printing, publishing, pickling, brewing, distilling, salvage (but not wrecking), equipment, material and dead storage yards, plating and polishing, meat packing (no slaughtering except rabbits and poultry), animal treating, boarding, breeding and sales, warehousing (including elevators), freight yards, circuses and carnivals, race tracks, and stadiums.

D. Signs: See Section 601 (Sign Code).

Yards Required: Same as for Commercial Districts.

Building Heights: Use Permit required to exceed thirty feet (30') or two (2) stories.

Building Density: No requirements.

SECTION 432 M2 DISTRICT

M2 DISTRICT (Industrial; Heavy) Permitted Uses:

Intended for all types of industrial uses except hazards to health and property; with controls of air and stream pollution, radiation, fire and explosion dangers.

The Land Use Specialist must deny any proposed use or structure where uncertainty exists as to compliance with intent of the District; or where he finds such use will exhaust or emit air or stream pollutants, and may accept an application for a Use Permit to operate in some modified manner.

A. All principal and accessory uses permitted in any more restrictive Zoning District, except dwelling units, manufactured home courts, hotels, motels, rooming and boarding houses and similar, and provided further that, unless specifically provided to the contrary, the following are waived:

   1. Requirements for Use Permits, except for lots contiguous to Residential Districts.
   2. Area limitations for uses and buildings.
   3. Limitations on hours of operation.
   4. Confining of uses to closed or partially closed buildings.
   5. Prohibitions against livestock and other animals.

B. All other legal uses except as may pollute the air or streams, or present latent radiation, explosion, or fire danger (except as may be permitted under a Use Permit in a modified manner).

C. Power Generating Utilities (for generating power – electrical or otherwise)

Yards Required: Same as for Commercial and M1 Districts

Building Heights: No requirements.

Building Density: No requirements.

SECTION 440 PAD DISTRICT

PLANNED AREA DEVELOPMENTS

A. Purpose: A Planned Area Development (PAD) is intended:

1. To provide for various types and combinations of land uses (such as commercial centers, single and multi-family housing, golf course developments, industrial complexes, and public spaces) through the adoption of a development plan.
2. To establish planning and development control parameters while allowing sufficient flexibility to permit final detailed planning at the time of actual development, and to permit flexibility in design, placement of buildings, use of open spaces, etc.
3. To encourage and permit unified planning to achieve a compatible mixture and variety of land uses within the PAD District and with the existing and anticipated development in the surrounding area.
4. To accomplish the purpose of zoning and other regulations to an equivalent or higher degree than where such regulations are designed to control development on individual lots.
5. To promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design, and a better environment.

PAD Districts may be established where tracts suitable in location, area, and character for the uses and structures proposed will be planned and developed on a unified basis. Suitability of tracts for the development proposed shall be determined with reference to the General Plan and to the existing and prospective character of surrounding development.

B. Scope:

1. The development of a PAD may proceed by increments to be called "development units".
2. The PAD District is intended to be overlaid onto any combination of the specified Zoning Districts included within the County Planning and Zoning Ordinance, and the PAD designation shall control the land use regulations otherwise permitted within the Districts, as set forth herein. The permitted uses allowed, the yard, height, and area requirements, and other requirements within the District shall be those permitted or required within the appropriate Zoning District with which the PAD District is combined, except where modified. For example, if the PAD allows for multiple family dwellings then yards, fences, storage, etc. shall follow the regulations of the applicable Zoning District, which is R2. Where there are conflicts between special PAD regulations and the general zoning or other regulations, these PAD regulations shall apply in the PAD District unless the Commission shall find, in the particular case, at the time of rezoning application, that these provisions do not serve the public to a degree at least equivalent to such general zoning, or other regulations.
3. Where actions, designs or solutions are not literally in accord with applicable PAD or general regulations, but the Commission makes a finding in the particular case that the public is served to an equivalent or greater degree, the Commission may recommend specific modification of the regulations.

C. Planned Area Development Defined: For the purpose of this Ordinance, a PAD shall:

1. Be a single development operation or a definitely programmed series of development operations which can be one type of land use or a mixture of land uses.
2. Be developed according to comprehensive and detailed plans that include the locations of streets, utilities, lots, building sites and other uses; also site plans and floor plans for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings.

D. Uses Permitted:

1. Single-family dwellings, two-family, multi-family; detached, semi-detached, and attached and accessory uses.
2. Community facilities, such as schools, parks, and playgrounds.
3. Clubs not operated primarily for commercial purposes.
4. Golf courses in accordance with performance standards as set out in Section 534.
5. Manufactured home parks and subdivisions in accordance with the provisions of this Ordinance and any additional requirements the Commission or Board may deem necessary to fulfill the intent of these requirements.
6. Home occupations when indicated as part of the development plan or when in accordance with the provisions of Section 543.
7. Neighborhood retail uses and other non-residential uses limited to those enumerated in the C1 and C2 Districts may be specifically and selectively authorized as to type and size only when integrated by design as an essential element of the development, and only in an area proposed to be appropriately zoned for said use and approved as provided herein.
8. Industrial uses when designed in accordance with the provisions of the PM District requirements. (See Section 430)
9. Accessory uses and structures; such uses and structures may be located in the front one-half (1/2) of a lot, provided they are not nearer the front lot line than the main building or buildings.
10. Public utility installations.
11. Signs when submitted as part of the development plan or when in accordance with the provisions of Section 601.

In considering a proposed PAD, the Planning and Zoning Commission and/or Board of Supervisors may approve modifications of these requirements. Justification for such modification shall be supplied by the applicant in written form as part of the hearing application procedure.

E. General Provisions: General provisions standards, requirements and regulations are intended to ensure compatibility. The Planning and Zoning Commission may recommend to the Board of Supervisors modification of such regulations, requirements, and standards. The layout and design shall be subject to the following limitations:

1. Maximum Lot Coverage: A combination of all of the proposed uses shall not exceed a maximum building coverage of fifty percent (50%) of the total area, except in the case of a PAD located within or abutting another Zoning District which allows a greater coverage, then the greater coverage allowances may apply.

2. Open Space:

   a. A minimum of twenty-five percent (25%) of the total gross site area, that is intended to provide light and air, and is designated and designed for resource protection, buffers, drainage ways, environmental, scenic, or recreational purposes. Common open space lands shall be clearly designated on the plan to include the character of use and development, and may be public or private or some combination of both, and shall not include private residences/structures, required yards, driveways, parking lots, streets, alleys, public rights-of-way or other surfaces intended or designed for vehicles. Decorative lakes (including those that contain treated effluent) may be included in the calculation for open space.

   b. Whether private or dedicated to the public, it shall be the responsibility of the developer to ensure that the open space is protected in perpetuity by legal arrangements, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the open space, method of maintenance; maintenance taxes and insurance; compulsory membership and compulsory assessment provisions and any other specifications deemed necessary by the Planning and Zoning Commission and Board of Supervisors.

3. Zero lot line setbacks may be allowed under the following circumstances:

   a. The lot adjacent to the zero-setback side yard must be under the same ownership at the time of initial construction (ensuring that a developer does not infringe on the property rights of owners of adjacent tracts).

   b. The setback on the adjacent lot must be either zero feet or greater than ten feet (10').

   c. The opposite side yard of not less than ten feet (10') must be kept perpetually free of permanent obstructions (such as a storage shed or a fence without a gate).

   d. Similar zero lot line exceptions can be made for the rear yard, but not for both the side and rear yards of the same lot.

   e. A five foot (5') maintenance easement along the boundary of the zero lot line must be identified on the site plan.

4. Non-motorized trails shall be considered and may be incorporated into the design of vehicular and pedestrian traffic ways where possible, and connect to off-site non-motorized trails.

F. Other Requirements: The Planning and Zoning Commission and/or Board of Supervisors shall insure that the public welfare and safety is preserved, and that provision is made for harmonious and appropriate development of the land by requiring as needed:

1. Declaration of public use space for parks, schools, recreation areas, etc.
2. Coordination of street layout with existing or planned streets.
3. Preservation of natural features, such as trees, hilltops, watercourses, and archeological sites.
4. Architectural plans of building design in addition to a comprehensive plan for the development.
5. Proof of adequate sanitary sewage and water systems.
6. Adequate fire protection.
7. Schedule of plan implementation.
8. Additional issues of public interest.

G. Amendments: The following procedures shall be followed for any amendment to a PAD including amendments to the Development Phasing Schedule.

1. Major Amendments:
   a. A PAD District applicant or his successors in interest may file a request for a major amendment with the Development Services Department.
   b. The change will be deemed major if it involves any one (1) of the following:
      (1) An increase in the approved totals of dwelling units or gross leasable area for the PAD District.
      (2) A significant change in zoning boundaries as determined by the Development Services Director from those approved for the PAD District.
      (3) Any change which could have significant impact on areas adjoining the PAD as determined by the Development Services Director.
      (4) Any change which could have a significant traffic impact on roadways adjacent or external to the PAD as determined by the Development Services Director.
   c. The Development Services Department will bring the major amendment before the Planning and Zoning Commission and Board of Supervisors and will submit background material relevant to the request.
2. Minor Amendments:
   a. A PAD District applicant or his successors in interest may file a request for a minor amendment with the Development Services Department if the Development Services Director determines that the request is not major, as defined above.
   b. The request will be routed for comment to any affected County departments or other agencies for comment.
   c. Upon receipt of comments or no later than ten (10) working days, the Development Services Director will determine whether to approve or deny the requested change.

d. If the requested change is approved, a letter of approval will be mailed to the applicant with a copy filed for public record.

3. Interpretations: In the event that it becomes necessary to interpret stipulations within the PAD District, the Planning and Zoning Commission and Board of Supervisors shall hold a hearing and make such interpretations.

H. Application Submittal Requirements:

Every PAD district approved under the provisions of this Section shall follow the procedure for a Zoning Map Change as set out in the County Planning and Zoning Ordinance and shall comply with the requirements of this Section.

1. Application: An application to establish a PAD project shall be filed by:

a. The owner or owners having title to all of the property in the area proposed for the PAD, or

b. The Yavapai County Planning and Zoning Commission or Board of Supervisors. Every application shall be accompanied by a fee as required.

c. The agent for the owner having appropriate authorization.

2. In establishing a PAD, a master plan of the entire area to be developed shall be required as part of the rezoning application. In addition to the requirements of a Zoning Map Change, the submittal requirements of the master plan shall conform to the submittal requirements of a Sketch Plan as delineated in the Subdivision Regulations for Yavapai County.

a. If a PAD is to be developed in phases or development units, separate hearings for the platting process shall be held to review each phase according to the standards set out for plats in the County Subdivision Regulations.

b. Each phase/plat must be in substantial conformance to the approved master plan and Sketch Plan/Zoning Map Change.

c. An approved site plan shall be binding upon applicants and their successors or assignees. No building permit shall be issued for any building, structures or use, not in accordance with the site plan, except that temporary construction facilities shall be permitted.

3. Application Submittal Requirements for a Minor Amendment to a PAD:

a. A site plan depicting the existing conditions of the PAD and proposed amendment.

b. A letter of intent, explaining the proposed amendment, along with justification as to why the request is reasonable and meets the intent of the Ordinance.

c. Written support from the Home Owners Association, Property Owners Association, Architectural Review Committee and affected property owners for the proposed amendment.

d. Submittal of a filing fee.

I. Enforceability:

1. The PAD Program shall continue to be implemented and maintained for the total

acreage of the PAD District, even though ownership may subsequently be transferred in whole or in part.

a. It is the responsibility of the owner to notify all prospective purchasers of all or part of the property within the District of the existence of the PAD District amendment and the PAD Program contained therein.

b. Conformance with the PAD shall be enforced by recordation of the appropriate deed restrictions for each parcel of property within the District, prior to the issuance of building permits, for each development unit.

c. Notification and recordation as provided above shall be required in order to retain the unitary aspect of the District.

2. Application for approval of the first development unit shall be made, and development shall commence, within four (4) years of the date upon which the PAD District amendment was approved. Applications for approval of subsequent units shall be made in accordance with the development-phasing schedule contained in the PAD Program. If a written request for additional time is received from the applicant/agent within thirty (30) days of notification, providing justification why an extension may be warranted, a one (1) year extension of time may be administratively approved by the Development Services Director for the first extension.

If the applicant requests additional extensions of time beyond a one (1) year administratively approved extension, staff shall notice a hearing to determine the cause of the delay.

a. The hearing shall be held within sixty (60) days of the date of the written notice, and shall follow Board of Supervisors procedures for hearings.

b. The Board of Supervisors may determine good cause for such deficiency/extension of time and may, in conjunction therewith, entertain an application to amend the development-phasing schedule.

3. Failure to commence development within the four (4) year time period shall cause the PAD District classification to become null and void, and any property rezoned in conformance with the PAD District amendment and the PAD Program to revert to its former zoning classification by action of the Board of Supervisors.

4. At such time that the Development Services Director shall determine that the applicant is not proceeding to develop in accordance with the PAD Program, it shall notify the applicant in writing of such deficiency and shall, simultaneously, notice a hearing to determine the cause of the delay.

a. The hearing shall be held within thirty (30) days of the date of the written notice, and shall follow Board of Supervisors procedures for hearings.

b. The Board of Supervisors may determine good cause for such deficiency and may, in conjunction therewith, entertain an application to amend the development-phasing schedule.

c. The Board of Supervisors may determine that there is not good cause for such deficiency, and in such event may impose additional restrictions on the applicant to ensure future compliance with the PAD Program including, but not limited to, the filing of such periodic reports as the Board shall require to enforce this provision.

J. At such time that the Board of Supervisors shall determine that the current owner of any portion of the PAD District is not in compliance with a provision of the PAD Program or the public dedication or improvement schedules no further vesting of zoning or approval of final site plan or subdivision plats shall occur for that portion. Such determination of noncompliance shall be at a public hearing. The applicant and current owner(s) shall receive written notice of hearing.

SECTION 441 OPEN SPACE AND SUSTAINABLE DEVELOPMENT OPTION

OPEN SPACE AND SUSTAINABLE DEVELOPMENT OPTION

A. Purpose: The purpose of the Open Space and Sustainable Development Option is to provide an alternative, voluntary method of land division that encourages sustainable development and the preservation of open space through flexible lot sizes and locations of single-family residential dwellings.

B. Intent

1. Encourage a flexible and creative variety of planning designs through process efficiencies.
2. Encourage efficient infrastructure systems and environmentally responsible delivery of essential services.
3. Provide an alternative to the creation of parcel splits ("Lot" Splits) that are exempt from County Subdivision Regulations and an alternative to conventional subdivisions in an effort to retain the County's rural character.
4. Employ development standards and guidelines that equitably balance conservation and development objectives.
5. Minimize the overall development footprint and preserve environmentally beneficial areas of the development site through the allowance of smaller lot sizes and cluster oriented design.
6. Encourage sustainable building and development practices through the use of density incentives.

C. General Requirements

1. The property shall be developed in accordance with the requirements herein and the Yavapai County Subdivision Regulations. The platted area shall include the developed residential lots and the associated open space areas to be preserved.
2. The Open Space and Sustainable Development Option shall only be allowed in the R1L, RMM, R1 and RCU zoning districts, where no rezoning is requested.
3. Density: The maximum density shall not exceed and shall be determined by the following:
   a. For any portion of land containing slopes below thirty-five percent (35%), the maximum density is determined by dividing the gross area of the tract of land below the thirty-five percent (35%) slope line by the minimum lot size specified in the underlying zoning district(s).
   b. For any portion of land containing slopes between thirty-five percent (35%) and fifty percent (50%), the maximum density is .75 of the density determined by dividing the gross area of the tract of land between the thirty-five percent (35%) and fifty percent (50%) slope lines by the minimum lot size specified in the underlying zoning district(s).
   c. For any portion of land containing slopes between fifty percent (50%) and

seventy-five percent (75%), the maximum density is .50 of the density determined by dividing the gross area of the tract of land between the fifty percent (50%) and seventy-five percent (75%) slope lines by the minimum lot size specified in the underlying zoning district(s).

d. For any portion of land containing slopes above seventy-five percent (75%), the maximum density is determined as .25 of the density determined by dividing the gross area of the tract of land above the seventy-five percent (75%) slope line by the minimum lot size specified in the underlying zoning district(s).

e. For any portion of land containing a floodway established by the Yavapai County Drainage Criteria Method, the maximum density is determined as .50 of the density determined by dividing the gross area of the tract of land within the floodway by the minimum lot size specified in the underlying zoning district(s).

f. The maximum density established by subsections a. through e. above may be increased as provided in Section 441.D. through the inclusion of conservation features or design elements identified in Section 441.D.

g. Slope Category Determination shall conform with the methodology of Section 560.B. and C. of the Yavapai County Subdivision Regulations.

4. Minimum Lot Size: The minimum lot area, minimum lot width and minimum lot depth established by the underlying zoning district(s) shall not be applicable. Buildable areas are encouraged to be varied and shall be approved by the County based on the suitability of the proposed lot sizes with surrounding land uses to ensure compatibility.

5. Development Standards: The minimum building setbacks and maximum percentage of lot coverage established by the underlying zoning district(s) shall not be applicable. All buildings shall not exceed the maximum building height established by the underlying zoning district. The minimum building setbacks and maximum percentage of lot coverage shall be submitted and approved by the County as part of the Open Space and Sustainable Development Option review process.

6. Natural Watercourses and Cultural Resources:

a. Construction within floodplains shall meet County subdivision requirements and be minimized to the greatest extent. To incentivize the protection of natural watercourses, density transferred outside the floodplain area shall be allowed at a value equal to 1.25 times the underlying density of the area maintained in natural state.

b. Historic buildings and archeological sites listed on the National Register, at the State Historic Preservation Office or in local studies shall be preserved and protected. A Level 1 survey shall be completed to identify previously unmapped historic buildings and archeological sites. Historic buildings and archeological sites identified by the Level 1 survey shall be preserved and protected.

7. Limitations on Cuts and Fills

a. Any driveway cut greater than eight feet (8’) in depth shall not have a length greater than one hundred feet (100’); and the maximum height of any cut or fill used to establish a driveway shall not exceed fifteen feet (15’). Height and measurements of Cut and Fill is determined pursuant to Yavapai County

Ordinance #2004-10 (Yavapai County Grading Ordinance, 2003 Edition, Appendix 33 of the 1997 Editions Uniform Building Code.)

b. The maximum height of any cut or fill used to establish a building site shall not exceed fifteen feet (15'). The maximum height of any cut or fill used to establish a road shall not exceed thirty feet (30'). All building sites, driveways and roadway cut and fill slopes shall be re-vegetated with native plant material. The fill areas resulting from driveways, roadways and building sites shall be minimized through the use of retaining walls.

c. Alternative cut and fill limitations and methods to mitigate the visual impact of cut and fill slopes such as terracing, use of retaining walls and re-vegetation of disturbed areas may be submitted and approved by the Development Services Director or designee based on a finding that the proposed alternative limitations and methods meet the intent of this Section to reduce the visual impact of cut and fill slopes.

8. Maximum Project Size: The Open Space and Sustainable Development Option shall not be utilized for parcels in excess of six hundred forty (640) acres in size. The parcel size shall include the developed residential area and the associated open space area.

D. Density Incentives, Conservation Features and Design Elements: The intent of this subsection is to permit density incentives at the sole discretion of the County based on inclusion of the below listed conservation features and design elements. The density incentives listed below shall not be an assumed right and shall only be permitted at the sole discretion of the County based on a finding that the proposed conservation features and design elements are provided at a level and in a manner consistent with the intent and purpose of this Section and advance the County's interests in promoting sustainable and environmentally compatible development.

1. The maximum density established by Section 441.C.3 may be increased to a value equal to the maximum density multiplied by a factor of 1.5 when nine (9) out of the following twelve (12) County conservation and sustainable design elements are incorporated within the development.

2. Land Development Items

a. Shared wells, unless different method of water delivery is required or allowed by applicable County or State law.

b. Community sewage treatment facility unless a different method of wastewater disposal is required by applicable County or State law.

c. Use of only drought tolerant (Xeriscape) landscaping and prohibition of turf or grass in all common area landscaping.

d. Street designs and traffic calming measures throughout the entire development which promote pedestrian safety.

e. Enhanced design standards for streetscape throughout the entire development including but not limited to separated sidewalks, separated trails and landscaping.

f. Multimodal trails and paths throughout the entire development connecting to adjacent development.

g. Open space accessibility to the public and interconnected open space corridors.

h. Active recreational facilities such as trails, ball fields, tennis courts, picnic ramadas and outdoor riding arenas.

i. Other innovative sustainable development practice within the intent and purpose of this Section, as determined by the Development Services Director.

Individual Lot Items

j. Rainwater harvesting facilities that capture a majority of rainwater for all homes including but not limited to roof drain plumbing, rain barrels and site grading.

k. Use of gray water systems in all single-family residences according to ADEQ Type 1 Reclaimed Water General Permit (AAC R18-9-711) 13 Best Management Practices.

l. Employment of measures to ensure hydrologic protection including but not limited to sedimentation basins and pervious driveway surfaces for all homes.

3. The maximum density established by Section 441.C.3 may be increased to a value equal to the maximum density multiplied by a factor of 2.0 when nine (9) out of the twelve (12) conservation and sustainable design elements required by Section 441.D.1 and nine (9) out of the following twelve (12) conservation and sustainable design elements are incorporated within the development.

Land Development Items:

a. Centralized Water System.

b. Sewer Treatment Plant.

c. Provision of a minimum of ten percent (10%) additional open space.

d. Use of pervious concrete on a majority of paved surfaces with the development, excluding roadway surfaces.

e. Orientation of eighty percent (80%) of lots to optimize solar and reduce heat gain (general north/south orientation).

f. Impermeable surfaces designed to direct all on-site storm water run-off toward an appropriate permanent infiltration feature such as a vegetated swale, on-site rain garden or rainwater cistern.

g. Irrigation of common area landscaping primarily with reclaimed water.

h. Retention of all on-site water from interior roads from storm events up to and including the One Hundred (100) Year Two (2) Hour Storm Event and creative uses of retention such as water harvesting and cisterns for landscape watering.

i. Native plant re-vegetation utilizing displaced native plants or approved plants native to the area.

j. All painted surfaces shall not exceed a Light Reflective Value (LRV) of forty (40).

k. Other innovative sustainable development practice within the intent and purpose of this Section, as determined by the Development Services Director.

Individual Lot Items:

l. Solar energy facilities serving each residential unit.

4. For projects choosing to incorporate any of the individual lot items listed in Section 441.D.1 and Section 441.D.2, a covenant shall be recorded applicable to each lot within the project with the intent of informing future lot owners of the additional construction requirements of this Section. The developer shall also be required to provide notice regarding the specific additional construction requirements in a manner that will sufficiently notice the potential buyer such as inclusion in the public report, written information made available at the site and post and maintain a minimum four foot by eight foot (4'x 8') sign at a height of eight feet (8') at all primary entrances to the development, providing notice regarding the specific additional construction requirements. Such sign(s) shall be maintained while lots are for sale by the developer. Additional methods of noticing future property owners within the intent of this Section may be required by the Development Services Department.

5. In instances where the requirements of this Section conflict with State law establishing the minimum lot size based on the proposed water and wastewater systems for individual lots, the provisions of State law shall prevail.

E. Permitted Uses:

1. Primary and Accessory Uses of the underlying zoning district(s) as described in the County Planning and Zoning Ordinance.

2. Open Space.

F. Open Space:

1. The minimum amount of open space shall comprise at least forty percent (40%) of the gross tract area. The minimum forty percent (40%) open space requirement shall include all portions of the subject property above the elevation of the thirty-five percent (35%) slope line, up to an amount equal to two-thirds (2/3) of the forty percent (40%) minimum open space requirement.

2. Open Space shall be defined as provided in Section 440 of the Zoning Ordinance.

3. To the greatest degree practicable, open space shall be designated as a contiguous tract and not divided into unconnected, small parcels located in various parts of the development.

4. Open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjacent lots shall be provided with safe, convenient access to the open space.

5. Whether private or public, it shall be the responsibility of the developer to ensure that the open space is protected in perpetuity by legal arrangements sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the open space, method of maintenance, maintenance taxes and insurance, compulsory membership and assessment provisions, and any other specifications deemed necessary by the County.

G. Performance Standards: The Open Space and Sustainable Development Option is available provided the following standards are met. Applicant shall comply with all other applicable provisions of the Zoning Ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein.

1. Lot Groupings: Lot or cluster groupings shall be separated by open space to provide spatial definition between groupings.

2. Buffers:

   a. Perimeter buffers shall be provided to protect existing neighborhoods by mitigating the adverse impacts of smaller lot sizes (e.g. sound, visibility and traffic).

   b. Buffers may include landscaping, walls, fences, pathways, drainage ways, natural features, existing vegetation and natural open space.

   c. Perimeter buffer shall be equal in depth to a minimum of fifty feet (50').

H. Processing:

1. Five (5) or fewer parcels: Minor Land Division as defined in Section 546.C. of this Ordinance, except that the below requirements of Section 441.H.3 through Section 441.H.10 shall govern the submittal, review, notice and hearing requirements for the Open Space and Sustainable Development Option for the Minor Land Division.

2. Six (6) or more parcels: Subdivision as regulated by the County Subdivision Regulations except that the below requirements of Section 441.H.3 through Section 441.H.12 shall govern the submittal, review, notice and hearing requirements for the subdivision.

3. Application: In addition to the submittal requirements for a Minor Land Division or Subdivision Plat as applicable, the application shall contain studies, plans and such other additional information required by the Development Services Department to ensure conformance with these regulations. Such submittal requirements shall be promulgated by the Department Director and may be administratively amended from time to time.

4. Notice of Application: The Development Services Department shall mail a Notice of Application within three (3) working days of the submittal date of the Open Space and Sustainable Development Option application to each owner of property, as last disclosed by County real estate tax records, situated wholly or partially within one thousand feet (1000') of the subject property.

5. Citizen Participation Plan: All applications for the Open Space and Sustainable Development Option shall comply with the provisions of Section 209 Citizen Participation.

6. Review: The Development Services Department shall review the proposed Open Space and Sustainable Development Option application in accordance with this Section and other applicable requirements.

7. Findings: The review of the Development Services Department shall be based on the following findings:

   a. Individual lots, streets and parking areas are designed and situated to minimize alteration of the natural features of the site.

   b. Allocation and preservation of natural open space areas that protect natural characteristics of the property including topographical features, environmentally sensitive lands, wildlife corridors, vegetation, cultural resources and wash corridors.

   c. Open space intended for recreation or common use is easily accessible to pedestrians.

d. Sites, structures and landmarks having a potential for historic preservation have been identified and integrated into the development plan for preservation.

e. Individual lots, buildings and other structures are compatible with surrounding properties.

f. Individual buildings have been designed to complement the natural features of the site.

g. Conservation and sustainable design elements required by Section 441.D. are provided at a level and in a manner consistent with the intent and purpose of this Section and advance the County's interests in promoting sustainable and environmentally compatible development.

h. The Open Space and Sustainable Development Option advances the purpose of this Ordinance as stated in Section 441.A. above.

8. The Development Services Department may approve, approve with conditions or deny the application for the Open Space and Sustainable Development Option. If the Development Services Department denies the application, the denial shall be in writing and shall identify the deficiencies of the proposed plan in relation to the required findings identified in Section 441.H.7.

9. Notice of Decision: The Development Services Department shall mail a Notice of Decision within ten (10) working days of the decision date to each owner of property, as last disclosed by County real estate tax records, situated wholly or partially within one thousand feet (1,000') of the subject property.

10. Appeals. The Planning and Zoning Commission shall hear and make recommendation on appeals of a decision to approve or deny the Open Space and Sustainable Development Option. Such appeal may be filed by the applicant or any notified property owner pursuant to Section 441.H.9 within thirty (30) calendar days of the Notice of Decision. In order to constitute a formal appeal and have the case heard by the Planning and Zoning Commission and decided by the Board of Supervisors, the applicant or twenty percent (20%) by number of the notified property owners pursuant to Section 441.H.9 must file an appeal within thirty (30) calendar days of the Notice of Decision. The request shall include the reasons for the appeal and be filed in writing. If a formal appeal is not filed within thirty (30) calendar days of the Notice of Decision, the decision of the Development Services Department shall be final. The Planning and Zoning Commission shall hear all evidence and testimony from staff, the applicant and the public in regard to the appeal.

11. Board of Supervisors: The Board of Supervisors shall provide final decision on all appeals. The Board shall hear all evidence and testimony from staff, the applicant and the public in regard to the appeal. The Board may uphold, modify or overturn the Commission recommendation.

12. Waivers: In order to ensure that the strict application of conservation and sustainable design requirements provided for under Section 440 and 441 do not unduly inhibit reasonable development, this Section provides waiver procedures in which staff, the Commission or the Board may grant relief.

a. When an Open Space and Sustainable Development Option application proposes to deviate from the requirements in Section 441 of this Ordinance, the applicant

shall provide the County staff with a written request with justification for such modification.

b. Upon receipt of a request for a waiver made concurrent with the filing of the application, County staff shall investigate and analyze the request.

c. The notice requirements of Section 441.H.9 shall apply to all waiver requests.

d. As part of the administrative process, County staff shall approve, approve in modified form, or deny the request for waiver.

e. Any approval action of a waiver shall be based upon the findings noted in Section 441.H.6 as noted above and the following:

(1) That the strict application of these regulations would preclude reasonable subdivision development of the subject property; and

(2) That there are special circumstances applicable to the property related to it's topography, shape, and/or location that dictate the need for this waiver to ensure good design and development; and

(3) That the granting of this waiver will not be detrimental to the public health, safety and general welfare or be injurious to other property in the area in which said property is situated. This procedure does not apply to waivers of the Subdivision Regulations. Any waiver of the Subdivision Regulations must follow the procedure for waivers pursuant to Section 2 (Administration) (Waivers) of the Subdivision Regulations.

f. The applicant or twenty percent (20%) by number of notified property owners pursuant to Section 441.H.9 may appeal approval or denial of a waiver. In order to constitute a formal appeal and have the case heard by the Planning and Zoning Commission and Board of Supervisors, the appeal must be filed within thirty (30) calendar days of the Notice of Decision. Such appeal shall be subject to the provisions of Section 441.H.10 and Section 441.H.11 above.

SECTION 442 CLUSTER AND OPEN SPACE OPTION

CLUSTER AND OPEN SPACE OPTION

A. Purpose: The purpose of the Cluster and Open Space Option is to provide an alternative, voluntary method of land division that encourages sustainable development and the preservation of open space through flexible lot sizes and locations of single-family residential dwellings.

B. Intent

1. Encourage a flexible and creative variety of planning designs through process efficiencies.
2. Encourage efficient infrastructure systems and environmentally responsible delivery of essential services.
3. Provide an alternative to the creation of parcel splits ("Lot" Splits) that are exempt from County Subdivision Regulations and an alternative to conventional subdivisions in an effort to retain the County's rural character.
4. Employ development standards and guidelines that equitably balance conservation and development objectives.
5. Minimize the overall development footprint and preserve environmentally beneficial areas of the development site through the allowance of smaller lot sizes and cluster oriented design.

C. General Requirements

1. The property shall be developed in accordance with the requirements herein and the Yavapai County Subdivision Regulations. The platted area shall include the developed residential lots and the associated open space areas to be preserved.
2. The Cluster and Open Space Option shall only be allowed in the R1L, RMM, R1 and RCU zoning districts, where no rezoning is requested.
3. Density: The maximum density shall not exceed that of the underlying zoning district(s). The maximum number of lots is determined by dividing the gross area of the tract of land by the minimum lot size specified in the underlying zoning.
4. Minimum Lot Size: The minimum lot area, minimum lot width and minimum lot depth established by the underlying zoning district(s) shall not be applicable. Buildable areas are encouraged to be varied and shall be approved by the County based on the suitability of the proposed lot sizes with surrounding land uses to ensure compatibility and to ensure compliance with applicable State law establishing the minimum lot size based on the proposed water and wastewater systems for individual lots.
5. Development Standards: The minimum building setbacks and maximum percentage of lot coverage established by the underlying zoning district(s) shall not be applicable. All buildings shall not exceed the maximum building height established by the underlying zoning district(s). The minimum building setbacks and maximum percentage of lot coverage shall be submitted and approved by the County as part of the Cluster and Open Space Option review process.

6. Maximum Project Size: The Cluster and Open Space Option shall not be utilized for parcels in excess of six hundred forty (640) acres in size. The parcel size shall include the developed residential area and the associated open space area.

7. Maximum Hillside Characteristics: The Cluster and Open Space Option shall only be available for properties with less than fifty percent (50%) of the total project land area above the fifty percent (50%) slope category.

8. Minimum lot areas shall comply with State law.

D. Permitted Uses:

1. Primary and Accessory Uses of the underlying zoning district(s) as described in the County Planning and Zoning Ordinance.

2. Open Space.

E. Open Space:

1. The minimum amount of open space shall comprise at least forty percent (40%) of the gross tract area.

2. Open Space shall be defined as provided in Section 440 of the Zoning Ordinance.

3. To the greatest degree practicable, open space shall be designated as a contiguous tract and not divided into unconnected, small parcels located in various parts of the development.

4. Open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjacent lots shall be provided with safe, convenient access to the open space.

5. Whether private or public, it shall be the responsibility of the developer to ensure that the open space is protected in perpetuity by legal arrangements, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the open space, method of maintenance; maintenance taxes and insurance; compulsory membership and assessment provisions and any other specifications deemed necessary by the County.

F. Performance Standards: The Cluster and Open Space Option is available provided the following standards are met. Applicant shall comply with all other applicable provisions of the Zoning Ordinance and all other applicable laws, except those that are incompatible with the provisions contained herein.

1. Lot Groupings: Lot or cluster groupings shall be separated by open space to provide spatial definition between groupings.

2. Buffers:

a. Perimeter buffers shall be provided to protect existing neighborhoods by mitigating the adverse impacts of smaller lot sizes (e.g. sound, visibility and traffic).

b. Buffers may include landscaping, walls, fences, pathways, drainage ways, natural features, existing vegetation and natural open space.

c. Perimeter buffer shall be equal in depth to a minimum of fifty feet (50’).

G. Processing:

1. Five (5) or fewer parcels: Minor Land Division as defined in Section 546.C. of this Ordinance, except that the below requirements of Section 442.G.3 through Section 442.G.12 shall govern the submittal, review, notice and hearing requirements for the Minor Land Division.

2. Six (6) or more parcels: Subdivision as regulated by the County Subdivision Regulations except that the below requirements of Section 442.G.3 through Section 442.G.12 shall govern the submittal, review, notice and hearing requirements for the subdivision.

3. Application: In addition to the submittal requirements for a Minor Land Division or Subdivision Plat as applicable, the application shall contain studies, plans and such other additional information required by the Development Services Department to ensure conformance with these regulations. Such submittal requirements shall be promulgated by the Department Director and may be administratively amended from time to time.

4. Notice of Application: The Development Services Department shall mail a Notice of Application within three (3) working days of the submittal date of the Cluster and Open Space Option application to each owner of property, as last disclosed by County real estate tax records, situated wholly or partially within one thousand feet (1,000') of the subject property.

5. Citizen Participation Plan: All applications for the Cluster and Open Space Option shall comply with the provisions of Section 209 Citizen Participation.

6. Review: The Development Services Department shall review the proposed Cluster and Open Space Option application in accordance with this Section and other applicable requirements.

7. Findings: The review of the Development Services Department shall be based on the following findings:

   a. Individual lots, streets and parking areas are designed and situated to minimize alteration of the natural features of the site.

   b. Allocation and preservation of natural open space areas that protect natural characteristics of the property including topographical features, environmentally sensitive lands, wildlife corridors, vegetation, cultural resources and wash corridors.

   c. Open space intended for recreation or common use is easily accessible to pedestrians.

   d. Sites, structures and landmarks having a potential for historic preservation have been identified and integrated into the development plan for preservation.

   e. Individual lots, buildings and other structures are compatible with surrounding properties.

   f. Individual buildings have been designed to complement the natural features of the site.

   g. The Cluster and Open Space Option advances the purpose of this Ordinance as stated in Section 442.A. above.

8. The Development Services Department may approve, approve with conditions or deny the application for the Cluster and Open Space Option. If the Development Services Department denies the application, the denial shall be in writing and shall identify the deficiencies of the proposed plan in relation to the required findings identified in Section 442.G.7.

9. Notice of Decision: The Development Services Department shall mail a Notice of Decision within ten (10) working days of the decision date to each owner of property, as last disclosed by County real estate tax records, situated wholly or partially within one thousand feet (1000') of the subject property.

10. Appeals. The Planning and Zoning Commission shall hear and make recommendation on appeals of a decision to approve or deny the Cluster and Open Space Option. Such appeal may be filed by the applicant or any notified property owner pursuant to Section 442.G.9 within thirty (30) calendar days of the Notice of Decision. In order to constitute a formal appeal and have the case heard by the Planning and Zoning Commission and decided by the Board of Supervisors, the applicant or twenty percent (20%) by number of the notified property owners pursuant to Section 442.G.9 must file an appeal within thirty (30) calendar days of the Notice of Decision. The request shall include the reasons for the appeal and be filed in writing. If a formal appeal is not filed within thirty (30) calendar days of the Notice of Decision, the decision of the Development Services Department shall be final. The Planning and Zoning Commission shall hear all evidence and testimony from staff, the applicant and the public in regard to the appeal.

11. Board of Supervisors: The Board of Supervisors shall provide final decision on all appeals. The Board shall hear all evidence and testimony from staff, the applicant and the public in regard to the appeal. The Board may uphold, modify or overturn the Commission recommendation.

12. Waivers: In order to ensure that the strict application of Section 440 and 442 do not unduly inhibit reasonable development, this Section provides waiver procedures in which staff, the Commission or the Board may grant relief.

    a. When an Cluster and Open Space Option application proposes to deviate from the requirements in Section 442 of this Ordinance, the applicant shall provide the County staff with a written request with justification for such modification.

    b. Upon receipt of a request for a waiver made concurrent with the filing of the application, County staff shall investigate and analyze the request.

    c. The notice requirements of Section 442.G.9 shall apply to all waiver requests.

    d. As part of the administrative process, County staff shall approve, approve in modified form, or deny the request for waiver.

    e. Any approval action of a waiver shall be based upon the findings noted in Section 442. G.7 as noted above and the following:

        (1) That the strict application of these regulations would preclude reasonable subdivision development of the subject property; and

(2) That there are special circumstances applicable to the property related to it's topography, shape, and/or location that dictate the need for this waiver to ensure good design and development; and

(3) That the granting of this waiver will not be detrimental to the public health, safety and general welfare or be injurious to other property in the area in which said property is situated. This procedure does not apply to waivers of the Subdivision Regulations. Any waiver of the Subdivision Regulations must follow the procedure for waivers pursuant to Section 2 (Administration) (Waivers) of the Subdivision Regulations.

f. The applicant or twenty percent (20%) by number of notified property owners pursuant to Section 442.G.9 may appeal approval or denial of a waiver. In order to constitute a formal appeal and have the case heard by the Planning and Zoning Commission and the Board of Supervisors, the appeal must be filed within thirty (30) calendar days of the Notice of Decision. Such appeal shall be subject to the provisions of Section 442.G.10 and Section 442.G.11 above.

SECTION 450 RCD DISTRICT

RCD DISTRICT (Residential Camping District) Permitted Uses:

This District is intended to cover the operation of resident camps that are either private, public, religious, organizational or agency camps. Resident camps are not restricted from operating trip camps, schools, travel, outpost, over-night or day camping programs.

DEFINITIONS: **Resident Camping:** a sustained experience which provides a creative, recreational, educational or religious opportunity in group living in the out-of-doors in which campers live at a site for one (1) or more consecutive nights, not to exceed ninety (90) days; **Resident Camp Sleeping Units:** a building or group of buildings containing guestrooms or dwelling units. For Density Formula purposes, two (2) such guestrooms, RV's or tents may be counted as one (1) dwelling unit. Each four (4) beds shall be counted as one (1) guestroom.

A. All principal and accessory uses and structures permitted in R1L.

B. Up to ten percent (10%) of all allowable units may be recreational vehicles spaces.

C. Meeting, dining and other structures and services required to provide for residents of the camping programs.

D. Resident camp sleeping or dorm facilities.

Land coverage shall not exceed twenty percent (20%).

All provisions of Density District 25 shall prevail. (See Section 516)

Space between buildings shall not be less than twenty feet (20').

Peripheral setback requirements shall be sixty feet (60') of maintained open space, not to allow parking and storage.

Building Heights: A maximum of thirty feet (30').

Non-conforming Uses:

(1) One hundred percent (100%) expansion of the number of bed units allowed under an existing non-conforming use within original camp boundary.

(2) Where dwelling units are combined with non-residential uses or structures on a conforming lot, then each eight hundred (800) square feet, or fraction thereof, of area occupied by such shall be deducted from the total Density Formula area in determining the number of units allowed.

(3) Existing camps may be exempted from the requirements of this Ordinance, except in the expansion of said camps, thereby areas of expansion shall be in conformance with the requirements of this Ordinance.

(4) Cumulative expansion of fifty percent (50%) or more shall result in the full compliance, except existing buildings, of the existing camp with the terms of this Ordinance. Such expansion shall be within original camp boundaries.

SECTION 460 OS DISTRICT

OS DISTRICT (Open Space Resource Conservation Zone) Permitted Uses:

This District is intended to preserve scenic and recreational areas for public and/or private use.

A. Agriculture and cultivation.

B. Flood control facilities.

C. Historical landmarks.

D. Public or private parks, and golf driving ranges.

E. Other outdoor recreational facilities.

F. Public Utility installation and facilities on one (1) acre or less following Administrative Review with Comment Period.

G. Change of Use: Any change in the status of use shall be approved by the Planning and Zoning Commission.

H. Golf courses including such accessory uses as are directly related to the operation of a golf course may be permitted such as pro shops, shelters, rest rooms, etc., (but not commercial driving ranges or miniature putting courses) and with a proposed development plan in conjunction with a residential or mixed use Planned Area Development (PAD) and meeting the performance standards as set out in Section 534 (General Provisions - Golf Course Standards).

Yard Requirements: Building height and building density shall be in accordance with the provisions of the Density District.

Two (2) signs, each sign not to exceed six (6) square feet of panel area, may be permitted. Signs may utilize indirect illumination.

SECTION 470 OVERLAY ZONES

A. INTRODUCTION:

The following Section shall be known and cited as the Yavapai County Overlay Zone Ordinance, and shall be incorporated by reference into the Zoning Ordinance of the County of Yavapai, providing the enabling Ordinance for the creation of zones which are to be "overlaid" or superimposed on the General Provisions and the Use Districts for the purposes specified herein

B. DESIGN REVIEW OVERLAY ("DRO") ZONES:

1. Purpose: A Design Review Overlay (DRO) Zone enables the establishment of additional design and development-related requirements or guidelines which would "overlay" or be superimposed upon the regulations for the existing zoning districts and General Provisions applicable to a specific geographic area. The creation and administration of a specific geographic area DRO zone is authorized for the purpose of enriching the lives of the population residing, working, and visiting in the area by promoting harmonious, safe, attractive, desirable, and compatible growth and development of the area. Each DRO zone is thus intended to improve the public health, safety, and welfare by pursuing objectives including but not limited to the following:

   a. To ensure that the design and construction of all developments and structures within the DRO zone support or enhance the community character or value of the area within the zone.

   b. To ensure that all structures and developments within the DRO zone conform with the aesthetic character of their surroundings by properly relating to their site or sites.

   c. To ensure that the design and development of all structures, projects, roads, plantings, drainage ways, and service facilities within the DRO zone protect and enhance the environmental qualities such as air, water, natural vegetation, scenic-vistas, and topography.

   d. To ensure the proper provision for design for proposed open spaces, parking areas, landscaping, signing and screening of non-compatible uses.

   e. To ensure the protection and enhancement of economic values, natural attractiveness, personal health and safety, and desirable relationships with the surrounding community.

   f. To ensure compliance with other requirements of this Ordinance, the County General Plan and any specific area plans relating to the DRO zone.

2. Scope:

   a. A DRO zone may be created to apply to the design and construction of any structure within the geographic boundaries of the zone, which requires a building permit (including sign permit) within the scope and jurisdiction of the Yavapai County Planning and Zoning Ordinance. A DRO zone may also be created to apply to the design and development of non-structural features which do not in and of themselves require a building permit, but which pertain to the purposes of the DRO zone and the Planning and Zoning Ordinance.

b. A DRO zone may be created to apply to any or all Use Districts within its zone and to any or all uses within the Use District including, but not limited to the following: single-family residential, multi-family residential, recreational, commercial, industrial, and semi-public uses.

c. A DRO zone may establish guidelines or requirements in addition to the general provisions and Use Districts on which it is overlaid. Design guidelines or requirements for a DRO zone may include, but are not limited to architectural style, landscaping, facades and theme treatments, historic preservation considerations; building colors and materials, scenic areas, public facilities, and utilities.

d. The content of the design guidelines and requirements (along with other particulars herein described) shall be determined by the owners' of private property within the area proposed for a DRO zone.

e. A DRO zone shall include private properties owned by a minimum of three (3) separate owners of record of three (3) separate properties and shall have a minimum size of fifty (50) contiguous acres or shall contain a minimum of fifty (50) legal lots or parcels.

f. The geographic area of a DRO zone shall fall entirely within the unincorporated area of Yavapai County and shall constitute one (1) contiguous area.

g. A DRO zone shall not geographically overlap any other DRO zone, nor shall there be permitted any "islands" of non-DRO area completely surrounded by a DRO zone. However, a DRO zone may be surrounded by a subsequent DRO zone.

h. Public land may be included in the area of a DRO zone, however, the DRO provisions shall not apply to the design, construction, or development of publicly owned and operated facilities. Public agencies are encouraged to voluntarily comply with the guidelines of the DRO zone within which they are developing. Whenever public land is included in the geographic area of a DRO zone, signatures representing public land shall not be counted nor shall the acreage of the public land be included in any calculations of required area. However, wherever public land is included in a DRO zone, and such public land forms the perimeter of the DRO zone, the private land outside the DRO zone within three hundred feet (300’) of the perimeter shall be included for purposes of the "external petitions" required in Subsection 4.e. Whenever public land included in a DRO zone is used for private purposes and/or whenever such land comes into private ownership, the guidelines and requirements of the DRO zone shall become applicable.

3. Nomination Process:

a. Nomination: Any group of three (3) or more separate owners of record of three (3) separate properties within Yavapai County may delineate an area containing their properties (and perhaps others) and nominate that area for a possible DRO zone. Nomination of a DRO zone shall be by letter to the Planning and Zoning Commission describing the geographic extent and proposed content of the DRO zone, together with signatures of supporting property owners as well as any local community groups wishing to express support of the DRO zone.

b. Staff Consultation: Upon receipt of the nomination letter, the Development Services Department shall arrange and hold a consultation with one (1) or more representatives of the nominating group to discuss the procedure, regulations, plans, fees and other matters relating to the creation and administration of a DRO zone. When the Development Services Department is satisfied as to the state of preparation of the nominating group, the Department shall recommend to the Planning and Zoning Commission that the nomination for a DRO zone be discussed in a public hearing.

c. Public Discussion: The members of the Planning and Zoning Commission from the Supervisory District containing the DRO zone shall form a hearing committee and hold a public hearing within (or as near as practicable to) the proposed DRO zone area after due public notice, publication, and posting within the area. The minimum hearing fee shall be paid by the nominating group for the application for public discussion.

d. Invitation to Apply: After discussion, the Planning and Zoning Commission may invite the nominating group to develop and submit a formal DRO zone application. No more than one (1) DRO nomination will be accepted for formal application for any one (1) area (i.e.: no duplication or overlaps) at any one (1) time. If several DRO zone applications are known to be in preparation for the same or adjacent general areas, the Planning and Zoning Commission may delay one (1) or more applications to foster integration, consistency, compatibility, or feasibility for the welfare of the larger community.

4. Application Process:

a. Preparation: The nominating group shall prepare a full DRO zone application meeting the content requirements below. Upon completion, the nominating group shall submit the application to the Development Services Department for an advisory review of content and completeness.

b. Filing: When advised of the completeness of the application, the nominating group shall file the application, along with an application fee, with the Development Services Department. A legible copy of the filed application, certified by the Development Services Department, shall be recorded with Yavapai County Recorders' Office (with recording fees to be paid by the nominating group). The filing of a draft DRO zone application with the Recorders' Office shall be a master form as provided in A.R.S. §11-464, for public information only. Such recording of the draft application shall not be binding on properties within the proposed DRO zone unless formally adopted. Each recording shall specify its expiration date to be eighteen (18) months after recording or upon adoption, whichever is sooner. (Adopted DRO zones shall be recorded as adopted making specific reference to the recording data of the master form.) Additional copies of the application shall be placed at points of local availability for review by local property owners in such locations as may be approved by the Development Services Department. Any change in the geographic area, content, or other material change in the proposed DRO zone shall constitute a new application and shall require a complete new recording or an amendment to the original master form stating the specific portion or portions to be changed or deleted by reference to page and paragraph.

c. Owners of Record: The nominating group shall prepare and submit a certified list of the names, addresses, Assessor's parcel numbers, and acreage of parcels of every owner of record of every parcel (as of the date of recording of the draft DRO zone) within the proposed DRO zone. The nominating group shall pay the cost (if any) of copying and/or computer services necessary to produce and certify such list.

d. Support Petitions from within the DRO zone: Within twelve (12) months of the date of recording of the filed application, the nominating group shall obtain and submit to the Development Services Department the signatures, indicating support, of fifty-seven percent (57%) by area and by number of the owners of record of properties within the defined DRO zone, on a petition which specifies the geographic area and the content of the DRO zone together with a citation of the recording of the full formal application.

e. The nominating group shall also prepare and submit a certified list of the names, addresses, and Assessor’s parcel numbers of every owner of record of every parcel (as of the date or recording of the draft DRO zone) within three hundred feet (300’) of the perimeter of the proposed DRO zone. Properties within the three hundred foot (300’) perimeter which happen to fall within an incorporated municipality or lie outside of Yavapai County, shall be included in the requirements for the external owner list.

f. Time Limit: Failure to obtain the required percentage of valid signatures for the internal area of the DRO within twelve (12) months of the recording of the application shall constitute a failure of the application. A notice of failure and release of application shall be recorded in the Recorders’ Office making specific reference to the master form recording data. New updated application together with new petition signatures shall be required to proceed after a failed application.

5. Application Content Requirements: The filed application shall include the following minimum information:

a. A proposed name for the DRO zone.

b. A reproducible map showing the proposed geographic coverage of the DRO zone.

c. A letter from the Planning and Zoning Commission Staff attesting to the completeness of the application.

d. A cover letter generally describing the area, purpose and content of the DRO zone signed by a representative of the nominating group.

e. A list of the names and addresses of the nominating group.

f. The name, address and telephone number of one (1) or more persons willing to serve as speakers and sources of public information concerning the DRO zone nomination.

g. A legal description specifying the outer boundaries of the proposed geographic area of the DRO zone.

h. A citation of the portions of the Yavapai County General Plan and any area plans which relate to the geographic scope of the proposed DRO zone.

i. A citation of the zoning maps (by Assessor's parcel map system number) for all areas covered by and within three hundred feet (300') of the perimeter of the DRO zone.

j. The proposed criteria for determining eligibility for serving on the Local DRO Design Review Commission (DRO Commission), including but not limited to residency in or proximity to the area of the DRO zone, and ownership, long term lease, business operation, or other vested interest in or commitment to the DRO zone.

k. The proposed number and formula for composition of the DRO Commission.

l. A proposed list of nominees of persons proposed and willing to serve as appointees to the initial DRO Commission, together with a short description of their respective education, expertise and other qualifications relating to the purpose and eligibility criteria of the DRO zone.

m. The proposed development scope or content proposed to be regulated by guidelines or requirements within the DRO zone.

n. A detailed sample of the proposed criteria list, charts, guidelines or other specifications to be provided to each applicant requesting review and the standards against which each application will be reviewed.

o. A schedule of proposed application review fees to be charged for local design review overlay applicants, if any.

p. All other information which the Planning and Zoning Commission, Development Services Department, or Board of Supervisors may deem necessary.

6. DRO Zone Adoption Process:

a. Certification: Upon receipt of the lists of owners of record and the petitions containing the required signatures on both the internal approval and external consent petitions together with such hearing fees as may be adopted, the Development Services Department shall certify the validity of the signatures on both petitions.

b. Area Hearings: Upon certification of the petitions, the Planning and Zoning Commission shall appoint a committee from among its' members to hold at least one (1) public hearing within the area of the proposed DRO zone. The hearing committee of the Planning and Zoning Commission shall report to the full Planning and Zoning Commission its recommendation as to the readiness of the DRO zone for full public hearings. The Planning and Zoning Commission may move to direct the hearing committee to hold additional hearings in the area as may be necessary to ensure adequate public information.

c. Planning and Zoning Commission Hearings:

(1) All hearings by the Planning and Zoning Commission and Board of Supervisors shall follow procedural requirements of the A.R.S. and the Planning and Zoning Ordinance of Yavapai County. After the area public hearings, the Planning and Zoning Commission shall then advertise and hold a public hearing in a regular Planning and Zoning Commission meeting and formulate a recommendation to the Board of

Supervisors as to the general advisability and particulars of the proposed DRO zone.

(2) Board of Supervisors Hearings: Subsequently, the Board of Supervisors shall hold a public hearing to consider the adoption of the DRO zone as proposed and/or amended. The Board of Supervisors shall hear the DRO application as recorded together with the Planning and Zoning Commission's recommendations and public input. At the first Board of Supervisors hearing, the Board may only approve or deny the DRO application as recorded or move to hold in abeyance or move to amend and re-hear (with re-advertisement calling attention to the content of the proposed amendment(s)). At the second and subsequent Board of Supervisors' public hearings, the Board may approve duly advertised amendments.

d. Recording of Adoption: Upon adoption, the adopted DRO zone shall be permanently recorded by a certificate of adoption making specific reference to the master form recording data, and including any revisions from the originally recorded application.

7. Amendments to the DRO Zone:

a. Amendment: After adoption, any amendment to a DRO Zone which in the determination of the Development Services Department materially alters the area coverage and/or the content of the design guidelines or requirements or their applicability shall follow the same procedural and content requirements specified for the original nomination, application, and adoption of a DRO zone.

b. Recision: The recision of a DRO zone shall follow the same procedure and requirements as any amendment, except as provided below for abandonment.

c. Abandonment: A DRO zone may be abandoned upon the initiation of the Planning and Zoning Commission according to the following procedures:

(1) The Planning and Zoning Commission in discussion moves to initiate a public hearing to consider a finding of fact.

(2) The Planning and Zoning Commission, in public hearing, adopts a finding of fact of extraordinary circumstances (including but not limited to substantial unworkability of the DRO zone; de-facto abandonment of the DRO zone by the property owners; nonfeasance, misfeasance, and/or malfeasance by the DRO Commission; impending public turmoil or other threat to the public welfare) and upon the basis of such finding initiate a second public hearing to consider the abandonment of the DRO zone.

(3) The Planning and Zoning Commission, in public hearing, adopts a recommendation to the Board of Supervisors to abandon the DRO zone.

(4) The Board of Supervisors, in public hearing:

(a) Concurs in the finding of fact of extraordinary circumstances.

(b) Adopts the Planning and Zoning Commission recommendation to abandon the DRO zone.

8. DRO Commission:

a. Powers: The DRO (Local DRO Zone Review) Commission shall serve as an advisory body to the Land Use Specialist and the Development Services Department of Yavapai County regarding the issuance of a building permit and/or the citation of a violation of the Planning and Zoning Ordinance as it may relate to the standards of the DRO zone. A quorum of the DRO Commission shall consist of the majority of the appointed members. Decisions for recommendation by the Commission shall be by motion and public vote of the majority of the quorum present. The DRO Commission may, by majority vote, adopt an official complaint of a zoning violation regarding construction or development within the DRO zone which is not consistent with the adopted guidelines and/or application approvals granted by the DRO Commission. Such official complaint shall be forwarded to the Development Services Department Land Use Specialist.

b. Appointment of Members: From the slate of nominated DRO Commission candidates who meet the eligibility criteria specified in the adopted DRO zone, the Board of Supervisors shall appoint a number (between three (3) and eleven (11) as specified by the adopted DRO zone) to serve together as the local DRO Commission.

c. Terms: Terms of appointment shall be for two (2) years, with the initial appointments staggered, the majority being for two (2) years, and a minority being for one (1) year. Re-appointment shall be at the discretion of the Board. Replacements shall be appointed from the original list when possible together with other qualified nominees from the area of the DRO zone who meet the eligibility criteria specified by the DRO zone.

d. Removal: Members of the DRO Commission may be removed by the Board of Supervisors for cause, including non-attendance.

e. Meetings: The DRO Commission shall meet, as needed, within the area of the DRO zone to review applications for construction and development against the standards and guidelines adopted for the DRO zone. All meetings of the DRO Commission shall be public with due notice, advertising, and posting, as provided for the Boards of Adjustment by the Planning and Zoning Ordinance, Section 207E (Hearings and Rulings). Minutes of all meetings shall be kept as public record.

f. Reviews and Recommendations:

(1) Approval: Approval of a review application shall be signified by means of a dated stamp on the plans reviewed.

(2) Disapproval: Disapproval recommendations shall be documented by means of a letter to the Development Services Department and the applicant recommending disapproval and listing the particulars, findings, and bases therefore.

g. Reporting: Within ten (10) working days of the public meeting at which a review recommendation is adopted, the DRO Commission shall report to the Development Services Department as to its disposition of an application for review. Failure to report within ten (10) working days shall be construed by the

Development Services Department to be the equivalent of a recommendation for approval.

h. Fiscal Powers:

(1) The DRO Commission shall have no independent fiscal powers, but shall operate through Yavapai County with financial and logistic support from the Development Services Department.

(2) The DRO Commission may charge and collect a hearing application fee, to be initially set by the adoption of the DRO zone and amended from time to time by Resolution of the Board of Supervisors as may be necessary to defray the costs of operation of the DRO Commission. The DRO Commission shall upon request prepare and submit to the Development Services Department a draft budget to cover its operation for the coming budget period.

(3) The DRO Commission may prepare and submit to the Development Services Department a monthly requisition for supplies, postage, copying, minor equipment, petty cash, a reimbursement for its members' mileage, contractual payments for approved secretarial, bookkeeping, auditing, and inspection services, and for other reasonable expenses as may be necessary and approved. Deposits of receipts shall be made at least monthly in a bank account of the Development Services Department set up for the DRO zone.

i. Accounting and Records:

(1) The DRO Commission shall submit unaudited monthly reports on all financial transactions to the Yavapai County Development Services and Finance Departments in accordance with instructions and charts of accounts provided by the Finance Department. In addition, an audited report will be submitted annually to both Development Services and Finance Departments.

(2) The DRO Commission shall keep records of its transactions, minutes, correspondence, and other documentation in public record at two (2) locations: the originals at a secure location within the DRO zone; and a copy in the Development Services Department.

j. Reversion: If a DRO zone is abandoned, rescinded, incorporated, or annexed by a municipality, any revenues remaining in the DRO zone shall revert to the General Fund of the County.

9. Implementation:

a. A DRO zone shall be created and its guidelines and requirements shall become effective thirty (30) days after its adoption as a zone by the Board of Supervisors. The adopted DRO zone and its contents and geographic scope shall be on file in the Development Services Department. Each DRO zone shall be numbered and its geographic scope depicted on the official zoning maps of Yavapai County in the Development Services Department.

b. Upon adoption and after the effective date of a DRO zone, any person intending to construct any structure within the jurisdiction of the Yavapai County

Planning and Zoning Ordinance, before applying for a building permit from the Development Services Department, shall first submit an application to the DRO Commission, who shall schedule and hold a review in public hearing.

c. The Development Services Department shall withhold the issuance of the building permit in a DRO zone for a period sufficient to permit adequate public notice, the holding of hearing by the DRO Commission and a ten (10) working day response period following the decision of the DRO Commission.

d. The DRO Commission shall forward its recommendation to the Development Services Department Land Use Specialist. Giving due consideration to the recommendation of the DRO Commission, the Land Use Specialist shall issue or withhold the requested building permit, notifying both the applicant and the DRO Commission. The withholding of a building permit on grounds relating to the recommendation of the DRO Review Commission shall be in the form of a letter to the applicant and to the DRO Commission citing the reasons for the refusal.

10. Appeals: Any applicant for a building permit who is refused a building permit on grounds relating to the recommendation of the DRO Commission, or the DRO Commission itself, or any affected party, including any owner of property within the DRO zone may appeal the decision of the Land Use Specialist to the Board of Adjustment. The appeal must be made within thirty (30) days of the issuance of the building permit or its refusal, pursuant to Section 207 (Adjustment Board).

11. Compliance: The failure to construct any structure within the DRO zone in a manner consistent with the content of the building permit and the application as approved by the DRO Commission shall constitute a violation of the Planning and Zoning Ordinance. Citation of a violation of the DRO zone requirements and guidelines shall be initiated by either the Land Use Specialist or by a signed complaint from the DRO Commission adopted and forwarded to the Development Services Department Land Use Specialist.

12. Authority: The Yavapai County Board of Supervisors hereby authorizes the creation and administration of Design Review Overlay Zones adopted consistent with this enabling Ordinance and the Yavapai County Planning and Zoning Ordinance of which this is a part.

C. {RESERVED FOR ADDITIONAL TYPES OF OVERLAY ZONES ENABLING SECTIONS TO BE ADOPTED IN THE FUTURE TO ADDRESS, FOR EXAMPLE, FLOOD ZONES, HILLSIDE PRESERVATION, CRITICAL SOILS AND WATERS, ETC.}

CHAPTER 5 GENERAL PROVISIONS

SECTION 500 GENERAL PROVISIONS

The following provisions shall apply to all Districts, except as may be modified, supplemented or supplanted under the provisions of any particular District.

SECTION 501 ACCESSORY USES AND STRUCTURES

A. ACCESSORY USES (including facilities and equipment) are permitted in conjunction with any principal use, provided same is compatible and common to the district in which it is located and does not alter the character of the premises; any reference to a permitted use shall be deemed to include such accessory use.

B. ACCESSORY USES OR STRUCTURES are allowed prior to installation of the principal structure only when a construction permit is issued for the principal structure and construction of same is commenced within six (6) months, with exception of the specific allowances referenced in Section 413 (RCU District).

C. ANIMAL HUSBANDRY Activities or Projects, i.e., Future Farmers of America, 4-H, or any agricultural or large livestock activity/project conducted primarily for educational purposes or school credits, are permitted in any Zoning District. The following criteria shall be met:

1. Active membership must be maintained and verification of such may be required upon request.
2. The keeping of all animals shall be subject to the regulations of the Yavapai County Environmental Unit and the Health Department.
3. A sign designating a 4-H member is in residence must be posted on the property at all times any such project or activity is in progress.

Under the 4-H exemption, the setback requirements and number of animals allowed per acre do not apply for animals utilized in 4-H projects, with the exception of equine and breeding projects.

D. ALLOWED ANIMAL CHART

Allowed Animal Chart

Animal Type	Animals ALLOWED
CATEGORY A – Swine*, Dairy Cow, Bison, Steer/Heifer, Horse or other of similar size/weight	2 PER ACRE or fraction thereof
CATEGORY B - Ostrich, Miniature Horse, Llama, Sheep, Goat, Emu or other of similar size/weight	5 PER ACRE or fraction thereof
CATEGORY C - Turkeys, Peacocks, Geese, Pheasants, Ducks, Pigeons, Chinchillas, Rabbits, Chickens or other of similar size/weight	8 PER ACRE or fraction thereof
Off-spring up to one year of age of on-site animals do not count towards the total. After one year of age animal off-spring count as adult animals. *Swine shall not exceed five (5) total per parcel.	

SECTION 502 ACCESS REQUIREMENTS FOR NON-RESIDENTIAL USES

An access plan is required for all non-residential uses unless waived by the Public Works Department on the basis that it is not warranted. The access plan shall demonstrate and certify legal and safe ingress/egress from the site to the public roadway system. The plan must be prepared by a civil engineer, registered in the State of Arizona, using acceptable trip generation guidelines and, at a

minimum, include circulation patterns, roadway improvements, traffic control measures, and driveway openings. A Certificate of Compliance demonstrating completion of improvement(s), as may be specified in the plan, must be issued prior to the use of the facility.

SECTION 504 ADMINISTRATIVE REVIEW WITH COMMENT PERIOD

Those uses subject to Administrative Review with Comment Period must go through the following process. The applicant will submit a to-scale site plan illustrating the proposed use for review. The administrative review would include review by all affected agencies such as but not necessarily limited to Floodplain, Land Use, Environmental, Building Safety and the Fire District with jurisdiction. Surrounding property owners of the subject property and affected community organizations shall be notified by mail as provided in Section 209 (Citizen Participation) D.1 and the property shall be posted and the noticed public shall be given twenty-one (21) days from the date of mailing of notice to file written protest with the Development Services Director. If an Administrative Review with Comment Period application is denied by the Department, the applicant may then apply for a Use Permit, and appeal the decision before the Commission and the Board, if desired. If the application for Administrative Review with Comment Period is found acceptable by the reviewing agencies with no written protest received from the noticed public, the Development Service Director will accept and issue appropriate or needed building permits and/or issue a letter approving the use subject to applicable standards. Application fees are as found in the adopted fee schedule.

SECTION 505 AGRICULTURAL EXEMPTIONS

A. In order to qualify for an exemption from zoning regulations as property used for "grazing or general agricultural purposes" the property must meet each of the following standards:

   1. The property is at least five (5) contiguous commercial acres in size. (A commercial acre is thirty-six thousand (36,000) square feet.)
   2. The primary use of and investment in the property is directed toward production of agricultural products through agronomy, horticulture or animal husbandry ('exempt purposes').
   3. The property is intended for, and is reasonably capable of, producing a normal profit through exempt purposes.
   4. The primary function of the property is to produce an agricultural crop or commodity and is found by the County Assessor to be a qualifying agricultural property in accordance with the Arizona Department of Revenue Agricultural Manual.

B. Property used primarily for residential, commercial or recreational purposes, on which livestock or agricultural production is incidental, including hobby farms or ranches, horse acres, cabin sites or forestry tracts does not qualify for exemption. Property cultivated on a supplement or part-time basis, such as mini-farms or gardens not capable of economic self-sufficiency on the basis of agricultural use, generally do not qualify for an exemption.

C. An exemption granted the property owner, is open to review and may be cancelled at any time upon a determination by the Land Use Specialist that the property no longer meets the standards of Paragraph A.

D. Application for initial exemption or for renewal of an existing exemption shall be made on forms provided by the Development Services Department. The Land Use Specialist will

evaluate each application for compliance with the standards set forth in this Section.

E. With respect to property not previously used for an exempt purpose, a provisional exemption may be granted on the basis of representations by the owner as to the intended use of the property, subject to presentations by the owner of evidence of compliance with Paragraph A, within one (1) year after grant of the exemption.

F. A person aggrieved by a decision of the Land Use Specialist to grant, deny or cancel an exemption may appeal to the Board of Adjustment in the manner provided by Ordinance for appeal of an enforcement decision.

SECTION 507 BED & BREAKFASTS

A. Bed & Breakfast Homestays as defined under Section 301 (Definitions) subject to the following regulations and performance standards:

1. Homestays shall only be permitted on parcels exceeding thirty-five thousand (35,000) square feet in size.
2. No employees.
3. Facility shall be owner-occupied with no more than fifty percent (50%) of the floor area of the primary structure used for guest quarters or Bed & Breakfast purposes.
4. Access to the guestrooms shall be allowed through the main entrance of the building only.
5. State and County Health Department approval and permits are required.
6. Change of Use or Occupancy and Zoning and Building Safety Clearance/Permit required prior to commencement of the use.
7. No more than three (3) guest units shall be available for rental. A guest unit consisting of more than one (1) room shall not be constructed, converted, or modified so as to permit division into separate guest units.
8. Maximum duration of stay of any one (1) guest shall be fourteen (14) days.
9. In addition to the required parking for the owner of the Homestay, one (1) parking space per guest unit shall be provided on site in accordance with the parking standards in Section 602 (Parking).
10. One (1) sign, for identification purposes, not exceeding four (4) square feet in size may be attached to the primary structure or placed in the front yard no higher than three feet (3') above grade.

B. Bed & Breakfast Inns as defined under Section 301 (Definitions) subject to the following regulations and performance standards:

1. Facility shall be owner-occupied with no more than seventy-five percent (75%) of the total floor area or structural coverage used for guest quarters or Bed & Breakfast purposes.
2. Change of Use or Occupancy and Zoning and Building Safety Clearance/Permit required prior to commencement of the use.
3. In addition to the required parking for the owner of the Inn, one (1) parking space per guest unit and employee shall be provided on site in accordance with the parking

standards in Section 602 (Parking).

4. One (1) sign for identification purposes, not exceeding six (6) square feet in size may be attached to the primary structure or placed in the front yard no higher than three feet (3') above grade.

SECTION 512 COMMUNITY GARDEN

COMMUNITY GARDEN as defined under Section 301 (Definitions), subject to the following performance criteria:

A. On-site sale of produce not permitted. Produce may be transported and sold off-site.

B. No farm animals

C. Dust control must be maintained.

D. Electrical for well water is allowed.

E. Any fencing which meets Section 540 (Height Limits) B. (Fences and Free Standing Walls) requirements is allowed.

F. One (1) storage building less than two hundred (200) square feet in size which cannot be used as habitable space is allowed.

G. Non-chemical pest control, such as the use of beneficial predators, parasitoids and biochemical methods, is strongly encouraged. Use of chemical pesticides and herbicides must be contained to the property under cultivation.

H. Fertilizer, soil amendments and runoff of irrigation must be retained on-site.

I. A rainwater harvesting system component and/or up to a three thousand (3000) gallon enclosed water storage tank are allowed.

J. If the use discontinues for a period of twelve (12) months, the property shall be returned to vacant land.

SECTION 516 DENSITY DISTRICTS

A. The following Density Districts and regulations are intended to be combined with the appropriate Use Districts. The density provisions in the accompanying chart, together with applicable General Provisions (Section 500) shall regulate building heights, yards, lot sizes, lot area per dwelling unit, lot coverage and distance between buildings as though the same had been fully described in this Section.

B. Requirements of the Density Regulations.

Density Regulations:
A=Acres

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling	Min Lot Width and Depth	Min (1) Yard Setbacks Front	Min (1,2) Yard Setbacks Rear	Min (1,2) Yard Setbacks Interior	Min (1) Yard Setbacks Exterior	Max Building Height Stories	Max Building Height Feet	Max Lot Coverage Percent	Min Building Spacing Feet
1	7,500	1,000	75	20	25	7	10	2	50	50	3
2	7,500	2,000	75	20	25	7	10	2	40	50	3
3	7,500	3,000	75	20	25	7	10	2	30	50	3
4	7,500	4,000	75	20	25	7	10	2	30	50	3
5	7,500	5,000	75	20	25	7	10	2	30	50	3
7.5	7,500	7,000	75	20	25	7	10	2	30	50	3
10	10,000	10,000	80	20	25	7	10	2	30	40	3
12	12,000	12,000	90	20	25	7	10	2	30	40	3
18	18,000	18,000	100	30	30	10	15	2	30	25	3
25	25,000	25,000	130	30	30	10	15	2	30	20	3
35	35,000	35,000	145	40	40	20	20	2	30	15	3
70	70,000	70,000	200	50	50	25	30	2	30	15	3
2A	87,120	87,120	225	50	50	25	30	2	30	10	3
175	175,000	175,000	300	50	50	30	50	2	30	10	3
5A	217,800	217,800	325	50	50	40	50	2	30	10	3
10A	435,600	435,600	500	50	50	50	50	2	30	5	3
36A	1,568,160	1,568,160	500	50	50	50	50	2	30	5	3

(1) See Section 588 (Yards and Courts) for exceptions, deviations, and encroachments from minimum yard (setback) requirements.
(2) For C1, C2, C3, M1, and M2 Districts: Minimum interior side and rear yard requirements are waived if the yard is contiguous to C1, C2, C3, M1 or M2 zoned property. A setback of twenty feet (20') shall be required whenever a lot zoned commercial or industrial abuts a lot zoned for residential purposes. Front and exterior side yard requirements shall be observed in all cases.
PLEASE NOTE: DETACHED ACCESSORY STRUCTURES, OTHER THAN STRUCTURES HOUSING ANIMALS, MAY BE PLACED WITHIN FIVE FEET (5') TO REAR LOT LINE. ALL OTHER SETBACKS AND BUILDING SPACING SEPARATIONS MUST BE ACHIEVED.
PLEASE NOTE: THE ABOVE IS GENERAL INFORMATION PERTINENT TO THE ZONING REQUIREMENTS IN THE CREATION OF A BUILDABLE PARCEL. IT DOES NOT DEAL WITH SPECIFIC QUESTIONS, SUCH AS BUILDING SAFETY, FLOOD CONTROL DISTRICT, ENVIRONMENTAL UNIT OR ENGINEERING. THESE DEPARTMENTS SHOULD BE CONTACTED BEFORE ANY ACTUAL SPLITTING IS PURSUED.

SECTION 519 DENSITY FORMULAS

DENSITY FORMULAS are hereby established for each Density District for the purpose of determining (where applicable) the amount of lot area required for each dwelling unit, hotel or motel unit, or mobile home court space.

A. In applying Density Formulas to determine the number of units allowed on a lot, credit shall be allowed for the area of any contiguous dedicated half street or half alley (or similar dedicated easements).

B. Where dwelling units are combined with non-residential uses or structures on a conforming lot, then each eight hundred (800) square feet (or fraction thereof) of area occupied by such shall be deducted from the total Density Formula area in determining the number of units allowed.

C. The Density may be reduced twenty percent (20%) for any units consisting of a combined bed-

living room (commonly referred to as an efficiency apartment).

SECTION 522 DRAINAGE CRITERIA MANUAL

In all instances with the exception of single-family residential and accessory uses, a drainage report for storm water planning, analysis and design and construction in accordance with the Yavapai County Drainage Criteria Manual (Resolution #1151) shall be submitted. The Flood Control District Director may grant a waiver from the need to comply with certain sections of the Drainage Criteria Manual requirements in instances where it is determined that there are limited impacts from surface drainage and a detailed drainage report is not needed to achieve the objectives of the Drainage Criteria Manual or to protect property, or the health, safety and welfare of the citizens of the community with regard to flooding and drainage issues. All permitted uses shall be constructed in accordance with the construction requirements in the approved drainage plan.

SECTION 525 DWELLING – SECONDARY MEDICAL

SECONDARY MEDICAL DWELLING VARIANCE for Medical Hardships as defined under Section 301 (Definitions) subject to the following performance criteria:

A. A property owner may apply to the Land Use Specialist for a variance to allow a Secondary Medical Dwelling for the use of an ill, handicapped or elderly person in need of special care or supervision, or a care provider for such person, if the ill, handicapped or elderly person is the owner or the resident of the main dwelling or a relative of the owner or resident of the main dwelling. The variance application shall include:

1. Legal description.
2. Signatures of the property owner(s) of record or the authorized agent of the owner.
3. A letter of authorization if the property owner is represented by an agent.
4. A sketch plan of the subject property showing existing and proposed structures, access, parking, and distances from structures to property lines and to other structures.
5. The name(s) of the person(s) who will occupy the secondary medical dwelling and a statement signed by a licensed physician that special care or supervision is required for the ill, handicapped, or elderly relative.
6. Any other information reasonably necessary to evaluate the application, which is required by the Land Use Specialist.
7. A processing fee shall be submitted in association with an Administrative Secondary Medical Dwelling Variance Application. Upon receipt of an Appeal as set out under Subsection D of this Section, a fee equal to a standard variance application shall be necessary to cause the matter to be presented to the Board of Adjustment. Any fee submitted for the Administrative Medical Application shall be applicable to the standard variance application.

B. A Secondary Medical Dwelling Variance shall be subject to the following standards:

1. The parcel exceeds thirty-five thousand (35,000) square feet in size and the secondary medical dwelling is situated on the parcel to meet the primary setbacks of the applicable density district.
2. Property owner shall provide a statement signed by a physician that special care or supervision is required for the ill, handicapped, or elderly relative.

3. Only one (1) secondary medical dwelling per lot shall be allowed.
4. The same access that serves the main dwelling shall be used for the secondary medical dwelling.
5. The owner shall record a covenant running with the land stating that the secondary medical dwelling shall be removed from the property (if not a site built guest home) within ninety (90) days of the date the secondary medical dwelling is no longer occupied by the person(s) specified in the Secondary Medical Dwelling Variance.
6. The secondary medical dwelling will not cause adverse effects to surrounding properties.
7. The secondary medical dwelling is placed in order to meet separation requirements of current applicable Building and Fire Codes.
8. The secondary medical dwelling shall be serviced by an approved on-site wastewater system or sewer system.

C. The Land Use Specialist may attach additional conditions to the permit to mitigate adverse effects to surrounding properties.

D. Appeals: Prior to the issuance of a Secondary Medical Dwelling Variance, property owners within three hundred feet (300') of the subject property shall be notified by mail with said notice posted on the property and given fifteen (15) days from the date of mailing of notice to file written protest with the Land Use Specialist.

1. The notification shall include the approved sketch plan, the procedures and requirements for submitting an appeal.
2. The written protest shall include the name and address of the person submitting the appeal and reasons why the application does not meet the secondary medical dwelling variance standards as set forth by this Ordinance.
3. The Board of Adjustment shall hear the appeal in accordance with Section 207 (Adjustment Board).

E. Action by the Land Use Specialist: A secondary medical dwelling variance may be issued by the Land Use Specialist if no written protest is received and the standards, set forth above, are met.

F. Validity and extension of a Secondary Medical Dwelling Variance: A secondary medical dwelling variance shall be valid for up to three (3) years and may be extended by the Land Use Specialist. A property owner requesting extension of the variance shall submit to the Land Use Specialist evidence that the Secondary Medical Dwelling Variance is still needed and that conditions of the variance have been met. The Land Use Specialist may extend the Secondary Medical Dwelling Variance for a period of three (3) years, and shall be demonstrated annually by the property owner that the justification for which the Land Use Specialist authorized occupancy of the secondary medical dwelling pursuant to performance criteria under Section 525 B.1 through B.8 remains necessary and is as represented to obtain the original variance.

G. Fee: The fee shall be in accordance with the standard fee for variances as approved by the Board of Supervisors. Any fee submitted for the Administrative Medical Application shall be applicable to the standard variance application.

SECTION 528 DWELLING PROHIBITION

DWELLING PROHIBITION in any District shall not be construed to prohibit from any lot the residential facilities to accommodate one (1) individual (and his family) acting in the capacity of manager, caretaker or watchman.

SECTION 529 FLOODPLAIN MANAGEMENT REGULATIONS

All uses shall be in compliance with all Yavapai County Floodplain requirements and regulations, including any floodplain regulations duly adopted by the Board of Directors of the Yavapai County Flood Control District and administered by the District.

SECTION 531 FUEL STORAGE TANKS – AUTO SERVICE

FUEL STORAGE TANKS IN CONJUNCTION WITH AUTOMOTIVE SERVICE FACILITY

A. As an open land-use (requiring underground storage tanks, with dispensing mechanism equal to or better than minimum requirements of Underwriters Laboratories, Inc.) or,

B. As having aboveground fuel storage of less than forty thousand (40,000) cumulative gallons capacity where a Variance has been obtained from the Office of the State Fire Marshal from the prohibition of the Uniform Fire Code from dispensing motor vehicle fuel from aboveground fuel storage tank(s) per current Uniform Fire Code. Installation of aboveground tanks will require the granting of a Use Permit and shall include the following performance criteria/standards:

1. The design of the proposed facility shall meet the standards of the Office of the State Fire Marshal.
2. The parcel or lot shall be of sufficient size to meet all parking and automobile circulation requirements set out by this Ordinance. Above ground storage tank(s) shall not be permitted on lots or parcels not meeting current parking or circulation standards.
3. Aboveground fuel storage tank(s) shall be spaced apart a minimum distance as set forth in the current Uniform Fire Code.
4. Guard posts for protection from vehicular damage shall be provided per current Uniform Fire Code.
5. A minimum setback or separation of one hundred feet (100’) shall be maintained to the nearest residentially zoned parcel or "R" residential occupancy building as specified under the Uniform Building Code.

SECTION 534 GOLF COURSE DEVELOPMENT STANDARDS

A. PURPOSE: To ensure that every golf course be developed and managed with consideration for the unique conditions of the ecosystem of which it is a part and specifically to minimize the use of groundwater for irrigation purposes and encourage effluent or reuse.

B. GENERAL REQUIREMENTS: The following requirements shall apply to the development and processing of golf courses in conjunction with a PAD proposal or any other golf course development:

1. Applicant will be required to submit plans that demonstrate that the proposed project meets the standards set by the Arizona Department of Water Resource (ADWR) for golf courses in the Active Management Areas (AMA) including limiting water usage to no more than four hundred fifty (450) acre-feet per year (325,851 gallons in one (1) acre-foot of water) and limiting the amount of turf area to no more than ninety (90) acres.
2. Applicant to obtain a report of physical availability of water from ADWR demonstrating an adequate water supply for the entire development including the golf course prior to recording the Final Plat/Final Site Plan and prior to construction of the golf course.
3. Applicant to demonstrate that the proposed development will be of an appropriate size and scale to generate sufficient effluent or re-use water to meet the entire irrigation needs of the golf course or demonstrate that an alternative supply of effluent will be available.
4. Applicant will be required to submit a water balance study and phasing program for conversion and reliance on effluent using the County's format and standard assumptions and criteria as a guide in preparing the study. The Board may set a reasonable time for conversion from irrigating with groundwater to irrigating with a renewable water supply.
5. Applicant will be required to conduct a monitoring program as it pertains to surface water and groundwater quality and quantity. The monitoring program will be developed in concert with the appropriate approval authorities.
6. Applicant will be required to conduct monitoring program as it pertains to the performance of the wastewater treatment plant including effluent discharge quality and quantity for review and approval by the Development Services staff or other appropriate agencies.

C. DESIGN AND CONSTRUCTION STANDARDS:

Applicant will be required to submit plans demonstrating that the golf course is designed, constructed and maintained in accordance with environmental practices as set out in Environmental Principles for Golf Courses in the United States or United States Golf Course Association Guidelines or similar or better recognized national standards and which meet the following conditions:

1. Emphasis shall be placed upon the design of irrigation, drainage and retention systems that provide for the efficient use of water. Drainage and storm water retention systems should be incorporated to help provide for both the short and long-term irrigation needs of the maintained turf and the unmaintained areas of the course.
2. The course shall be designed with sustainable maintenance in mind. The design shall incorporate resource conservation strategies that are environmentally responsible, efficient and cost effective.

D. CONSTRUCTION DOCUMENTS:

Conceptual grading, drainage, irrigation, clearing and landscaping plans will be required as part of the Final Site Plan application and in conjunction with a development plan. Plans must have sufficient detail to demonstrate that the design, construction and maintenance will incorporate

environmental principles and meet the intent of the AMA standards for golf courses.

SECTION 537 GUEST HOME

GUEST HOME as defined under Section 301 (Definitions), subject to the following performance standards criteria: with a minimum parcel size of seventy thousand (70,000) square feet in size in the R1L Zoning District and a minimum parcel size of thirty-five thousand (35,000) square feet in the R1 Zoning District.

A. The parcel or lot meets or exceeds the noted required area in size and the primary structure set-backs set out under the Density District are met.

B. A common driveway is shared by the primary and guest home structures.

C. The guest home does not exceed seven hundred fifty (750) square feet of livable building area or twenty-five percent (25%) of the total square footage of the primary structure livable building area under roof, whichever is greater.

D. A kitchen facility is permitted in the guest home structure.

E. One (1) guest home allowed per parcel.

SECTION 540 HEIGHT LIMITS

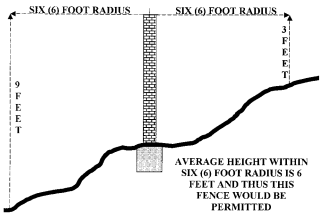
When designated in both stories and feet shall not exceed the foot dimensions.

A. TOWERS, POLES, TANKS, ETC.:

The District height limitations may be exceeded by five feet (5') for spires, cupolas, chimneys, parapets, or similar structural additions integrated directly into the rooftop. The District height limitations for buildings are not applicable for flues, vents, poles, beacons, towers, or other similar non-habitable structure(s) extending above a room when same occupies no more than twenty-five percent (25%) of such roof area. Unless shown by design (proof of collapse safety), any such structure as enumerated above must be so located on a lot that its reclining length, in case of collapse, would be contained within the bounds thereof.

B. FENCES AND FREE STANDING WALLS:

1. Height shall be determined for fences and walls above the average elevation of the ground level within a six foot (6’) radius of the point of measurement on the fence or wall. (See Example)



Fence height calculation example

2. Fences and free standing walls within the required yards/setbacks shall maintain the following maximum heights for that opaque or solid portion which obstructs the passage of air or light more than fifty percent (50%):

a. On any Residential Zoned lot (or that portion of other lots contiguous thereto): four feet (4’) in front yard and six feet (6’) in side or rear yards, except may not exceed four feet (4’) when within ten feet (10’) of any vehicular entrance from a

private or public right-of-way.

b. On Commercial and Industrial Zoned lots: eight feet (8').

c. Four feet (4') on any portion of the rear third of a corner lot backing to a Key lot by a line joining required Key lot setback and the street right-of-way intersection.

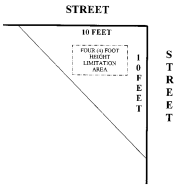
d. Three feet (3') within the triangular area formed by measuring ten feet (10') along the boundary of roadways and drives from the intersection thereof (including hedges and other plantings). Height may be increased not to exceed four feet (4') provided such height increase does not hamper visibility for traffic safety.

e. Where a fence or wall is required as a screening or other protection to Residential Zoned lots, such shall comply to the height limits of such Residential Zoned lot.

3. Total height (solid plus any nonsolid portions) shall not exceed the stated opaque or solid maximums by more than fifty percent (50%) for residential lots or contiguous thereto and by more than twenty-five percent (25%) for commercial and industrial zoned lots.

C. BUILDINGS:

No portion of any building exceeding a height of four feet (4') shall occupy the triangular area formed by measuring ten feet (10') along the right-of-way lines from the intersection thereof. (See Example)



Buildings located on sloping lots equal or greater than twenty-six percent (26%) average slope are permitted an extra story on the downhill side, provided the building height does not exceed the maximum height in feet allowed in the District.

SECTION 543 HOME OCCUPATION

A. INCIDENTAL: A home occupation shall be conducted in a primary dwelling or in an attached or detached accessory structure and shall be clearly incidental to the use of the primary structure as a dwelling or accessory structure as a garage, workshop, storage shed or barn.

B. APPEARANCE: In no way shall the appearance of the structure or premises be so altered or the conduct of the occupation within the structure be such that it can be recognized as serving a non-residential use (either by color, materials, construction, lighting, signs, sounds or noises, vibrations, display of equipment, etc.)

C. NUISANCE: The home occupation shall not cause any sustained or unpleasant noises, vibrations, noxious fumes, dust odors or glare. The use shall not create any radio or television interference or cause any parking or additional traffic beyond what a normal single-family

residence would generate in the immediate neighborhood.

D. EMPLOYEES: No one other than a resident of the dwelling shall be employed in the conduct of a home occupation.

E. STORAGE: No storage of materials and/or supplies, including vehicles or equipment used in the occupation, indoors or outdoors, shall be permitted which will be hazardous to surrounding neighbors or detrimental to the residential character of the neighborhood. Outside storage shall be in keeping with outside storage requirements for a single-family residence per this Ordinance.

F. VEHICLES: The home occupation shall not utilize or rely upon delivery or service from large vehicles not customary in residential areas.

G. TRAFFIC: The use shall not generate pedestrian or vehicular traffic beyond that normal to the District in which it is located.

H. SIGNAGE: Signage shall be in keeping with Section 601 (Sign Code) regarding nameplate identification signage for a residence and shall not advertise the home occupation.

I. ENFORCEMENT: Home Occupations, where permitted, shall be subject to issuance of a Home Occupation Permit and shall comply with the noted criteria. The Home Occupation application shall be subject to review by the Development Services Director at any time. Violation of any of the criteria for a home occupation as set out in this Ordinance shall be grounds for cancellation of the Home Occupation Permit. The Development Services Director shall have the authority to revoke the Home Occupation Permit if it has been demonstrated that the terms and conditions of the Home Occupation Ordinance have been violated.

J. APPEAL: A decision of the Development Services Director approving, disapproving or imposing conditions, regarding the home occupation, may be appealed to the Board of Supervisors. Appeal is subject to an application for appeal being on file in the Development Services Department within thirty (30) days of notification of action taken on said home occupation.

SECTION 546 LAND DIVISION

A. LOT DIMENSIONS AND AREA:

No lot or parcel shall hereinafter be established so as to be smaller than the minimum dimensions and area, nor larger than the maximum depth, except if it is determined that a greater depth does not adversely effect projected street or alley alignments, provided under the regulations for the District of jurisdiction. Where no density has been established, then the regulations of the two (2) acre Density District (D2A District) shall control.

1. Substandard Lots, either as to dimensions or area, that were legally established when same came under the District jurisdiction shall be considered as legal lots in that District.

2. Combined Lots, to the extent of crossing common boundaries with structures, shall be considered as one (1) lot, except that the front of the individual lots shall remain as the front of the combined lots.

3. Wedge Shaped Lots shall be considered legal width lots when same (measured at the front required setback line) is not less than the required width for a lot having parallel sides; however, a deeper setback line may be shown on a recorded plat at which

location the minimum lot width is acceptable and the required front yard shall thereafter be measured thereto.

4. Block (group of lots bounded by streets) Shortage of not more than five percent (5%) of sufficient frontage to create an additional minimum width for the District, may be distributed in any suitable manner (which distribution may include corresponding shortages in lot areas).

B. SUBDIVISION PLAT APPROVAL:

Lands or property divided or proposed to be divided for the purpose of sale or lease which constitutes a subdivision as defined in the A.R.S. shall be contingent upon the recording of an approved subdivision plat, the design and physical features of which shall conform to the provisions of this Ordinance (except as may provide minor deviations not adverse to the intent thereof) and be in conformance with the Yavapai County Subdivision Regulations.

C. MINOR LAND DIVISION:

1. Purpose/Applicability/Definitions

The Board of Supervisors has adopted a Minor Land Division Ordinance as allowed by ARS§ 11-809 for staff review and approval of land divisions of five (5) or fewer lots, parcels or fractional interests, any of which is ten (10) acres or smaller in size. The County may not deny approval of any land division that meets the requirements of this Section. If review of the request is not completed within thirty (30) days after receiving the request, the land division is considered to be approved. In this Section:

a. "Legal access" means a public right of vehicular ingress and egress between the lots, parcels or fractional interests being created.

b. "Minimum applicable County zoning requirements" means the minimum acreage and dimensions of the resulting lot, parcel or fractional interest as required by the County's zoning ordinance.

c. "Utility easement" means an easement of a minimum of eight (8’) feet in width dedicated to the general public to install, maintain and access sewer, electric, gas and water utilities.

2. Permit Required

Land divisions of five (5) or fewer lots, parcels or fractional interests, any of which is ten (10) acres or smaller in size created by recordation of a contract for sale or deed of conveyance shall be preceded by a Land Division Permit which has been applied for with and approved by the Department.

3. Filing of Application

An application to split a parcel of land (Land Division Permit) shall be approved if the following items are submitted for review by the Department and found to be complete:

a. The lots, parcels or fractional interests each meet the minimum applicable zoning requirements of the applicable zoning designation.

b. The applicant provides a standard preliminary title report or other acceptable document that demonstrates proposed legal access prepared by a licensed surveyor/engineer to the lots, parcels or fractional interests.

c. The applicant provides a statement from a licensed surveyor, engineer or the

landowner or other evidence acceptable to the County, stating whether each lot, parcel or fractional interest has physical access that is traversable by a two-wheel drive passenger motor vehicle.

d. The applicant provides a legal description of the existing parcel and legal descriptions of proposed parcels including access and utility easements.

e. The application shall include a paper copy of a scale map, titled "Results of Survey" or similar, with parcel areas and dimensions showing existing and future parcel lines and all proposed easements. The map/survey shall be sized 18" x 24" or 24" x 36" (one 8.5" x 11" copy must also be submitted) or of a format acceptable to the County Recorder's Office. The legal descriptions and the map/survey shall be prepared by an Arizona Registered Land Surveyor.

f. Map to illustrate visible buildings, wells, waste water disposal systems that may exist on subject property depicting distances of noted improvements from proposed property lines.

An application to split a parcel of land that does not comply with one or more of the items listed shall still be approved if the applicant provides an acknowledgment that is signed by the applicant and that confirms that no building, zoning clearance or Use Permit will be issued until the lot, parcel or fractional interest has met the noted requirements.

4. Application Fee

A fee shall be charged as established by the Board.

5. Action of the Department

a. Any approval of a land division under this Section may:

(1) Include the minimum statutory requirements for legal and physical on-site access that must be met as a condition to the issuance of a building or Use Permit for the lots, parcels or fractional interests.

(2) Identify topographic, hydrologic or other site constraints, requirements or limitations that must be addressed as conditions to the eventual issuance of a building or Use Permit. These constraints, requirements or limitations may be as noted by the applicant or through departmental review, but there shall be no requirement for independent studies.

b. The County may not require a public hearing on a request to divide five (5) or fewer lots, parcels or fractional interests, and if review of the request is not completed within thirty (30) days from receipt of the request, the land division shall be deemed approved. If the legal access does not allow access to the lots, parcels or fractional interests by emergency vehicles, neither the County nor its agents or employees are liable for damages resulting from the failure of emergency vehicles to reach such lot, parcel or fractional interest.

c. It shall be unlawful for a person or group of persons acting in concert to attempt to avoid the provisions of this Section or the subdivision laws of the State of Arizona by acting in concert to divide a parcel of land into six (6) or more lots or sell or lease six (6) or more lots by using a series of owners or conveyances. This prohibition may be enforced by the County or by the State Real Estate Department pursuant to Title 32, Chapter 20.

6. Recordation of Land Division Permit

After approval of a Land Division Permit, the applicant or authorized agent shall record the permit at the County Recorder's Office along with any attached supplementary information such as the survey and deeds conveying the property. Recordation must occur within six (6) months of approval by the Department, or approval shall lapse and become void. Digital submission of land division survey maps is allowed. To be considered a Record of Survey, the survey must be recorded independent of the Land Division Permit, not just as a supplement/attachment.

7. Noticing of Access or Zoning Deficiencies

When there are legal access or minimum zoning requirement deficiencies, which must be recorded as a Notice of Deficiency, said noticing shall consist of a detailed description of the deficiency as set out in the staff review of the application. For zoning deficiencies, the Zoning Ordinance Section(s) and the nature of the deficiencies shall be included. The deficiency notice should include the concluding statement "Until the noted access and zoning deficiencies are removed by variance, Use Permit or Zoning Map Change and legal access issues are addressed, no building permits will be issued on this land division parcel." The following statement must be placed on the notice (form provided by the Department) accompanied by notarized signatures of the buyer/transferee of the land division following the listing of the deficiencies:

"Undersigned buyer/transferee hereby certifies that he/she has read and understands the above information and acknowledges receipt of any other relevant disclosures about the property as prescribed by law. Buyer/transferee further states that any deficiencies noted above have been investigated and buyer/transferee accepts same."

"Yavapai County assumes no liability with the required noticing of deficiencies."

8. Removal of Deficiencies

If zoning or access deficiencies are corrected, for example through a Zoning Map Change, variance, Use Permit or through acquisition of access, it shall be the responsibility of the original property owner or subsequent responsible party to remove the deficiencies by filing/recording a Release of Noticed Deficiencies and if necessary, an amended map, subject to approval by the Department prior to recordation. The applicant will provide verification of legal access via signed notarized statements and accompanying supporting materials.

SECTION 547 LANDSCAPING

PURPOSE: To establish Landscaping standards and guidelines in order to maintain and enhance the environmental qualities of the County; to mitigate potential impacts on adjacent uses if used for screening; to promote public health, safety and welfare by protection and reduction of soil erosion, long term dust control and slope protection; and to enhance the quality and appearance of new or existing commercial development in the County.

A. GENERAL PROVISIONS

1. The landscape plan shall be prepared by a landscape architect, a landscape designer, or a plant nursery, unless a waiver is approved by the Development Services Director.

2. Maintenance of approved landscaping shall consist of regular watering, pruning,

fertilizing, clearing of debris and weeds, the removal and replacement of dead plants and the repair and replacement of irrigation systems and architectural features.

3. All Landscaped Areas shall be provided with a permanent means of irrigation. The irrigation system should be designed to correlate to the organization of plants into zones with similar watering requirements. Separate valves or zones for trees and shrubs.

4. Retention of existing native vegetation and natural features is encouraged. Special consideration may be given to developments which retain existing trees, vegetation, and natural features of the site where possible and which are replaced and enhanced when necessary.

5. All landscape design shall take into consideration the need for Defensible Space.

6. Invasive Plants and Noxious Weeds as defined in ARS 3-201 and under the Arizona Department of Agriculture R3-4-245 are prohibited.

B. LANDSCAPE PLAN REQUIREMENTS

1. Design

a. Plants should be grouped in strategic areas and not spread thinly around the site.

b. 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.

c. New vegetation shall be selected, planted, and maintained so that at maturity it will not interfere with utility lines, vehicular parking, pedestrian circulation, traffic sight visibility at driveways and street intersections, and will not cause damage and upheaval of sidewalks and pavement.

d. A clear sight triangle shall be maintained at all street intersections and driveway entrances. Such clear sight triangle shall be determined by measuring 25’ 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 seven (7) feet from grade level; mature shrubs, groundcover, or other materials shall not exceed two (2) feet in height from grade level.

e. The preservation of healthy existing trees and shrubs shall be provided wherever possible. 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.

2. If the Development Services Director determines that the proposed Landscaping does not comply with this Ordinance, the Plan will not be approved.

C. PLANTING SCHEDULE

1. Plant Material Minimum Size:

Trees

- Deciduous- 1 ¼ inch caliper
- Evergreen- 15 gallon

Understory Planting:

- Shrubs- 5 gallon
- Accent- 5 gallon
- Groundcover- 1 gallon

2. Landscaped Areas
   - One (1) tree and five (5) understory plants (equal mix of shrubs, accents and groundcover) per 500 sq. ft may be clustered or grouped for aesthetics. Minimum 50% of the trees shall be evergreen. Minimum 50% of the understory planting shall be evergreen.
   - 30% of landscaped area to have natural looking berm at 18 inch min. height from ground level. (berms shall not be placed within sight line triangles).
3. Protective Screening
   - One (1) evergreen tree per 12 linear feet; or
   - Three (3) ft. berm with three (3) ft. shrub planted three (3) ft. on center; or
   - Combination of the above to be approved by the Development Services Director.

D. MODIFICATION TO LANDSCAPE STANDARDS

1. The Development Services Director may grant minor modifications to the standards set forth in this Section if it is determined that:
   a. The strict application of these standards is not possible due to existing physical conditions; and
   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.

SECTION 549 LIQUID PROPANE DISPENSING - RETAIL

A. The design and operation of the proposed facility shall meet the standards of the Office of the Arizona State Fire Marshal.

B. The parcel or lot shall be of sufficient size to meet all parking and automobile circulation requirements set out by this Ordinance. Aboveground storage tanks shall not be permitted on lots or parcels not meeting current parking or circulation standards.

C. Aboveground L.P. (liquid propane) storage tank(s) shall be a minimum of twenty-five feet (25’) from all property lines.

D. Crash guards shall be installed on three foot (3’) centers on all sides of L.P. fuel storage tank(s) consisting of six foot (6’) lengths of six inch (6") Schedule 40 steel and embedded in concrete two feet (2’) deep and twelve inches (12") around.

E. A minimum setback or separation of one hundred feet (100’) shall be maintained from the tank to the nearest residentially zoned parcel or "R" residential occupancy building as specified under the Uniform Building Code.

F. The maximum size L.P. storage tank shall not exceed two thousand (2,000) gallons (water capacity).

SECTION 552 MANUFACTURED HOUSING/MULTI-SECTIONAL HOUSING

MANUFACTURED HOUSING/MULTI-SECTIONAL MANUFACTURED HOUSING STANDARDS

A. ZONING REQUIREMENTS:

Multi-Sectional Manufactured Homes/Manufactured Homes are subject to the design/performance standards which follow.

B. DESIGN/PERFORMANCE STANDARDS for Multi-Sectional Manufactured Homes/ Manufactured Homes:

1. All manufactured homes located within the unincorporated area of Yavapai County shall have an affixed "HUD" label certifying that the unit has been manufactured in accordance with the July 1, 1976 Federal Guidelines promulgated by the U.S. Department of Housing and Urban Development (HUD).
2. Mobile homes, as defined in Section 301 (Definitions), are prohibited as dwelling units on individual lots.
3. All multi-sectional manufactured and manufactured homes located on a parcel of land are to be serviced by an approved sewage disposal system prior to habitation.
4. All multi-sectional manufactured homes and manufactured homes shall be skirted with approved material(s). Acceptable material(s) may include block or concrete stem walls, vinyl, aluminum or hardboard sheeting as approved by the Land Use Specialist. Alternative skirting material(s) may be approved by the Land Use Specialist provided the material(s) meet the intent of screening the under-carriage of the unit.

SECTION 555 MOBILE, MFG HOME & RV PARKS (TRAVEL TRAILER)

A. PERMITS:

1. Permits shall be required for all buildings and structures within manufactured home parks. It shall be unlawful for any person to construct, maintain or operate any manufactured home park or trailer camp within the limits of Yavapai County unless he or she or any firm holds a valid clearance issued by the Land Use Specialist in the name of such person, persons or firm for each specific manufactured home, trailer, or structure. The fee for this clearance shall be determined by resolution of the Board of Supervisors. Upon completion of the Administrative Review with Comment Period process (Section 504), issuance of Zoning Clearances and applicable permits shall be made by the Land Use Specialist and shall be contingent upon:
   a. Compliance with all health laws and regulations of the State of Arizona and the County of Yavapai.
   b. Compliance with this local regulation.
2. Applications for Zoning Clearance and building permits to construct or enlarge Manufactured Home Parks, RV Parks or Travel Trailer Camps shall be made in writing, signed by the applicant who shall file with the application proof of ownership of the premises or of a lease or written permission from the owner thereof together with a complete set of plans drawn to scale, showing the location of the proposed manufactured home park, RV park or trailer camp, and which shall include:

a. The areas and dimensions of the tract of land.

b. The maximum number, location and size of all RV, manufactured home or trailer spaces.

c. The location of any existing buildings and any proposed structures.

d. The location and width of access driveways, roadways, parking areas, walkways, and turn-arounds.

e. The location of electrical, water, storm drainage, and sewer lines and the sewage disposal systems.

f. The location and elevation of all flood hazard areas.

g. A contour map showing the proposed grading of the park or camp.

3. No person shall construct or enlarge a manufactured home park, RV park or trailer camp without first obtaining favorable outcome of the Administrative Review with Comment Period process or Use Permit.

4. Before giving site plan approval the Development Services Department may require a performance bond from the operator of the park to assure that the park or camp is constructed and maintained in a satisfactory manner. The Development Services Department may require any other improvements and facilities before approving the manufactured home park, RV park or trailer camp, in the interest of public safety, health and welfare. The Development Services Department may accept the proposed plan, accept the proposed plan with recommended changes, or reject the plan.

B. MANUFACTURED HOME PARK STANDARDS: The following regulations shall apply in respect to manufactured home parks and all Recreational Vehicles, manufactured homes and travel trailers in the park:

1. Parks shall provide for individual spaces, access driveways, parking and recreation open spaces.

2. Parks shall provide at least ten percent (10%) of the total area for recreation or other open space purposes.

3. Parks shall be developed in accordance with Section 440 (Planned Area Development), unless otherwise specified in this Section.

4. All utility lines, cable TV, and electric transmission lines shall be placed underground. Each space shall be provided with water, sanitary sewer, electric lines, telephone lines and gas lines if needed, in compliance with applicable County Ordinances. Fire hydrants shall be installed by the developer as approved by the Development Services Department and the Fire District in which the park is to be located.

5. Refuse collection areas shall be central and screened from public view.

6. Minimum ratio of community use area shall be ten percent (10%) of the total area. Such land may include all land devoted to recreation and service facilities, landscaping not included within manufactured home spaces, and accessory parking areas, such land shall not include recreational vehicle storage areas, private streets, boundary landscaping areas and refuse areas.

7. Recreational vehicle storage areas, if provided, shall be at the minimum ratio of fifty (50) square feet of land for each manufactured home space and shall be surfaced with

surface material. If no recreational vehicle storage is provided, recreational vehicles shall not be stored at individual spaces.

C. PARKING REQUIREMENTS:

1. A minimum of two (2) off-street parking spaces will be provided for each unit space. The parking spaces and the drive shall be dust-proofed and surfaced with crushed rock or similar material. Said parking spaces may be arranged in tandem design.
2. Guest automobile parking shall be provided at a minimum ratio of one (1) parking space for each five (5) unit spaces.
3. A minimum of two (2) vehicular entrances shall be provided for each park. One entrance may be kept closed to the general public if provision is made for emergency access.
4. Street lighting shall be provided along the park streets for the safety of pedestrians.
5. A strip of land, twenty feet (20') in width, shall be maintained as landscaped area (per Section 547 C.2. Landscaping) abutting all park property lines.

D. CERTIFICATE OF COMPLIANCE:

No Certificate of Compliance shall be issued unless and until the following requirements have been met: Unless and until thirty percent (30%) of the spaces planned in any park, or ten (10) such spaces, whichever is greater, shall have been completely prepared, constructed and equipped for use in all respects; and unless and until such portion of the park's community facilities in the category of, but not limited to, driveways, laundry facilities, bath, wash and toilet rooms as the Development Services Department may require, shall have been completely prepared, constructed and equipped for use in all respects.

E. TRAVEL TRAILER CAMP STANDARDS: The following regulations shall apply in respect to all trailer camps:

1. Trailer camps shall provide for individual trailer spaces, access driveways and parking.
2. Each trailer space shall be at least one thousand five hundred (1,500) square feet in area, and at least thirty feet (30') in width and have at a minimum a compacted gravel surface at least ten feet (10') in width and twenty feet (20') in depth.
3. A strip of land at least twenty feet (20') in width shall be maintained as a landscaped area (per Section 547 C.2. Landscaping) abutting all trailer camp property lines except when the camp boundary is adjacent to residential uses when the landscaped area shall be at least fifty feet (50') in width.

F. NON-CONFORMING USES:

1. Existing mobile home parks may be exempted from the requirements of this Ordinance, except in the expansion of said mobile home parks, whereby areas of expansion shall be in conformance with the requirements of this Ordinance.
2. Expansion in addition to the expansion allowed under the non-conforming use provisions shall result in the full compliance of the existing mobile home park with the provisions of this Ordinance.
3. Existing mobile home parks shall be subject to Section 102 (Purpose) for Zoning Clearance and permit issuance.

SECTION 556 MOBILE FOOD UNITS - COMMERCIAL

All Mobile Food Units are subject to the following standards:

A. One Mobile Food Unit is allowed to operate on private property of an existing operating business.

B. Must be located within the confines of the parking lot of the existing business.

C. Alcohol or Marijuana sales are prohibited from any Mobile Food Unit.

D. All Mobile Food Units to obtain Fire Department, Environmental Health and Yavapai County Development Services – Environmental Unit approvals prior to operating on-site.

E. Shall not operate within the public right-of-way and shall not impede visibility for traffic safety.

F. Shall not impede vehicular circulation or site visibility within the parking area of that business.

G. Signs shall be an integral part of the Mobile Food Unit. Additional free-standing signage shall be prohibited, for example: A-frames, Banners, Side-walk Signs, Flags, etc.

H. Shall maintain a clearly marked trash container at the Mobile Food Unit location for refuse disposal and keep area clean from all litter and debris. Use of public trash receptacles for this purpose is prohibited.

I. A Mobile Food Unit may not operate at a private property location for more than ninety-six (96) consecutive hours.

J. Mobile Food Units are prohibited from operating at public airports and County public parks without a special event permit.

SECTION 558 NUISANCE AND HAZARDS

No use or structure shall be operated in such a manner as to be an explosion or fire hazard; nor cause to be exhausted or emitted into the atmosphere any smoke, soot, dust, radiation, odor, noise, vibration, heat, glare or toxic fumes to such an extent as to constitute a nuisance; nor shall water carried waste or pollutants be diverted into any open water course. The dispensing or handling of fuels, paint thinner, or similar explosion or fire producing materials shall comply with Underwriters Laboratories, Inc. standards or better.

SECTION 561 OUTSIDE DISPLAY - COMMERCIAL

A. A site plan acceptable to the Development Services Department shall be submitted prior to the creation or expansion of outside display.

B. Where an area of outside display is contiguous to a parcel or parcels zoned or used for residential purposes:

1. A solid screen six feet (6’) or more in height shall be installed, said screening to be reduced to four feet (4’) in height within the front yard area of the abutting parcels, (or elsewhere for purposes of safe sight distance for ingress/egress) and said screening to consist of one (1) or more of the following: decorative wall, decorative fence, earth landscaping, dense live plant material (per Section 547 C.3. Landscaping), or depressed

(lower than surrounding grade) display area in keeping with natural terrain; or

2. A setback of the display area of at least twenty feet (20') shall be maintained from the abutting parcels and shall include a landscaped screening (per Section 547 C.3. Landscaping).

C. Where an area of outside display abuts a street on the side or rear which is contiguous to a parcel or parcels zoned or used for residential purpose:

1. There shall be a landscaped border (per Section 547 C.2. Landscaping) not less than six feet (6') in width and a solid wall four feet (4') in height shall be erected between the landscaped area and display area (excepting areas for ingress and egress); or

2. A setback of the display area of at least twenty feet (20') shall be maintained from the abutting street right-of-way and shall include a landscaped border (per Section 547 C.2. Landscaping).

D. Where an area of outside display abuts a public right-of-way (or a private street used as if it were a public right-of-way) a setback of the display area shall be maintained meeting the following minimum conditions:

1. Twenty feet (20') from the nearest edge of pavement (or useable road surface); and

2. Six feet (6') from the right-of-way line.

E. No outside display shall interfere with required parking or maneuvering room for employees and customers, nor with required loading areas, nor with fire lanes to the building(s) nor with pedestrian ways or crosswalks, nor with safe sight distance for ingress and egress.

F. Paving of display area shall meet minimum County road standards.

G. Landscaping per Section 547 C.2 Landscaping consisting of a six foot (6') strip around the periphery of the display area shall be maintained, except where a zero setback is permitted, such as an internal lot line adjacent to a commercial zone.

H. Lighting of the display area shall be reduced (to the minimum necessary for security purposes) between hours of operation.

I. No unscreened outside storage of parts, nor outside display or parking of vehicles or accessories not in operating and saleable condition shall take place on the premises (whether or not other outside display is taking place).

SECTION 564 OUTSIDE STORAGE

A. The outside storage of objects and materials shall be permitted as an accessory use (i.e.: where a primary use has already been established) in residential zones plus RS, PAD, PM, RCD and OS zones, provided the following conditions are met:

1. A property occupant may park any number of personally owned private vehicles outside on residential property. Where a primary residential use has been established, a property occupant may park outside on residential property one (1) commercial vehicle not exceeding five (5) ton gross vehicle weight (GVW) or one (1) commercial vehicle exceeding five (5) ton GVW with Administrative Review with Comment application approval pursuant to Section 504 (Administrative Review with Comment Period). Parking of vehicles is allowed provided that all vehicles are for use of the occupant and are complete, operable and currently licensed and are arranged in an orderly fashion. Vehicles unable to meet these conditions will be deemed disabled or inoperable. Said

disabled vehicles or vehicles determined to meet the definition of a junk vehicle are limited to two (2) per parcel. These disabled, inoperable or junk vehicles must be placed in the side or rear yard (but not within the required front yard setback) and screened in such a manner so as they are not visible from any public or private street right-of-way or adjacent property. Personally owned vehicles may be offered for sale on an individual person-to-person basis on a residentially zoned parcel where a primary residential use has already been established, provided that no more than two (2) vehicles may be offered for sale at any one (1) time.

2. Unlimited areas of firewood may be stored, provided that the firewood is for on-site personal use only and is stacked no higher than six feet (6') unless against a structure.

3. Unlimited areas of construction materials may be temporarily stored, provided that the construction materials are for use on-site pursuant to a current, valid construction permit and are stacked no higher than six feet (6') and are kept at least ten feet (10') from all property lines of adjacent occupied residential properties.

4. A property owner or tenant may park or store any number of personally owned (and for personal use) travel trailers, motor homes, recreational vehicles, boats, boat trailers, utility trailers, or other similar items designed for personal non-commercial uses outside on residential property where a primary residential use has been established. No more than one (1) travel trailer, motor home or recreational vehicle, boat, trailer, etc. which is owned by a party other than the present owner or tenant of the property shall be stored. No travel trailers, motor homes or recreational vehicles on residentially zoned parcels or lots shall be used or made suitable for use for long-term occupancy without a Temporary Dwelling Permit, Use Permit or Secondary Medical Dwelling Variance as per Section 525. Evidence of an intention for long-term occupancy shall include at least three (3) of the following:

   a. Being hooked up to power.

   b. Being hooked up to water.

   c. Being hooked up to sewer or septic facilities.

   d. Being raised or leveled by means of jacks or blocks.

   e. Having a mailbox.

   f. Having any attached or adjacent structure or improvement that enhances the on-site livability and/or decreases the mobility of the vehicle.

   g. Removal of wheels or axles or hitches on a vehicle normally fitted with wheels and axles and/or hitches.

5. Temporary use of a travel trailer, motor home or recreational vehicle as an occasional overflow guest room for non-paying or non-reimbursing relatives or guests is authorized as outlined provided such interim use does not exceed ninety (90) days of continuous duration or a total of ninety (90) days in a year or one (1) twelve (12) month period. Temporary use of recreational vehicles shall be only authorized upon satisfaction of the following performance criteria:

   a. Subject property is occupied by a permitted primary residential structure.

   b. The Environmental Unit shall be furnished with information to determine that the septic or sanitary facilities are adequate to accommodate additional effluent

from the temporary recreational vehicle (RV) unit installation.

c. Verification by the Land Use Specialist that the foregoing criteria have been addressed prior to authorizing occupancy of the unit.

6. All boats, trailers, motor homes, travel trailers, recreational vehicles shall be kept in reasonable repair and operable and neatly arranged.

7. A property owner or tenant may place appliances (washers, dryers, refrigerators, freezers, ranges, stoves, furnaces, water heaters, air conditioners, etc.) outside, provided said appliances are in an operable condition and are hooked up for personal on-site use.

8. A property owner or tenant may place articles of furniture outside, provided such furniture is in reasonable repair and weather resistant condition and is intended for personal on-site use.

9. A property owner or tenant may park or store construction, mining, or farming equipment or machinery outside, provided such equipment or machinery is in operable condition and is intended for personal on-site use.

10. No vehicular parts, components or accessories not independently operable, nor any large non-structural objects, which are in disuse, or for use other than on site shall be stored outside.

11. Any outside storage unable to meet the above exceptions and conditions must meet one (1) of the following restrictions:

a. Methods of screening for outside storage may include acceptable wooden fencing, masonry walls, rock walls, landscaped berms or live vegetative screening meeting Section 547 C.3 Landscaping. All outside storage shall be totally screened from view of any contiguous property or right-of-way or easement and located in the side or rear yard. All screening for outside storage shall be subject to the review and approval of the Planning and Zoning Commission or the Development Services Director. Adjoining property owners will be notified by mail of the proposed location and method of screening when an alternative method of screening is presented to staff for their consideration.

b. Not exceed the heights and square footages provided for the setbacks from the nearest property line as follows:

DISTANCE to nearest property line	MAXIMUM ALLOWED Square footage	MAXIMUM ALLOWED Height in feet
101 to 200 feet	200’	6’
201 to 300 feet	300’	6’
301 to 400 feet	400’	8’
401 to 500 feet	500’	8’
501 or more feet	Unlimited	8’

12. Manufactured homes, mobile homes, travel trailers, recreational vehicles, truck trailers, commercial trailers, boxcars, or any other vehicle shall not be attached to or placed on any lot and are not allowed to be stored or utilized for storage purposes in any District, with the exception of the specific allowances referenced in Sections 564 A.1 through 12 (General Provisions – Outside Storage) and Section 400 (Use Districts). These

prohibited vehicles/containers may be considered for storage when there are unique circumstances subject to obtaining an approved Use Permit.

13. The outside storage of steel storage containers is allowed as an accessory use with an established primary use, solely for the storage of personal items owned by the property owner, occupant or business in the RMM or less restrictive Use Districts provided as follows:

    a. A Zoning Clearance is obtained prior to placement of the unit.

    b. Containers shall meet the minimum yard requirements of the primary structure in the applicable Density District as well as building separation and lot coverage requirements.

    c. All containers shall be painted and maintained either the primary structure color or an earth tone consistent with the surrounding terrain prior to placement.

    d. Any electrical service to comply with applicable County Codes.

    e. The sum of all Steel Storage Containers to be 400 square feet or less on any one (1) property subject to Flood Control and Building Safety requirements.

    f. Minimum residential use parcel size is two (2) acres.

    g. On commercial parcels steel storage containers not to exceed lot coverage percentage.

    Any unit not able to meet the foregoing performance criteria will require a Use Permit prior to permitting and installation. Temporary uses of such containers (up to two (2) years) can be administratively approved in conjunction with approved construction/remodeling projects as referenced in Section 410.G.4. R1L District.

B. The outside storage of objects and materials shall be a permitted accessory use in Cl and C2 (general commercial) zones provided that:

1. All conditions of OUTSIDE STORAGE shall be met except that "on-site personal use" shall be construed to include those uses incidental to the permitted commercial (as well as personal) uses pertaining to the property.

2. All conditions of OUTSIDE STORAGE shall apply except that one (1) travel trailer, motor home or recreational vehicle may be hooked up to power, water, sewer or septic facilities or otherwise made suitable for long term occupancy for the purposes of a caretaker/watchman’s quarters only per parcel in a C1 or C2 zone without a Use Permit approval or PAD for a travel trailer/recreational vehicle park for watchman/caretaker purposes.

3. No merchandise shall be displayed or stored outside in a C1 or C2 zone except as provided for vehicles in the C1 Use District or by Use Permit (Section 582). Merchandise displayed temporarily during business hours only under the roof of an attached porch or carport shall be considered inside display. Vending machines permanently installed against but outside of a structure shall not be considered outside display.

C. The outside storage of objects and materials shall be a permitted accessory use in C3 (heavy commercial) zones as per Paragraphs B 1. and 2. above except that square footage limits and setbacks shall be waived. Height limitations and screening requirements shall not be waived.

D. The outside storage of objects and materials shall be a permitted accessory use in Ml and M2

(industrial) zones, provided that screening is provided from non-industrially zoned properties within two hundred feet (200').

E. Outside storage not complying with this Subsection is hereby deemed a public nuisance and shall not enjoy any rights to continuation, restoration, exchange of uses, or expansion as if a lawful non-conforming use, and shall be abated.

SECTION 565 PARK MODELS

PARK MODEL STANDARDS

A. ZONING REQUIREMENTS:

Park Models are subject to the design/performance standards which follow.

B. DESIGN/PERFORMANCE STANDARDS for Park Model Homes:

1. Park model homes may be permitted as dwelling units beginning in the R1 Use District.
2. Park models shall not be more than five (5) years old at the time of installation.
3. Park models must meet the standards set forth in ANSI A119.5.
4. All units must be installed per manufacturer's specifications.
5. Any additions to a park model will require separate permits and must be self-supporting.
6. All park models located on a parcel of land are to be serviced by an approved sewage disposal system prior to habitation.

SECTION 567 PROTECTIVE SCREENING

Where a commercial, office or non-residential use abuts property in any residential zone, a masonry wall six feet (6') in height, above the average elevation of the ground level within a six foot (6') radius of the point of measurement on the fence or wall shall be erected and maintained between such uses and the residential zone. Walls in the front yard setback shall not exceed heights of four feet (4'). Alternatives that are equivalent to a six foot (6') masonry wall, including double-sided solid wood fencing, stuccoed wood frame walls, native stone or rock veneered walls or a dense live vegetative buffer meeting Section 547 C.3 Landscaping, may be approved by the Planning and Zoning Commission or the Development Services Director.

SECTION 568 PUBLIC WORKS REGULATIONS

All uses shall be in compliance with all Yavapai County Public Works requirements and regulations, including any road regulations duly adopted by the Board of Supervisors and administered by the Yavapai County Public Works Department.

SECTION 570 REAL ESTATE OFFICE STANDARDS - TEMPORARY

A. USE DISTRICT PROVISIONS:

Temporary real estate offices are permitted within the R1L (Single Family Limited) Use District in conjunction with an approved subdivision plat and subject to performance standards outlined under Subsection C below.

B. USE RESTRICTIONS:

No activities other than the representation for sale of lots and homes within the approved subdivision in which the sales office is located.

C. DESIGN/PERFORMANCE STANDARDS:

1. Sales facility shall be utilized for on-site sales of lots and homes within the approved subdivision only.
2. Temporary sales facility shall only be administratively authorized for a period of three (3) years from approval of Phase one of the project and/or issuance of the Public Report from the Arizona Department of Real Estate (ADRE). Extensions in two (2) year increments beyond the initial period shall require an Administrative Use Permit with comment period.
3. Staff approval of site plan drawn to scale prior to issuance of building permits and initiation of the use. Plan shall indicate number of on/off street parking spaces, lot surfacing, signage height/location and compliance with other applicable regulations.
4. Temporary signage to comply with current Planning and Zoning Ordinance and Subdivision Regulations.
5. At the end of the three (3) year authorization period or termination of the use, whichever comes first, all temporary signage is to be removed.

SECTION 571 RVs AND TRAVEL TRAILERS TEMPORARY CAMPING

A. Temporary occupancy of one (1) travel trailer or RV as defined in Section 301 (Definitions) on a lot without a primary use must meet the following standards:

1. Lot size of two (2) acres or more.
2. Occupancy limited to ten (10) consecutive days.
3. Frequency may not exceed three (3) times per calendar year with a minimum of thirty (30) day intervals between stays.
4. Occupancy limited to property owner. Rental is prohibited.
5. Travel trailer or RV must be serviced by an approved on-site wastewater system or be fully self-contained.
6. Travel trailer or RV may not be connected to any utilities.
7. Unit must meet the same setbacks applicable to a primary residence.
8. Unit may only be stored on the lot during occupancy term. No storage of non-occupied travel trailers or RVs is allowed.

SECTION 573 SELF-SERVICE STORAGE FACILITIES STANDARDS

A. ZONING REQUIREMENTS:

Self-Service Storage Facilities are allowed in C2, C3, PM, M1 and M2 Zoning Districts.

B. USE RESTRICTIONS:

No activities other than rental of storage units and pick-up and deposit of dead storage shall be allowed within the self-storage complex. Other permitted uses may be allowed on the property subject to all applicable Zoning District Regulations. General commercial uses set out under the C2 Zoning District are permitted on residual commercially zoned acreage that is not

involved in the mini-storage complex. Watchman's or manager's quarters are permitted subject to compliance with residential building code requirements. Examples of activities prohibited at Self-Storage Facilities include, but are not limited to, the following:

1. Commercial wholesale or retail sales, or miscellaneous auctions and garage sales prohibited except for the purpose of foreclosure liquidation by a proprietor as outlined under A.R.S. §33-170l through §33-l706.
2. The servicing, repair or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment.
4. The establishment of a transfer and storage business.
5. Any use that is noxious or offensive because of odors, dust, noise, fumes or vibrations.
6. Storing of radioactive materials, explosives and flammable or hazardous chemicals.
7. Use as a residence or for housing animals is prohibited.
8. Utilizing the Self-Storage Facility for other than dead storage (See Section 301 Definitions).

Note: All storage, rental or purchase contracts shall include the above listed restrictions.

C. DESIGN/PERFORMANCE STANDARDS:

1. Lot Requirements:
   a. Lot size to be a minimum of one-half (l/2) acre.
   b. Lot coverage to be a maximum of fifty percent (50%).
2. Driving/loading lanes shall be a minimum of twenty feet (20’) in width (paved driving surface) when cubicles open onto one (1) side of the lane only and a minimum of twenty-four feet (24’) when cubicles open onto both sides of the lane. Driveway corners shall have a minimum thirty foot (30’) radius. Dead-end driveways shall in no instance exceed in length the requirements of the Fire Code and in instances that dead-end driveways exceed one hundred fifty feet (150’) in length, same shall be reviewed and approved in writing by the local Fire Marshall and in the absence of a Fire District, shall be reviewed by the State Fire Marshall.
3. Setbacks:
   a. All facets of the development structures shall be set back a minimum of twenty feet (20’) from the required fence for fire access purposes.
   b. A ten foot (l0’) separation must be maintained between all buildings.
4. Fire Suppression:
   a. Facility shall conform to the Uniform Fire Code requirements relating to type of construction, accessibility, building separations, water storage and fire flows, etc. and Zoning Clearance applications shall be accompanied by a written statement from the affected local Fire District Fire Marshall or in the absence of a Fire District, the Chief Building Official, stating that the facility as designed meets the requirements and specifications of the Fire Code.
   b. In areas not administered under the Building Code and subject to inspection the

property owner shall demonstrate that the building has been constructed to the Fire Marshall's specifications prior to occupancy.

5. Access: An emergency ingress/egress shall be provided in addition to at least one (1) main ingress/egress for customer use.
6. Building Height Restrictions:
   a. Maximum height for one (1) story not to exceed fourteen feet (14') at the eaves.
   b. Maximum height for two (2) story not to exceed thirty feet (30').
7. Signage restrictions shall be as specified in Section 601(Sign Code).
8. Perimeter fencing shall conform to the general provisions for Protective Screening (Section 567).
9. Parking: One (1) parking space per employee plus one (1) space per fifty (50) storage units will be required.

SECTION 581 TRASH, GARBAGE, AND REFUSE CONTAINMENT

Any owner, occupant, person in control, or manager of any property shall keep trash, garbage, and refuse in a container of suitable size, shape and material so as to prohibit the contents from being scattered by wind or rain and shall prohibit accessibility to rodents and other vermin.

SECTION 582 USE PERMITS

A. USE PERMITS (UP) are provided for instances where a use or uses normally prohibited by a Use District should be allowed due to the unique characteristics of the property and of the surrounding area, but a rezoning to a less restrictive Use District is not appropriate. The UP is combined with the allowed uses in the applicable Zoning District.

B. USES PERMITTED:
   1. All uses allowed in the Use District with which the UP is combined.
   2. Any use permitted under the specific terms of the UP.

C. SPECIAL PROVISIONS:
   1. Use Permits are applied for in the same manner as zoning district changes. A Temporary UP may be reviewed and extended by the Board of Supervisors upon its expiration without posting or publication, provided no material condition of the UP is altered.
   2. Use Permits are granted at the discretion of the Board of Supervisors, and refusal is not the denial of a right. The applicant must demonstrate to the satisfaction of the Board of Supervisors that any structure or use requested will not be detrimental to persons or property in the vicinity and that it is in the best interests of the public health, safety and welfare. The applicant must demonstrate the ability to comply with any specific conditions imposed.
   3. Use Permits may contain specific limitations on the scope, nature and duration of the use, and may be granted for the specific benefit of the applicant only (non-transferable), as deemed proper to secure the objectives of this Ordinance. Use Permits may be temporary or permanent. Any Temporary UP does not grant a vested right beyond the

term of the permit. Where an application involves a definite development scheme the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested.

4. Permittees must obtain building permits within one (1) year from the permit date and diligently pursue completion. Failure of such shall void the UP unless a longer time has been granted or an Extension of Time has been applied for with the Director of Development Services prior to the expiration of the one (1) year period. The Director may administratively grant up to a one (1) year extension of time. Any further requests for Extensions of Time must be applied for and approved by both the Planning and Zoning Commission and Board of Supervisors prior to the expiration of the Administrative Extension of Time.
5. Violation of the terms of the UP or this Ordinance voids the UP.
6. If the use or uses for which a UP has been granted are discontinued for a continuous period of six (6) months, the UP shall be voided.
7. Decisions by the Development Services Director which result in the voiding of a UP may be appealed to the Board of Supervisors, subject to an application for appeal being on file in the Development Services Department within thirty (30) days of notification of the UP being voided.
8. Within thirty (30) days permittees shall notify the Development Services Department of any change of address of the permittee, any change of use of the permitted property, and/or any change of ownership or operator of the permitted use.

SECTION 585 VEHICLE AND PORTABLE MACHINERY REPAIR

The following activities are not allowed in the general repair of automobiles, light trucks, recreational vehicles, cycles, and small stationary or portable machinery:

A. Any fabrication by means of welding, cutting, heating, bending, molding, forging, grinding, milling or machining. (Such operations are permissible as an adjunct to repair only, not for manufacturing a product.)

B. Frame work or major body or fender work.

C. Any work on vehicles outside permitted structures or enclosures, unless on the service apron of a gasoline service station.

D. Any unscreened outside storage of parts, materials, or disabled vehicles.

E. Any draining or dumping of oil, fuel, grease, cleaning fluids or hazardous materials on the pavement, gravel, ground, drainage system or in any other unauthorized place or method.

F. Any hours of operation between 10:00 P.M. and 6:00 A.M. within two hundred feet (200’) of any parcel zoned or used for residential purposes;

G. Any use or structure failing to comply with applicable local and State fire safety standards.

SECTION 588 YARDS AND COURTS

A YARD or COURT (see Section 301 Definitions) shall be unobstructed from the ground up by structures (other than fences, free standing walls, signs and certain subsequently permitted deviations and projections). Where reference is to a "required setback" for a structure same shall designate the minimum yard therefore. No lot shall be reduced in such a manner to reduce any yard or open space

below the minimum required therefore. No yard or open space required for a structure on one (1) lot shall serve the same purpose for a structure on another lot. Through lots fronting on two (2) streets shall be considered (for required setback purposes) as having two (2) front yards. No device, such as doors and windows, may be so installed as to protrude beyond a lot boundary in the operation thereof.

A. Yard deviations, where not in conflict with future width line:

1. Front Yard Deviations:

a. Where all or some of the existing buildings in the same block with a proposed building, and lying within one hundred feet (100') therefrom, vary from the minimum front yard requirements, then the average front yard depth for such existing buildings shall determine the required minimum yard depth for such proposed building (unless waived in writing by owners of such other buildings). In no case may such yard depth be less than the minimum required for the District, nor need such yard depth be required to exceed by fifty percent (50%) of the required minimum.

b. On lots rising or descending in elevation from front to center or rear to center and exceeding twenty-six percent (26%) grade thereon, the front yard may be reduced not to exceed fifty percent (50%) of the required minimum.

2. Side Yard Deviations:

a. On any interior Residential Zoned lot lacking rear access (other than from the front street) and where a garage or carport is not attached to the principal building, then one (1) side yard must measure no less than nine feet (9') to provide access to rear parking.

b. On a corner lot backing to a Key lot no structure exceeding a four foot (4') height may be located adjacent to the side street within a triangular area formed by a line connecting the street intersection with the required front setback line of the Key lot.

c. When a lot sides on an alley, such required side yard adjacent thereto may be reduced not to exceed fifty percent (50%) provided such reduced setback, plus half the alley width, is not less than the yard width required for the District.

d. On legal sub-standard width lots an interior side yard may be reduced by half the lot width shortage, provided such reduction does not exceed twenty-five percent (25%) of the required yard width.

3. Rear Yard Deviations:

a. On lots of less than two hundred eighty feet (280') depth the required rear yard shall be increased by the width of a potential half alley.

b. On lots exceeding a two hundred eighty feet (280') depth the required rear yard shall be increased by the width of a potential half street.

c. On lots rising or descending in elevation from front to center or rear to center and exceeding twenty-six percent (26%) grade thereon, the rear yard may be reduced not to exceed fifty percent (50%) of the required minimum.

B. Encroachment into yards, where not in conflict with future width lines: No structure (other than fences, free standing walls or signs) shall be located so as to encroach upon or reduce any open space, yard, setback requirement, lot area or parking area as is designated under these

Provisions or under the Provisions of the District in which located, except that:

1. All Yards Encroachments:
   a. Cornices, eaves, coolers, decks and open balconies, fire escapes, stairways or fire towers may project no more than five feet (5') into any required yard or court, but no closer than two feet (2') from any lot boundary.
   b. Sills, leaders, belt course (and similar ornamental features) and chimneys may project two feet (2') into any required yard or court.
2. Front Yard Encroachments:
   a. A bay window, oriel, entrance or vestibule not exceeding a ten foot (10') width may project three feet (3') into any required front yard.
   b. An attached open porch, deck or open balcony, or a carport may project no more than six feet (6') into any front yard.
3. Rear Yard Encroachments:
   a. A bay window, oriel, entrance or vestibule not exceeding a ten foot (10') width may project three feet (3') into any required rear yard.
   b. An attached open porch, deck or open balcony, or a carport may project no more than ten feet (10') into any required rear yard, but no closer than ten feet (10') from any common lot boundary.
   c. A detached accessory structure may be placed in a required rear yard provided same does not:
      (1) Encroach upon the end quarter of a through lot.
      (2) Be nearer the side lot line of the front half of any adjacent lot than the required side yard of such lot.
      (3) Be nearer any property line than is allowed for a principal building for any portion of an accessory building to be used for dwelling or sleeping purposes. None of the foregoing provisions for detached accessory buildings shall limit such building from location farther than seventy-five feet (75') from any lot boundary.

C. Setbacks from streets and alleys (yard depth) are measured from the right-of-way or easement (or what would be such where only a partial right-of-way exists).

D. Swimming pool setbacks from any lot boundary shall be no less than five feet (5') on Residential Zoned lots and no less than twenty-five feet (25') for any commercial (semi-public or public) pool.

E. Courts from which rooms depend for natural ventilation of light must be open to the sky and maintain a minimum dimension of five feet (5'), plus one (1) additional foot width for each story above the first.

F. Additional Setback requirements in Commercial zones:
   1. Any Residential District uses in a commercial zone shall maintain the same yards required by the Density District, except that where dwelling units, or guest units, occupy an upper floor (the ground floor of which is used for business) such upper floor may maintain the same yards as are permitted for the ground floor.

2. A front yard of not less than twenty feet (20') shall be required where the proposed commercial building is on a lot contiguous to a Residential Zoned lot fronting on the same street (unless waived in writing by the owner of such Residential Zoned lot).
3. Where the side lot line of a commercial lot is common to the side lot line of a Residential Zoned lot, the side yard shall be no less than seven feet (7').
4. Where the rear lot line of a commercial lot is contiguous to a Residential Zoned lot, the rear yard shall be no less than fifteen feet (15').

CHAPTER 6 FOCUSED DEVELOPMENT REGULATIONS

SECTION 601 SIGN CODE

The following Section shall be known and cited as the Yavapai County Sign Code and shall be incorporated by reference into the Planning and Zoning Ordinance of the County of Yavapai, replacing and superseding all former references to signs in that Ordinance.

The uses, locations, types, heights, sizes and illumination of signs (for illumination see also Section 603 Light Pollution Control) are regulated in order to protect the attractiveness of the County, to enhance tourism, to promote commerce, to preserve property values, to insulate residential areas from the undue impact of signs, to foster the effectiveness of business signage, to promote traffic and pedestrian safety, and to protect the general welfare.

DEFINITIONS:

Awning: A shelter or cover projecting from and supported by an exterior wall of a building.

Canopy: Same as awning.

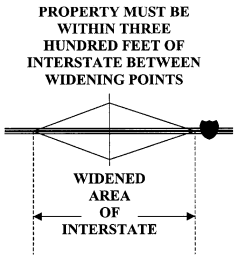
Commercial and/or Industrial Center: A group of two (2) or more businesses associated by a common agreement or common ownership with common parking facilities.

Construction (Beginning): The placement or attachment of sign-related materials (e.g. posts, poles, brackets, standards, bolts, screws, lumber, concrete, block, footings, paint) on the ground or on an existing building or other structure.

Frontage: The length of the property line of any one (1) premise along a public right-of-way on which it borders.

Grade: Average elevation of the ground within a radius of twenty feet (20') from the center point of the sign.

Interstate Freeway Interchange: Where ingress or egress is obtained to a federal interstate highway; specifically delineated as lying within three-hundred feet (300') of the federal right-of-way and between the two (2) points of widening of the interstate highway right-of-way approaching the interchange. (See Example)



Lighting, Internal-Reverse Print: An internally lighted sign in which the visible lighted area constitutes less than fifty percent (50%) of the total sign area, with lighted or visible letters against a dark background.

Mansard: A roof with two (2) angles of slope, the lower portion of which is steeper and is architecturally comparable to a building wall. Also a facade with a slope approaching the vertical which imitates a roof. (See accompanying diagram)

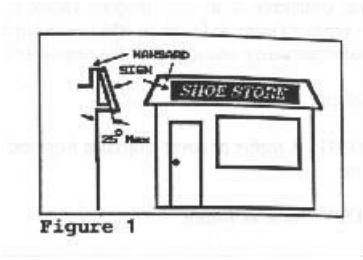


Figure 1

Marquee: A permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building, to be considered a canopy for sign allowances.

Parapet: The extension of a false front or wall above a roof line.

Reconstruction, Substantial: Improvement or repair valued in excess of fifty percent (50%) of the current value of a sign. Reconstruction does not include merely repainting or changing the copy on the sign if the use and size remain the same.

Roof Line: The highest point of a structure including parapets, but not to include spires, chimneys or heating or cooling mechanical devices. (See accompanying diagrams)

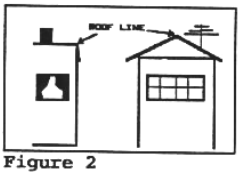


Figure 2

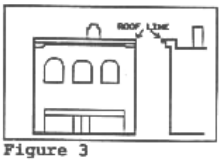


Figure 3

Sign: Any identification, description, illustration, symbol, or device which is affixed directly or indirectly upon a building, vehicle, structure, or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution, or business.

Sign, Abandoned: A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Sign, Canopy: Any sign erected directly upon or suspended from a canopy (awning). (See accompanying diagram)

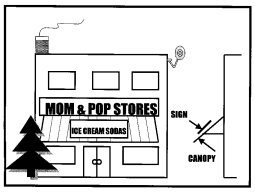


Figure 4

Sign, Directional: Any sign which is designed solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed, and which contains no advertising copy. (See accompanying diagram)

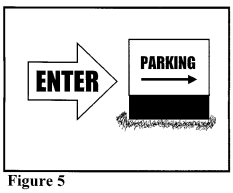


Figure 5

Sign, Directory: Any sign listing the names, use, or location of the businesses or activities conducted within a building or group of buildings. (See accompanying diagram)

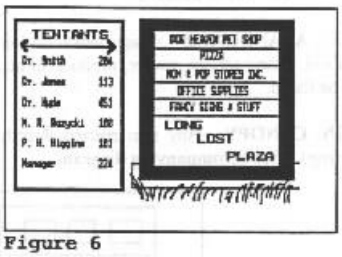


Figure 6

Sign, Free-Standing: A sign which is erected on its own self-supporting permanent structure, detached from any significant (i.e. weight-bearing) supporting elements of a building (lateral stabilizing support is not considered attachment to the building). (See accompanying diagram)

Figure 7

Sign, Height: The distance measured from grade at the base of a sign to the topmost portion of a sign, including decorative embellishments.

Sign, Identification: Any sign identifying by name, message, or symbol, a business, residence, occupant activity, institution, establishment, operation, merchandise, product, or service available at the property on which the sign is displayed.

Sign, Illuminated: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Sign, Non-Conforming: Any sign which is not allowed under this Code but which when first constructed was lawful.

Sign, Number of Faces On: (See accompanying diagram)
(1) Single-Faced: If a sign has copy on one (1) side only or if the interior angle between the two (2) sign faces or sides is greater than forty-five degrees (45°), it shall be considered one (1) face; the area will be considered to be the sum of the areas of both sides.

(2) Double-Faced: If the angle between the two (2) sign faces is less than forty-five degrees (45°), the sign shall be considered double-faced, the sign area will be the area of one (1) face only.

If two (2) sign faces are attached to a structure with a thickness exceeding thirty-six inches (36") or the two (2) faces are separated by a distance exceeding thirty-six inches (36"), then the sign area will be the area of both faces.

Figure 8

(3) Multi-Faced: Any sign containing more than two (2) sides. The area shall be the area of the largest side plus the area of any other side whose interior angle with any other side exceeds forty- five degrees (45°).

Sign, Off-Premise (Billboard, Outdoor Advertising): A sign advertising a business, place, activity, goods, services, or products on a different property from where said sign is located.

Sign, On-Premise: A sign advertising a business, place, activity, goods or services or products on the same property on which the sign is located.

Sign, Political: A temporary sign used in connection with a local, state, or national election or referendum.

Sign, Portable: Any sign not permanently affixed to the ground or a structure on the site it occupies. (See accompanying diagram)

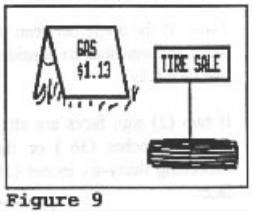


Figure 9

Sign, Projecting: Any sign attached to a building or other structure and extending in whole or in part more than twelve inches (12") beyond the building. Shall be considered "free-standing" signs with reference to square footage allowances. (See accompanying diagram)

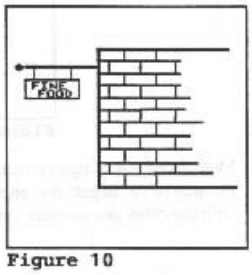


Figure 10

Sign, Roof: Any sign erected upon the roof of any building or which is partially or totally supported by the roof or roof structure of the building. (See accompanying diagram)

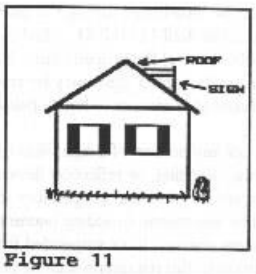


Figure 11

Sign, Under-Canopy: A sign suspended beneath a canopy, ceiling, roof, or marquee shall be considered a "free-standing" sign with reference to square footage allowances.

Sign, Wall-Mounted: A sign mounted or painted flat against, projecting less than twelve inches (12") or painted on the wall of a building with the exposed face of the sign in a plane parallel to the face of said wall. (See accompanying diagram)

Figure 12

A. GENERAL PROVISIONS: Except as may be further restricted in specific zones, all permitted signs shall be subject to the following:

1. A sign may be illuminated as allowed for under Section 603 (Light Pollution Control).

2. No sign, nor any portion of a sign, shall rotate, move, or simulate movement by means of fluttering, spinning, or reflection devices, nor shall it contain an electronic message device except for time and temperature signs, nor shall it flash, blink, be audible, or be animated by any means, including banners, pennants, or devices affected by movement of air. Signs attached to or suspended from hot air or helium balloons are prohibited. An exception to this paragraph shall be permitted for a period of seven (7) consecutive days for the Grand Opening of a permitted business upon the bona fide occurrence and at the location of one of the following:

   a. An "arms length" change of ownership.

   b. Opening of a new location.

   c. An expansion of floor area of at least twenty- five percent (25%).

   Such exceptions shall first obtain a Temporary Sign Permit, with a minimum sign permit fee. An exception for a Grand Opening shall be permitted no more than once in any twelve (12) month period at any one location.

3. Lighted beacons, searchlights, or other lights or lighted devices, which attract attention to a property, are prohibited.

4. No sign may encroach upon or overhang adjacent property or public right-of-way. No sign shall be attached to any utility pole, light standard, bridge, or any other public facility located within the public right-of-way. Signs may be located in or project into required yards, but no sign nor any support for a sign shall be located in, or project into any private street, alley, easement, driveway, parking area or pedestrian way in such a manner as to obstruct the intended use or to constitute a safety hazard.

5. Canopy (awning) signs shall not project above the canopy. Signs may be attached flat against canopies made of rigid materials; canopies of non-rigid materials (e.g. canvas) shall only have signs painted on them. Signs attached to a building shall not project above the eave line or parapet. Signs mounted on the lower portion of a mansard roof with a slope exceeding seventy-four degrees (74°) from the horizontal are permitted provided they do not project above the top of the lower roof.

6. In no case shall any sign exceed thirty feet (30’) in height.

7. The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border 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.

8. No sign shall be painted on or affixed to any natural object in its natural location such as a boulder, tree or cliff face.

9. Signs may be painted directly onto structural surfaces (walls or buildings) but not onto any roof.

10. 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 intersection traffic.

11. No sign shall simulate the appearance of an official traffic sign, signal or device, nor the warning or signal device of any emergency vehicle.

12. Signs painted on or attached to vehicles which are parked on the public right-of-way or on private premises for a continuous period in excess of seventy-two (72) hours or repeatedly for three (3) consecutive days, for the purpose of intentionally circumventing the intention of the Ordinance, shall be considered portable signs within the meaning of this Ordinance.

13. In no case shall any sign project above the roofline of the building upon which it is mounted. Roof mounted signs are permitted, if otherwise in compliance, and shall be considered to be a variety of wall-mounted sign.

14. No person shall exhibit, post or display upon any sign or wall any statement, symbol or picture of an obscene nature.

15. New signs exceeding six (6) square feet in area or exceeding eight feet (8’) in height shall follow the permitting requirements specified in Subsection L. (Sign Permits). Relocation or substantial reconstruction, i.e., costing more than fifty percent (50%) of the present value of a sign, shall be considered a new sign for building permit purposes.

16. Signs that identify or advertise uses on other than the property on which they are located shall be permitted only in heavy commercial and industrial districts. See Subsection D (Off-Premise Signs)

17. Signs that are not permitted in a residential zone shall not be placed closer than twenty feet (20’) to any Residentially Zoned lot.

18. Signs located within the triangular area on a corner lot formed by measuring thirty feet (30') along both street lines from their intersection or at the intersection of a public street and a private street or driveway, shall maintain a maximum three foot (3’) top height or minimum eight foot (8’) bottom height and contain a maximum of two (2) supports with a maximum twelve inch (12") diameter each. (See accompanying diagram)

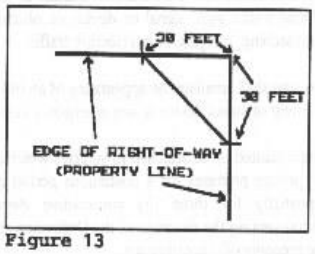


Figure 13

19. All signs shall be stable. Portable signs are permitted where indicated for Zoning Districts provided they are planted securely into the ground, weighted, or otherwise anchored to resist rolling, blowing, tipping over or otherwise moving from a safe location.

20. Signs deemed dangerous, abandoned, or in substantial violation of this Sign Code by the Land Use Specialist, shall require correction within thirty (30) days of official notification, or be subject to removal by the County, and the owner billed for the actual cost of removal pursuant to A.R.S. §11-268 and any Yavapai County Ordinance authorizing such billing for removal of signs and determining that dangerous, abandoned, or violating signs are included in the scope of the referenced statute.

21. All freestanding signs will comply with Section 540 (General District Provisions – Height Limits) (i.e., one foot (1') setback for each foot in height shall be required).

B. EXEMPT SIGNS: The following signs shall be exempt from obtaining permits and other provisions of this Ordinance provided they satisfy the following requirements or specifications:

1. Official notices authorized by a court, public body, or public safety official.

2. Directional, warning or information signs authorized by or consistent with Federal, State, County, or Municipal Authority.

3. Memorial plaques and building cornerstones when cut or carved into masonry surface or when made of incombustible material and made an integral part of the building or structure.

4. Commemorative symbols, plaques and historical tablets.

5. Political signs on private property, provided however, that such signs shall be erected no more than sixty (60) calendar days prior to the last day for casting ballots, and removed within ten (10) calendar days following the last day for casting ballots of the election to which they refer; and that the total sign area permitted for any individual sign shall not exceed thirty-two (32) square feet.

6. 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 place of religious worship; and temporary displays for a maximum of twenty (20) days of a patriotic, religious, charitable, or civic character shall be exempt from the provisions of this section. However, if the height exceeds thirty feet (30'), such signs shall be subject to the approval of the Development Services Director. The preceding shall not be construed as to permit the use of such flags, insignias, etc. for the purpose of advertising or identifying a product or business.

7. Signs located within structures, including inside window signs intended to be seen from outside of the building.

C. SPECIAL PURPOSE SIGNS:

1. Directional or Information Signs:

a. Permanent on-premise directional signs are permitted in all Districts, (and are in addition to the aggregate area limits specified in each Zoning District) subject to the following:

(1) This sign shall contain no advertising copy.

(2) This sign shall not exceed four (4) square feet in area per face.

(3) This sign may be double-faced.

(4) This sign may be placed flat against a wall of a building or such sign may be free standing, but shall be no higher than eight feet (8') above grade.

(5) This sign may be used to designate entrances or exits to or from a parking area, but the number shall be limited to one (1) for each such entrance or exit.

(6) Off-premise permanent directional or information signs for public service or safety facilities (such as hospitals and clinics) may be permitted through the Use Permit process as provided in Section 582. Such signs may be specifically approved up to twenty-four (24) square feet.

(7) The total number of directional signs is not limited, provided such signs are not located within required setback yards.

(8) Directional subdivision signs are permitted in any zone, and are subject to that zone's square footage limitations. 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 one (1) such sign for each subdivision vehicular entrance, not to exceed a total of three (3); and

(b) Directional subdivision signs may only be displayed during the two (2) years following the date of recordation of the final plat map.

b. Permanent off-premise directional signs are permitted for certain tourist and recreation related businesses, which by their nature must be located away from arterial highways, such as destination campgrounds and resorts. Such signs shall be:

(1) Located at the arterial highway and/or intersections of access roads heading directly to the business.

(2) Limited to six (6) square feet of panel area, not to exceed eight feet (8') in height above grade, unlighted.

(3) Limited in content to a generic description (one or two words) of the facility (such as "camping"), an arrow or words giving directions (such as

"next right"), and a symbol or logo identifying the chain or name of the business.

(4) Mounted on the same standard where more than one (1) such sign is erected at any one (1) intersection and collocation elsewhere whenever possible.

(5) Required to obtain an off-premise sign permit (even though under the minimum size otherwise requiring a permit).

(6) Limited to three (3) such signs providing direction to any one (1) parcel.

(7) Shall be required to obtain a Use Permit (Section 582) for each sign.

2. Temporary Real Estate, Construction and Subdivision Signs:

a. Temporary, including portable, “For Sale” or rental signs are permitted in any zone. One (1) on-site unlighted sign not exceeding six (6) square feet on each street frontage adjoining a site, plus one (1) “Open House” sign not exceeding six (6) square feet are allowed. Open house signs shall not be located in landscaped parkways, street medians, or bike trails. When affixed to a parcel of two (2) acres or larger, which lies contiguous to a major arterial highway with a right-of-way width of at least one hundred fifty feet (150’) at the location of the sign, a sign shall be permitted not to exceed twelve (12) square feet in area. Free-standing signs shall not exceed six feet (6’) in height. All sale and rental signs shall be removed within thirty (30) days from date of sale or rental, or after removal of the property from the active market.

b. Construction Signs are permitted, subject to the square footage limitations of the respective Zoning District, and in no case to exceed a total of forty (40) square feet in area for the project. On the site of a project actively under construction, unlighted signs to identify each contractor, architect or engineer, etc., engaged in a project are permitted. Free-standing signs shall not exceed eight feet (8’) in height. Such signs shall be removed within thirty (30) days after the completion of the project or any cessation of construction activity for a continuous period of six (6) months.

c. On-site signs for subdivisions (including condominium projects) advertising only the subdivision and the sale of lots or units from a recorded plat, shall be permitted provided there shall be no more than one hundred (100) square feet of total sign area for each subdivision and a total of five (5) signs. They shall not extend into any required yard nor shall any sign exceed twelve feet (12’) in height. Such on-site signs shall be permitted until the sales office is abandoned in the subdivision or for a maximum of two (2) years, whichever occurs first, and provided that such signs are maintained in good condition. Extensions beyond the two (2) year limitation may be granted in the form of a Use Permit (Section 582) for one (1) year increments.

d. For the purpose of administering this Section, apartment or group housing complexes of thirty (30) units or more shall be considered within the definition and regulations of a subdivision in Subsection C.2.c. above. Apartment complexes may display directional signs for a period of one (1) year following construction completion, subject to the additional regulations for Temporary Sign Permits.

e. Office buildings or complexes, shopping centers and industrial parks may display leasing and rental signs for a period of one (1) year following construction completion. These signs shall be limited to one (1) free-standing sign and two (2) building-mounted signs not to exceed a combined total of one hundred (100) square feet in area. Free-standing signs shall not exceed eight feet (8') in height. After this one (1) year period, standard regulations above shall apply.

3. Self-Service Storage Facility Signs:

Signage shall be limited to one (1) sign for each property line abutting or adjoining a street right-of-way. Signs identifying the nature of the residential storage facility shall not exceed fifteen feet (15') feet in height or forty (40) square feet in area. No additional advertising signs will be permitted within the Self-Storage Complex.

D. OFF-PREMISE SIGNS: Off-premise signs may be permitted subject to the following conditions, and restrictions:

1. Off-Premise signs other than directional signs described in Subsection C.1.b. above shall be permitted only in the C3, M1, and M2 Zoning Districts.

2. No new, relocated, or reconstructed off-premise sign shall be permitted within two hundred feet (200') of a residential zone.

3. No new, relocated, or reconstructed off-premise sign shall be permitted within one thousand five hundred feet (1,500') of an existing off-premise sign.

4. Off-premise signs shall be constructed on no more than three (3) supports.

5. Off-premise signs shall be located at least one thousand feet (1,000') from the property to which it refers or advertises.

6. In addition to the general provisions of this Sign Code, all off-premise signs shall conform to the following development standards:

a. Maximum height: twenty feet (20').

b. Maximum area: one hundred sixty (160) square feet.

c. Shall not be located closer to a street than any existing building within one hundred feet (100') thereof, but in no case closer to the street right-of-way than twenty feet (20').

d. Lighting shall be either internal or by indirect source (shielded and either directed downward with reference to the horizontal plane of the ground surface or fitted with an approved glare reduction device to prevent the upward escape of light).

8. Off-Premise signs consisting of banners or other temporary means of advertising annual special community events, festivals, and similar public gatherings of a "not-for-profit nature" shall be permitted in C2, C3, M1, and M2 Zoning Districts. Such signs shall obtain Temporary Sign Permits, on a no-fee basis, prior to their erection. Permits for such signs shall be for a specific period, after which such signs shall be removed. Such signs shall otherwise comply with the general provisions, and the provisions of the Zoning District in which they are to be placed, except that with proper authorization, such signs may be placed within or across the right-of-way of a public street or road. The number of such signs shall be limited to one (1) per entrance to the community by a

County or state arterial highway.

9. If any off-premise sign contains copy advertising a use, business or product no longer in existence or available; or is left blank or damaged so as to be largely illegible; or is maintained without copy or without "space available" advertising for a period exceeding one hundred eighty (180) days or six (6) months, such sign shall be deemed abandoned and such sign shall be removed within thirty (30) days of written notification.

E. SIGN REGULATIONS Specific to the Residential Districts: R1L (Single Family Limited), RMM (Multi-Sectional Manufactured Homes), R1 (Single Family), R2 (Multi Family), OS (Open Space), RCU (Rural Residential), and RCD (Residential Camping). No sign shall be placed or maintained in any R1L, RMM, R1, R2, OS, RCU and RCD Districts, except as follows:

1. Permanent Signs:

a. Name Plate Signs: A name plate sign identifying the name of the occupant of a residence, the occupant's profession or title, and the address of the dwelling is permitted, subject to the following:

(1) This sign shall not exceed four (4) square feet in area, nor eight feet (8’) above grade at the sign.

(2) This sign shall be located on the property to which it pertains and the number of signs shall be limited to one (1) for each dwelling.

(3) This sign may be indirectly illuminated by one (1) light bulb or fluorescent tube not exceeding one hundred fifty (150) watts.

b. Identification Signs:

(1) Signs identifying churches, schools, public utility buildings and facilities, hospitals, institutions of an education, religious, health, charitable or philanthropic nature, homes for the aged, nursing homes, convalescent homes, libraries, museums, community buildings, airports, cemeteries and mausoleums, golf courses, parks, playgrounds, tennis courts and campgrounds are permitted, subject to the following:

(a) This sign shall not exceed twenty-four (24) square feet in area, and may be double-faced.

(b) This sign may be placed flat against a wall of a building or such sign may be free standing, but placement against a wall of a building shall extend no higher than ten feet (10’) above the grade at the base of the wall. The height of a free-standing sign shall not exceed ten feet (10’) above grade.

(c) This sign shall contain no advertising copy.

(d) This sign shall be located on the property to which it pertains and the number shall be limited to one (1) for each such use listed in Subsection 1.b.(1) above. Two (2) such signs shall be permitted if the parcel exceeds five (5) acres in area and has frontage on more than one (1) publicly dedicated street or road.

(2) Signs identifying multi-family dwellings, apartment developments, boarding or rooming houses shall be allowed one (1) sign per street

frontage entrance, each not exceeding sixteen (16) square feet in area.

(a) This sign may be placed flat against a wall of a building or such sign may be free standing, but placement against a wall of a building shall be no higher than ten feet (10') above grade nor above the roof line. The height of a free-standing sign shall not exceed ten feet (10') above grade.

(b) This sign shall be for residential identification purposes only and shall contain no business identification or advertising copy.

(c) This sign shall be located on the property to which it pertains.

c. Subdivision Signs: Permanent subdivision entrance signs are permitted. At the major street entrance to a subdivision or development, not more than two (2) signs are permitted, indicating only the name, symbol, logo, or other graphic identification of the subdivision or development each sign not exceeding twenty (20) square feet in area, not exceeding six feet (6') in height, attached to and not extending above a wall or fence.

2. Temporary Signs: Temporary signs as provided in Subsection C.2. (Special Purpose Signs) of this Section are permitted, subject to all regulations contained therein.

F. SIGN REGULATIONS Specific to Light Commercial Districts: RS (Residential Services), C1 (Light Commercial), and PM (Performance Industrial). No sign shall be placed or maintained in any RS, C1 or PM Zoning District, except as follows:

1. Identification or Advertising: Signs identifying uses permitted in any RS, C1, or PM District and not located in a commercial or industrial center, are permitted subject to the following:

a. Signs may be wall-mounted, free standing or portable.

b. The aggregate sign area on any one (1) property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than twenty-four (24) square feet, and in no case shall the area exceed ninety-six (96) square feet.

c. One (1) free-standing sign is permitted, the area of which may not exceed one-third (1/3) of the allowable total aggregate area for the property, except that the area of the sign need not be less than sixteen (16) square feet. This sign may be double-faced.

d. Free-standing signs shall not exceed a height of twelve feet (12'), except that free-standing signs at Interstate Freeway Interchanges (see Definitions) in the C1 Zoning District shall not exceed a height of thirty feet (30').

e. Signs shall be located on the property to which they pertain.

f. In addition to the signs described above, each separately housed business may have one (1) portable on-premise identification or advertising sign, not to exceed six (6) square feet in area, nor four feet (4') in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. See Subsection A.19. (General Provisions) of this Section.

2. Temporary Signs: Temporary signs as provided in Subsections A.2. (General Provisions) and C.2. (Special Purpose Signs) of this Section are permitted, subject to all

regulations contained therein.

G. SIGN REGULATIONS Specific to the Medium Commercial C2 Zoning District. No sign shall be placed or maintained in any C2 Zoning District, except as follows:

1. Identification or Advertising: Signs identifying uses permitted in any C2 District and not located in a commercial or industrial center are permitted subject to the following:

   a. Signs may be wall-mounted, free standing, or portable.

   b. The aggregate sign area on any one (1) property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than twenty-four (24) square feet, and in no case shall the area exceed one hundred twenty-eight (128) square feet.

   c. One (1) free-standing sign is permitted, the area of which may not exceed one-half (1/2) of the allowable total aggregate area for the property, except that the area of the sign need not be less than twenty-four (24) square feet. This sign may be double-faced.

   d. Free-standing signs shall not exceed a height of fifteen feet (15'), except that free-standing signs at Interstate Freeway Interchanges (see Definitions) shall not exceed a height of thirty feet (30').

   e. Signs shall be located on the property to which they pertain.

   f. In addition to the signs described above, each separately housed business may have one (1) portable on-premise identification or advertising sign, not to exceed six (6) square feet in area, nor four feet (4') in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances.

2. Temporary Signs: Temporary signs as provided in Subsections A.2. (General Provisions) and C.2. (Special Purpose Signs) of this Section are permitted, subject to all regulations contained therein.

H. SIGN REGULATIONS Specific to the Industrial Zoning Districts: C3 (Commercial and Minor Industrial), M1 (Industrial: General Limited), and M2 (Industrial: Heavy). No sign shall be placed or maintained in any C3, M1, or M2 Zoning District, except as follows:

1. Identification or Advertising Signs (On-Premise): Signs identifying or advertising uses permitted in any C3, M1, or M2 Zoning District, and not located in a commercial or industrial center are permitted, subject to the following:

   a. Signs may be attached to a wall of a building or such sign may be free standing or portable.

   b. The aggregate sign area for any one (1) property shall not exceed an area of one (1) square foot for each linear foot of street frontage adjoining the property to which it pertains, except that the total area need not be less than sixty (60) square feet and in no case shall the area exceed one hundred sixty (160) square feet.

   c. One (1) free-standing sign is permitted, the area of which may not exceed one-half (1/2) of the allowable total aggregate area for the property; except that the area of the sign need not be less than twenty-four (24) square feet. This sign

may be double-faced.

d. Free-standing signs shall not exceed a height of fifteen feet (15'), except that free-standing signs at Interstate Freeway Interchanges (see Definitions) shall not exceed a height of thirty feet (30').

e. In addition to the on-premise sign described above, each separately housed business may have one (1) portable identification or advertising sign, not to exceed six (6) square feet in area, nor four feet (4') in height, which may be double-faced. Such portable sign shall be included in the aggregate sign area allowances. See Subsection A.19. (General Provisions) of this Section.

2. Off-premise Signs: Off-Premise Signs are permitted, subject to all regulations contained in Subsection D (Off-Premise Signs) of this Section.

3. Temporary Signs: Temporary signs as provided in Subsections A.2. (General Provisions), C.2. (Special Purpose Signs), and D.8. (Off-Premise Signs) of this Section are permitted, subject to all regulations contained therein.

I. SIGN REGULATIONS Specific to the PUD and PAD Zoning Districts and Use Permits:

Permanent and temporary signs are permitted as stipulated in the PUD, PAD, or Use Permit approval, or, if not stipulated, consistent with the regulations of the Zoning District which most closely approximates the approved uses.

J. SIGN REGULATIONS Specific to Manufactured Home, Travel Trailer, and Recreational Vehicle Parks:

1. Signs placed or maintained within any park are subject to all the regulations set forth under Subsection E.1.a. (Name Plate Signs).

2. Permanent park entrance signs shall comply with the regulations set forth under Subsection E.1.c. (Subdivision Signs).

3. Signs identifying travel trailer parks and recreational vehicle parks are subject to all the regulations set forth under Subsection F for light commercial districts (RS, C1) or under Subsection G for medium commercial districts (C2) depending on the zone in which the park is placed.

K. OFFICE COMPLEXES, COMMERCIAL AND INDUSTRIAL CENTERS in the RS, C1, C2, C3, M1, M2, PM, PAD Zoning Districts: Signs pertaining to a group of two (2) or more businesses associated by a common agreement or common ownership with common parking facilities are permitted, subject to the following regulations:

1. Individual business signs shall be in accordance with the following:

a. The total aggregate area of all signs on the site pertaining to any one (1) business shall not exceed thirty-two (32) square feet. However, if the portion of the building adjacent to the street property line of that lot measures more than forty feet (40'), then the total aggregate area of one (1) face of all such signs on the site may be increased in area at the rate of one (1) square foot of sign area for each foot of building frontage in excess of forty (40) lineal feet. The total aggregate area of all such signs on the site shall not exceed forty-eight (48) square feet for each separate business. For corner buildings, only the main entrance frontage shall be so measured.

b. When two (2) or more businesses occupy one (1) building with common entrances, (i.e., without separate entrances), they shall be considered one (1) business for sign computation purposes.

c. Such signs shall be wall-mounted or under-canopy signs.

d. Under-canopy signs shall be business identification signs and shall be limited to one (1) per business and a maximum of six (6) square feet in area.

2. Center Identification Signs shall be in accordance with the following:

a. One (1) free-standing center identification sign per street frontage of the entire site is permitted, provided that:

(1) Such signs shall identify the center only, and shall not be counted in the total aggregate sign area for individual business identification.

(2) The maximum area does not exceed thirty-two (32) square feet per sign and maximum height does not exceed twelve feet (12').

b. A second such free-standing sign shall be permitted for a lot whose street frontage measures greater than two hundred feet (200'). Where such second sign is permitted, it shall be at least one hundred feet (100') from the other sign.

3. Directory signs may be provided to identify and direct, with location numbers and/or arrows, to individual businesses in an office complex or commercial/industrial center, in accordance with the following:

a. No more than one (1) such sign per tenant business.

b. Each sign shall not exceed one (1) square foot in area. The area of such sign shall be permitted in addition to the aggregate permitted in Subsection 1.a. above.

c. Such signs shall be placed together in one (1) or more groups at points nearest the pedestrian entrances to the businesses so indicated.

d. Such signs or groupings of signs shall be wall-mounted or mounted on free-standing monument sign standards.

e. Such signs or groupings of signs shall not exceed six feet (6') in height.

L. SIGN PERMITS:

1. Permit required: A sign permit shall be secured from the Yavapai County Development Services Department prior to the erection, relocation, construction, installation or substantial reconstruction (including painting or enlarging a painted sign on the surface of a permitted structure) of any non-exempt sign exceeding six (6) square feet in area, or higher than eight feet (8') above grade at the sign, regardless of value.

2. Fees:

a. There shall be a fee established by the Board of Supervisors' resolution.

b. The sign permit fees established above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign is begun prior to the issuance of a sign permit, except when such construction was done by a/the prior owner.

3. Sign Permit Application: Each application for a sign permit shall be made at a County Development Services Office on the appropriate form(s) and shall contain at a minimum the following information:

   a. Assessor's Parcel Number identifying the property.

   b. Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel (a parcel that is not part of a recorded subdivision), a copy of the recorded legal description must be submitted with the application.

   c. Copy to be placed on the sign(s).

   d. Nature of the proposed use of the sign and premises.

   e. Type of sign and materials used, methods of support, free standing or other.

   f. Estimated true value of sign and associated structural supports.

   g. Dimensions of sign panel as well as bottom and top heights above grade.

   h. Type, placement and strength of illumination, if any.

   i. Number and orientations of faces of sign (aerial-view sketch, if necessary, to depict faces and orientation).

   j. A (signed) plot plan showing the following:

      (1) Shape and dimensions of lot boundaries.

      (2) Location of rights-of-way or ingress and egress easements lying on the parcel or providing access to the parcel.

      (3) Driveways and parking spaces, if any.

      (4) Location, dimensions, spacing and heights and uses of existing and proposed structures on the lot including signs, their dimensions, and if free standing or wall-mounted.

      (5) Washes or waterways on or within two hundred feet (200’) of the lot.

      (6) North designation.

      (7) Location of sign on property.

   k. A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces.

   l. Such other information as the Land Use Specialist may require for the purpose of determining whether the application complies with the Ordinance requirements.

   m. Name, address, and phone number of property owner and agent, if any.

   n. Signature of applicant or agent.

4. Sign Sticker or Tag: Each permitted sign shall display an official County tag or sticker indicating its assigned permit number, affixed to the face or support of the sign, on the side facing the street in a visible location.

5. Pre-Existing Signs:

   a. Legal conforming signs and legal non-conforming signs existing prior to the effective date of this Ordinance, shall be permitted to continue subject to General Provisions regarding the removal of dangerous or abandoned signs and Off-Premise Signs of this Code, regarding obsolescence and abandonment. Continuation shall include the right to repaint or change the message or copy on the sign provided the size and height is not increased and provided the sign is not converted from on-premise to off-premise use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign.

   b. Pre-existing signs shall be inventoried and identified by the County as pre-existing. Such signs shall have an identification tag or sticker affixed to its surface by the County denoting its inventoried pre-existing status.

6. Signs Not Requiring Permits: Signs not requiring permits by virtue of their height and size must nevertheless comply with all other requirements and restrictions of this Code.

7. Temporary Sign Permits: Signs with a limited duration of use, such as those provided in Subsections A.2. (General Provisions), C.2. (Special Purpose Signs), and D.8. (Off-Premise Signs), shall obtain a Temporary Sign Permit. The requirements and criteria for such signs are as follows:

   a. A Temporary Sign Permit is specifically required for community special event banners and signs, signs advertising the forthcoming construction of a building, exceptions granted administratively for Grand Openings, and one-time events.

   b. Temporary Sign Permits shall be issued for no more than one (1) year. An extension of a Temporary Sign Permit shall be made the subject of an application for a Use Permit.

   c. Temporary Signs shall conform to all other requirements of this Code.

   d. The fee for a Temporary Sign Permit shall be the same as a permanent sign permit, except as otherwise noted.

SECTION 602 PARKING AND OFF-STREET LOADING

The following provisions shall apply as noted, except as may be modified, supplemented or supplanted under the provisions of any particular Zoning District.

I. OFF-STREET PARKING REQUIREMENTS

The purpose of this Section is to minimize congestion of the public streets and to promote the safety and welfare of the public. Off-street parking is required as accessory to principal uses permitted in the District and Zoning Clearance(s) shall not be issued nor land uses authorized other than in conformity with such parking requirements.

DEFINITIONS:

Circulation Area: Driveways and other maneuvering areas (other than parking aisles) used for access to parking or loading areas or other facilities on the lot.

Driveway: That portion of the vehicle parking area that constitutes a travel lane for ingress-egress that is not part of the vehicle parking area.

Gross Floor Area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for any use.

Loading and Unloading Area: That portion of the vehicle parking area utilized for accessing vehicles.

Parking Area: That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. This area comprises the total of circulation areas, loading and unloading areas, and parking areas (spaces and aisles).

Parking Area Aisles: That portion of the vehicle parking area consisting of lanes providing access to parking spaces.

Parking Space: A portion of the vehicle parking area established or allocated for the parking of one (1) vehicle.

Usable Area: In calculating the total number of required parking spaces, Usable Area shall mean the area devoted to the specified use (does not include such spaces as kitchens, restrooms, hallways, etc.), and the term "seat" shall also include each thirty inches (30") of bench seating when individual seats are not provided.

Use: The purpose for which a building, or lot, or structure, is arranged, designed, occupied or maintained.

A. REQUIREMENTS FOR OFF-STREET PARKING:

1. Maintenance of Existing Parking: All off-street parking required by this Section shall be established and improved before operation of the use or uses requiring such parking area may begin, and shall be maintained for the duration of such use.

2. Existing off-street parking shall not be reduced or modified for any existing business except in instances where parking space allocations meet all requirements of these Zoning Ordinance regulations. Modifications to the parking allocation may be considered by the Chief Land Use Specialist and/or the Board of Adjustment in instances where the Institute of Traffic Engineer Standards further clarify the parking ratio or allocation for a business not specified herein.

3. The use of off-street parking space for the storage of merchandise, vehicles for sale or rent, or for repair of vehicles, shall be expressly prohibited.

4. When the use of any existing building, structure, or premises is changed to a new use, or the intensity of the use is increased through the incorporation of additional dwelling units, gross floor area, seating capacity, or other units of measurement specified for required parking or loading facilities, and which change of use or intensity creates a need for an increase in the total number of required parking spaces of ten percent (10%) or twenty (20) spaces, either with a single change or cumulative changes, subsequent to the effective date of this Ordinance, then parking and loading facilities as required shall be provided for the entire building, structure or premises. When such an increase in required parking is less than ten percent (10%) cumulatively, the change of use or intensity is exempt from the requirements of this Section.

5. Required improvements shall be completed in accordance with these Zoning regulations prior to commencement of the use or occupancy of the site.

B. LOCATION OF REQUIRED PARKING SPACES:

1. Residential Uses:

   Required off-street parking for single-family dwellings shall be provided on the same site as the building or use being served. Off-street parking for multiple-family dwellings or residences in PAD zoning districts may be provided in a parking area on or off the site not farther than two hundred feet (200') from an entrance to each dwelling unit it is intended to serve.

2. Non-Residential Uses:

   Required off-street parking shall be located on or off the site within three hundred feet (300') of the building or use it is intended to serve, the distance being measured from the nearest point of the building or use; provided, however, that parking facilities for sports assembly, public assembly for outdoor entertainment, sports, and recreational activities, resorts and group camps, or similar uses shall be located not farther than one thousand three hundred feet (1,300') from the nearest point of such building or use.

   The Chief Land Use Specialist may authorize off-premise parking including on-street parking within three hundred feet (300') of the associated business, as part of a development plan or proposal, in instances where use of the parking area is authorized on a long-term basis by the property owner and/or the public jurisdiction that administers public right-of-way.

The Chief Land Use Specialist may deny a request to use off-premise or on-street parking in instances where authorization may be on a temporary basis and/or if the proposed off-premise parking plan is not in the interest of the public health, safety and welfare. A decision to deny a development plan or proposal may be appealed to the Board of Adjustment.

C. METHODS OF PROVIDING REQUIRED OFF-STREET PARKING may be achieved by any one or a combination of the following:

1. One (1) parking area may contain required spaces for several different uses, but except as otherwise provided in this Section, the required space assigned to one use may not be credited to any other use.

2. Combination of Uses: Where there is a combination of uses on a lot, the number of automobile parking spaces shall be the sum of the requirements of the various uses. If, in the opinion of the Development Services Director, the uses would not be operated simultaneously, the number of automobile parking spaces shall be determined by the use with the highest parking demand.

3. Shared Parking: By securing the consent to use off-street parking facilities under another's ownership, which is not otherwise used or required during the principal operating hours of usage, that consent shall be in written form and a copy filed with the County Land Use Specialist. The number of parking spaces may be reduced up to a maximum of twenty percent (20%) of the total spaces required. In the event the off-site spaces are or become no longer available, the owner shall provide additional parking to meet this requirement.

4. Provisions shall be made for maintenance of common service areas by a corporation, partnership, trust or other legal entity having the right to access or place a lien upon the individual lot owners for all necessary costs and/or expenses. A letter of maintenance responsibility will be required as part of the Zoning Clearance procedure.

D. DIMENSIONS AND CIRCULATION:

1. Each parking space shall contain a rectangular area at least twenty feet (20’) long and nine feet (9’) wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this Section.

2. In parking areas containing ten (10) or more parking spaces, up to twenty percent (20%) of the parking spaces may contain a rectangular area of only seven and one-half feet (7½’) in width by fifteen feet (15’) in length. If such spaces are provided, they shall be conspicuously designated as reserved for small or compact cars only.

3. Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking:

	PARKING ANGLE				
	0º	30º	45º	60º	90º
REQ. AISLE WIDTH					
One-Way Traffic	13 ft.	11 ft.	13 ft.	18 ft.	24 ft.
Two-Way Traffic	19 ft.	20 ft.	21 ft.	23 ft.	24 ft.

4. Where such areas are contiguous to a rural or residential district (except when separated by a public street), a solid wall six feet (6') in height shall be installed on the District boundary line, said wall to be reduced to four feet (4') in height within the front yard area of the abutting rural or residential district.

5. Access: Space utilized for ingress and egress for a parking area shall be from a two (2)-way driveway and shall not exceed thirty feet (30') in width measured along the street frontage R.O.W. (right-of-way) and a minimum width of twenty-four feet (24') and shall not constitute more than twenty-five percent (25%) of the total frontage of the parking area.

6. Entrances and exits to parking lots and other parking facilities shall be provided only at defined entry and exit locations approved by the Development Services Department. Ingress and egress from parking areas shall not be located less than thirty feet (30') from any intersection R.O.W.

7. Passenger Drop-off Points: Drop off points separated from street traffic and readily accessible without hazardous maneuvering, shall be provided in conjunction with the following uses: Hotels, motels, hospitals and clinics, educational facilities with fifty (50) or more pupils, daycare centers, religious facilities with one hundred (100) or more seats, transit terminals, major recreational facilities, commercial airports, public buildings and offices and financial services greater than five thousand (5,000) square feet of gross floor area.

E. GENERAL DESIGN REQUIREMENTS:

1. Unless no other practicable alternative is available, vehicle parking areas shall be designed so that vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve no more than two (2) dwelling units.

2. Vehicle parking areas for all developments shall be designed so that sanitation, emergency, and other public service vehicles can serve such developments.

3. Every vehicle parking area shall be designed so that vehicles do not extend beyond the perimeter of such area onto adjacent properties or public rights-of-way.

4. All lights used to illuminate parking spaces shall be installed pursuant to Section 603 (Outdoor Light Control). Said lights shall be no greater than eighteen feet (18') in height.

5. Requirements for handicapped parking and access are required pursuant to A.R.S. §41-1492.01 et. seq.

F. SCHEDULE OF REQUIRED OFF-STREET SPACES:

1. For a use not specifically listed, requirements shall be the same as those for the most similar use listed as determined by the Development Services Department.

2. Fractional Amount: In calculating the total number of required off-street parking spaces, fractional amounts are to be rounded to the nearest whole number (one-half (1/2) shall be rounded to the next highest number).

3. Parking for Places of Public Assembly: Buildings used for public assembly, whether erected following the adoption of this Ordinance or converted subsequently for same, parking shall be provided as indicated in the Requirements for Off-Street Parking Spaces on the following pages.

REQUIREMENTS FOR OFF-STREET PARKING SPACES

1. RESIDENTIAL USES	
a. One or two-family residence; multiple dwellings; efficiency units; one-bedroom units; two or more bedroom units.	Two (2) per dwelling unit.
b. Rooming houses, fraternities, sororities, resident-clubs, lodges, boarding houses.	One (1) space for each bedroom.
c. Manufactured home parks and subdivisions.	Two (2) per dwelling unit, except that one-bedroom units require only one (1) space.
d. Elderly housing developments.	One and one half (1.5) per dwelling unit.
e. Churches, religious institutions, including associated residential structures for religious personnel.	One (1) space for every four (4) seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses.
f. Bed & Breakfast.	One (1) space per Bed & Breakfast guest unit plus required parking spaces for resident family and one (1) per employee.
2. COMMERCIAL SALES/SERVICES a. Restaurants, bars, cocktail lounges. 1. No carry-out; no drive-in and no delivery service.	One (1) space per one hundred (100) sq. ft. of gross floor area plus one (1) per employee.
2. Including carry-out/delivery service, including drive-in service and on-site consumption.	Same as 2.a.1 above, plus reservoir land capacity equal to five (5) spaces per drive-in window.
b. Mortuaries, funeral homes.	One (1) space per one hundred (100) sq. ft. of gross floor area, or one (1) space per every three (3) seats in the main assembly room, whichever is greater, plus one (1) per employee plus one (1) per commercial funeral vehicle.
c. 1. Self-service laundries. 2. Dry-cleaners.	One (1) space per three (3) washing machines plus one (1) space per employee. One (1) space per one hundred (100) sq. ft. of gross floor area.
d. Open air businesses including used-car lots.	One (1) space per five hundred (500) sq. ft of sales area for the first two thousand (2,000) sq. ft. plus one (1) per each additional two thousand (2,000) sq. ft.
e. Theaters, auditoriums, arenas, indoor and outdoor stadiums, amusement parks, automobile and motorcycle racing tracks.	One (1) space per three (3) seats plus reservoir lane capacity equal to three (3) spaces for entrance/exit.

f. Retail gas; gas service stations.	One (1) per two (2) gas pumps plus one (1) space per two hundred (200) sq. ft. of gross floor area of building devoted primarily to gas sales operation.
g. Carwash 1. Automatic/Conveyer type. 2. Manual/self-service.	 One (1) space per each employee plus reserve spaces equal to three (3) times the wash lane capacity. Two (2) spaces for drying and cleaning purposes per stall plus three (3) reservoir spaces in front of each stall.
h. Motor vehicle and machinery sales.	One (1) per eight hundred (800) sq. ft. of floor area.
i. Planned shopping centers under unified control.	One (1) per two hundred (200) sq. ft. of gross floor area.
j. Barber shops, beauty shops.	One (1) per chair and one (1) per employee.
k. Furniture and appliance store, household equipment.	One (1) per eight hundred (800) sq. ft. of usable floor area.
l. Retail stores (except where otherwise specified).	One (1) per two hundred (200) sq. ft. of public floor area.
m. Hotels, motels.	One (1) per guestroom or suite plus one (1) per two (2) employees plus additional space (in accordance with other sections of this table) for restaurants or other facilities.
n. Bus depots.	One (1) per one hundred fifty (150) sq. ft. of waiting room space.
o. Skating rinks, dance halls, dance studios, bowling alleys, gymnasiums, health studios.	One (1) space for every three (3) persons of maximum capacity permitted by fire regulations (If they can be measured in such a fashion. Example: tennis courts or bowling alleys), plus one (1) space per two hundred (200) sq. ft. of gross floor area used in a manner not susceptible to such calculations.
p. Billiard parlors.	One (1) per two (2) billiard tables plus one (1) per two (2) employees.
q. Private tennis clubs and similar uses.	Two (2) spaces per court plus one (1) per employee, plus one (1) per two hundred (200) sq. ft. of usable enclosed building area.
r. Wholesale.	One (1) space per employee plus one (1) space per one hundred (100) sq. ft. of floor area.
s. Business offices designed to attract and serve customers or clients on the premises such as offices of attorneys, physicians, insurance and stockbrokers, travel agents.	One (1) space per two hundred (200) sq. ft. of gross floor area.
t. Golf courses.	One (1) space per two hundred (200) sq. ft. of area within enclosed buildings plus one (1) space for every three (3) persons that the outdoor facilities are designed to accommodate when used to maximum capacity.

u. Self-service storage facility.	Two (2) spaces for caretaker residence and/or office plus one (1) guest space per fifty (50) units.
v. Banks with drive-up windows.	One (1) space per two hundred (200) sq. ft. of area within main building plus reservoir land capacity equal to five (5) spaces per window.
3. MANUFACTURING/INDUSTRIAL USES	One (1) per five hundred (500) sq. ft. of gross floor area or one (1) per employee, whichever is greater, and one (1) per company vehicle (except PM District; See Section 430).
4. SCHOOLS	
a. Nursery schools, day care centers.	One (1) space per employee plus one (1) space per two hundred (200) sq. ft. of gross floor area.
b. Elementary schools.	One and one half (1.5) spaces per classroom plus one (1) space per employee.
c. Secondary schools	Five (5) spaces per classroom plus one (1) space per employee.
d. Trade or vocational schools.	One (1) space per one hundred (100) sq. ft. of gross floor area.
e. Colleges, universities, community colleges.	One (1) space per one hundred fifty (150) sq. ft. of gross floor area.

G. PARKING AREA SURFACING IMPROVEMENTS:

1. Single-family dwelling sites, used for one (1) permanent dwelling only, irrespective of plan area designation or Zoning District, shall be exempt from parking area improvements.

2. Manufactured Home Park office area shall meet standards for commercial uses thresholds for improvements.

3. Commercial Uses Thresholds for Improvements (See table that follows this Section):

a. Vehicle parking areas for commercial businesses shall be paved with asphaltic concrete or other dust free material pursuant to County Resolution #1036, and shall be properly drained to prevent impoundment of surface water in the following instances:

(1) The commercial business includes driving lanes for drive-in windows.

(2) The commercial business is required to have over twenty (20) parking spaces or a gross area of six thousand (6,000) square feet of parking area allocated

b. Vehicle parking areas that are less than three thousand six hundred (3,600) square feet of parking area or less than ten (10) parking spaces shall be graded and provided with an all-weather surface, dust-free gravel surface, or equivalent in conformance with County Fire District regulations and approved by the County Engineer, and shall be properly drained to prevent impoundment of surface water. Parking areas with gravel surface need not be marked; however, they must be set off from the street and from other portions of the site by curbing or equivalent screening around the perimeter of the parking area, except

for clearly defined points of ingress and egress.

c. Vehicle parking areas that are not provided with the type of surface specified in Subsection G.1. through G.3. shall be paved with a bituminous surface treatment in accordance with adopted County improvement standards, or with an equivalent treatment approved by the County Engineer, and shall be properly drained to prevent impoundment of surface water. The perimeter of such parking areas shall be defined by bricks, stones, railroad ties, or other similar devices.

d. Parking spaces in areas surfaced in accordance with Subsection G.3. shall be appropriately demarcated with painted lines or other markings. In instances where demarcation is not possible, the number of required parking spaces shall be increased by twenty percent (20%).

	TYPE OF SURFACING		
THRESHOLDS	ASPHALTIC CONCRETE	CHIP SEAL	ABC
Less than ten (10) spaces required or 3,600 sq. ft.			X
Over twenty (20) spaces required or 6,000 sq. ft. of parking lot surface area when used at least five (5) days per week or drive-up window.	X		
Other		X	

H. ADMINISTRATIVE WAIVER OF REQUIREMENTS:

Administrative Modifications: Quantifiable standards of this Section may be modified up to a maximum of ten percent (10%), when it is demonstrated that an unusual site or use condition exists and when such adjustment will not result in a danger to persons or property or in increased traffic.

I. PARKING LOT LANDSCAPING:

Number of Parking Spaces	Percent of Area to be Landscaped
0-20 spaces	Zero percent (0%)
21-50 spaces	Six percent (6%)
51 spaces and over	Nine percent (9%)

1. Landscaping required must consist of:

a. 5’ landscaped buffer along frontage road to meet Section 547 C.2 (Landscaping).

b. One (1) parking island (5’x15’) required per 10 parking spaces consisting of one (1) tree and three (3) understory plants per island.

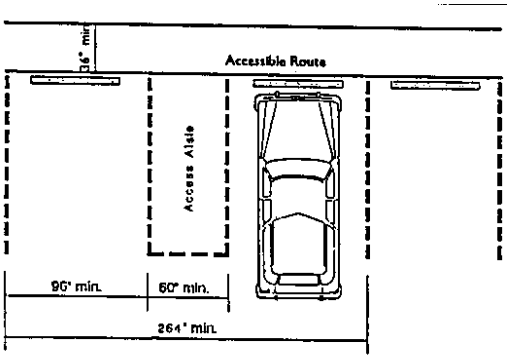
c. Parking shall be designed around existing vegetation when practical.

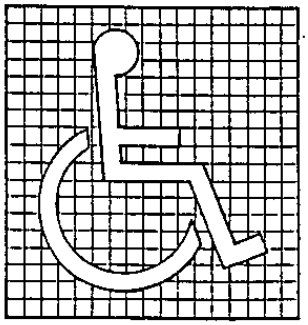
J. HANDICAP PARKING GUIDELINES:

Guidelines from ADA (Americans with Disability Act)

1. Each parking lot provided for employees or visitors is required to have accessible (handicap) parking spaces.
2. Accessible parking spaces must be the closest spaces to the building's accessible entrance.
3. Accessible spaces must be at least ninety-six inches (96") wide with a clearly marked adjacent access aisle of sixty inches (60"). Two (2) spaces may share a common aisle. (See Diagram A below)
4. The access aisle must connect directly to the accessible route.
5. Spaces and aisles must be level with no slope greater than 1:50.
6. All accessible parking spaces must have an unobscured vertical sign that shows the universal symbol of accessibility. (See Diagram B below)
7. Number of Accessible Spaces per number of total spaces in lot:

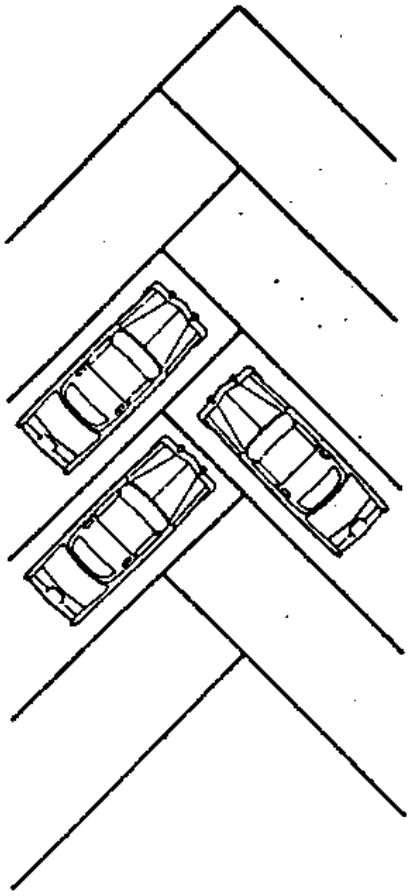
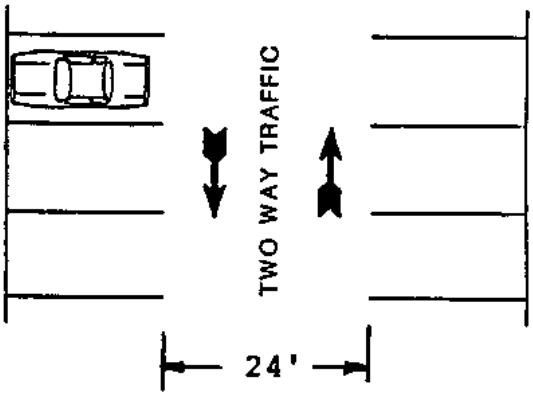
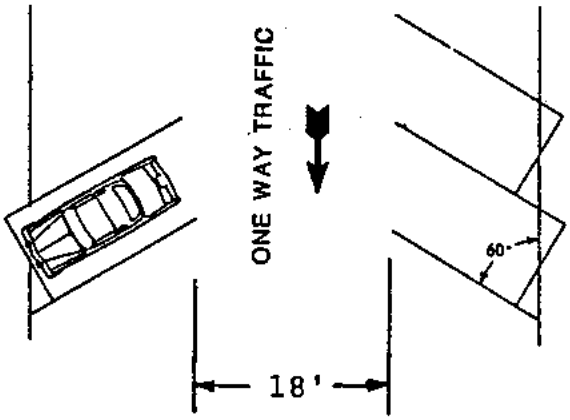
TOTAL PARKING IN LOT	MIN. # OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total parking spaces
1001 and above	20 plus 1 for each 100 spaces over 1000





(a)
Proportions

(b)
Display Conditions

UNDESIRABLE DESIGN	PREFERRED DESIGNS
Interlocking or Herringbone 	PERPENDICULAR  ANGLED 

II. OFF-STREET LOADING REQUIREMENTS

In all Zoning Districts, for every building or part thereof; erected or enlarged after the effective date of this Ordinance, which is occupied by a Use receiving or distributing materials or merchandise by motor truck, there shall be provided and maintained on the same premises as the building or Use, adequate off-street loading space meeting the minimum requirements hereinafter specified. Loading space shall not be considered as satisfying requirements for off-street parking space.

A. SCHEDULE OF LOADING SPACE REQUIREMENTS:

Total Floor Area of Building	Number of Loading Spaces Required
20,000 sq. ft. to 30,000 sq. ft.	1 space
30,001 sq. ft. to 50,000 sq. ft.	2 spaces
For each 100,000 additional sq. ft.	1 additional space

B. LOCATION:

Required off-street loading space shall not be permitted in any front yard, nor in any required side yard except in a non-residential district where a side yard abuts an alley. Off-street loading space may occupy all or any part of a required rear yard, except as otherwise provided for, and may be partially or entirely enclosed within a building.

C. ALLEYS:

Where a building or Use in a non-residential district abuts an alley, such alley may be used as maneuvering space for loading and unloading spaces; provided, however, that no alley abutting any residential district may be so used.

D. SIZE:

Every required off-street loading space shall have a minimum width of twelve feet (12’), a minimum length of forty-five feet (45’) and a minimum height of fourteen feet (14’), exclusive of access aisles and maneuvering space.

SECTION 603 LIGHT POLLUTION CONTROL

A. INTRODUCTION:

1. Incorporation By Reference:

   A.R.S., Title 49, Chapter 7, Light Pollution, §49-1101 et seq., is hereby incorporated by reference.

2. Mission Statement:

   To afford every citizen of Yavapai County the flexibility to engage in the pursuit of safe, effective lighting practices for the purpose of commerce and private use without being impeded upon or impeding upon other citizens desiring a more pristine nighttime environment free from light pollution, waste, trespass, or clutter while providing nighttime safety, security and productivity.

3. Purpose and Intent:

   a. The use of outdoor lighting is often necessary for adequate nighttime safety and utility, but common lighting practices can also interfere with other legitimate public concerns. Principle among these concerns are: (1) the degradation of the nighttime visual environment by production of unsightly and dangerous glare, (2) unnecessary waste of energy and resources in the production of too much light or wasted light, (3) interference in the use or enjoyment of property which is not intended to be illuminated at night, (4) the loss of the often-neglected scenic view of the heavens due to increased urban skyglow and (5) lighting practices that interfere with the health and safety of Yavapai County citizens and visitors. It is hereby recognized that these different interests of safety, utility and those of aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. Careful attention to questions of when and where and how much nighttime lighting is needed will lead to better lighting practice from all viewpoints.

   b. It is also recognized that the topography and atmospheric conditions in northern Arizona are uniquely suited for government, military, commercial, and private astronomical observation and that unnecessary or excessive uses of outdoor nighttime lighting have an adverse impact on astronomical research and observation, even at relatively distant observatories.

   c. Accordingly, it is the intent of this Section of the Planning and Zoning Ordinance to encourage lighting practices and systems which will minimize light pollution, glare, light trespass, and conserve energy while maintaining nighttime safety, utility, security and productivity.

4. Conflicting Regulations:

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

B. DEFINITIONS:

As used in this Ordinance, unless the context clearly indicates otherwise, certain words and phrases shall mean the following:

Adaptive Controls: means devices used in conjunction with lighting installations intended to allow the amount of light, area illuminated by light and/or hours during which light is emitted to be controlled. These devices may be remotely addressable or may require on-site adjustment to achieve the desired lighting specifications. Examples of adaptive controls include motion sensors, dimmers and timers.

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 monument lighting, and illumination of trees, bushes, etc.

Development Project: means any residential, commercial, industrial or mixed use subdivision plan or individual building development or remodeling plan, which is submitted to the County for approval.

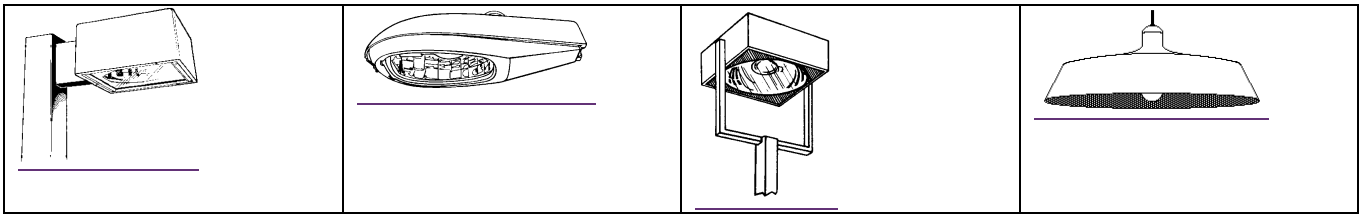
Direct Illumination: means illumination resulting from light emitted directly from a lamp, luminaire or reflector, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

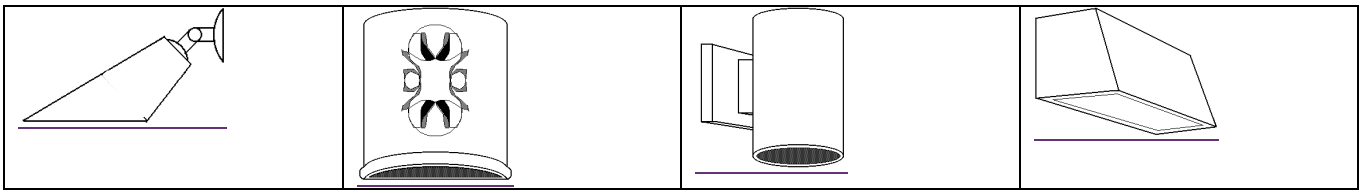
Footcandle (fc): is a unit of measure used to specify illuminance; how much light is falling per square foot onto a surface. One (1) footcandle of illumination arises when one (1) lumen is spread onto one (1) square foot of surface. It is the luminous flux per unit area in the Imperial system. One (1) footcandle equals approximately 10 lux.

Fully Shielded Fixture: means that fixtures are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below the horizontal from the lowest point of the bulb within the fixture.

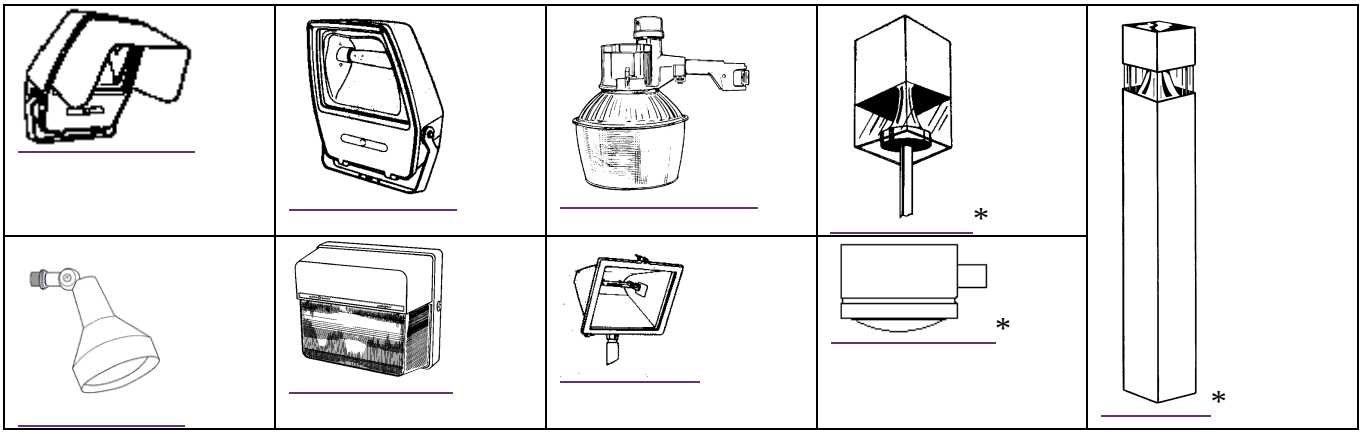
A practical working way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube *is not* fully shielded.

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.):





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 within the fixture 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.

Glare: is the sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss of visual performance and visibility; blinding light; glare and blinding light may be dangerous to the public health and safety, as they may contribute to vehicular or other accidents. The magnitude of glare depends on such factors as the size, position, brightness of the source, and the brightness level to which the eye is adapted.

Installed: means attached, or fixed in place, whether or not connected to a power source.

International Dark Sky Association (IDA): an Arizona-based 501(c)(3) nonprofit organization that develops and promotes certain standards for outdoor lighting design to help protect the nighttime environment.

Light Pollution: is any adverse effect of manmade light.

Light Trespass: is spill light falling over property lines that illuminates adjacent grounds or buildings. Direct illumination shall be confined to the property boundaries of the source.

Lumen: is the unit used to measure the actual amount of visible light, which is produced by a lamp as defined by the manufacturer. For purposes of determining compliance with this Ordinance, initial (not “maintained” or “mean”) lumen outputs of lamps (not fixtures) are the values to be considered. Examples of lumen output of typical generic incandescent bulbs (W= Watt and L= Lumen) 60 W = 840 L, 75 W = 1125 L, 100 W = 1600 L, 150 W = 2780 L, 300 W = 4620 L.

Luminaire: means the complete lighting assembly, less the support assembly; a light fixture.

Multi-class Lighting: means any outdoor lighting used for more than one purpose, such as security and decoration, when those purposes fall under the definitions for two (2) or more lighting classes as defined for Class 1, 2 and 3 Lighting above.

Motion Sensing Security Lighting: means a fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of the automatic switching on a lamp when motion is detected inside the area or perimeter, and automatic switching of the lamp off when the detected motion ceases.

Neon Lighting: means lighting using luminous gas filled tubes often formed into text, symbols or decorative elements. Neon Lighting includes tubes with typical diameters of ten (10) to twenty (20) millimeters filled with neon, argon, xenon, or other gasses and producing various colors of light. Not included are replaceable fluorescent tubes.

Net Acreage: means the remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.

Outdoor Light Fixtures: means all outdoor illuminating devices, reflective surfaces, lamps and other devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and floodlights 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) Security lighting.

(10) Pedestrian areas or walkways.

Outdoor Recreation Facility: means an area designed for active recreation, whether publicly or privately owned, including but not limited to parks, baseball and softball diamonds, soccer and football fields, golf courses, tennis courts, roping/equestrian activities and swimming pools.

Person: includes a corporation, company, partnership, firm, association or society, as well as a natural person.

Security Lighting: is lighting designed to illuminate a property or grounds for the purpose of visual security. This includes fully shielded lighting designed to remain on during nighttime hours in the absence of business activity as well as motion sensing lighting fixtures.

Street Lighting: refers to lighting installed by or at the direction of the County or other governmental agency to illuminate public roadways.

Temporary Lighting: means lighting which does not conform to the provisions of this Ordinance and which will not be used for more than one (1) thirty (30) day period within a

calendar year. Temporary lighting is intended for uses, which by their nature are of limited duration, e.g., business grand openings or special civic event. Road and construction projects are excluded.

Total Outdoor Light Output: means the maximum total amount of light, measured in lumens, from all lamps used in outdoor light fixtures on a property. For lamp types that vary in their output as they age (such as high pressure sodium and metal halide), the initial output, as defined by the manufacturer, is the value to be considered. Includes lighting from all area lighting fixtures, external sign illumination and decorative (non-sign) neon tubes, but does not include lighting used for permitted internally illuminated signs. Also does not included interior lighting, provided however such lighting is directed and or shielded in such a manner that it will not project primarily outside the building or create glare or light trespass. Lighting used under service station canopies is included toward the total output at twenty-five percent (25%) of the rated output of the lamps (see Subsection C.4.d.(4)). Street lighting is exempt from total lumen count.

Unshielded Fixture: means an outdoor light fixture that allows light to be emitted above the horizontal direction from the lowest point of the bulb within the fixture.

Watt: is the unit used to measure the electrical power consumption (not the light output) of a lamp.

C. LIGHTING REQUIREMENTS:

1. Preferred Source:

Due to their high energy efficiency, long life and spectral characteristics, low-pressure sodium (LPS) lamps are currently the preferred illumination source throughout the County. Their use is encouraged for outdoor illumination whenever its use would not be detrimental to the use of the property.

a. Class 1 Lighting: Businesses who choose to use at least eighty percent (80%) LPS for their Class 1 application are eligible to apply for an additional ten percent (10%) increase in the lumens per acre allowed for their site.

b. Class 2 Lighting: LPS lamps are required though up to ten percent (10%) of the total lumens used for Class 2 lighting may be non-LPS light. Ten percent (10%) white light added to the LPS light permits nearly normal color perception.

2. General:

a. Outdoor floodlighting by flood light or spot light projection above the horizontal is prohibited except for unshielded fixtures specifically permitted under Subsections C.4.e and C.4.f and properly adjusted motion sensing security lighting fixtures as defined in Subsection B.

b. All commercial light fixtures are required to be shielded and shall be installed in such a manner that the shielding complies with the definition of fully shielded fixtures. Residential requirements and exceptions are provided in Subsection C.3. Building lighting that incorporates the colors of a company logo, trademark or sign shall be considered as signage.

c. All light fixtures, including security lighting, except street lamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road.

Motion sensing lighting fixtures shall be properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.

d. Installation of new mercury vapor light fixtures has been prohibited since May 22, 1985 in Yavapai County. Only mercury vapor replacement bulbs shall be sold or installed for use as outdoor lighting within Yavapai County and the use of mercury vapor light fixtures for outdoor lighting is prohibited after January 1, 2005.

e. Search lights, laser source lights, strobe or flashing lights, or any similar high-intensity portable and or temporary light shall not be permitted, except for those utilized by law enforcement, emergency services personnel, public utilities and road construction/maintenance crews or at their direction.

f. Class 1 Lighting, including but not limited to, sales, service, commercial, assembly, repair, maintenance, and industrial areas, may only continue in operation until 10:00 p.m., or for as long as the area is in active use but once off remain off during non-business hours.

g. Class 2 Lighting shall have no time restrictions unless stipulated as a condition of approval for new projects.

h. Class 3 Lighting shall be extinguished after 10:00 p.m. or when the business closes, whichever is later and remain off during non-business hours, low-wattage decorations for recognized holidays shall be counted towards the business properties total lumen count. Flagpole lighting is exempt.

(1) Up lighting or ground mounted lighting may be allowed to accent unique features of a building (such as outstanding architectural features but not an entire building) and or surrounding landscaping (specimen trees with dense year round foliage or large native shrub masses) subject to approval by the Development Services Director. Up lighting or ground mounted lighting shall be designed and installed in such a manner as to minimize glare with special consideration in areas where there is vehicle and pedestrian traffic, or where such lighting will not unduly interfere with use and enjoyment of adjacent or nearby properties.

(2) All feature lighting which is directed upwards shall be placed in such a manner that the angle of the lamp shall not be greater than forty-five degrees (45º) measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be shielded to contain and direct the light onto the feature to be lighted.

i. Multi-class lighting, except for security lights, must conform to the time limitations of the most strict class.

j. Except as permitted in Subsections C.4.b, C.4.d and C.4.f, total outdoor light output (see Definitions), excluding streetlights used for illumination of public rights-of-way, of any development project other than single-family residential (see Subsection C.3) shall not exceed one hundred thousand (100,000) lumens per net acre, averaged over the entire property.

3. Residential:

a. Class Lighting: Residential lighting, as it may contain certain aspects of any of

the lighting classes as may be found in Class 1, 2 or 3 (see Definitions) shall be considered allowed so long as the intended use is allowed within the particular Zoning District.

b. Shielding: Fully shielded fixtures are required for any lamp.

c. Lighting Amount: Residential parcels containing more than one (1) acre are allowed twenty thousand (20,000) lumens of lighting. Residential parcels containing one-half (½) acre to one (1) net acre are allowed ten thousand (10,000) lumens of lighting. Residential parcels containing less than one-half (½) acre are allowed seven thousand five hundred (7,500) lumens of lighting. Motion sensing lights as defined in Subsection B shall not be subject to the noted lumen cap. Motion sensing lights can be turned to "constant on" for the purposes of illuminating yard areas for private recreational activities such as barbeques, parties, working with livestock or other similar gatherings without need for a temporary permit so long as they are returned to their automatic settings at the conclusion of the activity.

d. Certification: Applicant to provide manufacturer's cut-sheet/catalog information detailing fixture shielding and lumen output of bulbs to be installed, and where required by the Development Services Director, a drawing/illustration of the proposed shielded fixture.

e. Curfew: None

f. Exemptions: The following fixtures are exempt from shielding and lumen requirements unless otherwise noted.

(1) Street Lighting (excluding mercury vapor lights) provided they are fully shielded.

(2) Low Wattage (four watts or less) decorative lighting for recognized holidays.

(3) Permanent Low Wattage (four watts or less) landscape lighting.

(4) Motion Sensor Security Lighting as defined provided the fixture is shielded, designed and adjusted in such a fashion to prevent spill onto adjacent parcels.

(5) Lighting of one (1) State of Arizona, American, POW/MIA and Military flag provided lights are down-lighted.

4. Commercial/Non-Residential:

a. Airport:

Airport lighting which is required for the safe and efficient movement of aircraft during flight, take-off, landing and taxiing is exempt from the provisions of this Ordinance. Lighting used for illumination of aircraft loading, unloading, and servicing areas is exempt from the lumens per net acre limits of Subsection C.2.j, although it must conform to all other requirements of this Ordinance. All other outdoor lighting at airport facilities shall comply with the provisions of this Ordinance.

b. Outdoor Display Lots:

(1) Class: Lighting for Outdoor Display Lots shall be considered Class 1

(Color Rendition).

(2) Shielding: All such lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the fully-shielded characteristics.

(3) Lighting Amount: Lighting amounts may exceed the limit listed in Subsection C.2.j for the area of the display only. However, when the proposed lumens per acre exceed the limits of Subsection C.2.j the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). If IESNA has more than one applicable recommended practice, then the lowest figure shall apply. Street lighting is exempt from the total lumen count for a given property.

(4) Off-Site Spill: The installation shall limit off-site spill (off the parcel containing the display lot) to a maximum of 0.5 fc at any location on any non-residential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device.

(5) Curfew: Outdoor Display Lot lighting exceeding the lumens per acre cap of Subsection C.2.j shall be turned off at 10:00 p.m. or within thirty (30) minutes after closing of the business or activity whichever is later and once off remain off during non-business hours. Lighting in the Outdoor Display Lot after this time shall be limited to Class 2 lighting, and shall conform to all restrictions of this Ordinance applicable for this class, including the lumens per acre caps in Subsection C.2.j and lamp type standards of Subsection C.1.

(6) Certification: Every such lighting system shall be certified by an Arizona registered engineer, other certified lighting specialist or equivalent manufacturer documentation as conforming to all applicable restrictions of this Ordinance as installed.

c. Parking Lot:

Lighting Standards (poles) shall be sized in such a manner that the top of any luminaire does not exceed eighteen feet (18’) above adjacent grade, unless otherwise stipulated as a condition of approval for new projects.

d. Service Station:

(1) Class: Lighting for Service Station or similar canopies shall be considered Class 1 lighting.

(2) Shielding: All luminaires shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.

(3) Canopy Lighting Amount: The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed sixty (60) lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total.

(4) Inclusion Toward Total Outdoor Light Output: Twenty-five percent (25%) of the lumen output of all lamps mounted within or under a

canopy, except internally illuminated signs, is included in the lumen caps in Subsection C.2.j. Street lighting is exempt from the total lumen count for a given property.

e. Signs:

(1) Externally Illuminated Signs: Lighting used for all externally illuminated signs shall conform to all restrictions of this Ordinance, shall be fully shielded, and shall be turned off at 10:00 p.m. or when the business closes, whichever is later. Such lighting is included in the Total Outdoor Output (see Subsection C.2.j).

(2) Internally Illuminated Signs: Outdoor internally illuminated advertising signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off-white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this Section. Lamps used for internal illumination of such signs shall not be included in the lumens per net acre limit set in Subsection C.2.j.

(3) All illuminated signs shall be turned off at 10:00 p.m. or when the business closes, whichever is later and once off remain off during non-business hours. Signs subject to this curfew must have functioning and properly adjusted automatic timers.

(a) All neon lighting (indoor or outdoor), except for that used in permitted signage, shall be fully shielded and shall be turned off at 10:00 p.m. or when the business closes, whichever is later.

(b) The requirements for shielding of light emissions for outdoor light fixtures are as follows:

Shielding/Use Code:
A = allowed, unshielded, F = allowed, fully shielded

LAMP TYPE	SHIELDING
Class 1, 2 and 3 Lighting:	
All lamp types above 2050 lumens	F (See Note 1)
All types below 2050 lumens	F (See Note 2)
All neon tube lighting	F
Lamps in Motion Sensing Security Lights (See B)	F (See C.2.c)

Note 1. Examples of lamp types of 2050 lumens and below (the acceptability of a particular light is decided by its initial lumen output, not wattage. Values listed here are approximate. Check manufacturer's specifications):

a. 100 Watt Standard Incandescent and less

b. 100 Watt Midbreak Tungsten-Halogen (quartz) and less

c. 25 Watt T-12 Cool White Fluorescent and less

d. 18 Watt Low Pressure Sodium and less

Note 2. Lights shall be shielded.

f. Sports Field:

(1) Class: Lighting, in all cases, for all outdoor athletic fields, courts, pools, tracks or ranges shall be considered Class 1 (Color Rendition). Sports field lighting at schools is exempt from this Ordinance as provided for in Section 201 (Applicability and Exemptions) regarding publicly owned and operated facilities used for essential government purposes.

(2) Shielding: Fully shielded lighting shall be required for fields designed for amateur, recreational or non-professional sports activity. For professional level sports facilities where fully shielded fixtures are not utilized, acceptable luminaires shall include those which:

(a) are provided with internal or external glare control louvers, or both, and installed so as to minimize up-light and off-site light trespass as defined in Subsection B; and

(b) are installed and maintained with aiming angles that permit no greater than two percent (2%) of the light emitted by each fixture to project above the horizontal.

(3) Lighting Amount: When the proposed lumens per acre exceeds the limits of Subsection C.2.j, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). If IESNA has more than one applicable recommended practice, then the lowest figure shall apply. Street lighting is exempt from the total lumen count for a given property.

(4) Off-Site Spill: The installation shall also limit off-site spill (off the parcel containing the sports facility) to a maximum of 0.5 fc at any location on any non-residential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device. If lighting products are not available to meet these standards, then the product providing the lowest off-site spill levels shall be required.

(5) Curfew: All events shall be scheduled so as to complete all activity by 10:00 p.m. Illumination of the playing field, court, track or range shall be permitted after 10:00 p.m. only to conclude a scheduled event that was unable to conclude before 10:00 p.m. due to unusual circumstances and once off remain off during non-business hours.

(6) Certification: Every such lighting system shall be certified by an Arizona registered engineer, other certified lighting specialist or equivalent manufacturer documentation as conforming to all applicable restrictions of this Ordinance as installed.

(7) Non-Field Lighting: All site lighting not directly illuminating the field, court, track or range shall conform to all applicable standards of this

Ordinance.

5. Public Buildings and Street Lights

a. When new publicly-owned buildings and other facilities are constructed, the installation of outdoor lighting fixtures shall be allowed only when a specific need related to a hazardous nighttime situation is identified by the County and lighting is deemed necessary as a matter or ensuring public safety.

b. When existing, publicly-owned buildings and other facilities are modified by physical alterations and/or by a change of use, the installation of additional outdoor lighting fixtures beyond existing installations shall be allowed only when a specific need related to a hazardous nighttime situation is identified by the County and lighting is deemed necessary as a matter of ensuring public safety.

c. With the establishment of any new subdivision development where street rights-of-way will be dedicated to the County, the County shall not allow the installation of street lights. In cases where it is determined that street lighting is deemed necessary in public rights-of-way for the safety of pedestrians, bicyclists and/or motorists, the installation of street lighting shall be permitted. All lighting so installed shall be fully shielded, adhere to IDA standards, make use of appropriate adaptive controls and be subject to curfews as directed by the Board of Supervisors.

6. Non-Conforming Uses:

a. Mercury vapor lamps in use for outdoor lighting on the effective date of this Ordinance shall not be so used after January 1, 2005.

b. No new bottom or side-mounted outdoor advertising sign lighting shall be issued permits after January 1, 2005.

c. No other outdoor lighting fixture or use which was lawfully installed or implemented 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 non-conforming fixture unless the fixture thereafter conforms to the provisions of this Ordinance, except that identical lamp replacement is allowed (no mercury vapor lamp/fixture can be replaced or be found legal non-conforming). Time restrictions described in Subsections C.2.f, C.2.g, C.2.h, C.2.i, C.4.b.(5), C.4.e.(3), and C.4.f.(5) shall however be applied to such existing lighting.

d. In the event that the use of an outdoor lighting fixture is discontinued for six (6) months or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Ordinance.

D. PERMITS:

1. Approved Materials and Methods of Construction or Installation/Operation:

a. The provisions of this Section of the Ordinance are not intended to prevent the use of any design, material or method of installation or operation not commercially available or specifically prescribed by this Ordinance, provided any such alternate has been approved.

b. The Development Services Director or his designate may approve any such proposed alternate provided that such alternate:

(1) provides at least equivalence to the applicable specific requirements of this Ordinance; and

(2) is otherwise satisfactory and complies with the intent of this Ordinance.

2. Permits and Development Plan Reviews:

a. Whenever a person is required to obtain a building or electrical permit for outdoor lighting or signage (residential or commercial), a Use Permit, subdivision approval or any development plan approval by the County, including all County projects, or whenever a person requests a rezoning, the applicant shall, as a part of the lighting permit application, submit sufficient information to enable the Development Services Director to determine whether the proposed lighting will comply with this Ordinance.

b. All applications shall include the following:

(1) A site plan indicating the proposed location of all outdoor lighting fixtures;

(2) 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; and

(3) Such other information as the Development Services Director may determine is necessary to ensure compliance with this Ordinance.

c. If the Development Services Director determines that the proposed lighting does not comply with this Ordinance, the permit shall not be issued or the plan approved.

3. Temporary Permits:

a. The Development Services Director may grant a permit for temporary lighting if he or she finds all of the following:

(1) The purpose for which the lighting is proposed is not intended to extend beyond thirty (30) days;

(2) The proposed lighting is designed in such a manner as to minimize light pollution as much as is feasible;

(3) The proposed lighting will comply with the general intent of this Ordinance; and

(4) The permit will be in the public interest.

b. The Development Services Director shall rule on the application within five (5) business days from the date of submission of the request and notify the applicant in writing of his or her decision. The Development Services Director may grant one (1) renewal of the permit for an additional thirty (30) days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Development Services Director is not authorized to grant more than one (1) temporary permit and one (1) renewal for the same

property within one (1) calendar year.

4. 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. Such variances shall be allowed only as provided by Section 207 (Adjustment Board). Commercial light installations that are removed or relocated during a building remodel will be required to meet the then current Ordinance requirements.

SECTION 604 STREET NAMING AND ADDRESSING

A. TITLE AND PURPOSE:

1. Purpose: Yavapai County establishes this Ordinance in order to provide for the uniform assignment of property numbers, to provide for the naming of new streets and renaming of old streets with conflicting or duplicate names in order to provide for efficient emergency services and provide for the safety of the residents of Yavapai County, providing for the enforcement of said Ordinance, and prescribing penalties for the violation thereof, as authorized by A.R.S. §11-811 et seq. and §11-251.05.

2. Short Title: For the purposes of identification, these regulations shall be known as the "Street Naming and Addressing Ordinance for Yavapai County".

B. APPLICABILITY:

This Ordinance shall apply to all lands within the unincorporated area of Yavapai County and any incorporated areas included through intergovernmental agreement.

C. SEVERABILITY:

Should any article, section or regulation of this Ordinance be judicially declared unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof other than the article, section or regulation so declared to be unconstitutional or invalid.

D. REPEALS:

This Ordinance repeals and rescinds all addressing and street naming standards approved in Resolutions #458 (adopted by B.O.S. 3-9-81), #700 (Adopted by B.O.S. 10-14-86) and #800 (adopted by B.O.S. 8-7-89).

E. DEFINITIONS:

For the purposes of this Ordinance, the following terms are defined as follows:

Address: A property location identification including the following elements: Number, Directional Prefix, Street Name, (Unit Number, if applicable).

Addressing Official: The Development Services Director charged with the administration of these standards.

Baseline: A north-south or east-west line used as a zero starting point for address numbers in a grid system.

Dedicated Street: A named or unnamed roadway located on land that is publicly owned and reserved for public access (a.k.a. public dedicated right-of-way).

Directional Prefix: A prefix assigned to a street based on its overall direction and its location within a grid system. The directional prefix is not part of the street name, but for addressing

and 9-1-1 purposes.

Frontage: The direction a building faces, or the point at which a private driveway meets a named roadway.

Grid System: Addressing system whereby address numbers are assigned based on distance from a baseline.

Hundred Block: An incremental breakdown (one-tenth) of a thousand grid.

Origin: The point at which the north-south and east-west baselines meet in a grid system.

Pre-existing Addressing System: An addressing system for an area, in use prior to adoption of this Ordinance, which remains the official addressing system for that area as determined by the Addressing Official.

Private Driveway: An unnamed roadway not located on publicly owned land, or land under public jurisdiction, providing access to one or more buildings. Also, a private street is not owned by a public entity.

Street Name: The official name of a roadway including a name and a suffix designation.

Suffix Designation: A descriptive qualifier at the end of a street name.

Thousand Grids: Grid numbers in multiples of one thousand (1,000) located primarily on section lines.

Unit Number: A number affixed to an address number indicating a separate unit (apartment, suite, etc.) within a building or complex that is assigned a single address.

F. GENERAL PROVISIONS:

1. Authority:

   a. Only the Board of Supervisors, or the Addressing Official or authorized representative, may assign, approve, or change an address.

   b. The Addressing Official shall be responsible for the administration of these standards and the maintenance of all maps and data related to addressing.

   c. The County Engineer may, when available, provide the Addressing Official with maps and legal descriptions pertinent to any action or proposed action which may affect addressing and street naming including re-alignments, abandonments, and right-of-way planning and acquisition.

   d. The Addressing Official or authorized representative, shall process applications for address assignments. The Addressing Official will not assign any temporary addresses to any properties within the unincorporated areas of Yavapai County.

2. Enforcement:

   a. The Addressing Official or authorized representative may cite persons in violation of this Ordinance.

   b. In the event that the owner or occupant or person in charge of any house or building refuses to comply with the terms of this Ordinance by failing to affix the number assigned within sixty (60) days, to remove any old numbers affixed to such house, or house entrance, or elsewhere, which may be confused with the number assigned thereto, he shall be subject to civil penalty. Each day the property does not comply with this Ordinance represents a separate violation.

c. All violations of this Ordinance shall result in a civil penalty being assessed and shall fall under the jurisdiction of a County Hearing Officer appointed for this purpose, pursuant to A.R.S. §11-815 (E). The Hearing Officer shall not have the jurisdiction to impose criminal penalties. All rules for procedure for hearings in front of the County Hearing Officer shall apply to civil violations arising under this Ordinance.

d. Penalties:

(1) For a first violation of this Ordinance, the penalty shall be not less than Fifty ($50.00) Dollars for an individual person or One Hundred Dollars ($100.00) for an enterprise and shall not be more than Three Hundred Dollars ($300.00) for an individual person or Six Hundred Dollars ($600.00) for an enterprise.

(2) For a second or subsequent violation arising out of the same facts, the penalty shall not be less than One Hundred Dollars ($100.00) for an individual person or Two Hundred Dollars ($200.00) for an enterprise and shall not be more than Five Hundred Dollars ($500.00) for an individual person or One Thousand Dollars ($1,000.00) for an enterprise.

e. In the event that the street name petitioner refuses to comply with the terms of this Ordinance by failing to install street name signage within sixty (60) days and, if applicable, removing any old inaccurate street name signage along the roadway, the petitioner shall be subject to civil penalty. Each day the petitioner does not comply with the Ordinance represents a separate violation.

3. Appeals:

Any owner of property whose address has been changed by a decision of the Addressing Official may appeal to the Board of Supervisors within fifteen (15) days of the decision.

G. STREET NAMING STANDARDS:

1. Selection of Street Names:

a. Names should be pleasant sounding, appropriate, easy to read (so that the public, and children in particular, can pronounce the name in an emergency situation), and should add to the pride of home ownership.

b. Street names shall not be duplicated; all new street names must be unique within Yavapai County (including incorporated areas). A street name is considered a duplicate if any of the following conditions exist:

(1) A street has the same name as another street even if their suffix designations differ.

(2) A street name sounds similar to the name of another street despite a difference in spelling.

c. Unacceptable Street Names:

(1) Numerical names (1st, 2nd, First, Second, etc.) or alphabet letters.

(2) Names which may be considered frivolous or in poor taste.

(3) Complicated names or names with unconventional spelling.

(4) Names which include words or syllables which might be confused with prefix or suffix designations (such as Northglen Drive or Circle Drive).

(5) Proper names unless proven to have historical significance.

d. Naming and Street Configuration:

(1) Cul-de-sacs shorter than two hundred feet (200') and providing access to five (5) or fewer lots should not be named and should assume the name of the intersecting through street. However, where there is a series of long and short cul-de-sacs, all should have separate names.

(2) A cul-de-sac may bear the same name as its intersecting through street with a different suffix designation without being considered a name duplication.

(3) In peculiar circumstances where a road loops back on itself for a substantial length, the Addressing Official can make the determination in the public interest and safety to give a street two (2) different prefixes using a logical breaking point.

(4) Major arterials and highways which change direction for a significant distance may change directional prefixes at the most logical and convenient break point, i.e., when a highway crosses the "0" point in a grid system.

(5) Streets located on the same alignment in the same geographical region should bear the same name and directional prefix though they are not connected.

(6) The County does not accept any liability for maintenance or signage by naming private roadways. Naming of private roads is done in the interest of public safety.

e. Suffix Designations:

(1) Appropriate street name suffixes include, but are not limited to, the following:

(a) For a highway or major arterial street: Highway, Road, Boulevard, Avenue, Parkway.

(b) For a local through street: Road, Drive, Lane, Way, Avenue, Street.

(c) For a short street or cul-de-sac: Way, Court, Place, Circle.

(2) Standard Abbreviations: Avenue: Ave; Boulevard: Blvd; Circle: Cir; Court: Ct; Drive: Dr; Highway: Hwy; Lane: Ln; Parkway: Pkwy; Place: Pl; Road: Rd; Street: St; Way: Way; Cove: Cv; Loop: Loop; Pass: Pass; Park: Park; Path: Path; Plaza: Plz; Terrace: Ter; Trail: Trl.

f. Naming and Street Name Signs:

(1) All street name signs for dedicated streets and private streets shall conform to the following standards:

(a) Length of sign not to exceed forty-two inches (42").

(b) Sign blade to be six inches (6") wide, extruded aluminum with a .090 web thickness and a .250 flange thickness.

(c) Sign letters shall be reflectorized.

(d) Legend and background shall be contrasting color and shall have a white message on a green background for County maintained roadways or on a brown background for private roadways.

(e) Four inches (4") shall be the minimum letter height for names.

(f) Two inches (2") letter height to be used for suffix designations (and directional prefixes, if used).

(g) Conventional abbreviations are acceptable EXCEPT for the street name itself.

(h) Letters used shall be either heat activated 3M#2290 or equivalent, or pressure activated 3M#3290 or equivalent. Normally a type "C" letter should be used. However, a type "B" letter may be used if necessary to get the name on the sign.

(i) Sign backing material shall be engineer's grade 3M#2277 or equivalent.

(j) All signs placed on public road right-of-way shall be approved by the County Engineer or his appointed representative.

(2) Length of street names shall be limited to spacing consistent with a forty-two inch (42") sign, usually fifteen to seventeen (15-17) letters depending upon the suffix used, i.e., St., Ave., etc.

g. Street Naming for New Subdivisions:

(1) After approval of a Preliminary Plat map and before submittal of a Final Plat, the subdivider shall submit a street naming and address numbering proposal to the Development Services Department, which includes: (1) a map of the overall tract illustrating street layout, the name proposed for each street and the proposed numbering for each lot, and (2) an alphabetical list of the proposed street names, together with an alternate name for each name proposed, and English translations for any foreign language names. The Development Services Department shall review the street-naming and number proposal for duplication of names, appropriateness of names, and for overall compliance with the street-naming and numbering policy. The Department may modify or amend the proposal as it deems necessary in order to bring it into conformance with the street-naming and numbering policy. The decision of the Department may be appealed to the Board of Supervisors within fifteen (15) days after action by the Department. The approved street names and numbering shall be included in the Final Plat map.

(2) Street name signs, conforming to standards approved by the County Engineer shall be installed by the subdivider at the intersection of all streets and highways and at such other locations as may be determined to be necessary by the County Engineer. Street name signs may be placed on top of stop signs, if approved by the County Engineer.

H. STREET NAME CHANGE PROCEDURES:

1. Filing:

Yavapai County will only review and consider roadway name changes for the purposes of public safety, health, and welfare. Any person may initiate hearings to name or change the name of a public or private roadway within Yavapai County by filing a petition with the Clerk of the Board of Supervisors, or the Clerk's designate. This filing shall include a fee as adopted by the Board. Subject petition shall contain the signatures of at least fifty-one percent (51%) of the property owners adjacent to the roadway. Accompanying the petition and fee shall be the following items:

a. A certified correct list of names and addresses of adjacent property owners, service and emergency organizations (i.e., fire, police, post office, etc.) that did not sign the petition to the best of the petitioner's knowledge.

b. A letter stating the reasons why the street name change is needed. (i.e., eliminate duplicate name, help improve emergency services to the area, how the request conforms to Section G.1.a through c, etc.)

c. A map giving the location of the road that is the subject of the petition.

d. Old name and new name.

e. Description of the beginning and end of subject road. Forms for this process are available from the Office of the Clerk of the Board of Supervisors.

Forms for this process are available from the Office of the Clerk of the Board of Supervisors and the Development Services Department.

2. Hearing:

Upon receipt of a petition for a road name change, the Clerk of the Board of Supervisors shall set a hearing date before the Board of Supervisors allowing adequate notice to the public. Notice of the hearing shall be by first-class mail to those persons whose names appear on the petition and list of non-signers at least two (2) weeks prior to the hearing date. In addition, notice of the hearing shall be published once in the County Newspaper and once in a newspaper with a general circulation in the area of the proposed road name change if available, at least one (1) week prior to the hearing. Notices of the hearing shall be posted by the applicant at the beginning and the end of subject roadway and at intersections. At the hearing, the Board of Supervisors may grant the request by Resolution, deny the request, or hold the matter until a stated time and date for further consideration.

3. Protests:

Any person may appear in protest to the requested road name change at the hearing or submit written protests at least twenty-four (24) hours in advance of the hearing. Once a petition for road name change has been submitted, any person signing the petition may protest the action, but no signature(s) may be withdrawn.

4. Exceptions:

The Board of Supervisors may elect to initiate a roadway name change without filing a petition and waive any fee requirements or other portions of this process.

5. Roadway Name Map:

When road name changes are adopted by the Board they will automatically become part of the official road name map, which may be a singular document or combination of several maps using existing adopted zoning maps and address maps. Adoption of this Section of the Ordinance will effectuate the official road name map(s).

6. Effective Date:

A road name change shall become effective upon recordation of the Board Resolution, sixty (60) days after the date of Board approval unless a longer term is designated by the Board.

7. Street Name Signage:

a. Upon adoption of a private street name, the street name petitioner shall be responsible for placing street name sign(s) at the intersection(s) where the Addressing Official or designee designates along this roadway within sixty (60) days of the roadway being officially named. The street name sign shall be constructed and installed in accordance with this Ordinance.

b. Private streets names prior to this amendment should be signed by the property owners/residents adjacent to the referenced street in accordance with this Ordinance.

c. Roadways renamed should be signed by the party that initiated the street name change.

I. ADDRESSING STANDARDS:

1. Address Numbers:

a. The system by which addresses are assigned in Yavapai County (except in incorporated areas and areas which retain a pre-existing address system) shall be a grid system whereby address numbers increase in value from 0 at the baselines at a rate of one thousand (1,000) numbers per mile (except in the Cottonwood and Sedona address systems, see subsection I.5.c and e). Where possible, thousand grid numbers shall correspond with section lines. Each thousand grid is divided into ten hundred blocks of approximately equal length. Hundred blocks may be expanded and contracted in order to fit street patterns, so that a hundred block may begin at an intersection rather than in the middle of a block.

b. Address numbers shall be assigned with even numbers on the north side of east-west streets and the west side of north-south streets, and with odd numbers on the south side of east-west streets and the east side of north-south streets.

c. An address shall be complete and official only if it contains all of the following elements:

(1) Number (Value denoting distance from baseline, plus a unit number, if necessary. Fractions or alphabetical letters shall not be included in an address number).

(2) Directional Prefix (Indicating directions of street and its location within the grid system). (Not required in the Sedona mile-post system.)

(3) Street Name (As shown on address maps and recognized by the Addressing Official).

d. When assigning addresses on a street that traverses through two grids, the Addressing Official will assign the addresses using the grid representing the Emergency Service Zone (ESZ) (i.e.: Law Enforcement Agency, Fire Protection Agency, Emergency Medical Service and Primary PSAP for answering 9-1-1 calls) where the majority of the street is located.

2. Frontage:

a. Address numbers shall be assigned to properties at their point of frontage on a named street. A building on a corner lot shall be assigned an address on the street the driveway accesses. A building on a large parcel shall be assigned an address for the point at which its private driveway meets a named street.

b. Where two (2) or more separate businesses or residences are contained in one (1) building or complex, a single address shall be assigned to that building or complex, and unit numbers (e.g., Suite 1, Apt. 1, etc.) shall be assigned to each door by the property owner. Private clustered housing developments with no more than two (2) points of vehicular access, including manufactured home or RV parks may likewise be assigned a single address with unit numbers provided by the property owner.

3. Display Standards:

a. Address numbers shall be located so as to be legible from the street on which the address is assigned.

b. Numbers must be legibly marked and contrast with any background material.

c. Where a building is not clearly visible from the street on which it is addressed, its address number shall be posted at the point at which its private driveway meets that street.

d. Where unit numbering is necessary, the property owner is responsible for posting unit numbers in a logical and appropriate manner within sixty (60) days of passage of this Ordinance or within sixty (60) days of notice to comply.

e. It shall be the duty of the owner of a building to post the correct address number of that building in accordance with those standards within sixty (60) days of adoption of this Ordinance.

f. Any incorrect address number shall be removed and replaced with the correct number by the property owner within sixty (60) days of notification of the correct address by the Addressing Official.

4. Pre-Existing Address Systems:

a. In areas where an addressing system has been in use prior to adoption of this Ordinance, the Addressing Official or authorized representative may issue addresses in accordance with that system even if that system does not correspond with a County grid system.

b. The Addressing Official shall, in co-operation with any other jurisdictions concerned, determine and mark on the official addressing maps the limits of areas affected by any pre-existing address system.

5. Geographical Descriptions of the County Address Systems:

a. Camp Verde Grid.

(1) Origin: The north-west corner of Section 32, Township 14 North, Range 5 East.

(2) Area: All of Township 12 North, Range 6 East; Township 12 North, Range 6-1/2 East; Township 12-1/2 North, Range 5 East; Township 13 North, Range 5 East; Township 13 North, Range 6 East; Township 13 North, Range 7 East; Township 14 North, Range 3 East; Township 14 North, Range 4 East; Township 14 North, Range 5 East; Township 14 North, Range 6 East; Township 14 North, Range 7 East; Township 14-1/2 North, Range 3 East; Township 15 North, Range 6 East, and Township 15 North, Range 7 East. Portions of Township 11-1/2 North, Range 7 East; Township 12 North, Range 7 East, Sections 1- 30, Township 11 North, Range 6 East and Sections 5 and 8, Township 11 North, Range 7 East situated within Yavapai County. Portions of Township 12 North, Range 4 East; Township 12 North, Range 5 East; Township 12-1/2 North, Range 4 East, and Township 13 North, Range 4 East within the drainage area of the Verde River. Portions of Section 33 situated east of the Verde River, and Sections 34-36, Township 15 North, Range 4 East. Sections 1-5, 8-17, 20-29, and 31- 36, Township 15 North, Range 5 East; and Portions of Township 16 North, Range 6 East and Township 16 North, Range 7 East situated to the southeast of a line running parallel to and 400 feet northwest of the northwest right-of-way boundary of Interstate 17; Excepting therefrom any incorporated lands not included by intergovernmental agreement, reservation lands, and any areas affected by pre-existing address systems that are recognized by the Addressing Official.

b. Chino Valley Grid:

(1) Origin: The intersection of the centerline of Highway 89 and the north line of Section 27, Township 16 North, Range 2 West. Note: Highway 89 is the east-west baseline but does not have a value of zero (0). Address numbers between Highway 89 and the first thousand grid east and west are assigned based on their distance from the thousand grid, not from the baseline (see maps).

(2) Area: Beginning at the S.E. corner of Section 35, T16N, R2W; thence E. along section line to S.E. corner of Sec 12, T16, R2W; thence N along section line N.E. corner of Section 12, T16, R2W; thence W. along section line to S.E. corner Sec. 2, T16N, R2W; thence N. along section lines to N.E. corner Sec 35, T17N, R2W; thence W. along section lines to N.W. corner of Sec. 31, T17N, R2W; thence S. along section line to N.E. corner, Sec. 12, T16N, R3W; thence W. along section line to N.W. corner Sec. 12, T16N, R3W; thence S. along section lines to the S.W. corner Sec, 31, T16N, R2W; thence E. along section lines to the place of beginning.

c. Cottonwood Grid:

(1) Origin: The west quarter corner of Section 34, Township 16 North, Range 3 East. Note: Address numbers in the Cottonwood Grid increase at a rate of 1600 per mile east-and-west, and 800 north-and-south; except for the first half-mile north of the origin, in which numbers increase at a rate of 900 per half mile (see maps).

(2) Area: All of Township 15 North, Range 2-1/2 East; Township 15 North, Range 3 East; Township 16 North, Range 2-1/2 East; Township 16 North, Range 3 East; Township 16 North, Range 4 East; Township 17 North, Range 3 East and Township 17 North, Range 4 East. Sections 1-4, 9-16, 21-27, and 33-36, Township 15 North, Range 2 East. Sections 1-32 and portions of Section 33 situated west of the Verde River, Township 15 North, Range 4 East. Sections 6, 7, 18, 19 and 30, Township 15 North, Range 5 East; Sections 1-5, 8-17, 20-29, and 32-36, Township 16 North,

Range 2 East, Sections 1-4, 9- 16, 21-27, and 33-36, Township 17 North, Range 2 East; Sections 1- 11, 14-23, and 26-35, Township 18 North, Range 4 East; and Portions of Township 18 North, Range 3 East situated to the east of Sycamore Creek; Excepting therefrom any incorporated areas not included by intergovernmental agreement, reservation lands, and any areas affected by pre-existing address systems that are recognized by the Addressing Official.

d. Prescott Grid:

(1) Origin: The northwest corner of Section 3, Township 13 North, Range 2 West.

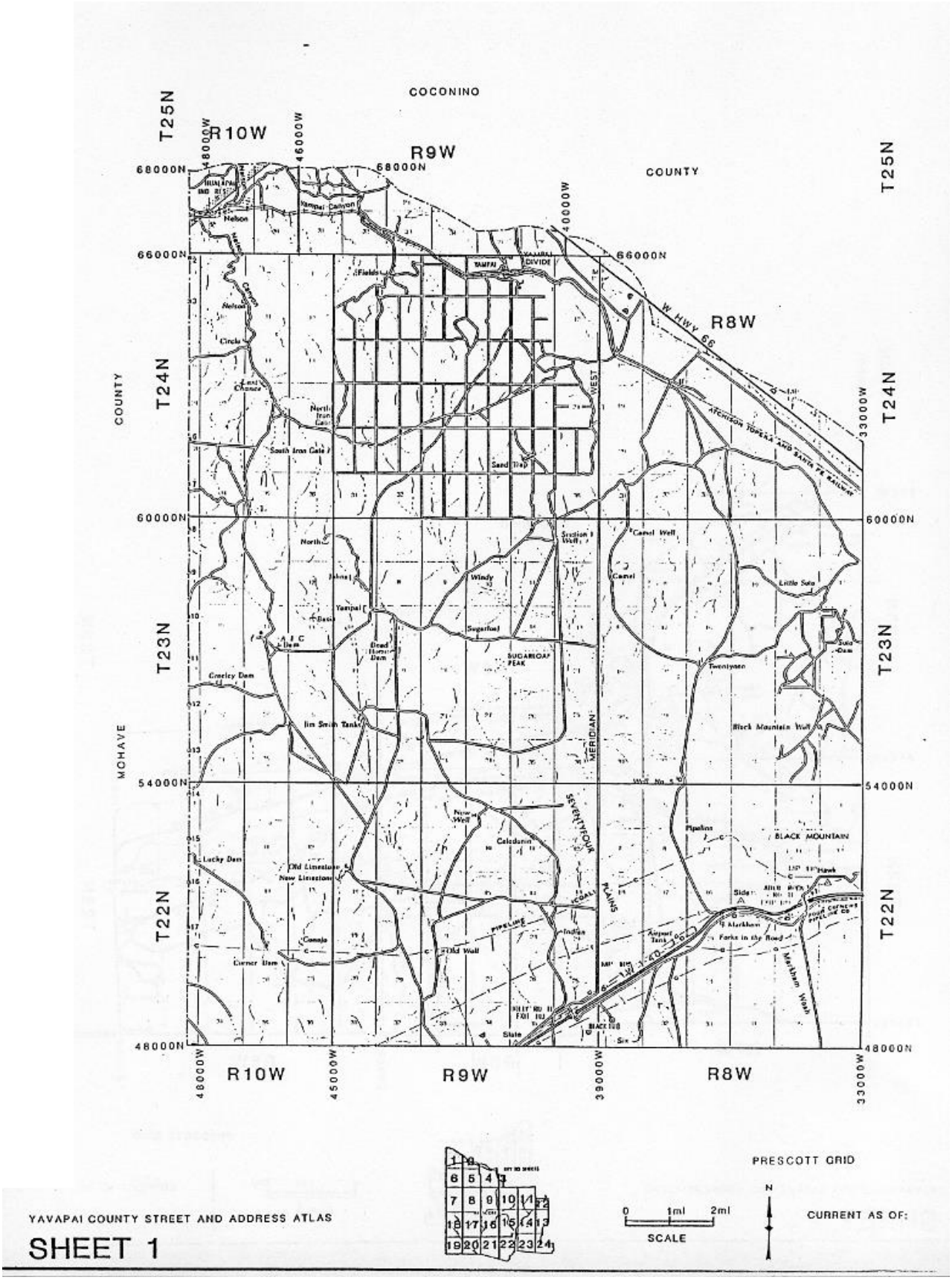
(2) Area: All of Yavapai County except: Lands included in the Camp Verde, Chino Valley, and Cottonwood Grid areas; the Sedona Milepost system; and any incorporated areas not included by intergovernmental agreement, reservation lands, and any areas affected by pre-existing address systems that are recognized by the Addressing Official.

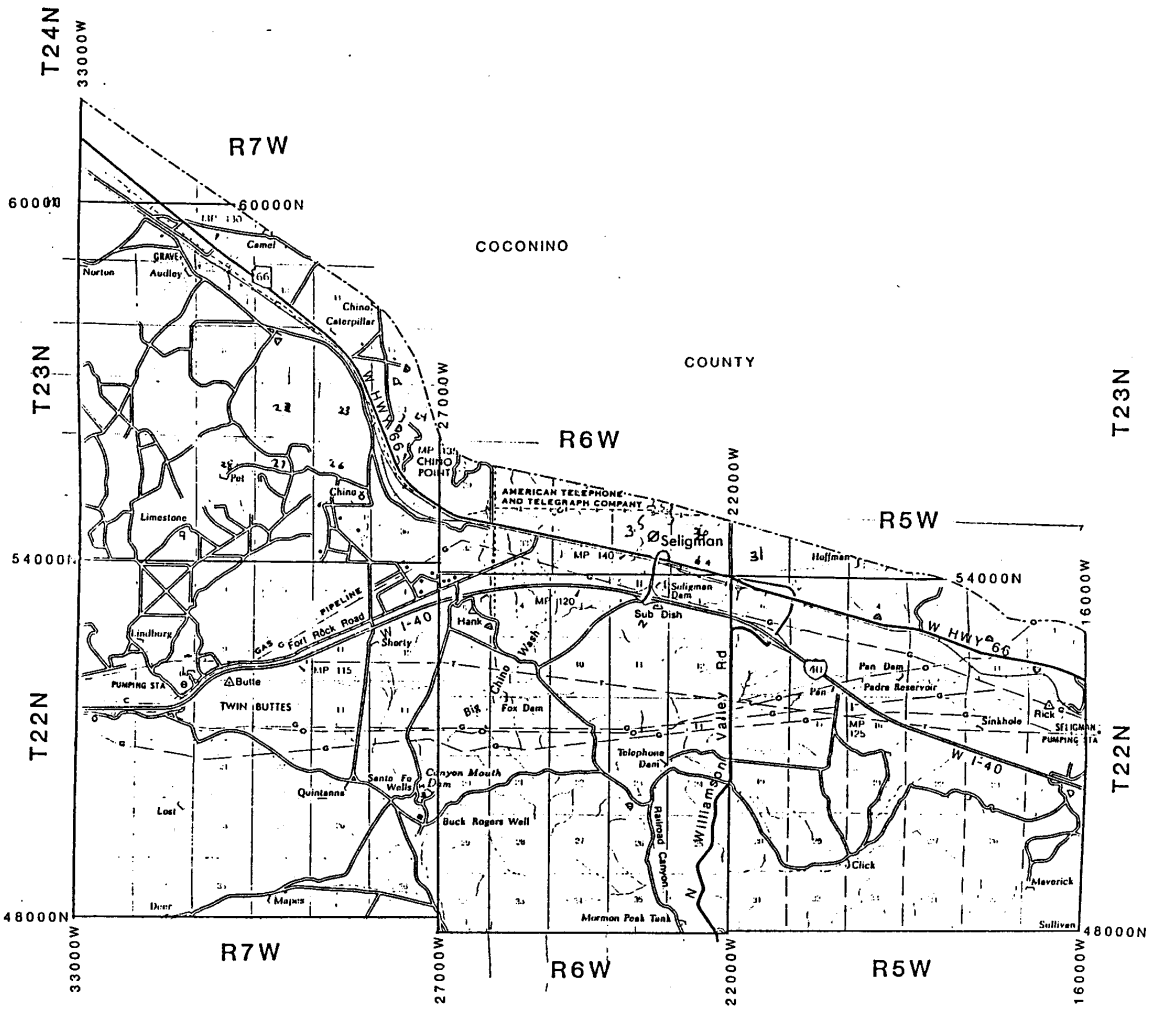
e. Sedona Milepost System:

(1) Address numbers for each street begin from 0 at the beginning point of that street and increase at the rate of one thousand (1,000) per linear mile of that street.

(2) Area: All of Township 16 North, Range 5 East; Township 17 North, Range 5 East; and Township 18 North, Range 5 East; Sections 1, 12, 13, 24, 25, and 36, Township 18 North, Range 4 East; and Portions of Township 16 North, Range 6 East, and Township 16 North, Range 7 East situated to the northwest of a line running parallel to and 400 feet northwest of the northwest right-of-way line of Interstate 17; Excepting therefrom, any incorporated lands not included by intergovernmental agreement, reservation lands, and any areas affected by pre-existing address systems that are recognized by the Addressing Official.

6. Maps of the County Address Systems. See the following pages.


COCONINO
COUNTY
MOHAVE
COUNTY
T25N
T24N
T23N
T22N
R10W
R9W
R8W
68000N
66000N
60000N
54000N
48000N
48000W
45000W
39000W
33000W
40000W
W HWY 66
ATCHISON TOPEKA AND SANTA FE RAILWAY
SEVENTEEN MERIDIAN
SUGARLOAF PEAK
BLACK MOUNTAIN
PIPELINE
COAL PLANTS
PRESCOTT GRID
N
0 1mi 2mi
SCALE
CURRENT AS OF:
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 1



PRESCOTT GRID

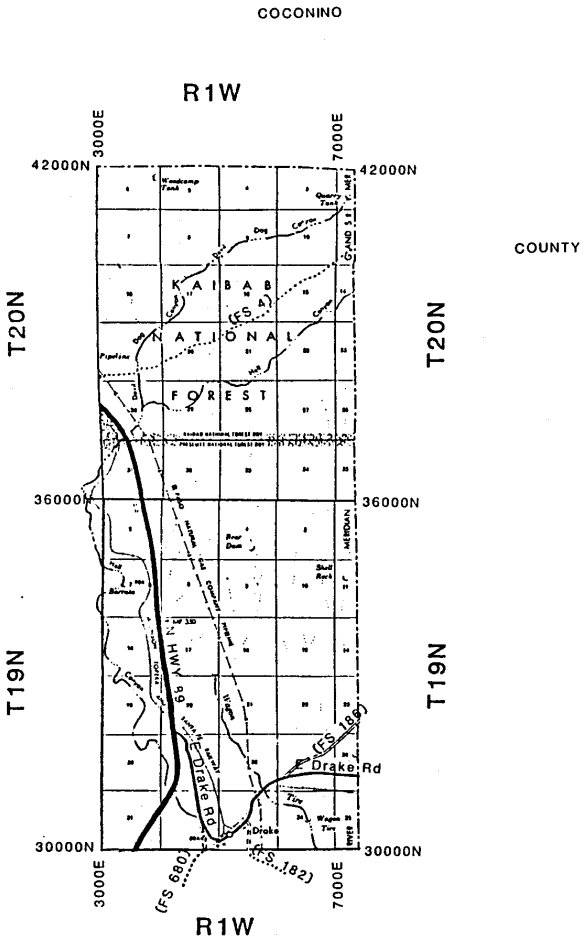
0 1mi 2mi

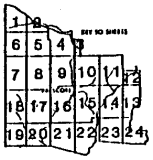
SCALE

CURRENT AS OF:

YAVAPAI COUNTY STREET AND ADDRESS ATLAS

SHEET 2





PRESCOTT GRID

0 1ml 2ml

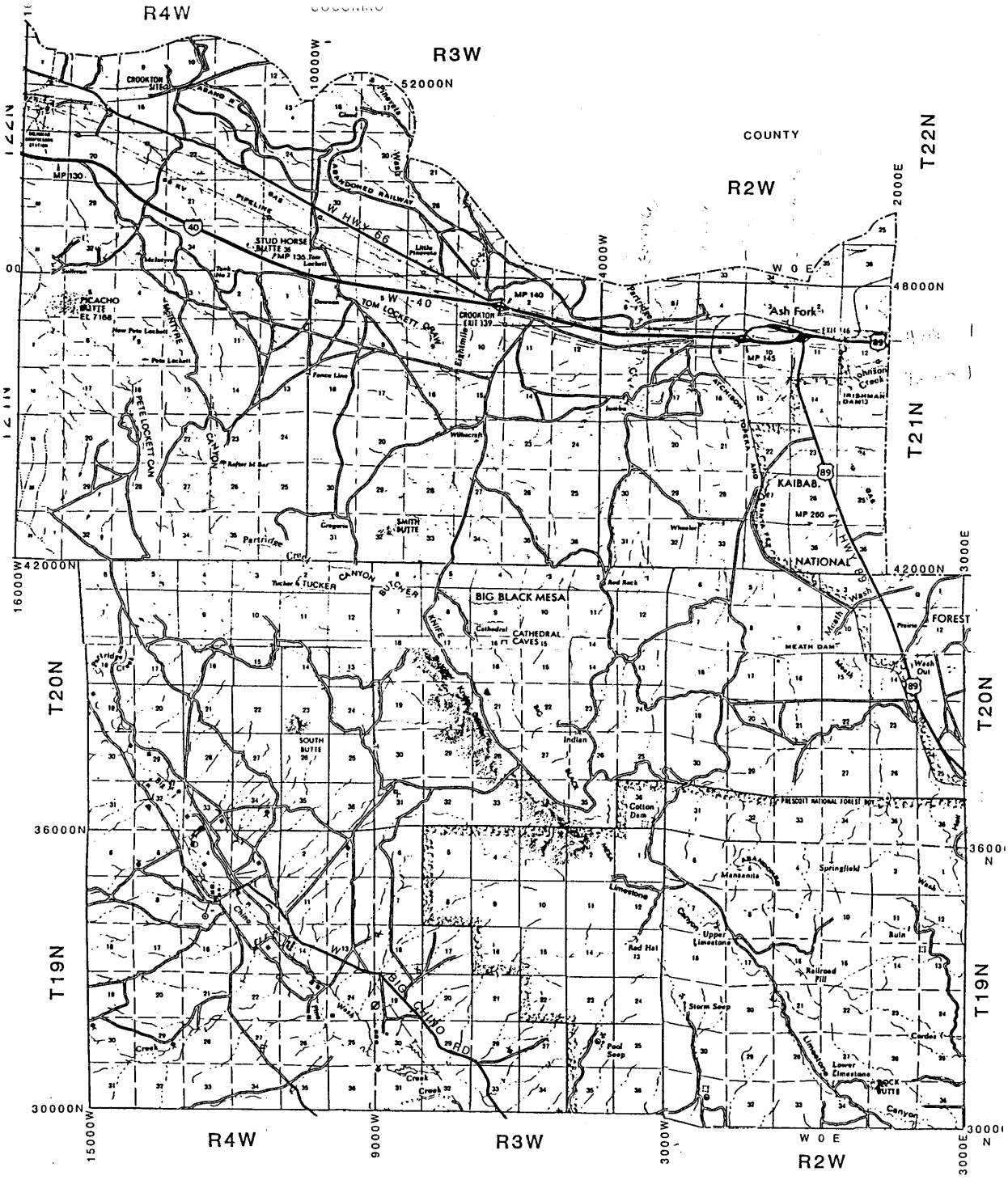
SCALE

N

CURRENT AS OF:

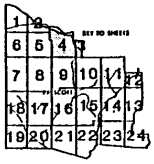
YAVAPAI COUNTY STREET AND ADDRESS ATLAS

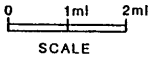
SHEET 3



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

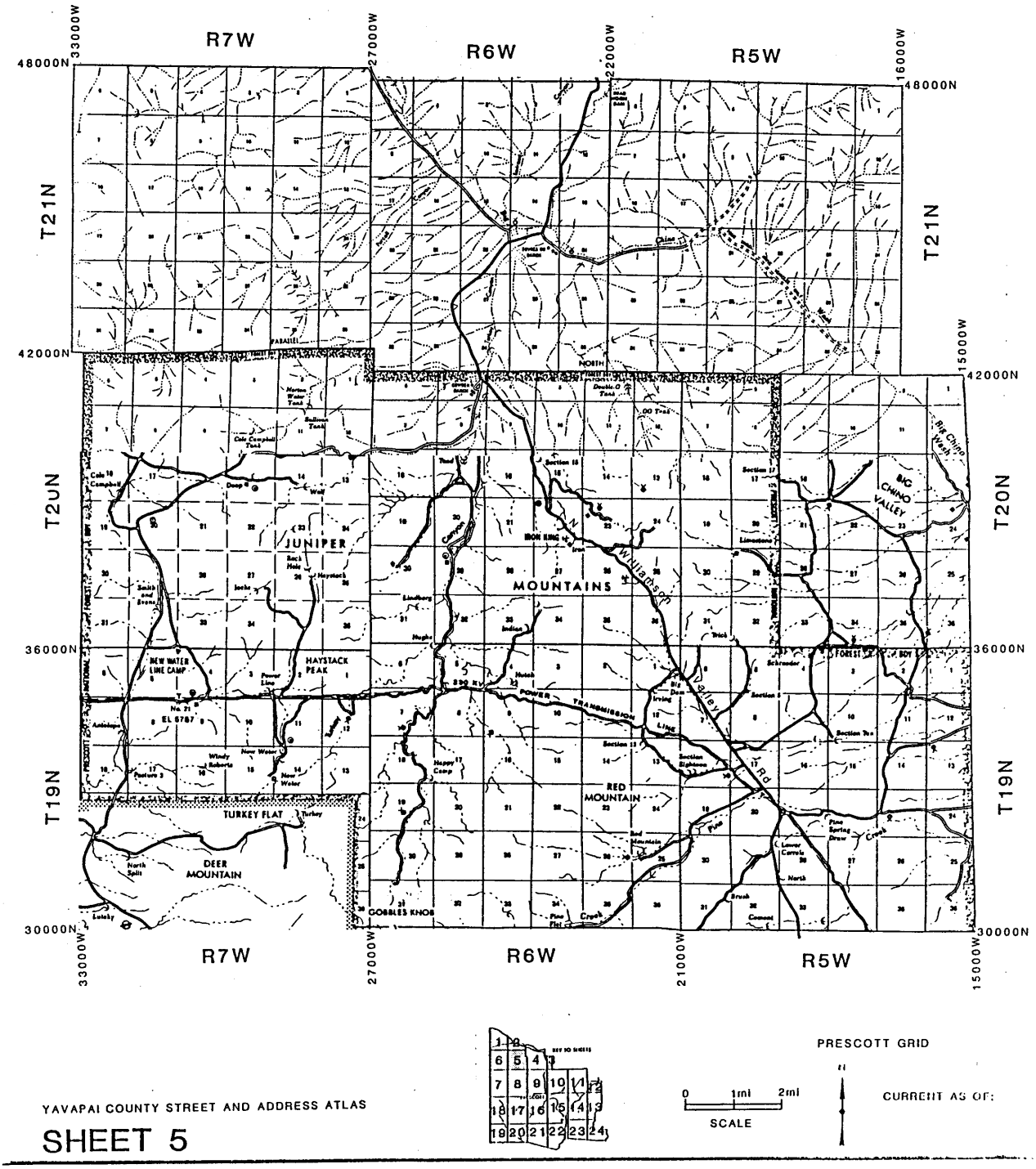
SHEET 4





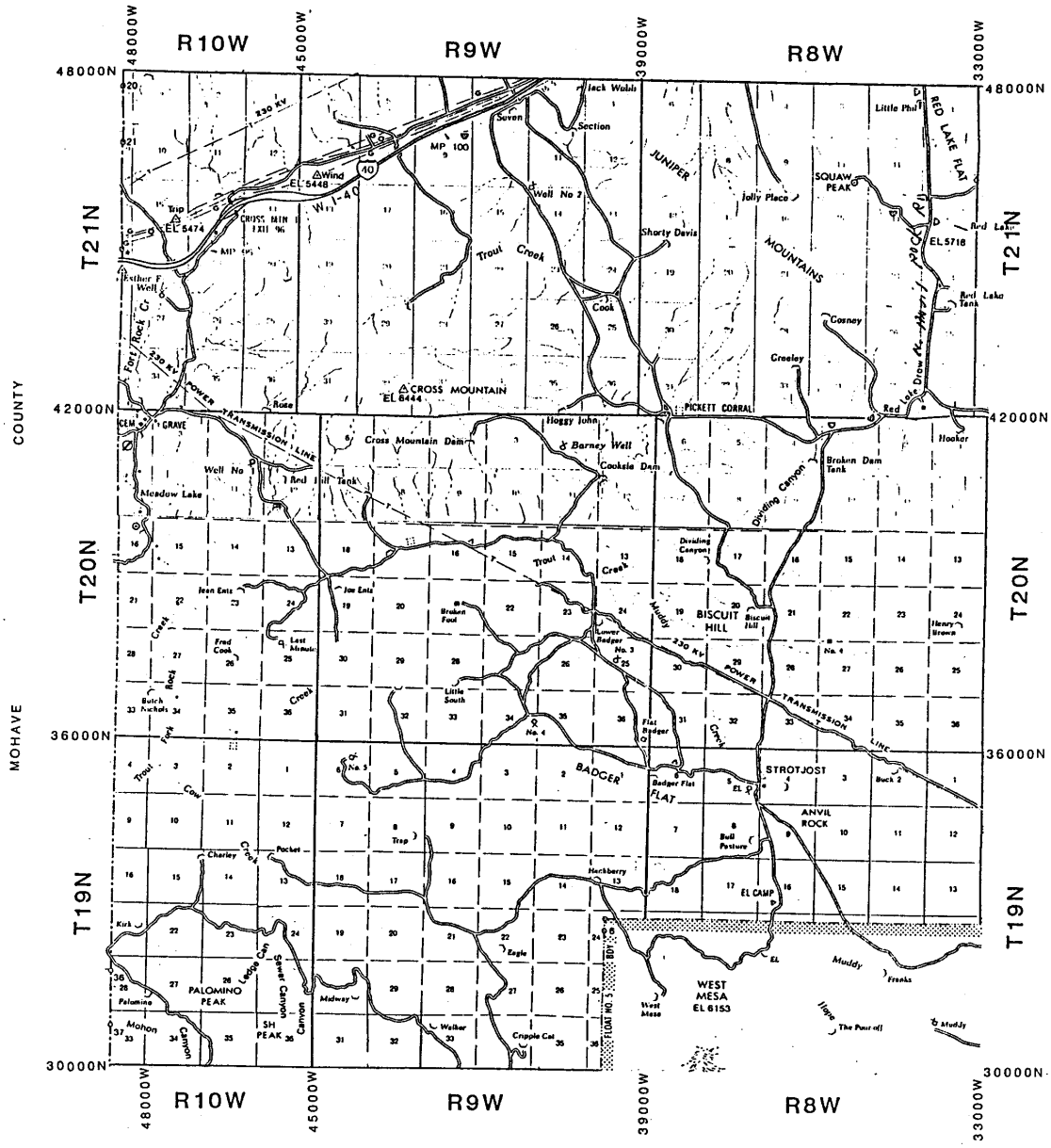
PRESCOTT GRID

CURRENT AS OF:



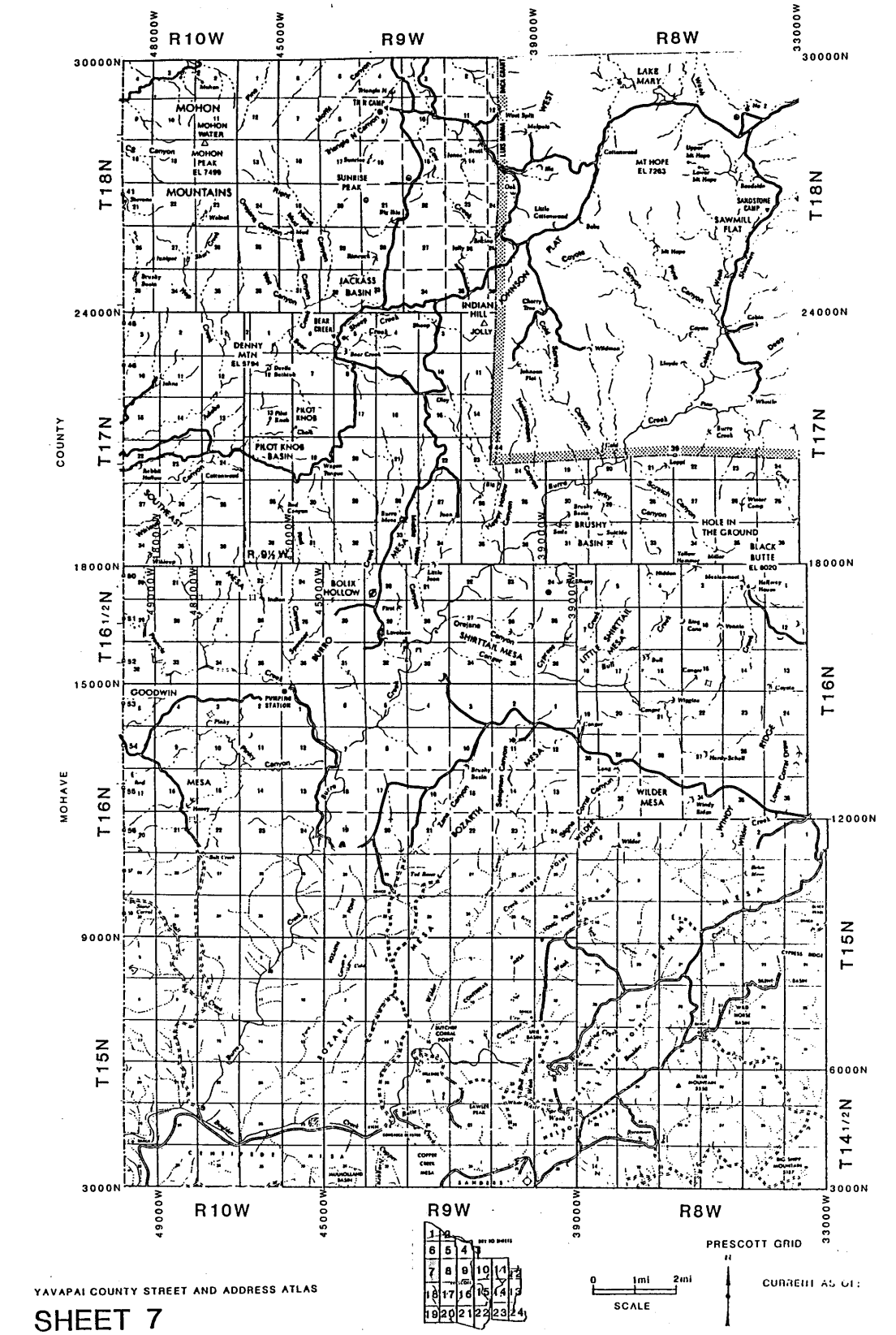
YAVAPAI COUNTY STREET AND ADDRESS ATLAS

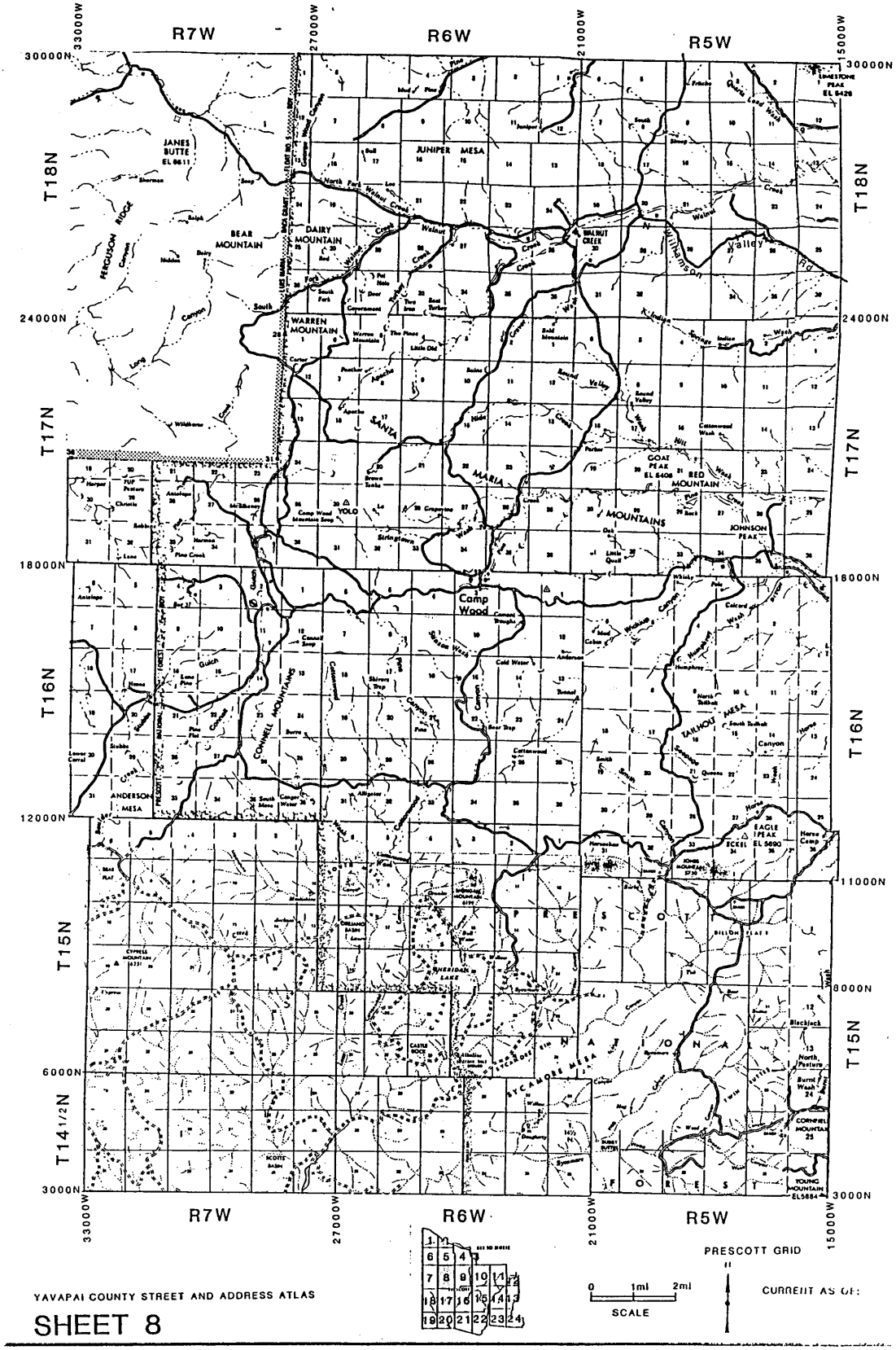
SHEET 5

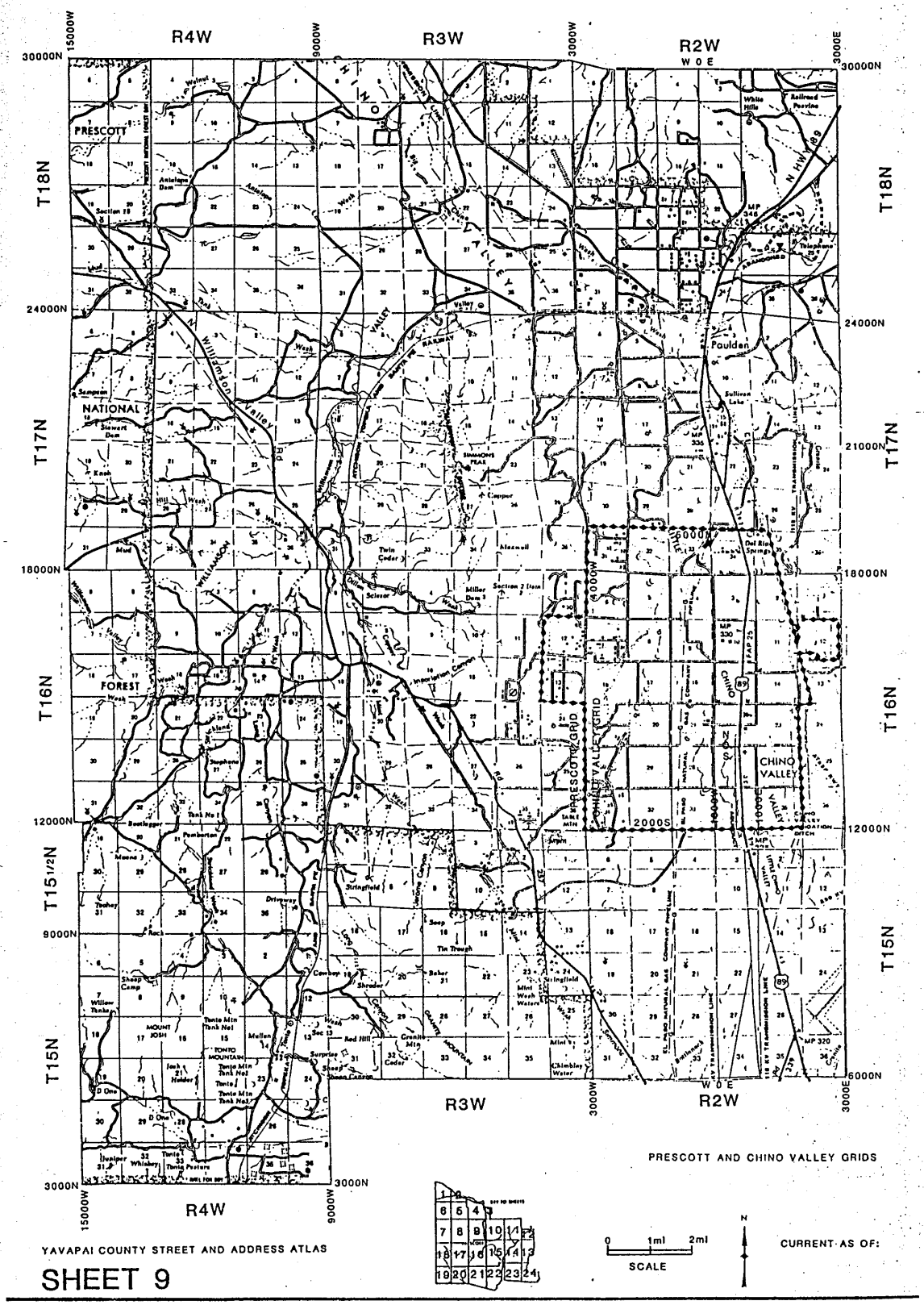


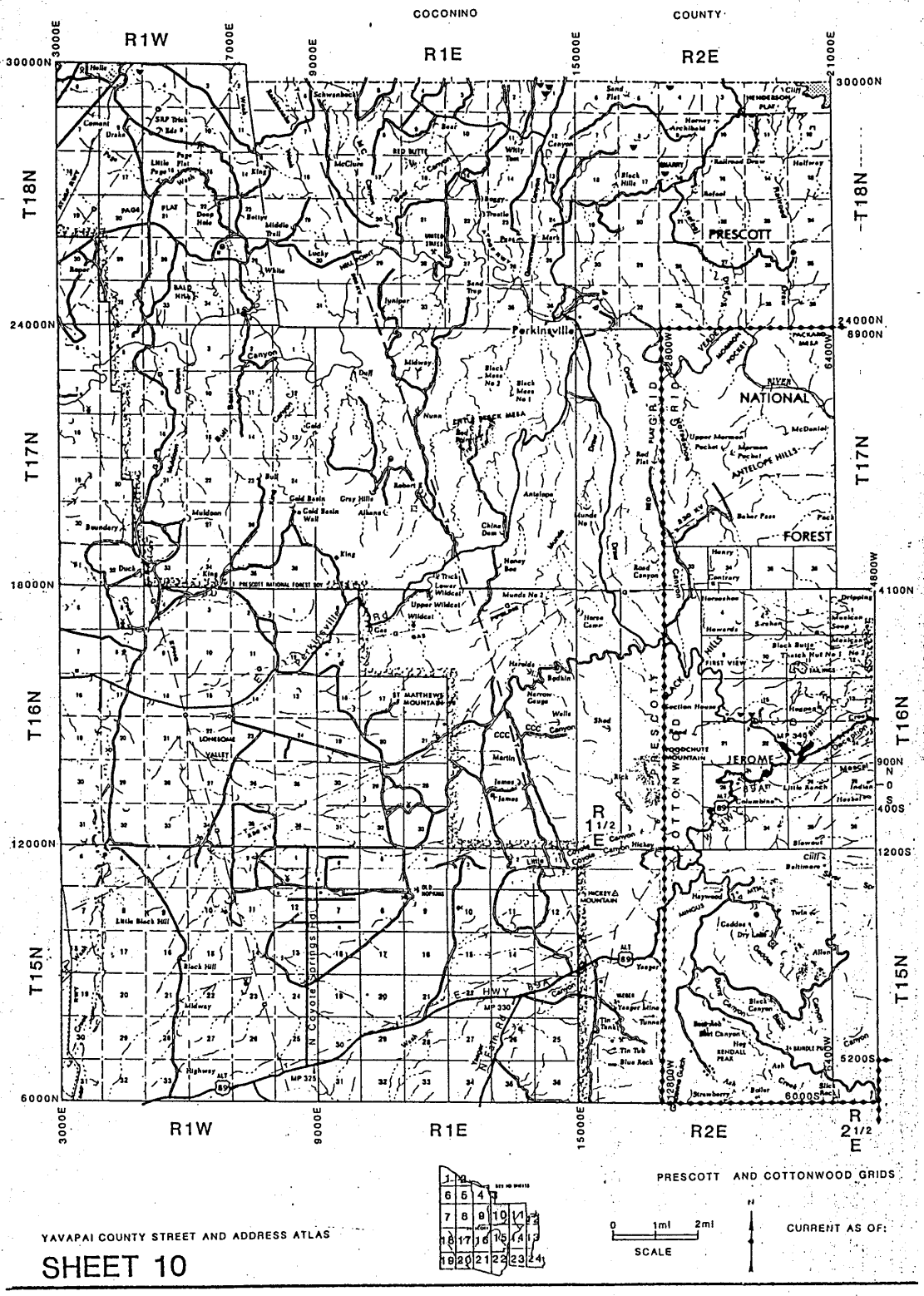
YAVAPAI COUNTY STREET AND ADDRESS ATLAS

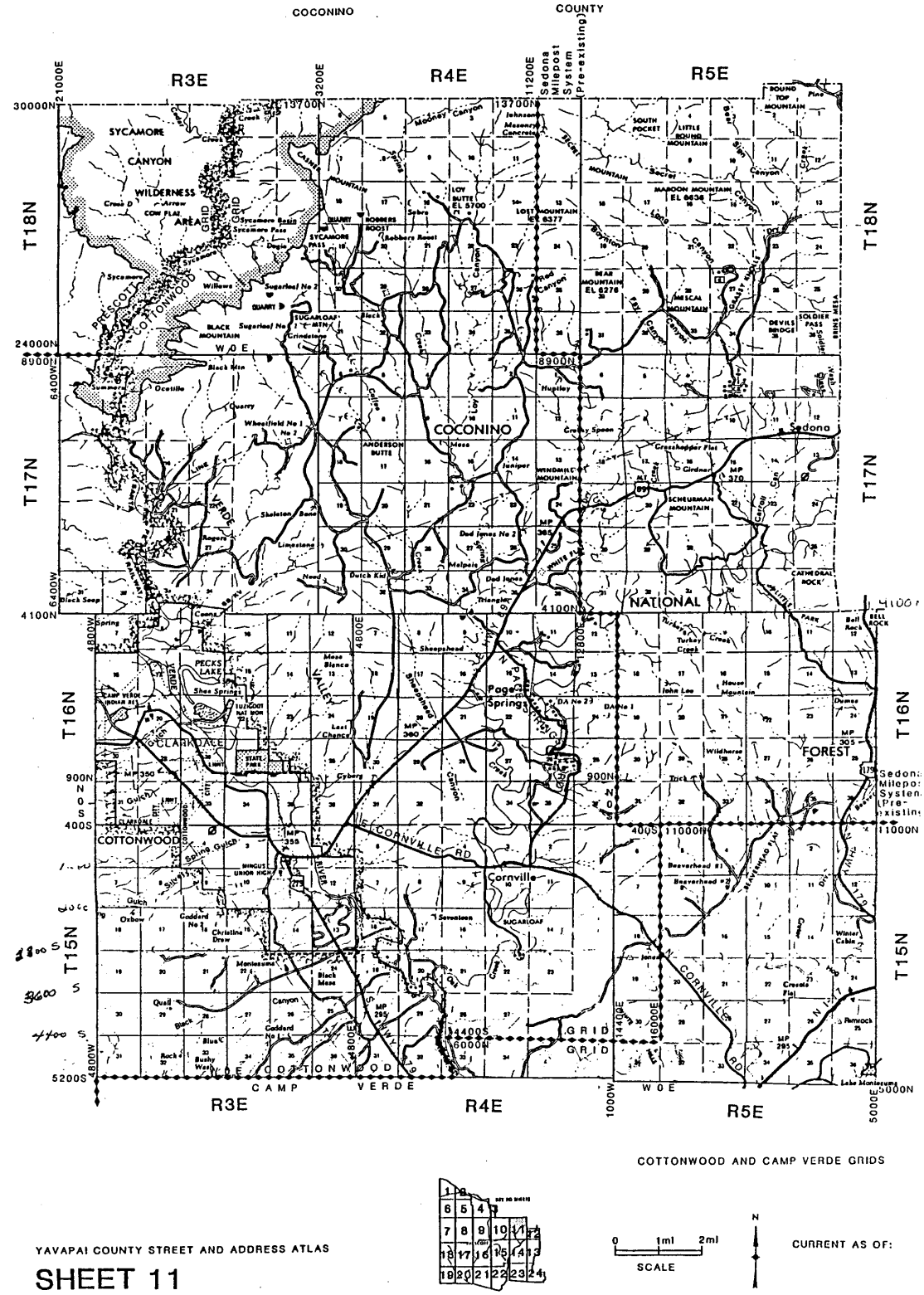
SHEET 6


R10W
R9W
R8W
T18N
T17N
T16 1/2 N
T16N
T15N
T14 1/2 N
COUNTY
MOHAVE
30000N
24000N
18000N
15000N
12000N
9000N
6000N
3000N
49000W
48000W
45000W
39000W
33000W
MOHON MOUNTAINS
MOHON PEAK EL 7499
SUNRISE PEAK
JACKASS BASIN
INDIAN HILL
JOLLY
DENNY MTN
PILOT KNOB
PILOT KNOB BASIN
BOLIX HOLLOW
GOODWIN
MESA
LAKE MARY
MT HOPE EL 7263
SAWMILL FLAT
BRUSHY BASIN
HOLE IN THE GROUND
BLACK BUTTE EL 8020
SHINTAIR MESA
LITTLE SHINTAIR MESA
WILDER MESA
PRESCOTT GRID
SCALE
0 1mi 2mi
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 7


R7W
R6W
R5W
T18N
T17N
T16N
T15N
T14 1/2N
30000N
24000N
18000N
12000N
11000N
8000N
6000N
3000N
33000W
27000W
21000W
15000W
JANES BUTTE
JUNIPER MESA
BEAR MOUNTAIN
DAIRY MOUNTAIN
WARREN MOUNTAIN
WALNUT CREEK
Williamson Valley Rd
SANTA MARIA MOUNTAINS
GOAT PEAK
RED MOUNTAIN
JOHNSON PEAK
YOLO
Camp Wood
CORNELL MOUNTAINS
TARHOLT MESA
ANDERSON MESA
EAGLE PEAK
SYCAMORE MESA
PRESCOTT GRID
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 8
0 1mi 2mi
SCALE
CURRENT AS OF:


R4W
R3W
R2W
T18N
T17N
T16N
T15½N
T15N
PRESCOTT
NATIONAL
FOREST
Paulden
CHINO
VALLEY
PRESCOTT GRID
CHINO VALLEY GRID
PRESCOTT AND CHINO VALLEY GRIDS
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 9
SCALE
CURRENT AS OF:


COCONINO COUNTY
R1W
R1E
R2E
T18N
T17N
T16N
T15N
PRESCOTT
Perkinsville
NATIONAL
FOREST
JEROME
PRESCOTT AND COTTONWOOD GRIDS
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 10
SCALE
CURRENT AS OF:



COTTONWOOD AND CAMP VERDE GRIDS

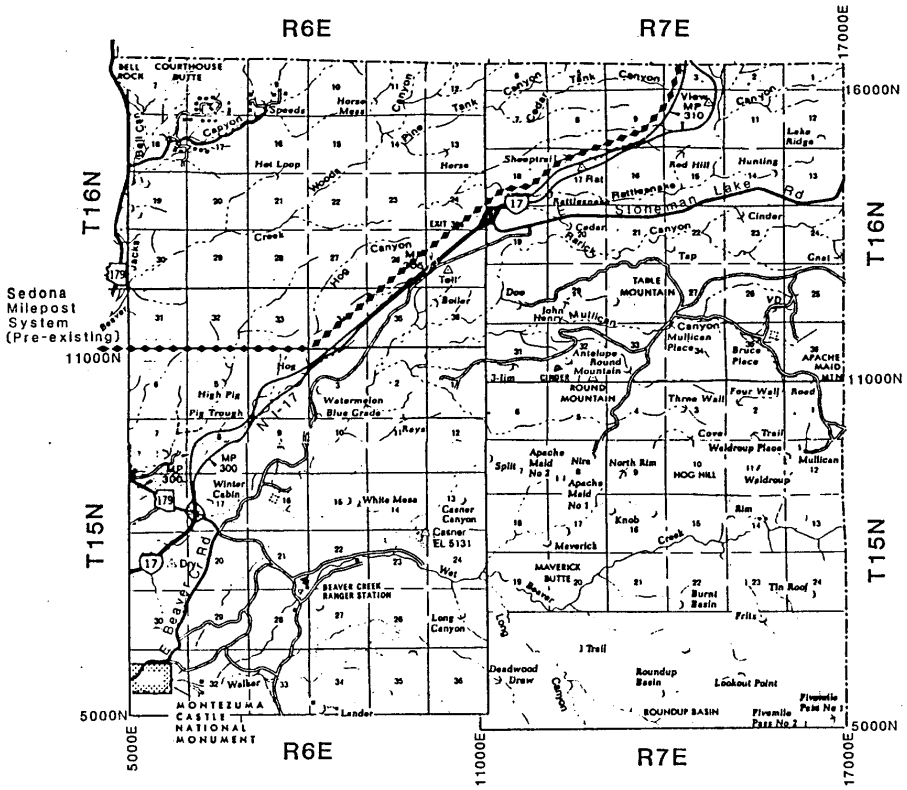
YAVAPAI COUNTY STREET AND ADDRESS ATLAS

SHEET 11

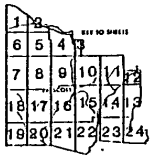
0 1mi 2mi
SCALE

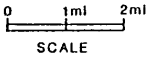
N

CURRENT AS OF:



CAMP VERDE GRID

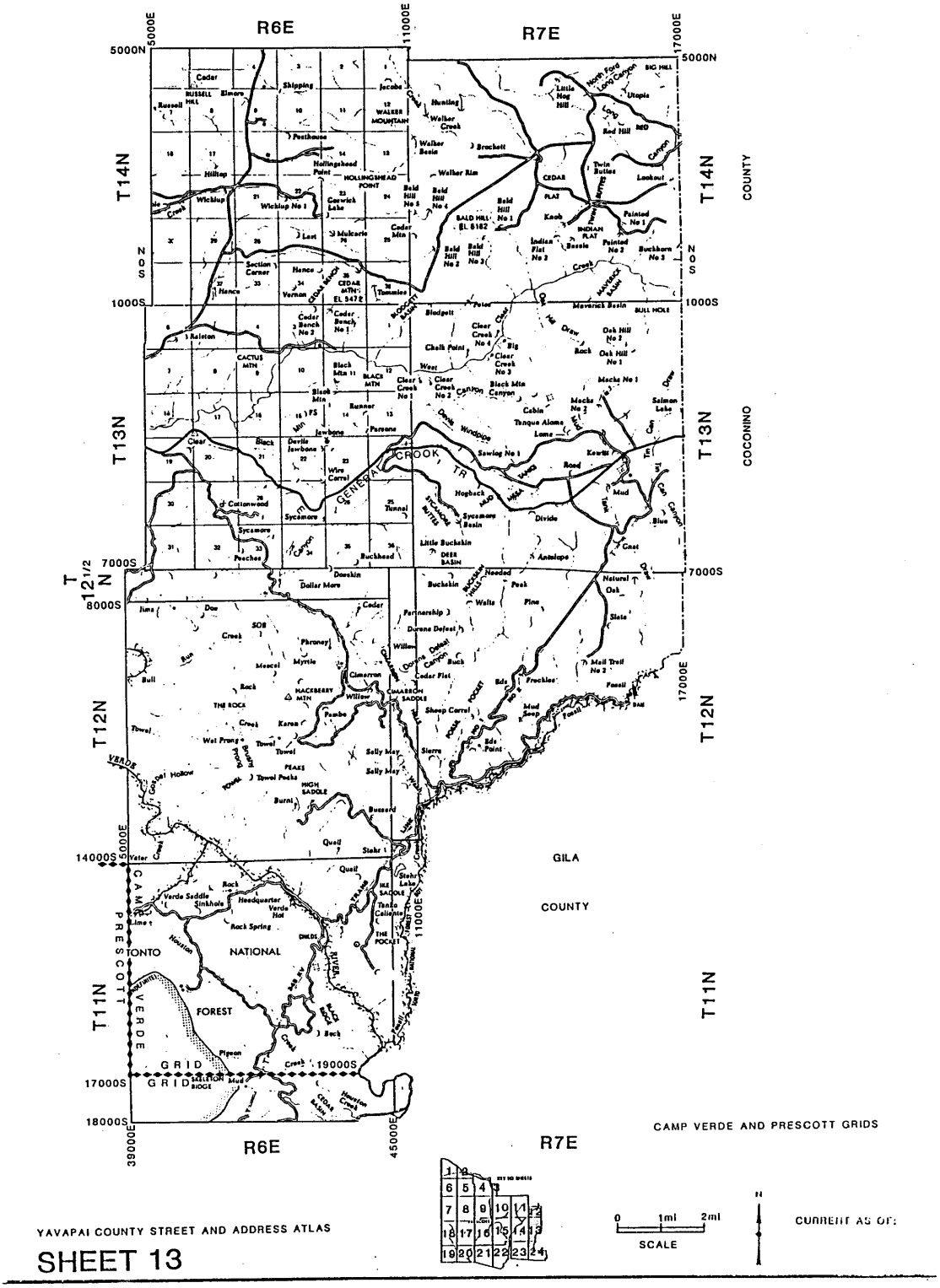


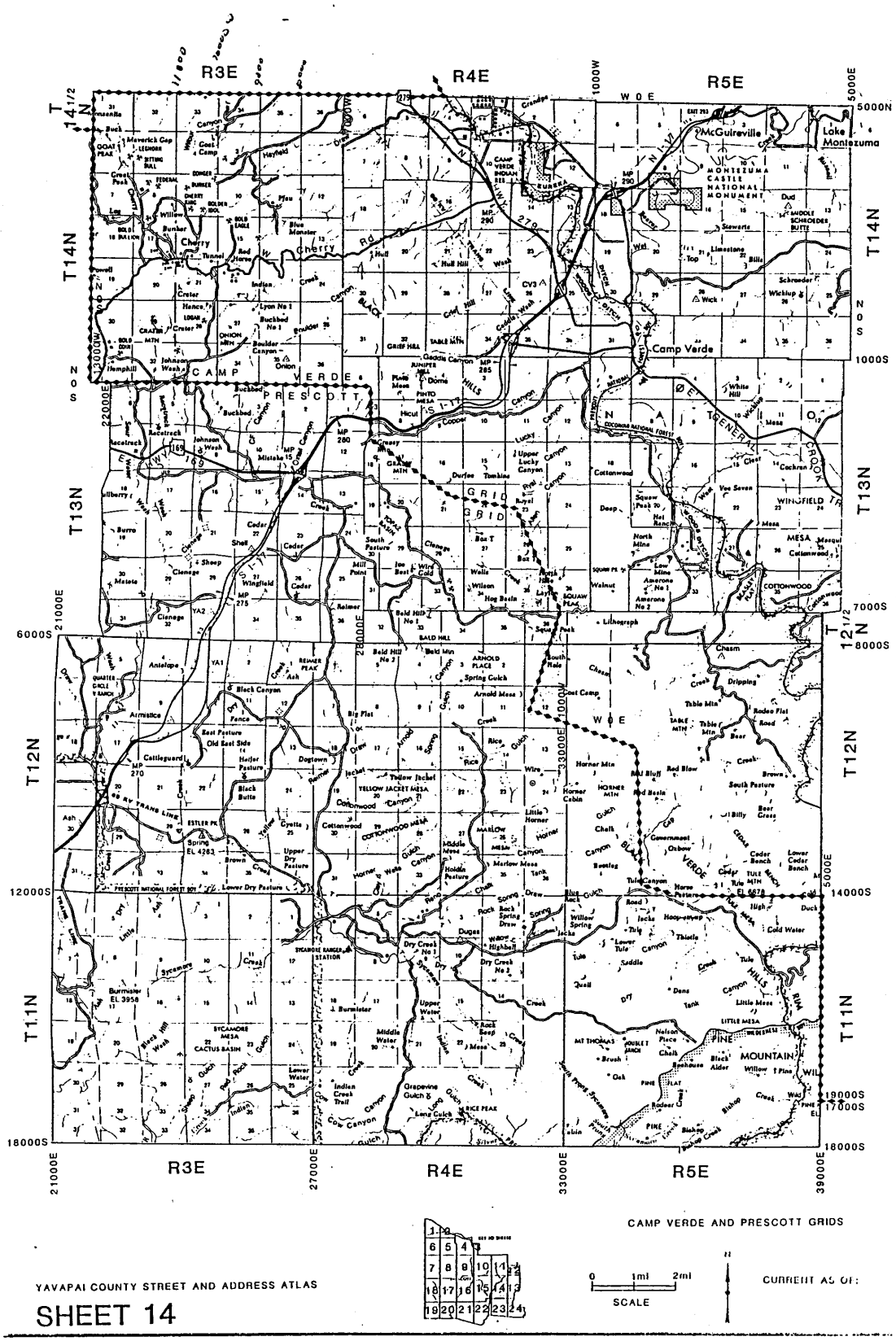


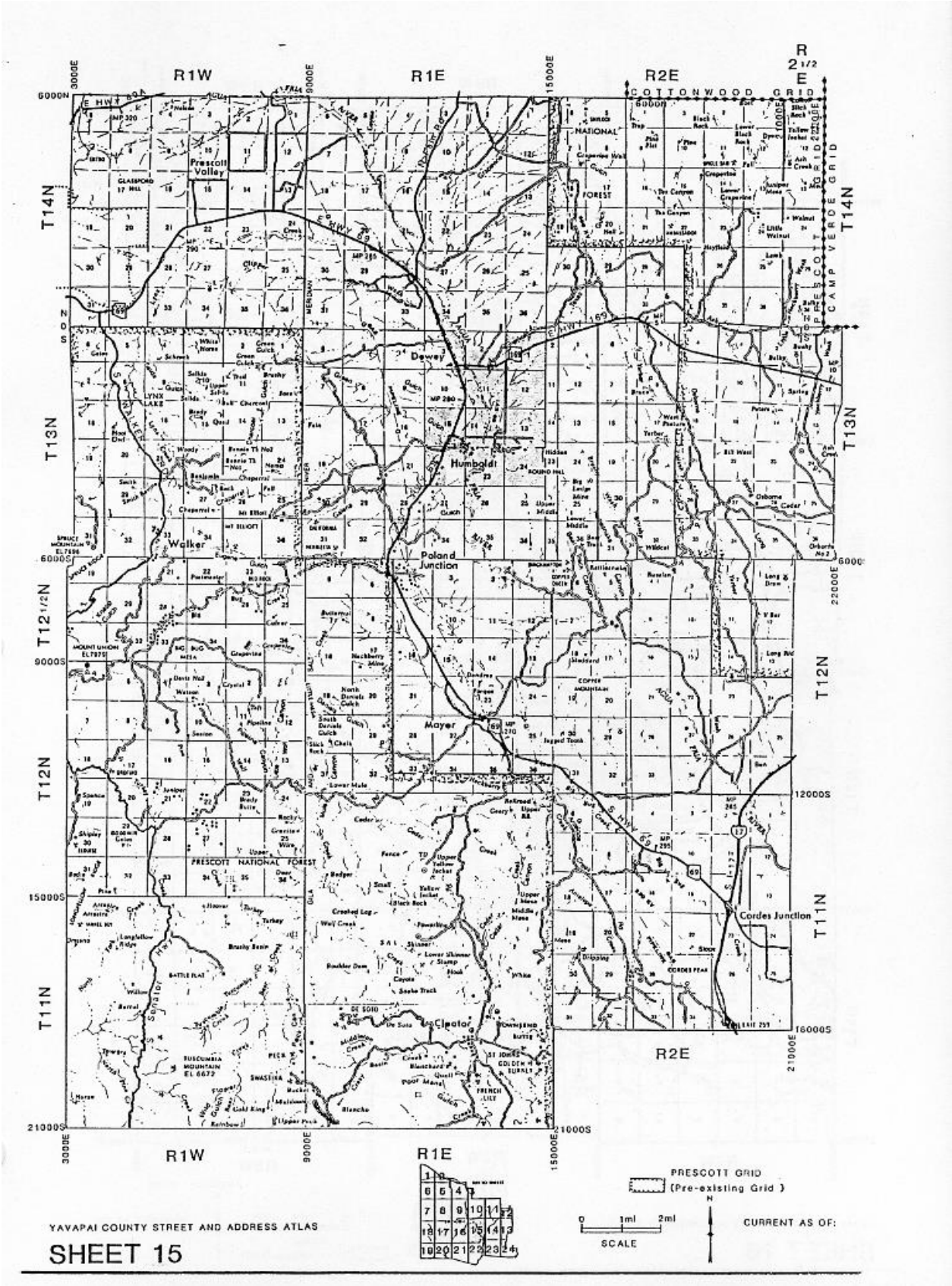
CURRENT AS OF:

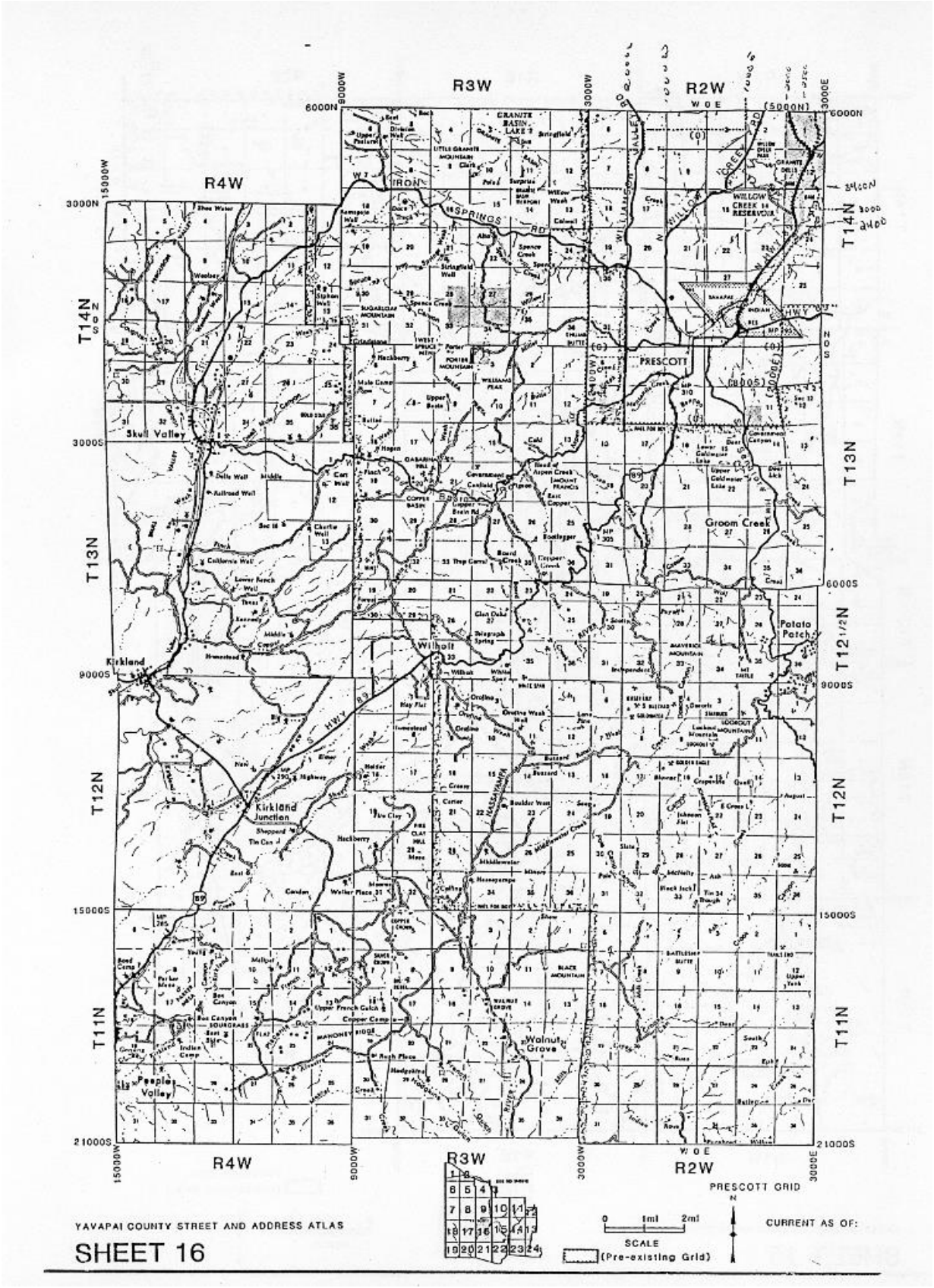
YAVAPAI COUNTY STREET AND ADDRESS ATLAS

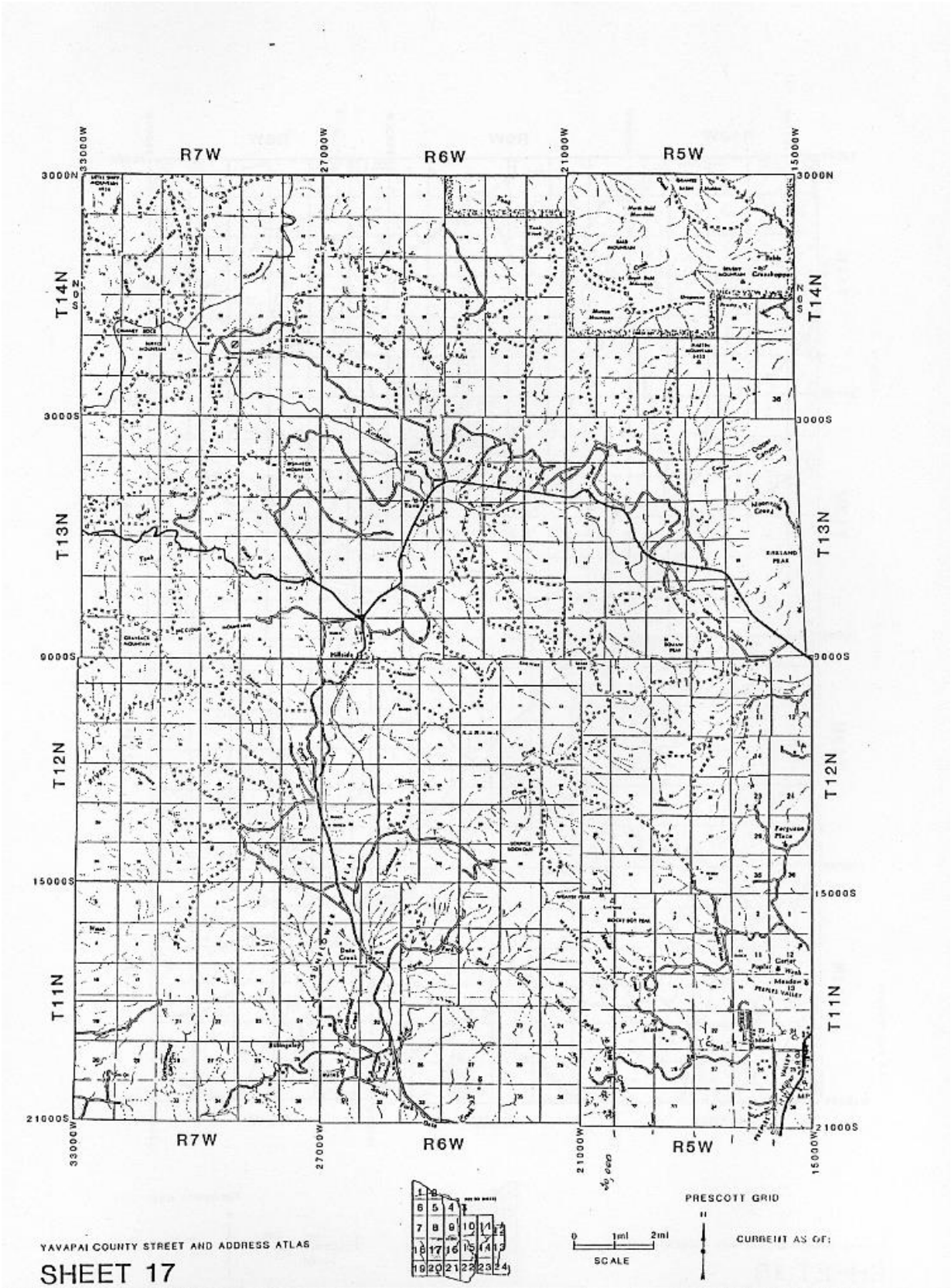
SHEET 12

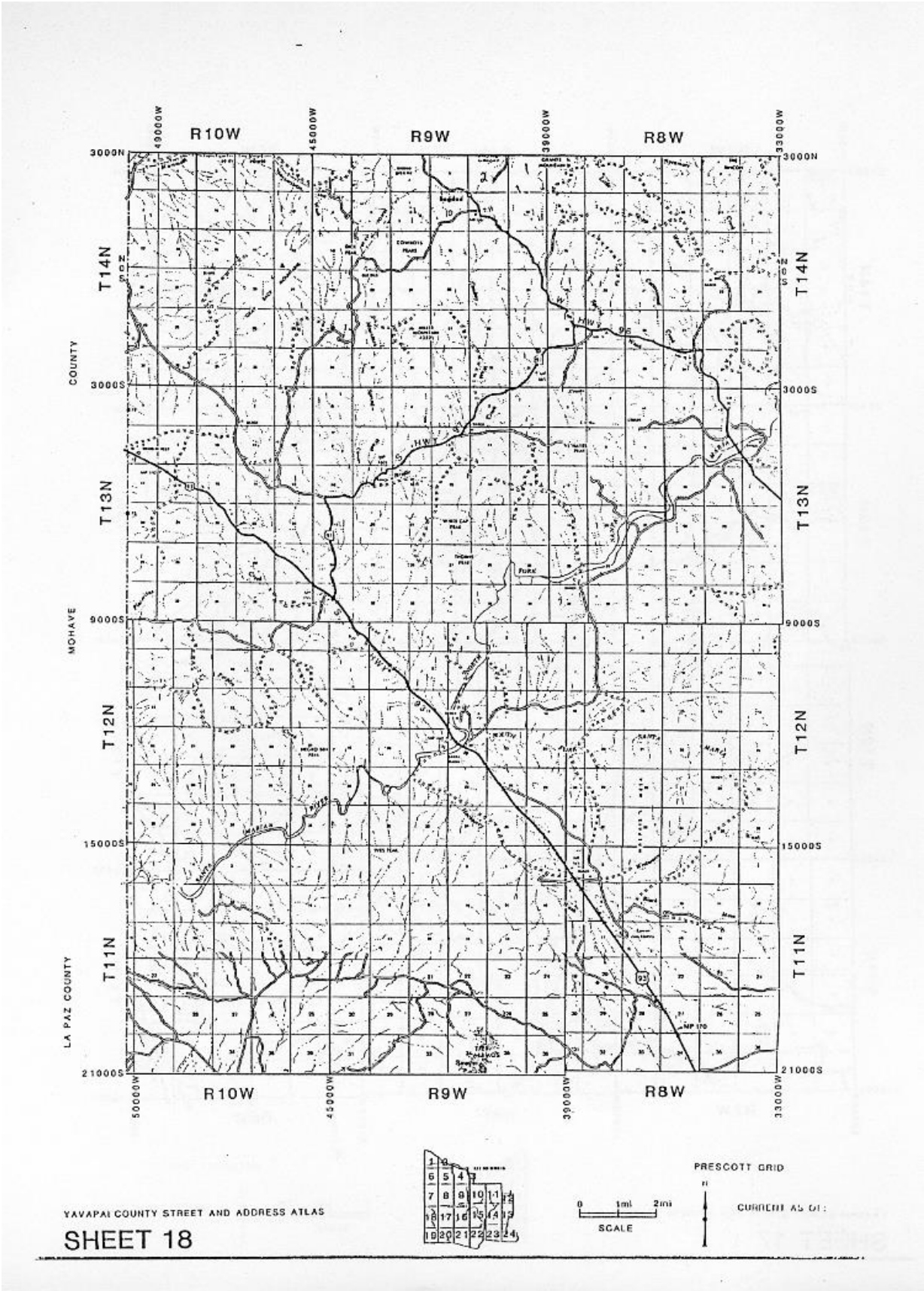

R6E
R7E
T14N
T13N
T12N
T11N
COUNTY
COCONINO
GILA
COUNTY
CAMP VERDE AND PRESCOTT GRIDS
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 13
SCALE
CURRENT AS OF:

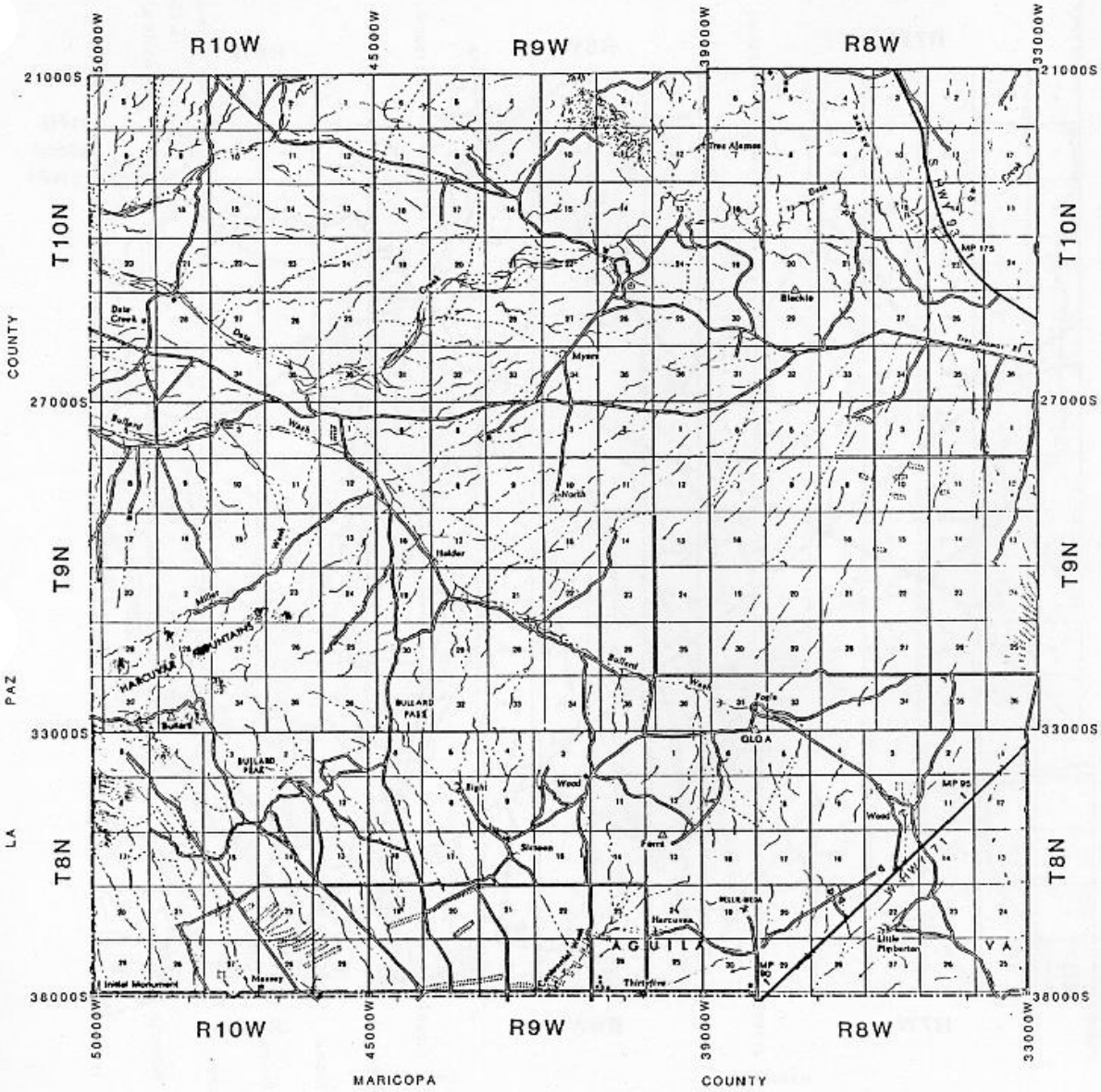

R3E
R4E
R5E
T14N
T13N
T12N
T11N
T14 1/2 N
T13 1/2 N
McGuireville
Lake Montezuma
MONTEZUMA CASTLE NATIONAL MONUMENT
Camp Verde
CAMP VERDE
PRESCOTT
Cherry
Clarkdale
Jerome
Cottonwood
Mayer
Dewey
Humboldt
Prescott Valley
Chino Valley
Paulden
Kirkland
Yarnell
Wickenburg
Congress
Hillside
Bagdad
Kingman
Seligman
Ash Fork
Williams
Flagstaff
Sedona
Cottonwood
Tuzigoot National Monument
Montezuma Castle National Monument
Tonto National Forest
Prescott National Forest
Coconino National Forest
Kaibab National Forest
Fort Verde State Park
Jerome State Park
Dead Horse State Park
Red Rock State Park
Fort Whipple
Fort Lincoln
Fort Rock
Fort Tejon
Fort Ord
Fort Bragg
Fort Lewis
Fort Sill
Fort Hood
Fort Bliss
Fort Knox
Fort Leavenworth
Fort Riley
Fort Sam Houston
Fort Leonard Wood
Fort Dix
Fort Meade


R1W
R1E
R2E
R 2 1/2 E
COTTONWOOD GRID
CAMP VERDE GRID
T14N
T13N
T12 1/2N
T12N
T11N
Prescott Valley
Dewey
Humboldt
Walker
Poland Junction
Mayer
Cordes Junction
Cleator
PRESCOTT NATIONAL FOREST
PRESCOTT GRID
(Pre-existing Grid)
SCALE
CURRENT AS OF:
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 15


R3W
R2W
R4W
T14N
T13N
T12N
T11N
T12½N
PRESCOTT
Skull Valley
Kirkland
Kirkland Junction
Wilhoit
Groom Creek
Potato Patch
Walnut Grove
Peeples Valley
PRESCOTT GRID
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 16
SCALE
(Pre-existing Grid)
CURRENT AS OF:


R7W
R6W
R5W
T14N
T13N
T12N
T11N
3000N
3000S
9000S
15000S
21000S
33000W
27000W
21000W
15000W
PRESCOTT GRID
SCALE
CURRENT AS OF:
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 17


R10W
R9W
R8W
T14N
T13N
T12N
T11N
MOHAVE COUNTY
LA PAZ COUNTY
3000N
3000S
9000S
15000S
21000S
50000W
45000W
39000W
33000W
PRESCOTT GRID
SCALE
0
1mi
2mi
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 18



PRESCOTT GRID

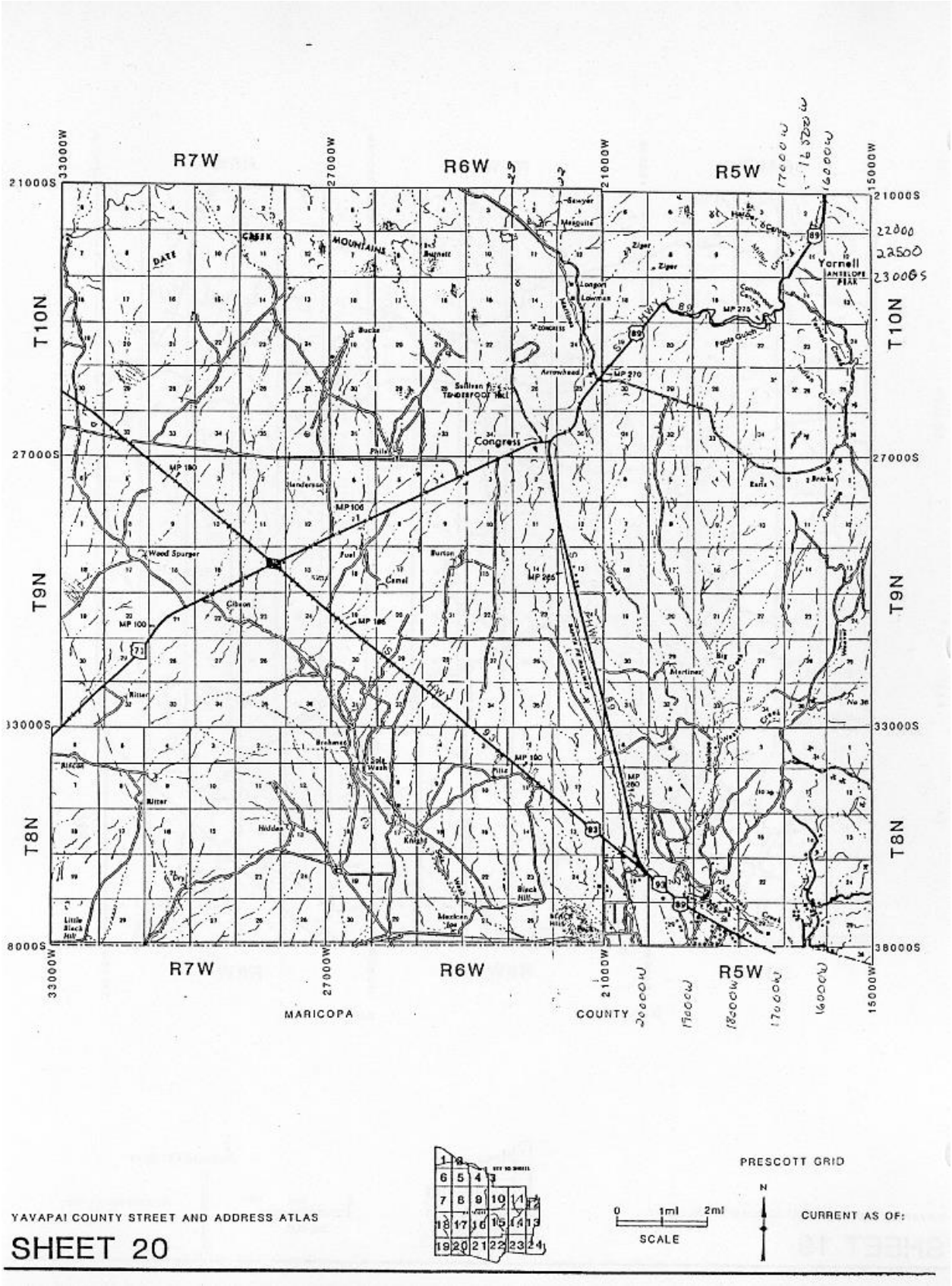
0 1mi 2mi

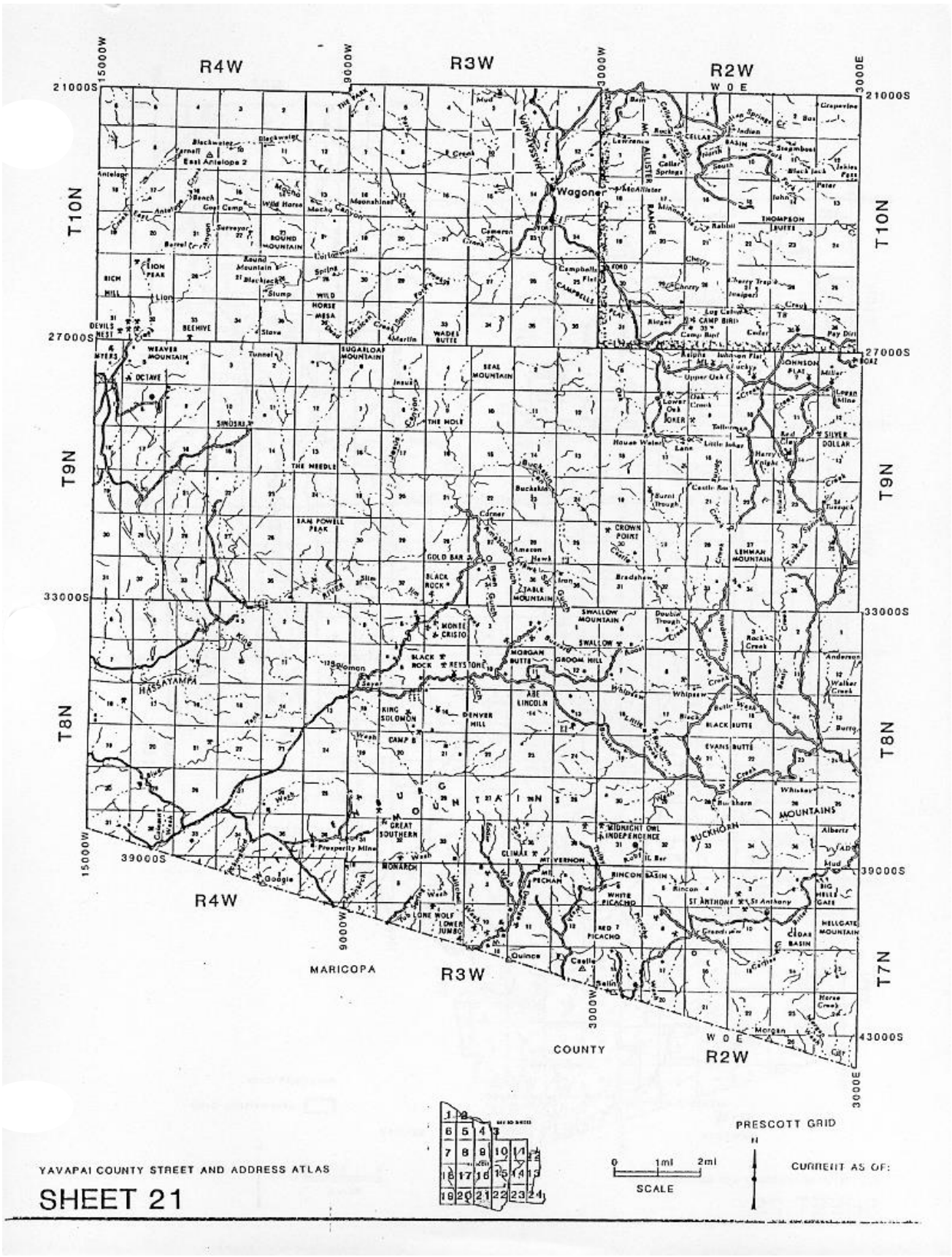
SCALE

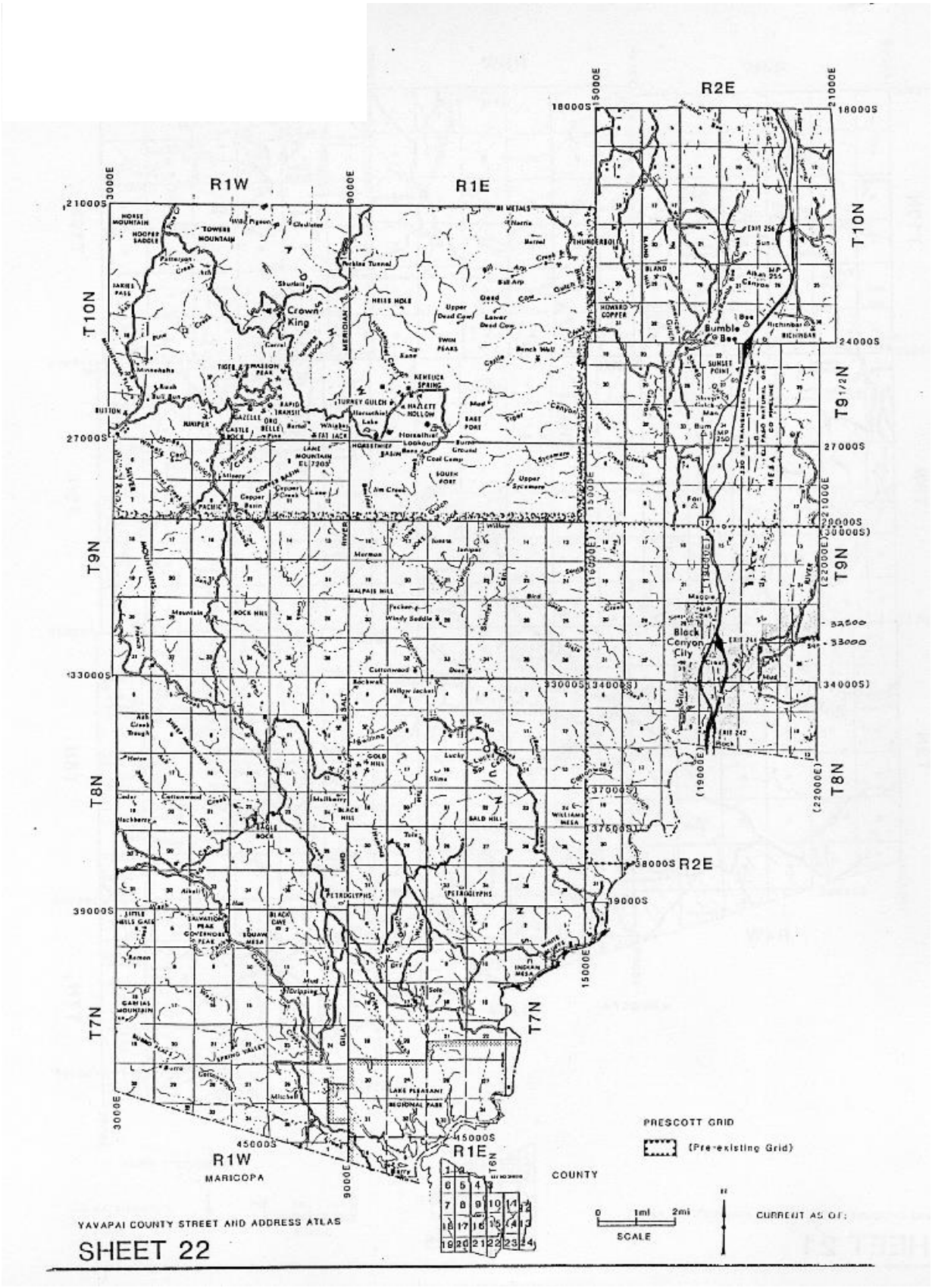
CURRENT AS OF:

YAVAPAI COUNTY STREET AND ADDRESS ATLAS

SHEET 19


R7W
R6W
R5W
T10N
T9N
T8N
21000S
27000S
33000S
38000S
33000W
27000W
21000W
15000W
Congress
Yarnell
MARICOPA
COUNTY
PRESCOTT GRID
SCALE
0
1mi
2mi
N
CURRENT AS OF:
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 20


R4W
R3W
R2W
T10N
T9N
T8N
T7N
21000S
27000S
33000S
39000S
43000S
15000W
9000W
3000W
3000E
Wagoner
MARICOPA
COUNTY
PRESCOTT GRID
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 21
SCALE
CURRENT AS OF: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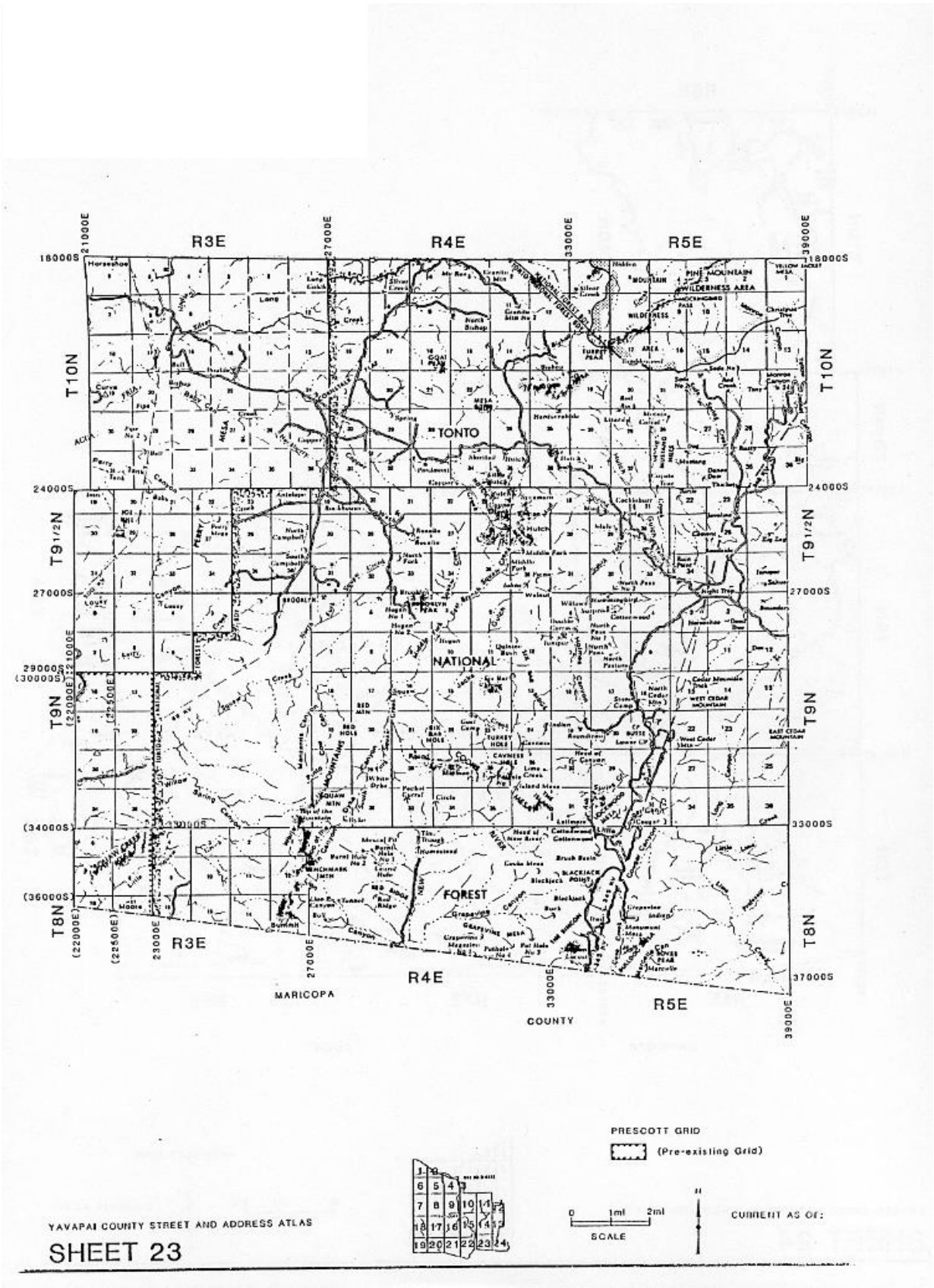
R1W
R1E
T10N
T9N
T8N
T7N
T9 1/2N
Crown King
Bumble Bee
Black Canyon City
PRESCOTT GRID
(Pre-existing Grid)
MARICOPA
COUNTY
SCALE
CURRENT AS OF:
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 22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R4E
R5E
T10N
T9 1/2 N
T9N
T8N
TONTO
NATIONAL
FOREST
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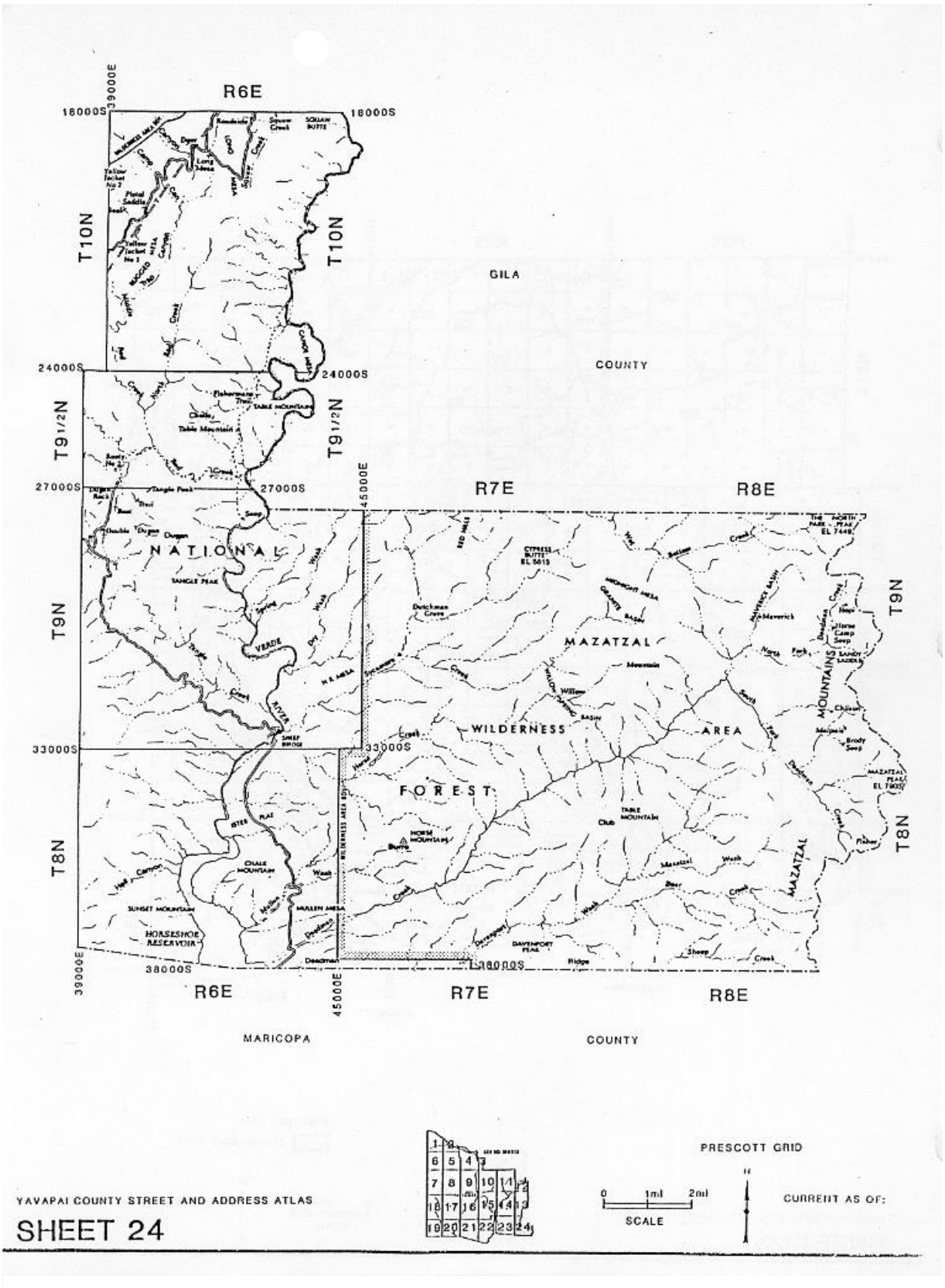
(Pre-existing Grid)
SCALE
CURRENT AS OF:
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 23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GILA
COUNTY
MARICOPA
COUNTY
NATIONAL
FOREST
MAZATZAL
WILDERNESS
AREA
MOUNTAINS
VERDE
RIVER
YAVAPAI COUNTY STREET AND ADDRESS ATLAS
SHEET 24
PRESCOTT GRID
SCALE
CURRENT AS OF:

SECTION 605 WIRELESS COMMUNICATIONS FACILITIES

A. The purpose of this Section is to establish rules and regulations for the siting of wireless communications facilities. The goals of this Section are to provide for the development of wireless communication services county-wide by: (1) encouraging the consideration of the goals and provisions of the Wireless Communications Plan; (2) encouraging configuration which minimize additional visual impact through careful and innovative siting, design, landscape and camouflage techniques; (3) providing wireless communication services to the community in a broad, quick, effective, and efficient manner; (4) encouraging the joint use (collocation) of facilities; (5) considering the public health, safety and welfare; (6) encouraging the use of existing vertical components; (7) considering historical and environmentally sensitive areas; and, (8) considering impact on adjacent properties.

B. DEFINITIONS: As used in this Section, the following terms shall have the following meaning:

Alternative Tower Structure: means vertical components not generally designed for use as antenna support structures including but not limited to structures such as church steeples, ballpark light poles and water towers.

Antenna: means any exterior device for transmitting and receiving wireless communication mounted on a tower, alternative tower structure, building or structure and used for transmitting and receiving wireless communication for a fee to more than one (1) customer at one time.

Antenna, Attached: 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): 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 of concealed antennas include but are not limited to manmade trees, clock towers, flagpoles that do not exceed ten feet (10') above the maximum building height, light structures, steeples, watertanks, and architectural façade and parapet features.

Certification: A written statement of the fact to be certified made under oath by the applicant or licensed professional working for the applicant and notarized.

Collocation: means use by two (2) or more wireless communication providers located on the same tower or alternative tower structure.

Commercial Coverage: means a single FCC licensee's network of wireless communications facilities providing a level of service to all areas of the community which, when fully developed, will permit viable commercial operation.

FAA: means the Federal Aviation Administration.

Facility, Existing: means a wireless communication facility in active use and for which a building permit has been properly issued and has not expired before the effective date of this Section.

Facility, New: means a wireless communications facility proposed to be located where a facility does not currently exist.

FCC: means the Federal Communications Commission.

Height: The distance from the finished grade at the antenna tower base to the highest point of

the tower. Overall tower height includes the base pad, mounting structures, and panel antennae, but excludes lightning rods and whip antennae.

Tower, Lattice: means a self-support structure, erected on the ground, which consists of cross-bracing of structural steel to support antennae and related equipment.

Tower, Monopole: means a self-support structure, with a single shaft of wood, steel, or concrete, and a platform for antenna arrayed at the top known as a "top hat."

Wireless Communication: means any technology for transmitting communication through the air.

Wireless Communication Facility: means any combination of one (1) or more antennae, towers and/or structures or equipment used for the transmission of wireless communication.

Wireless Communication Provider: means any FCC licensed service provider for Yavapai County, and any supplier of wireless communication facilities for those providers.

Use, Permanent: means the active daily use of antennae for the commercial transmission and receipt of wireless communication intended at the time of its installation and approved to be actively used for a permanent basis.

Use, Temporary: means the active daily use of antennae for the commercial transmission and receipt of wireless communication intended at the time of its installation and approved to be actively used for a specific period of time.

User, Single: means a single dwelling or a single business.

C. APPLICABILITY: All wireless communications facilities shall be subject to this Section except those used solely for transmission and receipt by a single user and not otherwise restricted within that Zoning District, including but not limited to, amateur radio and devices necessary for the use of a subscription to a commercial wireless provider service such as wireless internet and satellite TV

D. GENERAL PROVISIONS: The following are applicable to all wireless communication requests:

1. Principal or Accessory Use: Antennas and towers may be considered either principal or accessory uses to the principal use of the property

2. Lot Size: For purposes of determining whether the installation of a tower or antenna complies with district development regulations, even though the antennas or towers may be located on a separately leased portion of the lot, the Density District requirements of the entire overall lot shall control requirements, including but not limited to setbacks, lot-coverage percentages, and other such requirements.

3. Characteristics

   a. Improvements comprising a wireless communication facility including tower structure, antennae and related electrical and mechanical equipment, shall, to the extent possible, use materials, colors, textures, screening, and landscaping blending them into the natural and surrounding setting, unless subject to any applicable standards of the FAA.

   b. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the application shall contain a list of optional light devices and a statement of the reason for selection of the light device specified over each of the options.

c. All wireless communication facilities shall be maintained in compliance with applicable State or local building codes under which they were constructed and any regulations of the FAA, the FCC, and any other Federal government with the authority to regulate them or their components. If such Federal standards and regulations are changed, then the owners of the wireless communication facilities governed by this Section, which are applicable to these new Federal standards shall bring such towers and antennas into compliance with such revised standards and regulations within three (3) months of the effective date of such standards and unless a different compliance schedule is mandated by controlling law. Wireless communications facilities that are not in compliance shall be removed at the owner's expense if not brought into compliance within thirty (30) days after written demand by Yavapai County.

d. Setback and separation distances shall be calculated and applied irrespective of municipal and County jurisdictional boundaries.

e. Wireless communications facilities shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as essential services, public utilities, or private utilities.

f. No signs shall be allowed at a facility with the exception of a single one (1) square foot sign for each carrier, to provide emergency contact numbers.

g. Except as provided in this Section all building and use processes and requirements, including height restrictions, within the applicable Zoning District shall apply to wireless communication facilities.

h. Equipment shall not generate noise levels that exceed fifty (50) dBA Sound Pressure Level (SPL) on directly adjacent properties. This maximum sound level does not apply to generators used in emergency situations when the regular power supply is temporarily interrupted and noise made during the regular maintenance and upkeep of the facility and site. All aboveground equipment shall be enclosed by concrete masonry unit walls if located within one thousand feet (1,000’) of existing residences.

E. PERMITTED USES: Wireless communications facilities located on property owned, leased, or controlled by Yavapai County pursuant to agreement of or approved by Yavapai County shall be a permitted use in all Zoning Districts with Zoning Clearance. Prior to entering into a lease agreement with Yavapai County, the potential lessee shall conduct an informational meeting for owners of property within one thousand feet (1,000’) of the proposed facility and the nearest known community/homeowners' association(s).

F. PROVIDER’S COMMUNICATION PLAN:

1. Each wireless communication provider shall provide a plan of its facilities to the County prior to any application for the installation of a wireless communication facility. The plan shall cover the entire County extending five (5) miles beyond the County border. The plan shall include the following:

a. All of the provider’s existing wireless communication facilities, by size, type, and their coverage areas.

b. All presently anticipated future service areas, anticipated deployment date, and types of wireless communication facilities and heights desired for each of the service areas.

c. The various types of wireless communication facilities used by the provider to furnish service and when they are used. This includes drawings providing the sizes and shapes of the antennae and equipment as well as written materials describing their application.

d. The provider's policy direction for the mitigation and/or reduction of existing and proposed towers to avoid the proliferation of such facilities.

e. The provider's policy direction on the mitigation and/or reduction of the negative visual impact created by existing towers, including any proposals to conceal or disguise such facilities designed to be architecturally and/or environmentally compatible with their surroundings.

f. The provider's policy direction on collocation of antennae on their own facilities, on facilities from other providers, or on other structures which provide the verticality required for the antennae.

g. Designation of an agent of the provider who is authorized to receive communications and notices pursuant to this Section.

2. Information contained in each providers communication plan shall be treated as confidential and not disclosed to other providers unless noted by the provider in the plan.

3. Information noted as non-confidential information, may be shared with other interested parties seeking to locate wireless communication facilities in Yavapai County, in an effort to promote collocation and co-development of facilities.

G. APPLICATION REVIEW:

1. General: The following provisions shall govern the issuance of permits for towers or antennas:

a. If the wireless communication facility is not a permitted use, then an administrative approval or a Use Permit shall be required for the construction.

b. Applications for administrative approvals and Use Permits for a wireless communication facility shall be subject to the procedures and requirements for use permits generally, except as modified in this Section.

c. Fees for applications under this section are listed in the Yavapai County Zoning Ordinance Fee Schedule.

d. All Use Permit or administrative review approvals for new wireless communication facilities shall be granted for a maximum period of ten (10) years with Staff review after five (5) years. The applicant/structure owner shall be responsible for initiating an administrative renewal and possible extension of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the facility as approved. Applications for collocation on existing structures shall be set for a period of time so that the expiration date for the collocation expires simultaneously with the structure. If an extension is denied by the Development

Services Department, the applicant may appeal the decision to the Planning and Zoning Commission and Board of Supervisors, by applying for a Use Permit.

e. In granting approval of an application, Yavapai County may impose conditions to the extent that such conditions carry out the purposes of this Section.

f. Any information of an engineering nature that the applicant submits shall be certified by an Arizona licensed professional engineer.

g. No new wireless communication facilities within one thousand feet (1,000') of any residences, including single and multiple family residences and residential facilities, such as group homes and nursing homes, with the exception of attached antenna and concealed antenna sites that do not exceed ten feet (10') above the maximum building height of the applicable Density District which will be reviewed on a case-by-case basis. For those wireless communication facility sites exceeding ten feet (10') above the maximum building height for their Density District, there shall be a ten (10) foot setback for every one (1) foot in tower height from existing residences with a minimum setback of one thousand feet (1,000') required.

h. No new wireless communication facilities shall be installed atop of Glassford Hill, Thumb Butte, Badger ("P") Mountain or other promontories associated with Badger Mountain, 1 Granite Mountain and Little Granite Mountain or other promontories associated with these mountains.

i. No new wireless communication facilities shall be installed in the Granite Dells area.

j. No new wireless communication facilities shall be installed within unique or scenic areas/sites identified within community plan areas: for example, the Red Rock/Dry Creek Community Plan Conservation-Preservation District or the Big Park Community Plan Forest District.

k. No new wireless communication facilities shall be installed in any area that may mar mountain views, or visually sensitive areas, particularly but not limited to the view of Glassford Hill, Thumb Butte, Bell Rock, Courthouse Rock and Cathedral Rock, from any direction unless the facility uses arrays, pole diameters, shapes and colors that shall blend it with other similar vertical objects and not be intrusive in its setting or obtrusive to views.

l. The Development Services Director is authorized to employ on behalf of the County, an independent technical expert to review any technical materials submitted including, but not limited to, those required under this section and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The applicant shall pay all the costs of said review.

m. Prior to applying for a new facility, the applicant shall meet with community groups and interested individuals who reside or own property within one thousand feet (1,000') of the proposed site to explain the proposed project. The purpose of these meetings is to inform and educate the community on wireless communications, and the restrictions placed on Yavapai County by the Federal Telecommunications Act of 1996, as well as to solicit suggestions from these groups about the applicant's proposal and impact mitigation measures.

Applicant shall make a concerted effort to incorporate the community suggestions for impact mitigation generated by the meetings and describe the efforts in the application. Applicant shall be prepared to discuss information including but not limited to, technical aspects, visual aspects, including alternative sites and designs. Applicant shall provide detailed meeting minutes, copy of all materials delivered or received, and documentation of who attended the meetings from the community organization.

2. Performance Criteria:

a. The order of preferences for wireless communication facilities is, from most preferred to least preferred:

(1) Collocation on an existing facility or electrical utility pole.

(2) Attached antennas on an existing verticality.

(3) New sites located on public lands at least five thousand feet (5,000') from private land.

(4) New concealed or attached antenna sites located on/at public or quasi-public facilities.

(5) Concealed sites.

(6) New towers/facilities under ninety-nine feet (99').

(7) New towers/facilities one hundred feet (100') to one hundred ninety-nine feet (199').

(8) New towers/facilities two hundred feet (200') and over.

New facilities shall use the most preferred facility type where technically feasible, even if it results in an increase in the number of facilities, or a higher cost. A lesser preferred facility type may be permitted only if the applicant presents substantial evidence to show that it will have a lesser visual impact than the use of more preferred facilities.

b. The following characteristics are deemed consistent with the purposes of this Section and will be afforded favorable weight in considering the application:

(1) Sites located on public lands;

(2) Existing structures will be preferred over new structures;

(3) New structures which appear to be structures commonly found within that Zoning District are preferred over apparent wireless structures;

(4) Wireless communication facilities which cannot be readily observed from adjacent streets;

(5) Structure heights, which do not exceed the height limitations for that Zoning District. When heights may exceed an adjacent jurisdiction's height restrictions, that jurisdiction(s) will be notified of the application;

(6) Collocation of all licensed carriers for Yavapai County on a single wireless communication facility in remote locations will have significant favorable weight in evaluating the application;

(7) Network development plans which achieve the fewest number of

wireless communication facilities of all providers reasonably necessary for commercial coverage;

(8) Location in the least restrictive Zoning District starting with Industrial; and,

(9) Suitability of the location for collocation of governmental public service wireless communication facilities.

3. Review Procedures:

a. Administrative Review: Applications for collocation of antennae on and equipment at an existing, permitted wireless communications facility, shall be subject to review by Development Services Department Staff and approval by the Development Services Director. Applications to place antennae on top of, or attached to, an existing or replaced utility/power pole which does not extend the height of the existing pole by more than ten feet (10') shall also be evaluated by the Administrative Review process. A decision shall be rendered to approve or deny within fourteen (14) days of submittal of a complete application. If an Administrative Review application is denied by the Development Services Department, the applicant may then apply for a Use Permit, and appeal the decision before the Planning and Zoning Commission and Board of Supervisors, if desired.

Application Requirements: The following shall be submitted with each Administrative Review application:

(1) Completed hearing application submittal form, letter of authorization, and permission to enter property letter as contained in the application procedures information packet;

(2) An updated Provider's Communication Plan, including any proposed changes in the service areas, antennae, towers, and policy direction;

(3) The zoning classification of the site;

(4) Plans showing: elevation drawings of the exterior of each element of the proposed wireless communication facility, method of fencing, coloration, and landscaping;

(5) Certification that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations;

(6) Copies of all wireless telecommunication licenses for all providers who will use the facility at the time of filing the application;

(7) Copy of signed, redacted, lease agreement with landowner.

b. Administrative Review with Comment Period: Applications for new wireless communication facilities that do not exceed ten feet (10') above the maximum height allowed in that Density District, or sites on public lands located at least five thousand feet (5,000') from the nearest privately owned land, would be subject to administrative review with a twenty-one (21) day public comment period. Surrounding property owners and community organizations shall receive notice of the application. If an Administrative Review with Comment

Period application is denied by the Development Services Department, the applicant may then apply for a Use Permit, and appeal the decision before the Planning and Zoning Commission and Board of Supervisors, if desired.

Application Requirements: The following is to be submitted with each Administrative Review with Comment Period application:

(1) All material associated with the submittal of an Administrative Review application as stated above in addition to:

(2) A mailing list of all property owners within one thousand feet (1,000') of the facility site, and pre-addressed envelopes affixed with first class postage to each property owner;

(3) A map showing the adjacent roadways, and proposed means of legal access;

(4) RF propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites;

(5) The setback distance between the proposed wireless communication facility the nearest residential unit and/or the nearest residential zoned privately owned properties;

(6) Certification of whether the applicant is applying for collocation treatment, and how many carriers could be accommodated on the facility with adequate signal coverage;

(7) Certification that no Yavapai County or municipal owned site, or existing wireless facility reasonably meets the needs of the applicant, listing all such sites within five (5) miles of the proposed site and the reason each is not physically adequate for reasonable commercial coverage, or not economically feasible for location;

(8) A visual analysis, which may include photo simulations, field mock ups, or other techniques which identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the three (3) closest residences within one-half (1/2) mile of the proposed site and from the closest collector or arterial street. The Development Services Director may at his/her discretion, request additional photos from specific vantage points;

(9) Attendees list, minutes, and information obtained from required community meeting.

c. Use Permit: Any new wireless communication facility that exceeds ten feet (10') above the maximum height allowed in the density district, or does not meet all of the criteria to be allowed in the Administrative review processes, shall require a Use Permit.

Application Requirements: The following is to be submitted with each Use Permit application:

(1) All material associated with the submittal of an Administrative Review with Comment Period application as stated above in addition to;

(2) A completed Use Permit application packet;

(3) A mailing list of all property owners within the distance required from the facility site, and pre-addressed envelopes affixed with first class postage to each property owner;

Notification required by tower height:

99 feet and under = 1,000 feet radius

100 to 199 feet = 2,500 feet radius

200 feet and above = 5,000 feet radius

(4) RF frequency propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites. If the applicant is seeking collocation of multiple carriers, the RF propagation coverage maps should also include on a separate map, the coverage areas obtained from the lowest collocation point on the tower;

(5) Certification that policing, fire departments, public safety, water and local governments having jurisdiction within five (5) miles of the site have been notified of the application;

(6) The applicant shall submit a visual analysis, which may include photo simulations, field mock ups, or other techniques which identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the five (5) closest residences within two (2) miles of the proposed site and from the closest collector or arterial street. The Development Services Director may at his or her discretion, request additional photos from specific vantage points;

(7) A written narrative/explanation of why it is necessary that the proposed wireless communications facility be located in the proposed location, and why it will exceed the maximum height allowance for the Zoning District in which it is proposed. If the explanation is based on coverage maps, structural calculations, lease amounts, or any other information pertinent to the need for the structure or additional height, this information shall be included as appendices to the narrative.

4. Standards: In addition to any standards for consideration of Use Permit applications, the following shall be considered in determining whether to issue a Use Permit or administrative approval: height proposed, proximity to other uses, historic sites, landmarks, vehicle traffic routes, medical facilities, air routes, topographical features, utilities, access, suitability of alternative sites and visual impact.

H. COLLOCATION: The policy of this Section is to encourage collocation.

1. Preference: An applicant who certifies in writing that the tower constructed will be suitable for collocating multiple providers of varying wireless technologies and, as a condition of zoning, executes a written agreement (collocation agreement) with Yavapai County on a form approved by the County Attorney, consenting to application of the terms of this provision shall, unless waived by the applicant, receive preferential treatment for a final approval or rejection of its application after a complete and correct application, fee and all required documentation and information is filed.

2. In addition to equipment proposed for the applicant's use, proposed antenna facilities, including concealed antennas, shall be designed to accommodate collocation for at least one (1) additional wireless communications provider for every thirty foot (30') segment of facility height, or portion thereof, over thirty feet (30'). The Board of Supervisors may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character.

3. Collocation Agreement: The collocation agreement shall provide for at least the following:

   a. The applicant shall accept for collocation any FCC licensed wireless communication provider (additional user) using any compatible technology on commercially reasonable terms considering all of the factors a reasonable tower leasing company would deem relevant in entering into such an agreement;

   b. Any additional user seeking collocation shall submit specifications for its equipment and use (request) to the applicant and applicant shall, within thirty (30) days thereafter, respond to such party in writing (response) furnishing all technical requirements that must be resolved before collocation;

   c. The applicant and the additional user shall, thereafter in good faith, attempt to resolve any technical or business terms. If, after thirty (30) days from the response the additional user believes the applicant has not negotiated in good faith, additional user may submit in writing, a request for arbitration to applicant and the American Arbitration Association which shall designate a person knowledgeable in collocation of wireless communication carriers to act as arbitrator and decide all issues between the parties. Such arbitration shall be held within thirty (30) days of the request for arbitration. Upon the written agreement of both parties, a different procedure for binding dispute resolution may be used. The result of the arbitration or other resolution method agreed to by the parties shall be binding and non-appealable;

   d. If the arbitrator certifies in writing to Yavapai County that the applicant has failed to comply with the decision of the arbitrator within fifteen (15) days of its issuance by the arbitrator, the Use Permit or administrative approval for the wireless communication facility in question shall be terminated and the wireless communications facility shall be removed within thirty (30) days of the date of the arbitrator's certification, failing which, Yavapai County shall have all of the remedies available to it for elimination of a use in violation of the zoning code;

   e. The additional party, upon submitting the request shall become a third party beneficiary to the collocation agreement;

   f. Yavapai County shall not be a party to any contract between the applicant and the additional party and shall not be a required party and shall not be made a party to any dispute or arbitration and applicant shall indemnify, defend and hold Yavapai County harmless from any cost, including reasonable attorney fees, associated with such matters; and

   g. A lease or other agreement containing the business terms proposed by the applicant for collocation shall be attached as an exhibit to the collocation agreement.

I. SETBACKS: The following setback requirements shall apply to all towers; provided, however, standard setback requirements may be decreased if the goals of this section would be better served thereby:

1. Towers must be set back from any lot line a distance equal to at least one hundred percent (100%) of the height of the tower unless a greater setback is required for the particular Zoning District: i.e., the reclining length of any tower must be located on the lot so that in the case of collapse, the tower would be contained within the bounds thereof.
2. Guys and accessory structures must satisfy the minimum Zoning District setback requirements.
3. If shown by proof of collapse safety with a certified Engineer's letter stating that in case of collapse, the tower would be contained on site, the Board of Supervisors could waive the one-to-one setback as required above.
4. Facilities that are located on existing or replaced street lights, traffic signal poles or electrical utility poles are exempt from any setback requirements.

J. REMOVAL:

1. Within thirty (30) days of Board of Supervisors approval, Financial assurances shall be posted by the applicant for the occurrence or possible need for removal of the tower and returning the natural state of the site, prior to submittal and approval of building permits/zoning clearances.
2. Towers and antennae shall be removed, at the owner's expense, within one hundred eighty (180) days if not used for a permanent use within that time unless this period is extended pursuant to this Section. If the tower or antennae is not timely removed Yavapai County may give notice that it will contract for removal within thirty (30) days following written notice to the owner. Thereafter, Yavapai County may cause removal at the cost of the owner.
3. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Development Services Director or his designate may extend the time for removal or reactivation up to sixty (60) additional days upon a showing of good cause.
4. Upon removal of the wireless telecommunications facility, the site shall be returned to its natural state and topography and vegetated consistent with the natural surroundings.

K. MODIFICATION: No existing wireless telecommunications facility may be changed or modified except as follows:

1. The change or modification is required by a change in user or technology; or
2. The change is required for the collocation of additional carriers on the existing structure; and
3. The change does not increase the height of the tallest component above the height approved in the Use Permit, administrative approval, or in the case of an pre-existing facility, its then current height; and
4. At the conclusion of the change or modification, the facility complies with all requirements of the County Development Services Department.
5. An explanation is submitted to the Development Services Director stating why the

modification is necessary, and an updated Provider's Communication Plan, including any proposed changes in the service areas, antennae, towers, and policy direction is provided.

SECTION 606 SEX ORIENTED BUSINESS

A. PURPOSE: It is the purpose and intent of this Section to regulate sex oriented businesses to promote the health, safety, morals, and general welfare of the citizens of Yavapai County and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of sex oriented businesses within the County, thereby reducing or eliminating the adverse secondary effects from such sex oriented businesses. The provisions of this Section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sex oriented materials. Similarly, it is not the intent or effect of this Section to restrict or deny access by the distributors and exhibitors of sex oriented entertainment to their intended market. Neither is it the intent nor effect of the Section to condone or legitimize the distribution of obscene material.

B. DEFINITIONS: For the purpose of this Section, certain terms and words are defined as follows:

Sex Oriented Businesses are those businesses defined as follows:

Adult Arcade: means any place to which the public is permitted or invited and in which coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices are maintained to show images involving specified sexual activities or specified anatomical areas to persons in booths or viewing rooms.

Adult Bookstore, Adult Novelty Store or Adult Video Store: means a commercial establishment that offers for sale or rent any of the following as one of its principal business purposes:

(1) Books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video cassettes, or reproductions or slides, or other visual representations that depict or describe specific sexual activities or specific anatomical areas.

(2) Instruments, devices, or paraphernalia which are designed for use in connection with specific sexual activities.

Adult Live Entertainment: means an establishment that features either:

(1) Persons who appear in a state of nudity; or

(2) Live performances that are characterized by the exposure of specific anatomical areas or specific sexual activities.

Adult Motion Picture Theater: means a commercial establishment in which for any form of consideration films, motion pictures, video cassettes, slides or similar photographic reproductions that are characterized by the depiction or description of specific sexual activities or specific anatomical areas are predominantly shown.

Adult Oriented Business: means adult arcades, adult bookstores or video stores, cabarets, adult live entertainment establishments, adult motion picture theaters, adult theaters, massage establishments that offer adult services or nude model studios.

Adult Oriented Business Manager: means a person on the premises of an adult oriented business who is authorized to exercise overall operational control of the business.

Adult Theater: means a theater, concert hall, auditorium, or similar commercial establishment which predominantly features persons who appear in a state of nudity who engage in live performances which are characterized by exposure of specific anatomical areas or by specific sexual activities.

Adult Service: means dancing, serving food or beverages, modeling, posing, wrestling, singing, reading, talking, listening or other performances or activities conducted for any form of consideration in an adult oriented business by a person who is nude or semi-nude during all or part of the time that the person is providing the service.

Adult Service Provider or Erotic Entertainer: means any natural person who provides an adult service.

Cabaret: means an adult oriented business licensed to provide alcoholic beverages pursuant to A.R.S. Title 4 Alcoholic Beverages, Chapter 2, Article 1.

Discernibly Turgid State: means the state of being visibly swollen, bloated, inflated or distended.

Massage Establishment: means an establishment in which a person, firm, association or corporation engages in or permits massage activities, including any method of pressure on, friction against, stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of external soft parts of the body with the hands or with the aid of any mechanical apparatus or electrical apparatus or appliance. This paragraph does not apply to:

(6) Physicians licensed pursuant to A.R.S. Title 32 Professions and Occupations, Chapter 7, 8, 13, 14 or 17.

(7) Registered nurses, licensed practical nurses or technicians who are acting under the supervision of a physician licensed pursuant to A.R.S. Title 32 Professions and Occupations, Chapter 13 or 17.

(8) Persons who are employed or acting as trainers for a bona fide amateur, semi-professional or professional athlete or athletic team.

(9) Persons who are licensed pursuant to A.R.S. Title 32 Professions and Occupations, Chapter 3 or 5 if the activity is limited to the head, face or neck.

Nude Model Studio: means any place in which a person who appears in a state of nudity or who displays specific anatomical areas is observed, sketched, drawn, painted, sculptured, photographed or otherwise depicted by other persons who pay money or other consideration. Nude Model Studio does not include a proprietary school that is licensed by the State, a college, community college or university that is supported entirely or in part by taxation, a private college or university that maintains and operates educational programs in which credits are transferable to a college, community college or university that is supported entirely or in part by taxation or a structure to which the following apply:

(1) A sign is not visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing;

(2) A student must enroll at least three (3) days in advance of the class in order to participate.

(3) No more than one (1) nude or semi-nude model is on the premises at any time.

Principal Business Purpose: means that a commercial establishment derives fifty percent (50%) or more of its gross income from the sale or rental of items listed under Adult Bookstore/Adult Video Store.

Semi-nude: means a state of dress in which clothing covers no more than the genitals, pubic region and female breast below a point immediately above the top of the areola, as well as portions of the body that are covered by supporting straps or devices.

Nude, Nudity or State of Nudity: means any of the following:

(1) The appearance of human anus, genitals, or female breast below a point immediately above the top of the areola.

(2) A state of dress which fails to opaquely cover a human anus, genitals or areola of the female breast below a point immediately above the top of the areola.

Place of Worship: as used in this Section means a structure where persons regularly assembly for worship, ceremonies, rituals and education relating to a particular form of religious belief and which a reasonable person would conclude is a place of worship by reason of design, signs or architectural or other features.

Residence: as used in this Section means a permanent dwelling place.

Specific Anatomical Areas: means any of the following:

(1) A human anus, genitals, pubic region or a female breast below a point immediately above the top of the areola that is less than completely and opaquely covered.

(2) Male genitals in a discernibly turgid state even if completely and opaquely covered.

Specific Sexual Activities: means and includes any of the following:

(1) Human genitals in a state of sexual stimulation or arousal.

(2) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.

(3) Sex acts, normal or perverted, actual or simulated, including acts of human masturbation, sexual intercourse, oral copulation, or sodomy.

(4) Excretory functions as part of, or in connection with, any of the activities set forth in (1) through (3) of this Definition.

C. ESTABLISHMENT AND LOCATION OF SEX ORIENTED BUSINESSES:

The establishment of a sex oriented business shall be permitted only in C3 (Commercial - Minor Industrial), PM (Performance Industrial), M1 (Industrial -General Limited), and M2 (Industrial - Heavy) Zoning Districts and shall be subject to the following spacing restriction:

1. No person shall cause or permit the establishment of any sex oriented business as defined in this Section, within one thousand feet (1,000') of another sex oriented business.

2. An adult oriented business shall not be located within one-fourth (1/4) mile of a child care facility, a private, public or charter school, a public playground, a public recreational facility, a residence or a place of worship.

D. MEASUREMENT OF DISTANCE: For the purpose of measuring separation distances in this Section:

1. The distance between any two (2) sex oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of each business.

2. The distance measurements shall be made in a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a parcel containing an adult oriented business to the nearest point on the property line of a parcel containing a child care facility, a private, public or charter school, a public playground, a public recreational facility, a residence or a place of worship.

E. REGULATIONS GOVERNING EXISTING SEX ORIENTED BUSINESSES:

1. Any sex oriented business lawfully operating on June 2, 1999 that is in violation of this Section shall be deemed a non-conforming use. Non-conforming uses shall be governed by Section 202 (Nonconforming Uses and Structures). If two (2) or more sex oriented businesses are within one thousand feet (1,000') of one another and otherwise in a permissible location, the sex oriented business which was first established and continually operating at the particular location is the conforming use, and the later established business is non-conforming.

2. A sex oriented business lawfully operating as a conforming use is not rendered a non-conforming use by the subsequent location of a religious institution, school, YMCA, YWCA, Boys Club, Girls Club or similar existing youth organization public park, public building, residential zoning district, or residential use within five hundred feet (500') of the sex oriented business.

F. REGULATIONS PERTAINING TO EXHIBITION OF SEXUALLY EXPLICIT FILMS, VIDEOS OR ADULT LIVE ENTERTAINMENT IN VIEWING ROOMS:

A person who operates or causes to be operated a sex oriented business, other than an adult motel/hotel which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, a film, video cassette or other video reproduction, or adult live entertainment which depicts specified sexual activities or specified anatomical areas as defined in this Section, shall comply with the following requirements:

1. Upon application for a building permit or zoning clearance, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required. However, each diagram should be oriented to the north or to some designated street and should be drawn to a designated scale with marked dimensions sufficient to show the various internal dimension of all areas of the interior of the premises to an accuracy of plus or minus six inches (6").

   a. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access and an illumination of not less than five (5) foot candles as measured at the floor level.

b. It shall be the duty of the owners and/or operator and it shall also be the duty of any agents and employees present on the premises to insure that the illumination described above is maintained at all times that any patron is present on the premises.

c. All off-street parking areas and premise entries of the sex oriented business shall be in compliance with Section 603 (Light Pollution Control).

2. It shall be the duty of the owner and/or operator to ensure that the viewing room(s) as defined in this Section, remains unobstructed by any doors, curtains, partitions, walls, merchandise, display racks or other materials, and, at all times, to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted.

3. No viewing room may be occupied by more than one (1) person at any one time.

4. The application shall be sworn to be true and correct by the applicant.

G. REGULATIONS PERTAINING TO ADULT BOOKSTORES, ADULT VIDEO STORES, ADULT MOTION PICTURE THEATERS, ADULT THEATERS AND NUDE MODEL STUDIOS WITHOUT VIEWING ROOM(S) THAT HAVE BEEN DEFINED AS SEX ORIENTED BUSINESSES:

A zoning clearance shall be required to insure that the aforementioned sex oriented businesses as defined in this Section, are in compliance with the Use District, location and separation distance(s) requirements.

H. ADVERTISING REGULATIONS:

1. As established in Section 601 (Sign Code): "No person shall exhibit, post or display a sign or wall, any statement, symbol or picture of an obscene nature."

2. No depiction of specified sexual activities or specified anatomical areas shall be visible from the exterior of the premises.

I. HOURS OF OPERATION: It shall be unlawful to operate, permit or cause to be operated a sex oriented business, as defined in this Section, excluding an adult motel, between the hours of 1:00 a.m. and 8:00 a.m. on Monday through Saturday, or between the hours of 1:00 a.m. and 12:00 noon on Sunday.

J. EFFECTIVE DATE: This Section shall be in force and effective from and after thirty (30) days following Board of Supervisor adoption.

CHAPTER 7 ORDINANCE AMENDMENTS

SECTION 701 ORDINANCE AMENDMENTS

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 5, 1973
EFFECTIVE FEBRUARY 5, 1973
(No Hearing Number)

Note: The following eight (8) Amendments were all approved by the Board of Supervisors on the above-referenced date.

SECTION 103 DEFINITIONS A. - Building (factory built) defined; Travel Trailer defined; Mobile Home definition amended.

SECTION 105 NONCONFORMING USES AND STRUCTURES A. Abandonment - The time limit was changed from 12 months to 6 months.

SECTION 107 ZONING MAP A. District Boundary Determination -Amended.

SECTION 108 GENERAL DISTRICT PROVISIONS F. Accessory Uses & Structures 3. Accessory Uses or Structures. J. Use Permits - Delete the last sentence of this paragraph.

SECTION 109 USE DISTRICTS
A. R1L District 2. f. - Amended to allow certain accessory uses.
B. R1L District 2. g. - Concerning farm animals.
C. R1 District 2. d. - Concerning farm animals.
D. RCU District 2. c. - Concerning appeals, delete last sentence of paragraph.

SECTION 110 DENSITY DISTRICTS (Chart)
ADD - D5 (5000 sq. ft. lots).
DELETE - D7 (7000 sq. ft. lots).
AMEND - Minimum side setback from 5' to 7'.
AMEND - Minimum rear setback from 10' to 25'.

SECTION 112 ADJUSTMENT BOARD (BOARD OF ADJUSTMENT) ADD - F. Appeal of Rulings.

SECTION 114 FEES AND CHARGES A. Application Fees 2. Zoning Amendments a. Initial zoning or rezoning (Amend fee charges).

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 19, 1979
EFFECTIVE DECEMBER 1, 1979

RESOLUTION #419 Fee schedule for Construction Permits amended and removed from the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 21, 1980
EFFECTIVE JANUARY 21, 1980
H.A. 3005

The Planned Unit Development (PUD) District added to the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 20, 1980
EFFECTIVE OCTOBER 20, 1980
H.A. 3284

Planned Unit Development (PUD) Amendment - "20' setback around periphery...."

ADOPTED BY BOARD OF SUPERVISORS MARCH 16, 1981
EFFECTIVE MARCH 16, 1981
H.A. 3369

The Residential Camping District (RCD) added to the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS APRIL 20, 1981
EFFECTIVE APRIL 20, 1981
H.A. 3395

The Open Space, Recreational Conservation District (OS) added to the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 17, 1981
EFFECTIVE AUGUST 17, 1981
H.A. 3431

SECTION 109 Amend A.2. by adding i. to allow a Temporary Dwelling during the construction of the primary dwelling.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 17, 1981
EFFECTIVE AUGUST 17, 1981
H.A. 3432

SECTION 108 Amend by adding P. Mobile Home Parks, requirements for Mobile Home Parks, specifying building permits for all structures erected or placed therein.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 17, 1981
EFFECTIVE AUGUST 17, 1981
H.A. 3433

SECTION 108 Amend N. Off Street Parking, change the title of the section to "Parking Requirements" and amend the whole section.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 21, 1981
EFFECTIVE DECEMBER 21, 1981
H.A. 3586

SECTION 111 Amend B. Permits, minimum value requiring permits changed from over $100.00 to over $500.00.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 21, 1981
EFFECTIVE DECEMBER 21, 1981
H.A. 3587

SECTION 115 Amend C. pertaining to Violations and penalties, to read "Class 2 misdemeanor".

SECTION 115 Delete F. "Conviction for a misdemeanor shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment in the County jail for a term not exceeding three (3) months or by both such fine and imprisonment for each conviction."

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 7, 1982
EFFECTIVE SEPTEMBER 7, 1982
H.A. 3767

SECTION 104 Amend 1. to add "That part of the County lying within the corporate limits of any municipality;"

Amend 4. to read "exceeding the value of $500.00."

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 12, 1982
EFFECTIVE OCTOBER 12, 1982
H.A. 3768

Add the Planned Area Development (PAD) to the Zoning Ordinance.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 20, 1982
EFFECTIVE DECEMBER 20, 1982
H.A. 3855

SECTION 109 Amend D. RCU District, in its entirety. Included in this amendment was the change from RCU-18 to RCU-2A for all RCU parcels in the County.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 20, 1982
EFFECTIVE DECEMBER 20, 1982
H.A. 3856

SECTION 110 Amend Density District in its entirety.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 20, 1982
EFFECTIVE DECEMBER 20, 1982
H.A. 3857

SECTION 108 Amend J. Use Permits, by deleting paragraph J. and replacing it with a new paragraph.

ADOPTED BY BOARD OF SUPERVISORS APRIL 18, 1983
EFFECTIVE MAY 2, 1983
H.A. 3924

SECTION 114 Amend that portion of Fees and Charges pertaining to Hearing Application Fees.

ADOPTED BY BOARD OF SUPERVISORS APRIL 18, 1983
EFFECTIVE MAY 2, 1983
H.A. 3925

SECTION 114 Amend that portion of Fees and Charges pertaining to Construction Permit Fees.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 19, 1983
EFFECTIVE DECEMBER 19, 1983
H.A. 4113

SECTION 111 Amend B. Permits, 2. Information required for obtaining Construction Permits.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 12, 1983
EFFECTIVE DECEMBER 12, 1983
H.A. 4114

SECTION 108 Amend J. Use Permits, to include the requirement that the permittee is to notify the P and Z Department of any change of address within 30 days of change.

ADOPTED BY BOARD OF SUPERVISORS MAY 7, 1984
EFFECTIVE MAY 7, 1984
H.A. 4277A

SECTION 111 Amend D. Inspection, to include "permission to enter property".

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 5, 1984
EFFECTIVE JANUARY 1, 1985
H.A. 4390

SECTION 118 Amend to add the new section "Sign Regulations" and delete specific sign regulations found elsewhere in the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 10, 1984
EFFECTIVE JANUARY 10, 1985
H.A. 4418

SECTION 111 Amend to add F. Certificate of Compliance.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 2, 1985
EFFECTIVE JANUARY 2, 1985

RESOLUTION #632 Fee Schedule for Sign Permits.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 21, 1985
EFFECTIVE JANUARY 21, 1985

RESOLUTION #634 Fee schedule for Certificate of Compliance.

ADOPTED BY BOARD OF SUPERVISORS APRIL 22, 1985
EFFECTIVE MAY 22, 1985
H.A. 4461

SECTION 103 Amend "Yard, Junk" definition to include reference to Section 108H and delete specific outside storage limits within the definition.

SECTION 108 Amend E. Height Limits, 2. Fence and Free Standing Walls, to increase allowable heights for specific types of fences on both residential and commercial property.
Amend H. Outside Storage, to add new paragraph setting outside storage limits.

SECTION 109 Amend H. C2 District, 2. Permitted Uses & Structures, by adding new paragraphs n., o., p. and q.

SECTION 111 Amend B. Permits, to increase Construction Permit threshold limits to $1,000 for normal construction and $2,000 for remodeling. Also added a list of exemptions from building permit requirements under B.1.

ADOPTED BY BOARD OF SUPERVISORS JUNE 17, 1985
EFFECTIVE JULY 17, 1985
H.A. 4539

SECTION 119 Add new section creating Overlay Zones and B. Design Review Overlay Zones (DRO).

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 16, 1985
EFFECTIVE MAY 22, 1985
H.A. 4679

SECTION 120 Add the Outdoor Light Control Ordinance as Section 120 of the Zoning

Ordinance (maintaining the effective date of May 22, 1985 and the first amendment of July 17, 1985).

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 24, 1986
EFFECTIVE JANUARY 1, 1987
H.A. 4713

SECTION 119 Add C. (new subsection creating Urbanizing and Rural Overlay Zones to delineate the area of responsibility for the Building Safety Code of Yavapai County).

ADOPTED BY BOARD OF SUPERVISORS JUNE 22, 1987
EFFECTIVE JULY 1, 1987

RESOLUTION #728 Establish both new hearing and zoning clearance fee structure by resolution.

ADOPTED BY BOARD OF SUPERVISORS MAY 16, 1988
EFFECTIVE JUNE 16, 1988
H.A. 5205

SECTIONS 111-115 Add the hearing officer to Section 111 and rearrange the section; revise Section112 to include new penalties and remedies, as well as, material from Section 115; move old Section 112 to new 113; move old Section 113 to new 114; revise wording of old Section 114 and move to new Section 115.

ADOPTED BY BOARD OF SUPERVISORS MARCH 28, 1988
EFFECTIVE APRIL 28, 1988

RESOLUTION #759 Hearing Officer Rules and Procedures.

ADOPTED BY BOARD OF SUPERVISORS JUNE 6, 1988
EFFECTIVE JULY 6, 1988
H.A. 5369

SECTION 109 Revise building height language in C1, C2, C3, & M1 districts.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 24, 1988
EFFECTIVE NOVEMBER 24, 1988
H.A. 5432

SECTION 109 Eliminate M. PUD (except 8., 9. & Table 2, which are incorporated into new M. PAD).

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 24, 1988
EFFECTIVE NOVEMBER 24, 1988
H.A. 5438

SECTION 109 Remove reference to cluster dwellings in B. R1 districts. Reorder RCU District to C. to come after R1 and before R2.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 24, 1988
EFFECTIVE NOVEMBER 24, 1988
H.A. 5450

SECTIONS 108,118 Add to 108E., 118B. freestanding sign setbacks.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 22, 1990
EFFECTIVE OCTOBER 22, 1990

RESOLUTION #800 Street Naming & House Numbering System

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 22, 1990
EFFECTIVE OCTOBER 22, 1990
H.A. 5600

SECTION 121 Add the Street Naming and House Numbering System to the Ordinance as a new section.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 23, 1991
EFFECTIVE OCTOBER 23, 1991
H.A. 5774

SECTION 103 Add Bed and Breakfast definitions

SECTION 109 Add Bed and Breakfast to allowable uses in R1L, R1, RCU. Add Country Inn and Hotel/Motel to C1 allowable uses.

ADOPTED BY BOARD OF SUPERVISORS APRIL 27, 1992
EFFECTIVE APRIL 27, 1992
H.A. 5857

SECTION 103 Add Self-Service Storage Facilities definitions.

SECTION 108 Add parking requirements for Self-Service Storage Facilities.
Add Self-Service Storage Facility requirements as a new subsection R.

SECTION 109 Add Self-Service Storage Facilities to allowable uses starting with RCU.

SECTION 118 Add signage for Self-Service Storage Facilities under D. Special Purpose Signs.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 26, 1992
EFFECTIVE NOVEMBER 25, 1992
H.A. 5910

SECTION 103 Add Secondary Medical Dwelling and Guest Home definitions.

SECTION 108 Add allowance of use of RV as temporary over-flow housing.

SECTION 109 Add Guest Home and Secondary Medical Dwelling regulations to the applicable zoning districts.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 25, 1993
EFFECTIVE FEBRUARY 24, 1993
H.A. 5960

SECTION 103 Revise the definition of LOT.

SECTION 108 Revise subsection L. Land Division to reflect the change in the lot definition.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 22, 1993
EFFECTIVE MARCH 24, 1993
H.A. 5959

SECTION 108 Repeal subsection I. Swimming Pool Safety and replace.

ADOPTED BY BOARD OF SUPERVISORS MARCH 8, 1993
EFFECTIVE APRIL 7, 1993
H.A. 5975

SECTION 121 Appendix F. - Revise Chino Grid, add instructions for roads traversing grids, and revise special instructions for looping roads.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 9, 1993
EFFECTIVE SEPTEMBER 8, 1993
H.A. 6016

SECTION 103 Add Zoning Area to definitions.

SECTION 114 Remove consent petition requirements, modify Board voting percentages, and change posting/notification requirements.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 17, 1993
EFFECTIVE JANUARY 17, 1994
H.A. 6046

Modifications to amendments specified in HA 5857 in April of 1992.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 17, 1993
EFFECTIVE JANUARY 17, 1994
H.A. 6045

Modifications to amendments specified in HA 5910 in October of 1992.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 17, 1993
EFFECTIVE JANUARY 17, 1994
H.A. 6047

SECTION 108 I. - Swimming pool enclosure

Modifications to amendments specified in HA 5959 in February of 1993.

ADOPTED BY BOARD OF SUPERVISORS JUNE 13, 1994
EFFECTIVE JULY 13, 1994
H.A. 6140

Above ground storage tanks

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 6, 1994
EFFECTIVE OCTOBER 6, 1994
H.A. 6146

Parking standards (delete previous standards and replace with new standards).

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 7, 1994
EFFECTIVE DECEMBER 7, 1994
H.A. 6200

SECTION 109 Golf Course, Amend Sections 109-O. Open Space Resource conservation zone and 109-A. Single Family Limited.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 6, 1995
EFFECTIVE MARCH 8, 1995
H.A. 6227

SECTION 103 Definition of Family

ADOPTED BY BOARD OF SUPERVISORS APRIL 3, 1995
EFFECTIVE MAY 3, 1995
H.A. 6252

SECTION 108 L. Land Division 2. Definition of a Subdivision (more than five (5) lots).

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 4, 1995
EFFECTIVE JANUARY 3, 1996
H.A. 6370

SECTIONS 103,108,109 HUD Standards for placement of mobile home. Sec. 103 Definitions; Sec. 108 Gen. Dist. Provisions S. Standards; Sec. 109 A.2.a., and Sec. 109 B.2.a.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 2, 1996
EFFECTIVE MARCH 4, 1996
H.A. 6371

SECTIONS 103,108,109 Sec. 109 A.4. (add) Temporary real estate sales office; (add) Sec. 103 Definitions. Temporary Sales Office; Add to Sec. 108T Standards for temporary real estate office.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 5, 1996
EFFECTIVE MARCH 7, 1996
H.A. 6398

Elimination of Certificate of Compliance as Mandatory.

ADOPTED BY BOARD OF SUPERVISORS MAY 6, 1996
EFFECTIVE JUNE 5, 1996
H.A. 6426

SECTION 110 Building Separation

ADOPTED BY BOARD OF SUPERVISORS JANUARY 6, 1997
FEBRUARY 5, 1997
H.A. 6552

SECTION 113 Add F. to allow Planning and Building Director to make Minor Variances.

ADOPTED BY BOARD OF SUPERVISORS JULY 7, 1997
EFFECTIVE AUGUST 5, 1997
H.A. 6603

SECTION 109 B. Use District R1, 2. Permitted Uses and Structures - Prohibit Pre-1976 Mobile Homes countywide that do not meet HUD standards.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 4, 1997
EFFECTIVE SEPTEMBER 2, 1997
H.A. 6614

SECTIONS 103,108,109 Sec. 109B. Use District, RMM Manufactured Home Multi-Sectional, Add to Sec. 103 Definitions; Add to Sec. 108 General

Provisions H.1.; Add to Sec. 109 Use Districts A. R1L Permitted Uses and Structures i, Occupancy of Temporary Housing, etc.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 14, 1997
EFFECTIVE NOVEMBER 14, 1997
H.A. 6619

SECTION 111 Expiration and Extension of Zoning Clearances.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 14, 1997
EFFECTIVE NOVEMBER 14, 1997
H.A. 6635

SECTION 108 General Provisions – Swimming Pool Safety

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 14, 1997
EFFECTIVE NOVEMBER 14, 1997
H.A. 6636

Exemption for 4H-Projects and animal husbandry and similar projects in any Use District.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 14, 1997
EFFECTIVE NOVEMBER 14, 1997
H.A. 6657

SECTION 109 Section 109e.2.h. - Remove Transmitter Stations and Tower as a permitted right in RS (Residential and Services). Requires a Use Permit in all Zones.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 20, 1998
EFFECTIVE FEBRUARY 19, 1998
H.A. 6677

SECTION 108 General District Provisions, B. Protective screening; R. Standards for self-service storage facilities.

ADOPTED BY BOARD OF SUPERVISORS MAY 4, 1998
EFFECTIVE JUNE 3, 1998
H.A. 6715

SECTION 108 J.3. Use Permits - Special provisions extending initial timeframe to one (1) year to commence construction; Administrative Extension of one (1) year on first request so applicant can meet conditions of Use Permit and obtain building permits and zoning clearances.

ADOPTED BY BOARD OF SUPERVISORS JUNE 15, 1998
EFFECTIVE JULY 15, 1998
H.A. 6744

Extension of the Urban Overlay Zone in the Verde Valley.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 3, 1998
EFFECTIVE SEPTEMBER 2, 1998
H.A. 6764

SECTION 122 Add Section 122 Wireless Communications Facilities, Appendix G; Amend Section 104 A.3. to read: "Publicly owned and operated facilities used for essential government purposes.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 17, 1998
EFFECTIVE SEPTEMBER 16, 1998
H.A. 6772

SECTION 109 A.2.1. - Add Home Occupations to be allowed in all Districts.

ADOPTED BY BOARD OF SUPERVISORS MAY 3, 1999
EFFECTIVE JUNE 3, 1999
H.A. 6864

SECTION 123 Add Section 123, Sex Oriented Business Ordinance Amendment, Appendix H.

ADOPTED BY BOARD OF SUPERVISORS MAY 3, 1999
EFFECTIVE JUNE 3, 1999
H.A. 6870

SECTION 111 F.3.g. - Amend language regarding Zoning Clearances to include drainage

SECTION 108 U. - Add language regarding the inclusion of Drainage Criteria

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 7, 1999
EFFECTIVE OCTOBER 7, 1999

SECTION 113 E.3. - Revised language reads as follows: The concurring vote of three (3) members shall be necessary to render a ruling eliminating full board be present at applicants request. (Board of Adjustment)

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 7, 2000
EFFECTIVE MARCH 7, 2000
H.A. 6982

SECTION 108 V. - Establishes standards for Golf Course developments

SECTION 109 N. - Establishes golf course standards for Planned Area Development. Add N.1.a, N.4.e., N.6.j.

SECTION 109 P. - Amend 109.P.2.h. to change golf course development as it relates to Use Districts and the Open Space Resource Conservation Zone.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 7, 2000
EFFECTIVE MARCH 7, 2000
H.A. 6986

SECTION 122 Replaces existing Wireless Communication Plan and Zoning Ordinance Appendix G and establishes rules and regulations for the siting of wireless communications facilities.

ADOPTED BY BOARD OF SUPERVISORS MARCH 6, 2000
EFFECTIVE APRIL 6, 2000
H.A. 6997

Amend Sections 119.B.4.e., B.4.f. and B.6.a.Deletes the requirement pertaining to the Overlay Zones Application Process for fifty-one percent (51%) of adjacent landowners by number and area within three hundred feet (300') on consent petitions to pursue a Design Review Overlay.

ADOPTED BY BOARD OF SUPERVISORS JUNE 5, 2000
EFFECTIVE JULY 5, 2000
H.A. 7043

SECTION 108 V.2.d. - Adds a County format and assumptions regarding the required water balance study with regard to Golf Course Development Standards.

SECTION 108 V.3. - Further defines acceptable resources for environmental practices regarding Golf Course Development Standards.

ADOPTED BY BOARD OF SUPERVISORS JUNE 19, 2000
EFFECTIVE JULY 19, 2000
H.A. 7055

Section 103 This is an amendment to the Planning & Zoning Ordinance to specify that the rental, lease or sale of dwelling units in less than thirty (30) day increments is prohibited in residential zones.

Section 109H.C1 -2n. Changes language to read: “Motel/Hotel/Resorts
Section 109H.C1 –2p. Adds a new item to read: “Lodging and Timeshares”

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 18, 2000
EFFECTIVE OCTOBER 18, 2000
H.A. 7070

SECTION 124 Add Section 124, Citizen Participation – Appendix I, to the County

Zoning Ordinance in conformance with the Growing Smarter Plus legislation.

SECTION 108 J. - Add item no. 4 to read: "Application for a Use Permit must comply with the Citizen Participation requirements as set out in Appendix I of this Zoning Ordinance."

SECTION 114 B. - Amend language as follows: "An application for a change in the regulations which requires a public hearing shall include a citizen participation plan as set out in Appendix I of this Zoning Ordinance."

ADOPTED BY BOARD OF SUPERVISORS MARCH 5, 2001
EFFECTIVE APRIL 5, 2001
H.A. 7177

SECTION 105 (A), (D) - Amend language to the County Zoning Ordinance referencing non-conforming uses and structures addressing definition, wear and tear, restoration, change of use and expansion.

ADOPTED BY BOARD OF SUPERVISORS MAY 21, 2001
EFFECTIVE JUNE 21, 2001
H.A. 7207

SECTION 103 Amend language on the definition of Dwelling Unit to delete weekly & daily rentals.

SECTION 105 A. - Amend language to specify the time period for non-conforming uses.

ADOPTED BY BOARD OF SUPERVISORS APRIL 1, 2002
EFFECTIVE MAY 1, 2002
H 1004

SECTION 120 Revised entire outdoor lighting ordinance, now entitled Light Pollution Control Ordinance.

ADOPTED BY BOARD OF SUPERVISORS MAY 20, 2002
EFFECTIVE JUNE 20, 2002
H 2026

SECTION 108 Add "W" COMMERCIAL/INDUSTRIAL/MULTIPLE FAMILY BUILDINGS IN RURAL OVERLAY ZONE - Application of Building Codes in Rural Overlay Zones for all commercial projects (includes all retail/wholesale commercial buildings, performance industrial, industrial buildings and multi-family residential structures greater than a duplex).

ADOPTED BY BOARD OF SUPERVISORS JUNE 17, 2002
EFFECTIVE (with emergency clause) JULY 1, 2002
H 2064

SECTION 111 F.4.b., 5. - Amendment to align the Ordinance with the newly adopted Building Codes pertaining to time limits on zoning clearances. Changes involve a reduction from the current 240 days (8 months) expiration time frames to the new code requirements of 180 days (6 months) along with time changes to when an application expires.

ADOPTED BY BOARD OF SUPERVISORS JULY 1, 2002
EFFECTIVE AUGUST 1, 2002
H 2052

SECTION 111 F.3. - Add Affidavit of Disclosure "If a parcel is vacant and not in an approved subdivision, and sold after May 18, 2000, proof that the disclosure affidavit required by A.R.S. §33.422 was recorded must be provided. In the event no affidavit was recorded, the applicant must execute and record the affidavit prior to issuance of a zoning clearance."

ADOPTED BY BOARD OF SUPERVISORS JULY 1, 2002
EFFECTIVE AUGUST 1, 2002
H 2068

Revised Fee Schedule (Appendix B) Revisions to Development Services Fee Schedules pertaining to Land Use, Planning And Environmental Services

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 16, 2002
EFFECTIVE JANUARY 16, 2003
H 2070

SECTION 103 Add STEEL STORAGE CONTAINER DEFINITION

SECTION 108 H. - Amend 1.m "…boxcars, <u>refurbished</u> sea transport/<u>ocean-going</u> or freight containers…"

SECTION 108 H. - Add 1.n "The outside storage of Steel Storage Containers is allowed as an accessory use, solely for the storage of personal items owned by the property owner, occupant or business (in appropriate commercially designated area), in all Use Districts with specific performance criteria."

SECTION 109 A.2.h.(10) - Add "Steel storage containers to meet the minimum requirements as provided under Section 108 (General Provisions)."

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 16, 2002
EFFECTIVE JANUARY 16, 2003
H 2143

Comprehensive update/ reformatting of entire ordinance

ADOPTED BY BOARD OF SUPERVISORS APRIL 7, 2003
EFFECTIVE MAY 7, 2003
H 3019

SECTION 209 A. - Include term "General Plan Major Amendment" in second sentence as follows: "This process shall be started prior to submitting a rezoning, General Plan Major Amendment or Use Permit application."

ADOPTED BY BOARD OF SUPERVISORS JUNE 2, 2003
EFFECTIVE JULY 2, 2003
H 3020

SECTIONS 301, 564 Add a definition for Vehicle (Junk) and amend provisions for outside storage of junk, disabled or inoperable vehicles and limit the number of such vehicles to two (2) per parcel.

ADOPTED BY BOARD OF SUPERVISORS JUNE 2, 2003
EFFECTIVE JULY 2, 2003
H 3017

SECTIONS 301, 411 Delete the definition of a Pre-Fabricated Building, amend the definition of a Guest Home, amend the definition of a Factory Built Building and add Factory Built dwellings to the permitted uses in the RMM District.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 18, 2003
EFFECTIVE SEPTEMBER 18, 2003
H 3047

SECTION 579 C.3. – Clarification of exemption to pool fencing requirements as follows: "Pools which are regulated by the Arizona Department of Environmental Quality."

ADOPTED BY BOARD OF SUPERVISORS AUGUST 18, 2003
EFFECTIVE SEPTEMBER 18, 2003
H 3059

SECTION 564 A.4. & A.13. – Clarification of outside storage regulations as relates to the storage of commercial items on residentially zoned property.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 18, 2003
EFFECTIVE SEPTEMBER 18, 2003
H 3066

SECTION 301 Delete the definition of school. Amend the definition of educational institution.

SECTION 410 Amend C. to read "Educational institutions (publicly funded) as defined in Section 301 (Definitions) (in site-built buildings)."
Add G.10. "Educational institutions as defined in Section 301 but privately funded allowed as an accessory use to a religious institution."

SECTION 411 Add F. "Educational institutions (publicly funded) as defined in Section 301 (Definitions) (in any permitted buildings).

SECTION 415 Add H. "Educational institutions (privately funded) as defined in Section 301 (Definitions) (provided they offer a curriculum of general instruction comparable to similar publicly funded educational institutions)."

ADOPTED BY BOARD OF SUPERVISORS JANUARY 4, 2004
EFFECTIVE FEBRUARY 4, 2004
H 3091

SECTION 420 Amend C. to read "Retail Sales, restricted to on-site sales only."

ADOPTED BY BOARD OF SUPERVISORS JANUARY 4, 2004
EFFECTIVE FEBRUARY 4, 2004
H 3144

SECTION 601 Amend B.5 to read "Political signs on private property, provided however, that such signs shall be erected no more than sixty (60) calendar days prior to the last day for casting ballots, and removed within ten (10) calendar days following the last day for casting ballots of the election to which they refer; and that the total sign area permitted for any individual sign shall not exceed thirty-two (32) square feet."

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 20, 2004
EFFECTIVE OCTOBER 20, 2004
H 3090

SECTION 301, 540 Amend the definition of building height and amend Sec. 540 A. and C. for establishment of a height restriction placed on non-habitable structures extending above the maximum allowable building height.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 1, 2004
EFFECTIVE DECEMBER 1, 2004
H 4135

SECTIONS AS LISTED: Amend Sec. 206 F., 207 F.5, 504, 525 A.7, 604 H.1, 605 G.1.c., 605 G.5 and 801 to remove the fee schedule and associated references from the Zoning Ordinance.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 1, 2004
EFFECTIVE DECEMBER 1, 2004

Establish updated and all encompassing fee schedule by resolution.

ADOPTED BY BOARD OF SUPERVISORS APRIL 4, 2005
EFFECTIVE MAY 4, 2005
H 5034

SECTION 501 A. – Modify "ACCESSORY USES" by deleting "therewith" and adding "and common to the district in which it is located" after the word "compatible".

ADOPTED BY BOARD OF SUPERVISORS APRIL 18, 2005
EFFECTIVE MAY 18, 2005
H4170

SECTION 570 C.2 – Modify second sentence as follows: "Extensions, in two (2) year increments, beyond the initial period shall require an Administrative Use Permit with comment period.

ADOPTED BY BOARD OF SUPERVISORS APRIL 18, 2005
EFFECTIVE MAY 18, 2005
H4171

SECTION 573 C.2 – Modify lane widths to read "twenty (20') feet" and "twenty-four (24') feet" respectively and third sentence to read "…in the absence of a Fire District, shall be reviewed by the State Fire Marshall."

ADOPTED BY BOARD OF SUPERVISORS MAY 2, 2005
EFFECTIVE JUNE 2, 2005
H5027

SECTIONS 516 et.al. B. Requirements of the Density Regulations - Eliminate reference for need of a Use Permit to exceed two (2) stories.

ADOPTED BY BOARD OF SUPERVISORS MAY 2, 2005
EFFECTIVE JUNE 2, 2005
H5028

SECTION 603 C.5.c. – Modify first sentence to read "…however, no modification or replacement shall be made to a non-conforming fixture unless the fixture thereafter conforms to the provisions of this Ordinance, except that identical lamp replacement is allowed (no mercury vapor lamp/fixture can be replaced or be found legal non-conforming)."

ADOPTED BY BOARD OF SUPERVISORS MAY 16, 2005
EFFECTIVE JULY 1, 2005
H 5076

SECTIONS AS LISTED: Eliminate Section 470 C. and Section 510 and modify Sections 412, 602 I. and 602 I.G.3. to eliminate all references to "rural" and "urban"/"urbanized" areas as pertains to application of building codes from the Zoning Ordinance.

ADOPTED BY BOARD OF SUPERVISORS JUNE 20, 2005
EFFECTIVE JULY 20, 2005
H 5029

SECTIONS AS LISTED: Amend Section 301, Section 410, Section 412 and add "E" to Section 501 to modify the definition of farm animals (add "llamas") and clarify how to calculate the actual number of animals allowed on any given parcel by reference to and addition of the Allowed Animal Chart.

ADOPTED BY BOARD OF SUPERVISORS JULY 18, 2005
EFFECTIVE AUGUST 18, 2005
H5070

SECTIONS AS LISTED: Chapter 3, Section 301 (Definitions) - Add definitions for "Fence" and "Wall" and modify definition of "Dwelling Unit" as follows "…and containing one (1) interior accommodation…" Chapter 5, Section 540 (Height Limits) B. (Fences and Free Standing Walls) 2.a. - Modify as follows "…rear yards, except may not exceed four feet (4') when within ten feet (10') of any vehicular entrance from a private or public right-of-way."

ADOPTED BY BOARD OF SUPERVISORS JULY 18, 2005
EFFECTIVE AUGUST 18, 2005
H 5071

SECTION 505 Chapter 5 (General Provisions) – Add Section 505 Agricultural Exemptions.

ADOPTED BY BOARD OF SUPERVISORS JULY 18, 2005
EFFECTIVE AUGUST 18, 2005
H 5088

SECTION 604 Amend Section 604 (Street Naming and Addressing) to include issues regarding temporary addresses, enforcement of installation of street signage, proper names used for street names, clarification of street name suffix abbreviations, guidelines for private street signage and modify criteria for changing a street name.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 6, 2005
EFFECTIVE OCTOBER 6, 2005
H 5096

SECTIONS AS LISTED: Amendment to no longer allow installation of pre – HUD (pre 1976) mobile homes as defined in Section 300. Affected Sections: Section 301 (Definitions), Section 411 (Residential; Multi-Sectional Manufactured Homes), Section 412 (Single Family Residential), Section 420 (Commercial; Neighborhood Sales and Services), Section 421 (Commercial; General Sales and Services), Section 422 (Commercial and Minor Industrial), Section 430 (Performance Industrial), Section 431 (Industrial; General Limited), Section 432 (Industrial; Heavy), Section 440 (Planned Area Development), Section 552 (Mobile Homes/MFG Housing/Multi-Sectional), Section 555 (Mobile Home Parks), Section 564 (Outside Storage), Section 601 (Sign Code), Section 602 (Parking and Off-Street Loading) & Section 604 (Addressing and Street Naming).

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 7, 2005
EFFECTIVE DECEMBER 7, 2005
H 5154

SECTION 207 Amend Section 207 (Board of Adjustment) by omitting Subsection F.4.b.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 7, 2005
EFFECTIVE DECEMBER 7, 2005
H 5155

SECTION 205 Amend Section 205 (Enforcement) I. (Certificate of Compliance) to allow changes to the Certificate of Compliance procedure.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 6, 2006
EFFECTIVE MARCH 8, 2006
H5220

SECTION 202 Amend Section 202 E. (Expansion) to include Extension or Enlargement, require a Use Permit for such expansion, extension or enlargement and add language as relates to measurement of said expansion.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 6, 2006
EFFECTIVE MARCH 8, 2006
H5221

SECTION 301 Definitions – amend Family to increase the number of unrelated people allowed within a single family dwelling by separating b. into b. and c. and adding the verbiage "for not more than ten (10) persons" after the word "facility".

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 6, 2006
EFFECTIVE MARCH 8, 2006
H5222

SECTIONS AS LISTED Amendments to the definition of Guest Home and Secondary Medical Dwelling to allow the medical dwelling in a guest home and eliminate the 120 day time limit on the usage of a Guest Home under Section 301 - Definitions, Section 410 R1L (Residential; Single Family Limited), Section 411 RMM (Residential; Multi-Sectional Manufactured Homes), Section 412 R1 (Residential; Single Family), Section 525 General Provisions – Dwelling – Secondary Medical and Section 537 General Provisions – Guest Homes – Detached.

ADOPTED BY BOARD OF SUPERVISORS MARCH 20, 2006
EFFECTIVE APRIL 19, 2006
H5257

SECTION 603 Amend C. Lighting Requirements 3. Residential b. and c. to address concerns regarding residential outdoor lighting and that all such lighting shall be fully shielded.

ADOPTED BY BOARD OF SUPERVISORS JUNE 5, 2006
EFFECTIVE JULY 5, 2006
H5193

SECTION 440 Amend Section 440 (Planned Area Development).

ADOPTED BY BOARD OF SUPERVISORS JULY 17, 2006
EFFECTIVE AUGUST 16, 2006
H6057

SECTION 301,410 Amend the definition of Trailer (Park Model) and Section 410 (R1L District) I. to allow park model homes to be utilized as temporary dwellings during the construction of a site built home.

ADOPTED BY BOARD OF SUPERVISORS JULY 17, 2006
EFFECTIVE AUGUST 16, 2006
H6085

SECTION 606 Amend Section 606 (Sex Oriented Business) B. Definitions, C. Establishment and Location, D. Measurement of Distance and G. Regulations to conform to ARS §11-821 as in response to recent changes in legislation in ARS §13-1422 as approved/signed into law by the Governor with an emergency clause effective April 26, 2006.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 21, 2006
EFFECTIVE NOVEMBER 1, 2006

Establish updated and all encompassing fee schedule by resolution.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 2, 2006
EFFECTIVE NOVEMBER 1, 2006
H6098

SECTION 422,585 Amend USE DISTRICTS Section 422 C3 (Commercial and Minor Industrial) and GENERAL PROVISIONS Section 585 Vehicle and Portable Machinery Repair to clarify and emphasize what are not allowed uses involving repair operations.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 2, 2006
EFFECTIVE DECEMBER 1, 2006
H6058

SECTION 546 Add C. Minor Land Division under Section 546 LAND DIVISION with 8 sub-categories relating to applicability, purpose, requirements, fee, action by the Department, method to record a land division and how to report or remove access/zoning deficiencies.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 16, 2006
EFFECTIVE NOVEMBER 15, 2006
H6101

SECTION 301,502 Add a definition for Access to Section 301 DEFINITIONS and add Section 502 Access Requirements for Non-Residential Uses to Section 500 GENERAL PROVISIONS to establish performance criteria for access to non-residential uses such as religious institutions, schools, retail/business uses and industrial uses.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 16, 2007
EFFECTIVE FEBRUARY 15, 2007

Revise fee schedule and establish updated refund policy by resolution.

ADOPTED BY BOARD OF SUPERVISORS MAY 21, 2007
EFFECTIVE AUGUST 1, 2007
H7019

SECTION 207 Revise Section 207 ADJUSTMENT BOARD, A., B., C. and E.3 to reflect the change to one (1) Board consisting of three (3) members.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 1, 2007
EFFECTIVE OCTOBER 31, 2007
H7079

SECTION 546 Revise Section 546 LAND DIVISION B. SUBDIVISION PLAT APPROVAL to bring into conformance with the Yavapai County Subdivision Regulations.

ADOPTED BY BOARD OF SUPERVISORS APRIL 21, 2008
EFFECTIVE MAY 21, 2008
H7179

SECTION 301,420 Add a definition for PATIOS, OUTSIDE (COMMERCIAL) to Section 301 DEFINITIONS and amend Section 420 C1 DISTRICT by addition of "Q." delineating outside patio performance criteria.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 2, 2008
EFFECTIVE OCTOBER 2, 2008
H8062

SECTIONS AS LISTED: Revise Section 301 DEFINITIONS – SECONDARY MEDICAL DWELLING, Section 525 DWELLING – SECONDARY MEDICAL B.8., and Section 564 OUTSIDE STORAGE A.4. to reflect the inclusion of use of recreational vehicles (excluding campers and tent trailers) for Secondary Medical Dwellings.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 2, 2008
EFFECTIVE OCTOBER 2, 2008
H8063

SECTION 537 GUEST HOMES – DETACHED: Delete B. to allow for separate utility hook-ups for detached guest homes.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 2, 2008
EFFECTIVE OCTOBER 2, 2008
H8064

SECTION 581 Add Section 581 TRASH, GARBAGE, AND REFUSE CONTAINMENT.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 20, 2008
EFFECTIVE NOVEMBER 19, 2008

Revise fee schedule by resolution to establish maximum fees.

ADOPTED BY BOARD OF SUPERVISORS DECEMBER 15, 2008
EFFECTIVE JANUARY 14, 2009
H7178

SECTIONS AS LISTED: Add to Section 301 DEFINITIONS – GROSS VEHICLE WEIGHT (GVW), VEHICLE (COMMERCIAL) AND VEHICLE (PRIVATELY OWNED), revise Section 564 OUTSIDE STORAGE A.1. to reflect standards for the parking/outside storage of commercial vehicles on residential property and revise Section 602 PARKING AND OFF-STREET LOADING I. OFF-STREET PARKING REQUIREMENTS A.3. by deletion of verbiage pertaining to commercial/non-commercial vehicles (sentences #2 and #3).

ADOPTED BY BOARD OF SUPERVISORS MARCH 16, 2009
EFFECTIVE APRIL 15, 2009

Revise fee schedule by resolution to include abandoned vehicle inspection fee.

ADOPTED BY BOARD OF SUPERVISORS MAY 4, 2009
EFFECTIVE JULY 1–SEPTEMBER 30, 2009
H9028

SECTION 206 Suspension of enforcement of Section 206 C.f. in order to allow waiving the requirement to double zoning clearance fees for failure to apply for a zoning clearance prior to commencement of construction for a ninety (90) day period effective July 1, 2009 through September 30, 2009.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 8, 2009
EFFECTIVE OCTOBER 8, 2009
H9040

SECTION 209 CITIZEN PARTICIPATION: Amend D.1. to include “Subject Property Size Notice Boundary”.

SECTION 504 ADMINISTRATIVE REVIEW WITH COMMENT PERIOD: Amend Surrounding property owners notification to conform with Section 209 D.1.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 8, 2009
EFFECTIVE OCTOBER 8, 2009
H7117

SECTION 441 Add Section 441 OPEN SPACE AND SUSTAINABLE DEVELOPMENT OPTION.

SECTION 442 Add Section 442 CLUSTER AND OPEN SPACE OPTION.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 2, 2009
EFFECTIVE DECEMBER 2, 2009
H9072

SECTION 413 Amend Section 413 (RCU DISTRICT) to add B. Temporary occupancy of one (1) recreational vehicle or travel trailer as defined in Section 301 DEFINITIONS and subject to Section 571 RVs AND TRAVEL TRAILERS TEMPORARY CAMPING.

SECTION 571 Add Section 571 RVs AND TRAVEL TRAILERS TEMPORARY CAMPING.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 16, 2009
EFFECTIVE DECEMBER 16, 2009
H9039

SECTION 603 Revise Section 603 (LIGHT POLLUTION CONTROL) C. LIGHTING REQUIREMENTS 3. Residential f. Exemptions to specify fixtures exempt from shielding and lumen requirements.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 16, 2009
EFFECTIVE DECEMBER 16, 2009
H9089

SECTION 301,412 Amend Section 301 (DEFINITIONS) TRAILER (PARK MODEL) and Section 412 (R1 DISTRICT) B. and C. to allow the use of Park Models as dwelling units.

SECTION 565 Add Section 565 (PARK MODELS) PARK MODEL STANDARDS.

ADOPTED BY BOARD OF SUPERVISORS APRIL 5, 2010
EFFECTIVE MAY 5, 2010
H9140

SECTION 208 Amend Section 208 (AMENDMENTS) A. District Boundary Change (Rezoning) to require the submittal of site plans with rezoning applications.

ADOPTED BY BOARD OF SUPERVISORS APRIL 19, 2010
EFFECTIVE MAY 19, 2010
H9135

SECTION 552 Amend Section 552 (MANUFACTURED HOUSING/MULTI-SECTIONAL HOUSING) B. DESIGN/PERFORMANCE STANDARDS for Multi-Sectional Manufactured Homes/Manufactured Homes by the addition of 4. to require skirting and delineate acceptable skirting materials.

ADOPTED BY BOARD OF SUPERVISORS JULY 19, 2010
EFFECTIVE AUGUST 18, 2010
H9138

SECTIONS AS LISTED Section 301 (DEFINITIONS) – Add definitions for NET METERING, POWER GENERATING UTILITY, WIND TURBINE (HEIGHT); Section 410 (R1L DISTRICT) Add G.11 and Section 432 (M2 DISTRICT) add C. establishing standards for solar and wind energy production.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 18, 2010
EFFECTIVE NOVEMBER 17, 2010
H10055

SECTION 208 Amend Section 208 (AMENDMENTS) D. (Board of Supervisors Action) and E.2.b. (Noticing for Hearings) 2. (Notice by Mail) b. to allow the Board of Supervisors to approve a rezoning with a simple majority vote as per recently adopted State Statute.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 22, 2011
EFFECTIVE MARCH 24, 2011
H10097

SECTION 205 Amend Section 205 (ENFORCEMENT) B. (Zoning Inspection) 2. (Inspection) to allow the Land Use Specialist, in the discharge of his duties during assigned working hours, to enter private property for the sole purpose of contacting the owner or occupant of same, provided the property is not posted with “No Trespassing” notices or otherwise secured.

ADOPTED BY BOARD OF SUPERVISORS MARCH 21, 2011
EFFECTIVE APRIL 20, 2011
H10096 & H10113

SECTIONS AS LISTED Section 410 (R1L DISTRICT) Add “upon Conditional Use Permit approval” to B., delete “religious or” from G.5, delete G.10, delete “in compliance with design guidelines in Section 579 (Swimming Pool Safety) from G.2; Section 411 (RMM DISTRICT) add F. “Religious

Institutions (in any permitted buildings) upon Conditional Use Permit approval"; Section 420 (C1 DISTRICT) add R. "Religious Institutions"; and delete Section 579 (SWIMMING POOL SAFETY) in its entirety.

ADOPTED BY BOARD OF SUPERVISORS JULY 18, 2011
EFFECTIVE AUGUST 17, 2011
H11027

SECTIONS AS LISTED Section 301 DEFINITIONS add "swine" to FARM ANIMAL definition; Section 410 (R1L DISTRICT) G. 1. Delete "except swine" and add "except swine shall not exceed five (5) total per parcel"; Section 412 (R1 DISTRICT) C.2. Delete "except swine" and add "except swine shall not exceed five (5) total per parcel"; Section 501 (ACCESSORY USES AND STRUCTURES) E. (ALLOWED ANIMAL CHART) Add "Swine*" to Category A and add "*Swine not to exceed five (5) total per parcel" to last paragraph.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 21, 2102
EFFECTIVE MARCH 22, 2012

Revise fee schedule by resolution to add Zoning Verification Letter fee.

ADOPTED BY BOARD OF SUPERVISORS MARCH 5, 2012
EFFECTIVE APRIL 4, 2012
H10058, H11116, H11117, H11119 & H11120

SECTIONS AS LISTED Section 410 (R1L DISTRICT) C. and Section 411 (RMM DISTRICT) E. amend in regards to charter schools; add Section 529 (FLOODPLAIN MANAGEMENT REGULATIONS); add Section 568 (PUBLIC WORKS REGULATIONS); Section 582 (USE PERMITS) C. (SPECIAL PROVISIONS) 8. amend in regards to non-transferable Use Permits; and Section 205 (ENFORCEMENT) F. (ZONING CLEARANCE) 1. amend in regards to Zoning Clearances.

ADOPTED BY BOARD OF SUPERVISORS APRIL 2, 2012
EFFECTIVE MAY 2, 2012
H12010

SECTIONS AS LISTED Amend statutory references in Section 205 (ENFORCEMENT) D. (ZONING VIOLATION HEARING) 1. and E. (HEARING OFFICER) 1. (SCOPE); Section 301 (DEFINITIONS) "Land Use Specialist"; and Section 604 (STREET NAMING AND ADDRESSING) A. (TITLE AND PURPOSE) 1. (PURPOSE) and F. (GENERAL PROVISIONS) 2. (ENFORCEMENT) c. to bring into conformance with recent changes in legislation as per the 50th Legislature, 1st Regular Session as approved/signed into law by the Governor effective July 20, 2011 and September 30, 2011.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 6, 2012
EFFECTIVE SEPTEMBER 5, 2012
H12038 & H12039

SECTIONS AS LISTED Section 410 (R1L DISTRICT) G.1 and Section 412 (R1 DISTRICT) C.2. add language in regards to the keeping of chickens on small residential parcels and Section 410 (R1L DISTRICT) G.11 add language in regards to the construction of overhead entry features.

ADOPTED BY BOARD OF SUPERVISORS JANUARY 7, 2013
EFFECTIVE JANUARY 7, 2013
H12103

SECTION 207 Amend Section 207 (ADJUSTMENT BOARD) A. (STRUCTURE), B. (PROCEDURE), and E. (HEARINGS AND RULINGS) 3. to bring into conformance with A.R.S. 11-816 (Boards of Adjustment; powers; appeals) A. with regards to Counties having five (5) supervisorial districts.

ADOPTED BY BOARD OF SUPERVISORS JULY 15, 2013
EFFECTIVE AUGUST 15, 2013
H13006

SECTION 206,601 Amend Section 206 (PENALTIES AND REMEDIES) F. and Section 601 (SIGN CODE) L. (SIGN PERMITS) 2. b. Fees to provide some discretion when considering double fees for non-permitted work not done by the current property owner.

ADOPTED BY BOARD OF SUPERVISORS JULY 15, 2013
EFFECTIVE AUGUST 15, 2013
H13033

SECTION 410 Amend Section 410 (R1L DISTRICT) to add provisions/criteria for private family cemeteries.

ADOPTED BY BOARD OF SUPERVISORS JULY 15, 2013
EFFECTIVE AUGUST 15, 2013
H13038

SECTION 410 Amend Section 410 (R1L DISTRICT) G. 10. in regards to Solar Installations and Wind Turbines.

ADOPTED BY BOARD OF SUPERVISORS JULY 15, 2013
EFFECTIVE AUGUST 15, 2013
H13039

SECTIONS AS LISTED Amend Section 301 (DEFINITIONS), Section 410 (R1L DISTRICT) and Add Section 512 (COMMUNITY GARDEN) to add provisions/criteria for gardens on vacant lots.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 5, 2013
EFFECTIVE SEPTEMBER 4, 2013
H13042

SECTION 205 Amend Section 205 (ENFORCEMENT) F. (ZONING CLEARANCE) 2. to add language in regards to confirming contractor information when processing permits.

ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 8, 2015
EFFECTIVE OCTOBER 8, 2015
H14083

SECTIONS AS LISTED Amend Section 415 (RS DISTRICT), Section 430 (PM DISTRICT), Add Section 547 (LANDSCAPING), amend Section 602 (PARKING AND OFF-STREET LOADING), amend Section 561 (OUTSIDE DISPLAY – COMMERCIAL), amend Section 564 (OUTSIDE STORAGE), amend Section 555 (MOBILE, MFG HOME AND RV PARKS (TRAVEL TRAILER)) and amend Section 567 (PROTECTIVE SCREENING) to create a Landscaping Ordinance for commercial projects

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ADOPTED BY BOARD OF SUPERVISORS SEPTEMBER 8, 2015
EFFECTIVE OCTOBER 8, 2015
H15043

SECTION 603 Amend Section 603 (LIGHT POLLUTION CONTROL) to include new definitions, include language addressing light pollution control for publicly owned buildings and future subdivisions as well as delete and clarify other minor Ordinance provisions.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 5, 2015
EFFECTIVE NOVEMBER 4, 2015
H15038

SECTION 588 Amend Section 588 (YARDS AND COURTS) A.1 and Add A.3.c. in regards to the Front Yard Deviation allowances to allow staff to apply the rule to both the front and the rear of a lot.

ADOPTED BY BOARD OF SUPERVISORS OCTOBER 5, 2015
EFFECTIVE NOVEMBER 4, 2015
H15039

SECTION 205 Delete Section 205 (ENFORCEMENT) F.3.j. to eliminate the requirement of providing an Affidavit of Disclosure for vacant lots or lots not located in an approved subdivision.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 2, 2016
EFFECTIVE DECEMBER 2, 2016
H16037

SECTION 205 Amend Section 205 (ENFORCEMENT) F.1.a.(1) to add language regarding non-habitable accessory structures under 200 sq. ft. and F.1.b. to amend language in (5) and add (15) & (16) regarding water storage tanks and well houses less than 200 sq. ft.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 2, 2016
EFFECTIVE DECEMBER 2, 2016
H16039

SECTION 301 Add to Section 301 (DEFINITIONS) - Building Separation, Lot Coverage, Modular Home, Seats and Well House and amend language in definition of Patio, Outside (Commercial).

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 2, 2016
EFFECTIVE DECEMBER 2, 2016
H16040

SECTION 516 Amend Section 516 (DENSITY DISTRICTS) to reduce minimum building separations and "PLEASE NOTE:" in regards to detached accessory structures and to properly identify the Flood Control District.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 2, 2016
EFFECTIVE DECEMBER 2, 2016
H16042

SECTION 410 Amend Section 410 (R1L DISTRICT) H. to add language in regards to occupancy of temporary housing and required yard setbacks.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 2, 2016
EFFECTIVE DECEMBER 2, 2016
H16043

SECTION 420 Amend Section 420 (C1 DISTRICT) Q. to delete "Outside patios" and add "Patio, Outside Commercial.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 15, 2017
EFFECTIVE MARCH 17, 2017
H16087

SECTIONS AS LISTED Amend Section 301 (DEFINITIONS) to add "Commissary" and "Mobile Food Unit"; amend Section 420 (C1 DISTRICT) to add "S." and add Section 556 (MOBILE FOOD UNITS – COMMERCIAL) to add language regarding the allowance of Mobile Food Units.

ADOPTED BY BOARD OF SUPERVISORS FEBRUARY 15, 2017
EFFECTIVE MARCH 17, 2017
H16088

SECTION AS LISTED Amend Section 410 (R1L DISTRICT) G.1.a.(5), Section 412 (R1 DISTRICT) C.2.a.(5) and Section 501 (ACCESSORY USES AND STRUCTURES) b. to delete language regarding the disallowance that no accessory building housing fowl or animals (other than domestic pets) may be attached to any dwelling unit.

ADOPTED BY BOARD OF SUPERVISORS NOVEMBER 1, 2017
EFFECTIVE DECEMBER 1, 2017
H17032

SECTION AS LISTED Amend Section 301 (DEFINITIONS) to amend the definition of a Steel Storage Container; and amend and add language to in Sections 413.C. (RCU DISTRICT), Section 501 (ACCESSORY USES AND STRUCTURES), and Section 564.A.12 & 13 (OUTSIDE STORAGE) regarding the use of steel storage containers and sheds before a primary use is established and steel storage containers after a primary use is established.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 7, 2019
EFFECTIVE SEPTEMBER 7, 2019
H19026

SECTION AS LISTED Amend Section 556 (MOBILE FOOD UNITS) to delete and add language in Section 556, regarding Mobile Food Units and to be in compliance with the new Arizona Revised Statutes.

ADOPTED BY BOARD OF SUPERVISORS AUGUST 7, 2019
EFFECTIVE SEPTEMBER 7, 2019
H19028

SECTION AS LISTED Amend Section 301 (DEFINITIONS) to amend the definition of Fencing regarding the addition of metal panels for construction materials.

ADOPTED BY BOARD OF SUPERVISORS	AUGUST 7, 2019
EFFECTIVE	SEPTEMBER 7, 2019
	H19029

SECTION AS LISTED Amend Section 301 (DEFINITIONS) to amend the definition of a Guest Home; and amend and delete language to in Sections 410 (R1L DISTRICT), and Section 537 (GUEST HOME) regarding detached guest homes and the number of guest homes allowed on a property.

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Adopted Effective 4/15/09
Amended Effective 3/22/12

YAVAPAI COUNTY DEVELOPMENT SERVICES FEE SCHEDULE

FEE TYPE	**Base Fee**
Zoning Clearance Fees	
1. Residential: Site built house; manufactured/mobile home; duplex; triplex; quad; multi-family; motel w/ cooking facilities	$190.00 per dwelling unit (includes original attachments)
Detached Accessory Structures, such as courts, pools, garages, water tanks, barns, stables, and sheds greater than four hundred (400) square feet.	$ 85.00 (per structure)
Fences, walls, sheds four hundred (400) square feet or less in size, and extensions to existing detached accessory structures	$ 85.00
2. Residential Follow-on (means attached to a primary structure): Attached Accessory/Additions (including enclosures)	$ 105.00
Remodel	$ 85.00
Slabs, paving, patios, etc.	$ 85.00
3. Non-Residential: Motels; Camps; Commercial; Industrial. Otherwise, minimum permit.	$0.25 sq. ft. under roof
Miscellaneous Non-Residential, such as fences, walls, paving, sign supports, etc.	$85.00
Change of Use	$0.25 sq. ft. under roof
Non-Residential Remodel	$355.00
4. Minimum Permit	$50.00
5. Minor Land Division Permit	$100.00 per lot
6. Permit Renewals (within 180 days of original permit) Single Family Residential Non-Single Family Residential	 $50.00 $50.00
7. Revised Plot Plan	$65.00
8. Refunds of Zoning Clearance Fees Denied or withdrawn Z.C.	Retain 80%
9. Manufactured/Mobile Home Parks (RV)	$300.00 + $10 per space
10. Commercial Permit Review Fee	$700.00 (non-refundable)
11. Lighting Permit	$190.00
12. Home Occupation	$190.00

Temporary Dwelling Permits	
New	$210.00
Renewal	$190.00
Second Renewal	See Use Permit

Sign Permits	**Base Fee**
1. Temporary Signs, Directional Signs (both On and Off-Premise).	$145.00
2. All On-Premise Signs intended for advertising regardless of use or size.	$180.00
3. All Off-Premise Signs (other than directional).	$180.00
Note: Structures other than purely supports (such as monuments, poles and standards) must be permitted as structures separate from their associated signs with permits under general Zoning Clearance Procedures or have a proven pre-existing legal status.	
Hearing Applications to Board of Adjustment	**Base Fee (Includes Electronic Document Fee)**
1. Base Variance	$530.00
2. Each additional Variance	$50.00
BOA Appeals (must be separate Hearing Application)	$1040.00
Miscellaneous Hearing Applications	**Base Fee (Includes Electronic Document Fee)**
Hearing Officer Appeal (Payable to Board of Supervisors)	$440.00
Secondary Medical Dwelling (Administrative Review)	$530.00
Minor Administrative Variance (Administrative Review)	$530.00
Miscellaneous	**Base Fee**
Abandoned Vehicle Inspection	$50 for the first vehicle, $10 each additional vehicle
Zoning Verification Letter	$50.00
Zoning Verification Report	$335.00

Zoning Map Change or Use Permit (determined by district in which the requested use would most closely be allowed as a matter of right)	**Base Fee + Multiplier (Includes Electronic Document Fee)**
Residential (R1L; RMM; R1; RCU; R2; OS)	$600.00 plus $20 per acre (Maximum Fee - $2,200.00)
Commercial (RCD; RS; P1; C1; C2)	$1000.00 plus $100 per acre (Maximum Fee - $9,000.00)
Industrial (C3; PM; M1; M2)	$1200.00 plus $100 per acre (Maximum Fee - $9,200.00)
Planned Area Development (PAD)	$1000.00 plus $20 per acre (Maximum Fee - $13,800.00)
Planned Area Development (PAD) Major Amendment (P&Z and BOS hearing required)	Same as Full Fee less 25%
Planned Area Development (PAD) Minor Amendment (Staff Review)	$530.00
Administrative Amendment	$250.00
Density District Change (decrease in density)	$0.00
Density District Change (increase in density)	New application fee for corresponding use district type (i.e. residential, commercial, industrial)
Extension of Time for time limited zoning.	Base Fee Only
Amendment of Conditional Zoning	Full Fee less 25%
UP Renewal with NO modifications	Full Fee Less 50%
UP Renewal with modifications	Full Fee
UP Manufactured Home/Mobile Home/RV Park	$700.00 plus $20 per space
Administrative UP with Comment	Same as Full UP Fee less 25%

Street Names and Addressing	**Base Fee + Multiplier (Includes Electronic Document Fee)**
Change existing street name	$300.00 plus $20 per lot requiring an address change
Change existing address number (per request and not initiated by Yavapai County for 911 purposes)	$85.00

Wireless Use Permits	**Base Fee (Includes Electronic Document Fee)**
Applications to be processed by Administrative Review	$870.00
Applications to be processed by Administrative Review with Comment Period	$1885.00
Applications requiring a Use Permit	$3830.00
Applications to review/renew an existing approved facility	50% of Base Fee
Note: On Wireless Use Permit applications, a $150 rebate/incentive will be given to the applicant for every additional wireless provider that certifies in writing, at the time of submittal, that they will co-locate their antennae on the tower if approved.	

Final Site Plan	**Base Fee (Includes Electronic Document Fee)**
Final Site Plan for Hearing or Administrative Review	$800.00

Development Agreements	$3645.00
Amendment to approved Development Agreement	$2590.00

General Plan Amendments (includes community plans)	**Base Fee + Multiplier (Includes Electronic Document Fee)**
Minor	$350.00
Major (heard once per year)	$1000.00 plus $10 per acre (Maximum Fee - $7,400.00)

Subdivisions	**Base Fee + Multiplier (Includes Environmental, Floodplain & Electronic Document Fees)**
Sketch Plan	$350
Administrative Preliminary Plat	$400.00 plus $20 per lot (Maximum Fee - $4,400.00)
Preliminary Plat	$865.00 plus $20 per lot (Maximum Fee - $4,865.00)
Final Plat	$715.00 plus $15 per lot (Maximum Fee - $3,715.00)
Record of Survey in lieu of subdivision	$715.00 plus $15 per lot (Maximum Fee - $3,715.00)
Abandonment of a Final Plat/Zoning/Reversion to Acreage	$615.00
Extension of Time for Pre-Plat	$300.00
Administrative consideration of a 6-month extension for Final Plat recording.	$300.00
2nd and any Subsequent Extension(s) of Final Plat Recording (Requiring Public Hearing)	$500.00
Pre-recording Final Plat	$345.00
Request of Waiver of Subdivision Requirements.	$500.00 per waiver

Base P&Z Commission Review	**Base Fee**
(Examples: review of miscellaneous applications such as Alternative Financial Assurances; Section Line Setback Waiver and etc.)	$580.00

Re-advertising	**Base Fee**
Deferred date specific	$250.00
Deferred date unspecified; application to be reheard between 0 and 179 days of original hearing date – requires re-advertising only.	$375.00
Deferred date unspecified; application to be reheard between 180 and 364 days of original hearing date – requires re-advertising, posting, and public hearing notices mailed to surrounding property owners	Base fee of application type
Deferred date unspecified; application to be reheard 365 days or longer after original hearing date – requires new application.	New full application fee

YAVAPAI COUNTY
Development Services

Prescott Office -
1120 Commerce Drive, Prescott, AZ 86305
(928) 771-3214 Fax: (928) 771-3432

Cottonwood Office -
10 S. 6th Street, Cottonwood, AZ 86326
(928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – Environmental - Land Use – Planning

Refund Policy

BOS Adoption January 11, 2007
Amended January 19, 2010

Development Services fees have been adopted by the Board of Supervisors to cover the cost of provided services. Included in the adopted codes and ordinances are provisions for the refund of monies when an application is withdrawn prior to completion of the process or due to duplication or departmental error. No refunds are processed for expired applications or permits, except for Impact Fees

A refund must be requested in writing by the applicant for consideration. This request for refund shall be filed by the original permittee not later than 180 days after the date of fee payment. The time limit for a request for refund shall be extended in conjunction with an application/approved permit extension for permits with no construction begun, not to exceed one (1) year. Monies are refunded to original payor only, unless written authorization is included in the request granting permission to refund fees to another party. Refunds for less than $5.00 will not be processed.

Planning Unit

Hearings	
• Application Accepted – No Processing	100% Refund
• Application Accepted – Agency Review Only	75% Refund
• Application Accepted – Advertising done/ up to 20 days prior to hearing	50% Refund
• Posting done/Briefs Complete	No Refund
• Document Fees	No Refund
• Department Errors	100% Refund

Land Use Unit

Hearings	Same as Planning Unit
Minor Land Division Permit	No Refund
Zoning Clearance Fees	
• Denied or Withdrawn Zoning Clearance	Retain 80%
• Document Fees	No Refund
• Department Errors	100% Refund

Building Safety Unit

• Plan Check Fees	No refund once the plan check process has begun. Retain $50.00 or calculated plan review – whichever is greater.
• Building Permit Fees: No work started and no inspection called.	Retain $25.00 or 25% whichever is greater.
• Plumbing, Electrical, Mechanical Fees: No work	Retain $10.00 or 25%

started and inspections called.	whichever is greater.
• Document Fees	No Refund
• Department Errors	100% Refund

Environmental Unit

Environmental Fees:

• Application withdrawn/prior to EU Processing	100% Refund
• EU has processed permit no construction begun	50% Refund
• Construction of EU permit begun and/or inspected and/or finaled.	No Refund
• Document Fees	No Refund
• Department Errors	100% Refund

Impact Fees

• Permit withdrawn or expired / no construction begun	100% Refund