

**PLANNING AND ZONING  
ORDINANCE  
FOR THE UNINCORPORATED AREAS  
OF  
YAVAPAI COUNTY, ARIZONA**



**YAVAPAI COUNTY BOARD OF SUPERVISORS  
ORIGINAL ADOPTION FEBRUARY 5, 1968  
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## **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All Ordinances and portions of Ordinances of Yavapai County in conflict herewith are hereby repealed.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 the following are exempt from these provisions:
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, as defined pursuant to A.R.S. § 11-812(A), if the tract concerned is at least five contiguous commercial acres (one commercial acre is equivalent to 36,000 square feet).
    - a. Agricultural uses are not exempt from this Ordinance or Building Codes until the Yavapai County Development Services Department issues a Certificate of Exemption in accordance with Section 505 of this Ordinance.
    - b. An applicant proposing an agricultural composting operation shall notify, in writing, the Board of Supervisors and the nearest fire department of the location of the composting operation. These notifications shall be included as part of the Agricultural Use Exemption application.
    - c. An exemption for agricultural use, per the requirements of Section 505, shall not be construed to include commercial feedlots and other similar commercial or industrial animal operations.

### 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.
  - (17) Amateur radio antennas and support structures, subject to a 1 ft. for 1 ft. setback from all property lines and easements. FAA and FCC requirement shall still apply. Should anyone wish to have any deviation from this code they may apply for relief through a Use Permit.
- 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 administering 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 any time 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:  
Subject Property Size Notice Boundary
    - a. One (1) acre or less – three hundred feet (300’)
    - b. More than one (1) acre – one thousand feet (1,000’)
    - c. Planned Area Development (PAD) or Major Planned Area Development Amendments, or structures comprising a gross floor area of 30, 000 square feet or greater – Two thousand six hundred forty feet (2, 640’) – (Half Mile)
  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:

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

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 DWELLING UNIT (ADU)** - A self-contained living unit that is on the same lot or parcel as a single-family dwelling with a gross floor area greater than the accessory dwelling unit. An ADU includes its own sleeping and sanitation facilities, and may include its own kitchen.

**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.

**AMATEUR RADIO ANTENNAS** - Antennas being used for the non-commercial transmission and/or reception of Amateur Radio or Citizens Band Radio signals by federally licensed amateur radio or Citizens Band Radio operators.

**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.

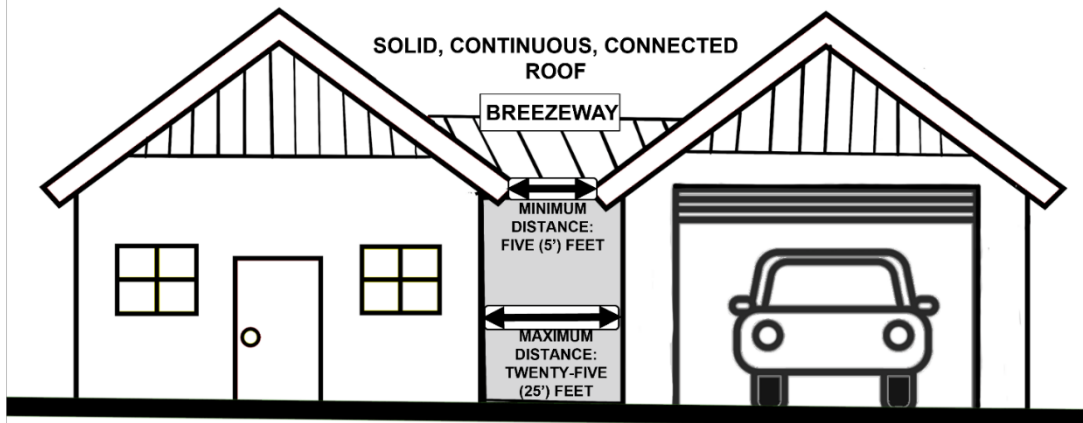
**BREEZEWAY** - A breezeway will consist of a common roof that is structurally connected at each end of the breezeway to the roof of any attached buildings. A breezeway must be a minimum of six (6') feet in width. The distance between any finished walls or eaves separated by the length of the breezeway must be a minimum of five (5') feet and a maximum of twenty-five (25') feet. The common roof of a breezeway must be solid and contiguous in materials and elevation at the area of connection. Structures such as decks, pergolas, patio covers, staircases, or beams or sheets of material (including wood, metal, plexiglass, etc.) that are simply bolted to separated buildings will not meet this definition of a breezeway. (See BUILDING, ATTACHED)

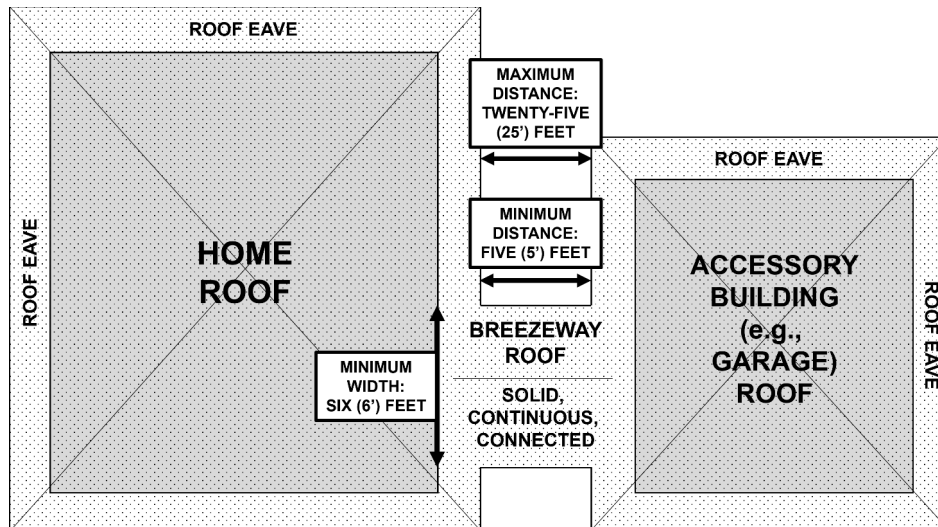
**BUILDING** - A structure having a roof supported by columns or walls.

**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 breezeway. (See BREEZEWAY)

**Example: 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 other buildings on the same lot. Detached buildings must meet the minimum building separation. Buildings with connections that do not meet the definition of a breezeway described in this Ordinance will be deemed to be detached. (See BUILDING, ATTACHED; BUILDING SEPARATION; BREEZEWAY)

**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 any detached buildings on the same lot. A detached building must be a minimum of five (5') feet from the nearest point of any other building, including the finished walls, eaves, or other structural projections. (See BUILDING, DETACHED)

**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 single living unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking (see KITCHEN), and sanitation that are accessible internally. A dwelling unit does not include lodging as defined in this Ordinance.

**EDUCATIONAL INSTITUTION (PRIVATELY FUNDED)** - 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.

**EAVE** - The overhang of a roof that projects past the exterior wall of a building, not exceeding four feet.

**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 FLOOR AREA** - The interior habitable area of a single-family dwelling or an accessory dwelling unit; for the purposes of determining required parking spaces for nonresidential uses, please see definition in Section 602 (Parking and Off-Street Loading).

**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.

**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.

**HABITABLE AREA** - Habitable area is a space that is fully enclosed and usable for more than six months in a year for living purposes, which has access to heat, plumbing, and electricity. Habitable area does not include barns, garages, carports, open porches or patios, exterior storage space, or unfinished attic space.

**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.

**KITCHEN (COOKING FACILITIES)** - A habitable area for the preparation and storage or refrigeration of food, which contains a sink and permanent provisions for the heating and cooking of food, such as a stove, range, or oven.

**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.

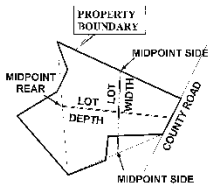
**LODGING** - The rental, lease or sale of a dwelling unit on a daily or weekly basis or any other basis for less than thirty (30) consecutive days.

**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.

**PERMITTED USE** - The ability for a development to be approved without requiring a public hearing, Variance, Conditional Use Permit, or special permit other than a discretionary zoning action to determine that a site plan conforms with applicable zoning regulations.

**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.

**RENTAL (LONG-TERM)** - A rental use in which the tenant holds a lease of ninety days or longer or on a month-by-month basis.

**RENTAL (SHORT-TERM or VACATION)** - A rental use in which a single-family or one-to-four-family house or dwelling unit or any unit or group of units in a condominium, cooperative or timeshare, that is also a transient public lodging establishment or owner-occupied residential home offered for transient use if the accommodations are not classified for property taxation under A.R.S. §42-12001. Vacation or short-term rentals do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center or other similar use pursuant to A.R.S. §11-269.17.

**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 amateur radio towers, 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.

**WET BAR** - An area for the preparation of beverages, which may include a sink and refrigeration unit, but does not include permanent provisions for the heating and cooking of food, such as a stove, range, or oven.

**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). All Uses in each Zoning District shall conform to all adopted codes within the jurisdiction(s). The adopted codes include, but are not limited to; building codes, environmental, fire, public works, zoning regulations as well as any other local, county, state and federal regulations which may be applicable. Use Permits shall be reviewed in accordance with Section 582 of the Zoning Ordinance. 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

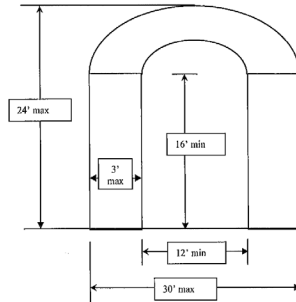
**SECTION 410 R1L DISTRICT**

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 (privately funded) as defined in Section 301 (Definitions) (in site-built buildings), upon Conditional Use Permit approval.
- 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 must meet district building height limitations above natural grade and principal setback requirements. Small-Scale Solar Use requirements are set forth in Section 501.E Accessory Uses and Structures.
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. Accessory dwelling units (ADUs) as defined under Section 301 (Definitions), subject to the standards set out in Section 537 (Accessory Dwelling Units).
- 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 interment 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).
- O. Wireless Communication Facility
1. Minimum Parcel size to be 2 acres (87,120 SQUARE FEET)
  2. Maximum height to be 60 feet.
  3. 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 proof of collapse is provided by a registered engineer, then primary setbacks shall apply.
  4. Full stealth design required as approved by the Development Services Director. Stealth design to match the characteristics and colors of the surrounding community. Tower shall utilize the least intrusive design to fill a significant gap in service coverage.
  5. All ground equipment shall be concealed behind an 8' CMU walled enclosure or similar design as approved by the Development Services Director.
  6. Any modifications to the tower or equipment shall in in compliance with FCC and FAA Regulations.
- P. The personal cultivation of Marijuana is allowed subject to the provisions set forth in Section 607.

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 5 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				Max Building Height Stories / feet		Max Lot Coverage Percent
			Min Building Spacing is 5 Feet all classes						
			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 5 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 5 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 5 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 5 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.
- T. Wireless Communication Facility
  1. Maximum height to 100'.
  2. 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, or proof of collapse is provided by a registered engineer, then primary setbacks shall apply.
  3. Full stealth design required within 1,000 feet, as measured from the base of the tower, of a residentially zoned parcel as approved by the Development Services Director. Stealth design to match the characteristics of the surrounding community. Tower shall utilize the least intrusive design to fill a significant gap in coverage.
  4. All ground equipment shall be concealed behind an 8' CMU walled enclosure or similar design as approved by the Development Services Director.
  5. Any modifications to the tower or equipment shall be in compliance with FCC and FAA Regulations.
- U. A Marijuana Establishment shall be permitted subject to the provisions set forth in Section 607 of this Ordinance.

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 5 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 processions 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,  
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 5 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 5 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').

G. Wireless Communication Facility

1. Maximum height to 100'.
2. 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, or proof of collapse is provided by a registered engineer, then primary setbacks shall apply.
3. All ground equipment shall be concealed behind an 8' CMU walled enclosure or similar design as approved by the Development Services Director.
4. Any modifications to the tower or equipment shall in in compliance with FCC Regulations.

H. A Marijuana Establishment shall be permitted subject to the provisions set forth in Section 607 of this Ordinance.

## 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.

12. Wireless Communication towers shall comply with the zoning district with the R1L requirements as outlined in Section 410 of the Zoning Ordinance.

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 its 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:

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

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.
  - d. Open space intended for recreation or common use is easily accessible to pedestrians.
  - e. Sites, structures and landmarks having a potential for historic preservation have been identified and integrated into the development plan for preservation.
  - f. Individual lots, buildings and other structures are compatible with surrounding properties.
  - g. Individual buildings have been designed to complement the natural features of the site.
  - h. 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 its 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 Records' Office (with recording fees to be paid by the nominating group). The filing of a draft DRO zone application with the Records' 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 of 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.	

- E. SMALL-SCALE SOLAR USE of solar energy electricity generating equipment, as defined in Section 608, will be permitted provided that the following performance standards are met:
  - 1. Roof-mounted Photovoltaic (PV) panels shall not extend more than twenty-four (24”) inches above the surface of the roof as measured perpendicularly to the roof at the point

where it is mounted, and PV panels must meet district building height limitations above natural grade.

2. Ground-mounted PV panels shall not exceed fifteen (15') feet in total height and must follow principal setbacks of the district.
3. Support structures such as canopies and carports that incorporate PV panels will be subject to building permits and zoning requirements for the structure type.
4. All utility service lines serving ground-mounted PV panels must be located underground.
5. All components servicing ground-mounted and roof-mounted PV panels must be concealed or screened to blend in with the surroundings, including mechanical piping, electrical conduits, and the like.
6. Battery energy storage associated with Small-Scale Solar Use for one-family and two-family dwelling units shall be limited to eighty (80 kWh) kilowatt-hours aggregate and must comply with the County's most current adopted building code and the requirements of the fire jurisdiction having authority.
7. Battery energy storage exceeding eighty (80 kWh) kilowatt-hours aggregate for Small-Scale Solar Use shall be subject to Section 1206 of the 2018 International Fire Code and its subsequent editions.

#### **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. APPLICABILITY:

1. Uses may be determined exempt from this Ordinance and adopted Building Codes for grazing or other general agricultural purposes pursuant to A.R.S. §§ 11-812 and 11-865 if the property is at least five contiguous commercial acres in size, the use is for general agricultural purposes as defined by Arizona law, and the use meets other requirements of this Section. (One commercial acre is equivalent to 36,000 square feet.)
2. An exemption for agricultural use may include structures and uses incidental to the main agricultural use.
3. All such structures and uses shall be requested in the Initial Application or in a Supplemental Exemption per Subsection B.2 of this Section.
4. Classification of property as agricultural for valuation purposes by the Yavapai County Assessor creates a presumption that related uses or occupations of the property or structures so classified are for general agricultural purposes for the purposes of this Ordinance.
5. A Certificate of Exemption only provides an exemption from this Ordinance. It does not provide exemption from other legal requirements including but not limited to Flood Control District regulations for stormwater management and other local, state, and federal regulatory requirements.

### B. GENERAL REQUIREMENTS:

1. Initial Application. Initial Applications for Certificates of Exemption shall include each of the following:
  - a. A site plan of the entire property to include all structures with dimensions, square footage, and their existing or proposed uses.
  - b. A Letter of Intent which includes a brief explanation of how each structure supports or is related to the general agricultural purpose.
  - c. Other supporting documentation which may be requested at the time of application.
2. Supplemental Exemptions. Once a Certificate of Exemption has been approved by the Development Services Department, any newly proposed agricultural uses or structures (including those incidental to the agricultural purpose) will require the owner or authorized agent to submit an updated site plan and Letter of Intent explaining how the structure or use is incidental to the agricultural operation so that the Development Services Department may determine if they may be included within the current exemption.
  - a. Should the newly proposed structures or uses qualify for the Agricultural Use Exemption, then the Development Services Department will issue an updated Certificate of Exemption reflecting the addition.
  - b. Supplemental exemptions shall run with the same expiration and renewal periods as the original underlying exemption.

3. Certificate of Exemption Amendment.
  - a. A property owner or authorized agent may apply to amend an existing Certificate of Exemption if the property undergoes a modification as described in this Subsection B.3. Eligible modifications include:
    - i. A change in ownership.
    - ii. Parcel division.
    - iii. Parcel combination.
  - b. The application for a Certificate of Exemption Amendment shall be accompanied by all documents that the Development Services Department may require to show the modifications, including:
    - i. Deeds.
    - ii. Site plans.
    - iii. Letters of Intent.
    - iv. Other documents required by the Department.
  - c. The subject property must retain a minimum of five commercial acres.
  - d. If the modification is determined to comply with this Section, the Development Services Department will issue a Certificate of Exemption Amendment reflecting the update.
  - e. Failure to provide notification of modifications to the property within 90 days of a modification will cause the Certificate of Exemption to be revoked.
4. Renewals. The Certificate of Exemption shall have a term of four years from the date of initial approval. To apply for a renewal, the applicant shall submit the following:
  - a. A written description of any changes since the most recent issuance of a Certificate of Exemption, or statement that no changes have occurred.
  - b. An updated site plan of the entire property to include all structures and their identified uses.
  - c. Other supporting documentation which may be requested at the time of the application.

C. REVOCATION OF EXEMPTION. A Certificate of Exemption may be revoked under the following conditions:

1. Transfer of ownership occurs, and the new owner fails to apply for a Certificate of Exemption Amendment within 90 days following the date the new owner takes possession of the property, in accordance with Subsection B.3.
2. Property with a Certificate of Exemption undergoes a modification such as a parcel division, parcel combination, or lot line adjustment, which results in new or updated Assessor's Parcel Numbers (APN) for all or portions of the exempt property, or changes the agricultural use, and fails to amend, modify, or update the Certificate of Exemption within 90 days of the modification, in accordance with Subsection B.3.

3. A Certificate of Exemption may be cancelled at any time upon determination by the Development Services Department that the use no longer meets the standards described in this Section.
- D. **NONCONFORMING STRUCTURES.** Legal nonconforming structures that are built during the time the Certificate of Exemption is in effect, including those not meeting the underlying zoning regulations, which remain on the property after the Certificate of Exemption has expired, has been revoked, or otherwise ends, shall be brought into full compliance with this Ordinance and the most current adopted Building Codes when making an addition, modification, replacement, or Change of Use to that structure which requires a permit.
- E. **APPEALS.** A person aggrieved by a decision of the Development Services Department to grant, deny, cancel, or revoke a Certificate of Exemption may appeal the decision to the Board of Adjustment as provided in this Ordinance.

## 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 anyone (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	5
2	7,500	2,000	75	20	25	7	10	2	40	50	5
3	7,500	3,000	75	20	25	7	10	2	30	50	5
4	7,500	4,000	75	20	25	7	10	2	30	50	5
5	7,500	5,000	75	20	25	7	10	2	30	50	5
7.5	7,500	7,000	75	20	25	7	10	2	30	50	5
10	10,000	10,000	80	20	25	7	10	2	30	40	5
12	12,000	12,000	90	20	25	7	10	2	30	40	5
18	18,000	18,000	100	30	30	10	15	2	30	25	5
25	25,000	25,000	130	30	30	10	15	2	30	20	5
35	35,000	35,000	145	40	40	20	20	2	30	15	5
70	70,000	70,000	200	50	50	25	30	2	30	15	5
2A	87,120	87,120	225	50	50	25	30	2	30	10	5
175	175,000	175,000	300	50	50	30	50	2	30	10	5
5A	217,800	217,800	325	50	50	40	50	2	30	10	5
10A	435,600	435,600	500	50	50	50	50	2	30	5	5
36A	1,568,160	1,568,160	500	50	50	50	50	2	30	5	5

(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 ACCESSORY DWELLING UNITS**

A. **Applicability.**

- A. Accessory dwelling units (ADUs) are a permitted use on any lot or parcel in zoning districts where a single-family dwelling is allowed, subject to the requirements of this Section and all applicable Yavapai County codes and regulations, including but not limited to Building Codes, Environmental Regulations, Fire Codes, Stormwater Regulations, and public health and safety regulations.
- B. A property subject to this Section shall retain its single-family use status even though one or more ADUs are allowed. ADUs permitted under this Section are excluded from the regulations for multi-family uses, such as those established in Section 414 (R2 District). This Section does not modify any multi-family uses in zoning districts that allow multi-family uses.
- C. To the extent any provision in this Section conflicts with A.R.S. §11-810.01, A.R.S. §11-810.01 shall control.

- B. **Design and Development Standards.** ADUs are allowed subject to the following requirements:
1. Density and Size.
    - a. One attached and one detached ADU are allowed as a permitted use on a single lot or parcel subject to this Section. The gross floor area of each ADU shall not exceed 1,000 square feet of interior habitable area.
    - b. One additional detached ADU is allowed as a permitted use on a lot or parcel that is one acre or more in size. The gross floor area of this additional ADU shall not exceed 1,500 square feet of interior habitable area.
  2. Building Height. ADUs are subject to the same height regulations that apply to the zoning district with a single-family dwelling on the same lot or parcel.
  3. Setbacks.
    - a. The front yard setback shall be consistent with the front yard setback required for single-family dwellings within the same zoning district.
    - b. The rear, interior side, and exterior (street) side setbacks for an attached or detached ADU shall be a minimum of five feet in all zoning districts.
    - c. An ADU may not be built on top of a current planned public utility easement (PUE) unless the property owner receives written consent from any utility that is currently using the PUE or that may use the PUE in the future.
  4. Design and Construction.
    - a. An ADU is not required to match the exterior design, roof pitch, or finishing materials of the single-family dwelling that is located on the same lot or parcel as the ADU.
    - b. Detached ADUs may be any construction type that is allowed in the zoning district of the single-family dwelling that is located on the same lot or parcel as the ADU and must be designed and constructed to be compliant with the County's adopted Building Codes.
    - c. If a new ADU will not be connected to an adequate sewer system, an existing or new onsite wastewater system must be adequately sized to serve the new ADU before its construction.
  5. Parking.
    - a. No additional driveway or vehicle parking is required for an ADU.
    - b. An ADU that removes or modifies any existing required vehicle parking spaces for the main residence shall replace the required parking spaces in a location authorized by the Development Services Director.
  6. Addressing. Determination of addresses for each ADU will be reviewed and issued by Yavapai County Addressing Unit. Addresses are required to be posted at the driveway entrance and on the individual structures, visible from the primary driveway at eye level, using at least 4" reflective numbers, contrasting in color from the background of the ADU.
  7. Use of an ADU.
    - a. An ADU or the single-family dwelling located on the same lot or parcel may be used or advertised as separately leased long-term rental housing.

- b. This Section does not exempt an owner of a residential rental property from registering and maintaining with the Yavapai County Assessor's Office any required information pursuant to A.R.S. §33-1902.
- c. An ADU, whether or not it is used as a vacation or short-term rental, may not have nonresidential uses, including but not limited to those uses for a Special Event that would otherwise require a permit or license pursuant to Yavapai County Resolution No. 1752.
- d. The owner of the property where an ADU is used as a vacation or short-term rental must reside on the property if a Certificate of Occupancy or similar final approval for the ADU was issued by the County on or after September 14, 2024.

**SECTION 540 HEIGHT LIMITS**

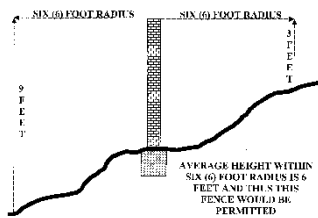
When designated in both stories and feet shall not exceed the foot dimensions.

**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)



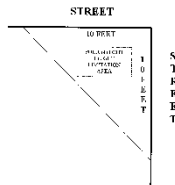
Fence height calculation example

- 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 guestroom 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'
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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 C1 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 M1 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. §33-1701 through §33-1706.
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 (1/2) 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 (10') 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 normal prohibited by the 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. Conditional use permit shall be subject to Conditions of Approval, compliance with all applicable development standards, including conformance to applicable local, county, state and federal codes and regulations. Additionally, the Planning Commission and Board of Supervisors may consider impacts to the transportation system, the surrounding environment and public health safety and welfare. 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.

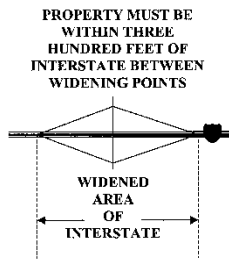
**Construction (Beginning):** The placement or attachment of sign-related materials (e.g. posts, poles, brackets, standards, bolts, screws, lumber, concrete, block, footings, paint) on the ground or on an existing building or other structure.

**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)

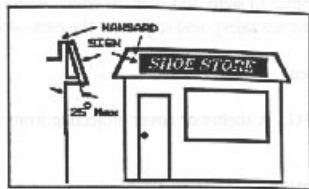


Figure 1

**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)

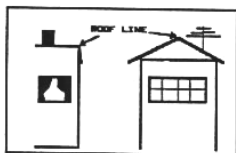


Figure 2

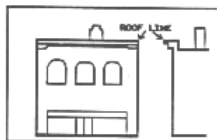


Figure 3

**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)

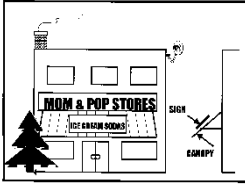


Figure 4

**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)

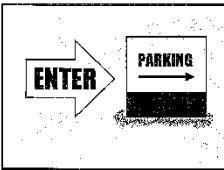


Figure 5

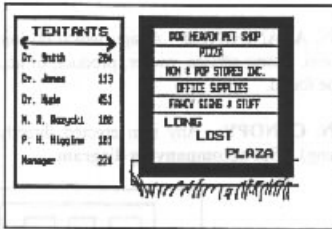


Figure 6

**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 7

**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)

**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 ( $45^\circ$ ), 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 ( $45^\circ$ ), 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 ( $45^\circ$ ).

**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).

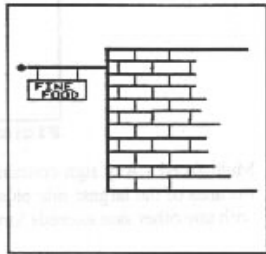


Figure 10

**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)

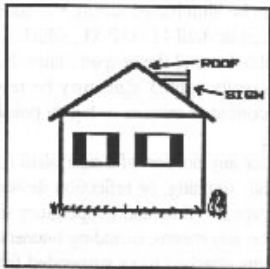


Figure 11

**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)

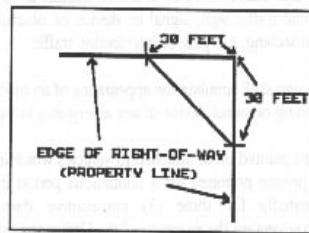


Figure 13

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				
	0°	30°	45°	60°	90°
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**

<b>1. RESIDENTIAL USES</b>	
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.
<b>2. COMMERCIAL SALES/SERVICES</b>	
a. Restaurants, bars, cocktail lounges.	One (1) space per one hundred (100) sq. ft. of gross floor area plus one (1) per employee.
1. No carry-out; no drive-in and no delivery service.	

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.

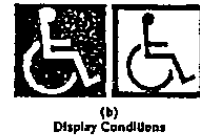
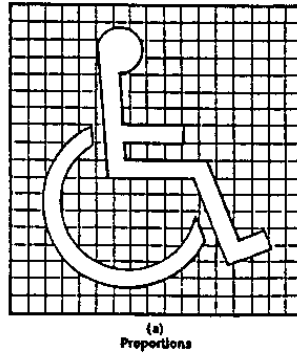
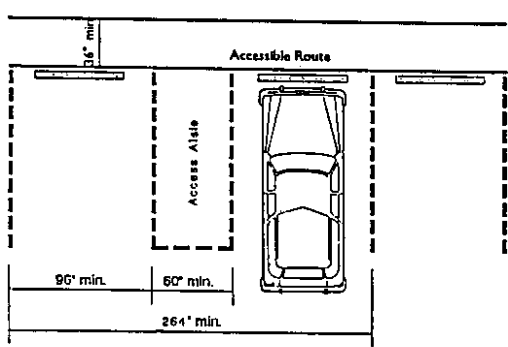
J. HANDICAP PARKING GUIDELINES:

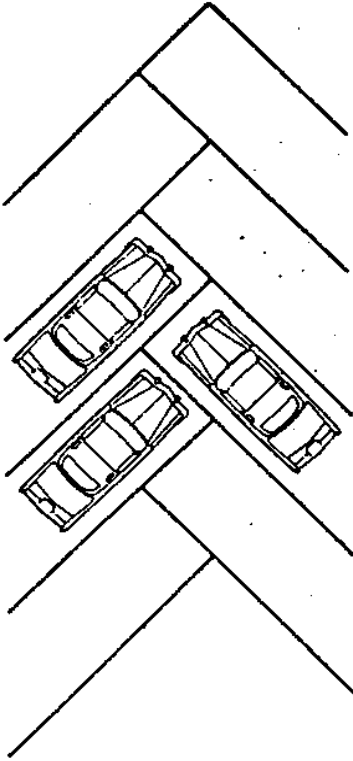
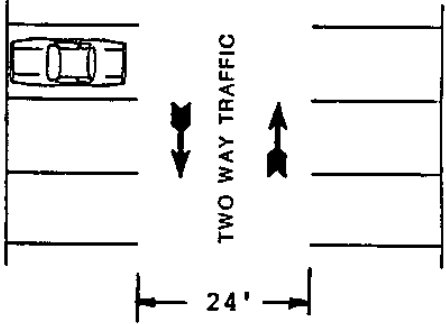
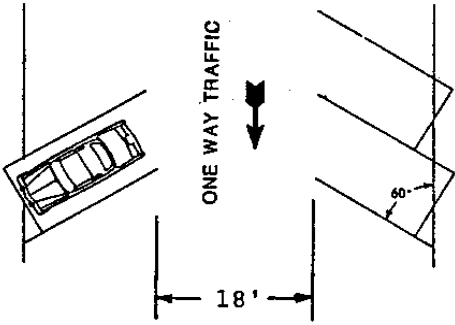
Guidelines from ADA (Americans with Disability Act)

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



UNDESIRABLE DESIGN	PREFERRED DESIGNS
<p data-bbox="250 1052 586 1083"><b>Interlocking or Herringbone</b></p> 	<p data-bbox="906 1052 1127 1083"><b>PERPENDICULAR</b></p>  <p data-bbox="906 1493 1016 1524"><b>ANGLED</b></p> 

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 OUTDOOR LIGHTING STANDARDS

- A. Purpose
- B. Compliance with Zoning Code
- C. Applicability
- D. General Requirements
- E. Special Uses
- F. Prohibited Outdoor Lighting
- G. Exceptions
- H. Nonconforming Outdoor Lighting
- I. Violations and Enforcement
- J. Permits
- K. Definitions

- d. **PURPOSE:** The purpose of this Section is to support the preservation of dark night skies which are enjoyed as an environmental quality by residents of the County. This Section establishes regulations that allow outdoor lighting for uses and activities consistent with the requirement for functionality and safety, while minimizing:
  - a. Light escaping directly from fixtures, or indirectly after reflection from a surface projects into the atmosphere, causing increased artificial sky brightness;
  - b. Glare arising directly from fixtures and from over-illuminated outdoor areas which interferes with effective vision;
  - c. Energy waste which impacts the environment;
  - d. Light trespass across property lines; and
  - e. Potential disruption to nocturnal ecosystems including human health.

### B. COMPLIANCE WITH ZONING CODE

All applicable building permits must be obtained prior to the installation, modification, or replacement of any outdoor light fixture as well as any permitting required by subsection 603.J (Permits).

- 1. Any modification of an existing outdoor light fixture must comply with Section 603 (Outdoor Lighting Standards).
- 2. All outdoor lighting must be installed in compliance with the provisions of this Section and applicable County Building, Electrical, and Energy Codes.
- 3. In the event of conflict between the regulations set forth in this Section and any other County standards, the more restrictive requirement will govern.

### C. APPLICABILITY

- 1. **New Buildings, Developments, and Parking Areas.** The provisions of this Section apply to any new buildings and the development of a vacant lot or parcel and any installation of outdoor lighting to support that development, including parking areas and areas within an unenclosed parking garage.

2. **Light Fixtures.** All new or modified outdoor light fixtures must comply with the requirements of this Section. No modifications will be allowed to any light fixture unless approved by the manufacturer. Any new electrical service required for exterior lighting must be located underground.
3. **Total Light Output:** The total outdoor light output must not exceed the amount allowed by this Section, or the total legal nonconforming light output, whichever is greater.
4. **Additions, Modifications, Replacements, and Change of Use.** The provisions of this Section apply to all exterior building modifications or additions, building/structure replacements, or any Change of Use requiring a permit. All outdoor lighting associated with the subject building, structure, or premises must comply with the requirements of this Section.
5. All outdoor light fixtures on property or buildings that are owned and operated by Yavapai County must be fully shielded.

**D. GENERAL REQUIREMENTS:**

1. **Lighting Classes.** Three lighting classes are defined below. The total light output allowed for a lot or parcel (see Table 603-1) is cumulative of all lighting classes.
  - a. **Class 1 Lighting:** Lighting used for applications where color rendition is required to preserve the effectiveness of an activity. All Class 1 Lighting must have a correlated color temperature (CCT) of 2,700 kelvins (K), or less, and must be fully shielded. The following are approved applications of Class 1 Lighting:
    - i. Outdoor sales areas, including service station canopies;
    - ii. Primary customer building entry/exit areas of commercial and industrial uses (does not include service or emergency entry/exits);
    - iii. Outdoor eating areas at restaurants;
    - iv. Outdoor assembly or repair areas where assembly or repair work occurs at night as part of the normal business operations;
    - v. Outdoor recreational field/track/arena areas; and
    - vi. External and internal lighting for signs.
  - b. **Class 2 Lighting:** Lighting used for applications where general illumination for safety or security is the primary concern. Narrow-band amber LEDs (see subsection K definition) are required in all Class 2 Lighting applications. Class 2 Lighting must be fully shielded. The following are approved applications of Class 2 Lighting:
    - i. Entry/exit areas for all residential uses;
    - ii. Secondary non-customer entry/exit areas of commercial and industrial uses;
    - iii. Exterior garage lighting;
    - iv. Pedestrian walkways, driveways, and roadways;
    - v. Parking lots;
    - vi. Equipment yards; and
    - vii. Outdoor security.

- c. **Class 3 Lighting:** Outdoor lighting used for decorative purposes. All Class 3 Lighting may include technologies that allow for the color of the light to change so long as the colors change less than every two minutes. Class 3 Lighting may be partially shielded (see subsection K definition). The following are approved applications of Class 3 Lighting:
    - i. Architectural illumination used to enhance the design of buildings;
    - ii. Flag and monument lighting; and
    - iii. Landscape lighting and the illumination of trees, shrubs, and other vegetation.
  - d. Multi-class lighting must conform to standards for the strictest included class.
2. **Total Light Output.** The total outdoor light output for a lot or parcel must not exceed the amounts allowed in Table 603-1: Total Light Output Standards.

<b>Table 603-1: Total Light Output Standards</b> (Includes All Lighting Classes)	
<i>Land Use</i>	<i>Maximum Light Output</i>
Single-family Residential	5,000 initial lumens per lot.
Multi-family Residential	2,000 initial lumens per dwelling unit, averaged over the entire property, and not to exceed 10,000 total lumens per lot unless approved by the Development Services Director.
Commercial and Industrial	50,000 initial lumens per acre, averaged over the entire property, and not to exceed 200,000 total lumens per lot unless approved by the Development Services Director.

3. **Effective Shielding.** All outdoor light fixtures that are required to be fully shielded must be installed in such a manner that the shielding satisfies the definition of a fully shielded light fixture (see subsection K definition).
4. **Light Trespass Standard.**
- a. All outdoor light fixtures, including motion sensing lighting, must be located, aimed, and shielded so that the direct illumination from the fixture is confined to the property boundaries of the source.
  - b. Any privately or publicly owned outdoor light fixture with an output over 5,000 lumens located within 50 feet of any residential (including multi-family development) property or public right-of-way must utilize an internal or external shield, with the outdoor light fixture and shield oriented to prevent direct illumination over the adjacent property or right-of-way line. If an external shield is used, its surface must be painted black to minimize reflections (Figure 603-A).

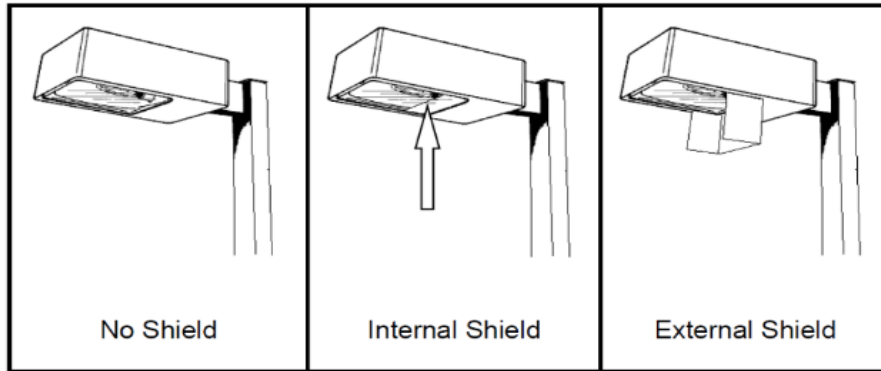


Figure 603-A: Shielding Configurations

5. **Motion Sensing Outdoor Light Fixtures.**
  - a. Motion sensing outdoor light fixtures must be fully shielded and must be programmed according to the manufacturer’s instructions to turn off within five minutes after the detected motion ceases.
  - b. Motion sensing outdoor light fixtures 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 the need for a Temporary Lighting Permit provided they are returned to the automatic settings at the conclusion of the activity.
  
6. **Time Limits for Outdoor Lighting.** All outdoor Class 1 and Class 3 Lighting, and Class 2 Lighting for parking areas, must be turned off by 10:00 PM, when the area is no longer in active use, or 30 minutes after close of business, whichever is later. Lights must remain off until the business reopens or until activity resumes. Decorative holiday lights are exempt in accordance with subsection 603.G.4. Outdoor recreation facilities are subject to the time limits established in subsection 603.E.2.e.
  
7. **Sign Illumination.**
  - a. **Externally Illuminated Signs:**
    - i. All externally illuminated sign lighting is classified as Class 1 Lighting, and must be fully shielded.
    - ii. External sign lighting counts toward the total light output established in Table 603-1: Total Light Output Standards.
  - b. **Internally Illuminated Signs:**
    - i. All internally illuminated sign lighting is classified as Class 1 Lighting. Internally illuminated signs are exempt from shielding requirements and are not included in the total light output established in Table 603-1: Total Light Output Standards.
    - ii. Internally illuminated signs must be constructed to consist of either:
      - (a) An opaque background (such that the material will not transmit light from the internal illumination source) with translucent letters and symbols; or
      - (b) A translucent colored background (as determined acceptable by the Development Services Director) with translucent or opaque letters and symbols.
    - iii. There are no restrictions on the opaque colors used for sign backgrounds, letters, or symbols.

- c. All externally or internally illuminated signs must follow the time limit requirements in subsection D.6.
- 8. **Neon Building Lighting.** Neon building lighting is included in the total light output calculations for the site. Lumens for neon lighting are calculated on a per foot basis, rather than per fixture. Unshielded neon lighting is not allowed except when included on a sign.
- 9. **Canopies, Building Overhangs, and Roof Eave Lighting.** All outdoor light fixtures attached to or within a canopy, building overhang, or roof eave must be fully shielded and count toward the total light output established in Table 603-1: Total Light Output Standards. Shielding must be provided by the fixture itself; shielding by surrounding structures such as canopy edges is not allowed.
- 10. **Outdoor String Lighting:**
  - a. Permanent exposed string lighting is prohibited, except as allowed below.
  - b. Outdoor string lighting for residential uses, outdoor dining and bar areas, interior courtyards, or event venues may be allowed subject to compliance with provisions of this Section if approved by the Development Services Director on a case-by-case basis, depending on location and time of use. Outdoor string lighting must not exceed 2,700 K, flash, blink, fade, or strobe and is included in the total outdoor lumen count for the property. Outdoor string lighting must be turned off after the use for which the lighting is intended ceases.
- 11. **Architectural/Landscape Lighting.** Architectural lighting used to illuminate a structure, or landscape lighting used to illuminate trees or other landscape elements, is allowed subject to the following:
  - a. Architectural and landscape lighting must be included in the total light output standards provided in Table 603-1: Total Light Output Standards; and
  - b. Architectural and landscape lighting that is directed upward into or onto a structure, tree, or other landscape feature is not allowed.
- 12. **Emergency Lighting.** Emergency lighting that is only turned on in the event of a power failure or when an alarm is activated is allowed and is excluded from the total light output standards provided in Table 603-1: Total Light Output Standards.

## E. SPECIAL USES

- 1. **Outdoor Display Lots.**
  - a. Lighting Class: Class 1 Lighting may be used to illuminate outdoor display lots.
  - b. Shielding: All light fixtures used in outdoor display lots must be fully shielded and be aimed so that the direct illumination must be confined to the property boundaries of the source.
  - c. Total Lumens: Lighting used to illuminate outdoor display lots must be included toward the total light output standards in Table 603-1: Total Light Output Standards.
  - d. Time Limits: All Class 1 outdoor display lighting must be turned off no later than 30 minutes after the close of business. Only lighting meeting Class 2 Lighting standards may be used to illuminate an outdoor display area 30 minutes or later after the close of business.

- e. Certification: Lighting systems for outdoor display lots shall be designed and certified by an engineer registered in Arizona as conforming to all applicable restrictions of this code before construction commences. Further, after installation is complete, the system shall be again certified by a registered engineer to verify that the installation is consistent with the certified design.
2. **Outdoor Recreation Facilities.**
- a. Lighting Class: Lighting for field/track/arena areas and similar recreation facilities is considered Class 1 Lighting.
  - b. Shielding: Fixtures used for outdoor recreation facilities must be fully shielded.
  - c. Total Lumens: Lighting for outdoor recreation facilities may exceed the maximum total outdoor light per acre limit established in Table 603-1: Total Light Output Standards if approved by the Development Services Director.
  - d. Illumination levels for outdoor recreation facilities must be designed to be no higher than recommended for Class IV play, as defined by the Illuminating Engineering Society of North America publication ANSI/IES RP-6-20, as amended.
  - e. Time Limits: Outdoor recreation facilities must not be illuminated later than 10:00 PM except to conclude a scheduled recreational or sporting event in progress prior to the time limitation.
  - f. Certification: Lighting systems for outdoor recreation facilities shall be designed and certified by an engineer registered in Arizona as conforming to all applicable restrictions of this code before construction commences. Further, after installation is complete, the system shall be again certified by a registered engineer to verify that the installation is consistent with the certified design.
3. **Parking Facilities.**
- a. Surface Parking Lots.
    - i. Lighting Class: Outdoor lighting for surface parking lots is considered Class 2 Lighting.
    - ii. Shielding: All light fixtures used must be fully shielded.
    - iii. Total Lumens: Outdoor lighting for surface parking lots counts toward the total light output established in Table 603-1: Total Light Output Standards.
    - iv. Light poles must not exceed 18 feet above adjacent grade within 50 feet.
  - b. Parking Garages.
    - i. Lighting Class: Lighting installed for general illumination of parking areas within parking garages, where the parking areas are open to the outside, is considered Class 2 Lighting.
    - ii. Shielding: All light fixtures used on or within open parking garages, including those mounted to the ceilings over the parking decks, must be fully shielded.
    - iii. Total Lumens: The lumen output of light fixtures associated with an open parking garage are included toward the total light output established in Table 603-1: Total Light Output Standards according to the standards in Figure 603-B below.

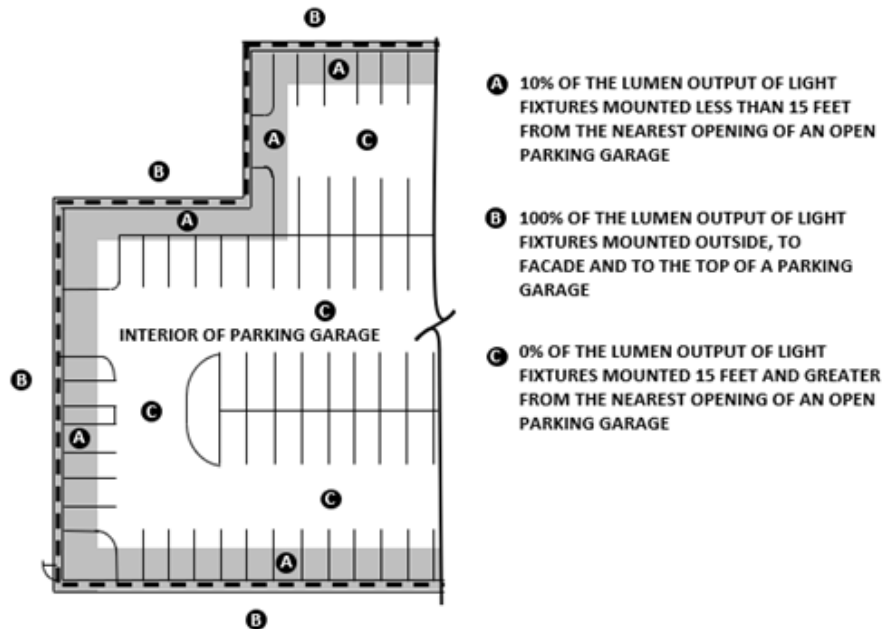


Figure 603-B: Calculation of Total Lumens of Light Fixtures Located Inside of a Parking Garage

4. **Pedestrian Walkways.**

- a. Lighting Class: Lighting for pedestrian walkways is considered Class 2 Lighting.
- b. Shielding: Fixtures used for pedestrian walkways must be fully shielded.
- c. Total Lumens: Lighting for pedestrian walkways may exceed the maximum total outdoor light limits established in Table 603-1: Total Light Output Standards if approved by the Development Services Director.
- d. Lamps: Lighting used for pedestrian walkways must use shatterproof lamp coverings.

5. **Service Station Canopy Lighting.**

- a. Lighting Class: Lighting for service station canopies is considered Class 1 Lighting.
- b. Shielding: All outdoor light fixtures mounted on or recessed into the lower surface of service station canopies must be fully shielded. The shielding must be provided by the fixture itself; shielding by surrounding structures such as canopy edges is not allowed.
- c. Total Under-Canopy Output: The total light output used under service station canopies, defined as the sum of all under-canopy light fixtures, must not exceed 30 lumens per square foot of canopy.
- d. Total Lumens: All lighting mounted under the canopy or recessed into the lower surface of the canopy (but not including illuminated information panels mounted within fuel pumps) must be included in the total light output for the site and is subject to the standards in Figure 603-C.

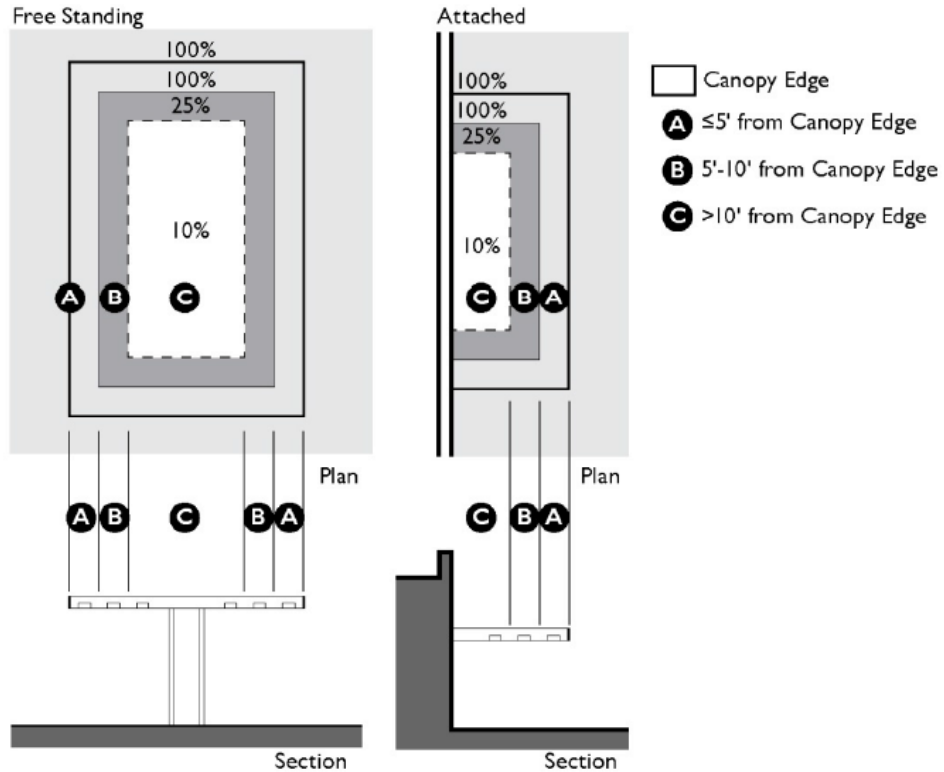


Figure 603-C: Plan and Section Views of a Freestanding and Attached Canopy or Overhang, Showing Fixture Location and the Initial Lamp Output Percentage Counted Toward Total Light Output

6. **Street Lighting.**
  - a. Streetlights are not allowed in any new subdivision developments where street rights-of-way will be dedicated to the County. Where there is a recommendation by the County Engineer and the Board of Supervisors determines that street lighting is necessary in public rights-of-way for the safety of pedestrians, bicyclists, and/or motorists, street lighting may be permitted. All streetlights must be installed in accordance with applicable standards as approved by the County Engineer, and must be fully shielded, make use of appropriate adaptive controls, and be subject to any curfew as directed by the Board of Supervisors.
  - b. Street lighting installed on private streets or easements must be installed in accordance with applicable standards as approved by the County Engineer.
7. **Temporary Lighting.** Temporary lighting which does not conform to the provisions of Section 603 may be approved by the Development Services Director subject to the approval of a Temporary Lighting Permit in accordance with the provisions of subsection 603.J.3. Temporary lighting is intended for uses which by their nature are of limited duration, such as civic events or construction projects.

**F. PROHIBITED OUTDOOR LIGHTING.**

The following types of outdoor lighting are prohibited:

1. Outdoor floodlighting with light projected above a horizontal plane, i.e., is not fully shielded.
2. Search lights, floodlights, spotlights, laser source lights, or any similar high intensity light, except in emergencies by police, fire or medical personnel or at their direction.

3. Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with intermittent fading, flashing, blinking, rotating or strobe light illumination.
4. Mercury Vapor Outdoor Light Fixtures. No mercury vapor outdoor light fixtures are allowed within Yavapai County except for mercury vapor outdoor lighting systems erected prior to 1950.

**G. EXCEPTIONS.**

1. **Airport Lighting.** Required navigational lighting systems at public airports for the safe and efficient movement of aircraft during flight, takeoff, landing, and taxiing are exempt from the provisions of this Section. Lighting used for illumination of aircraft loading, unloading, and servicing areas is exempt from the lumens per acre limits provided in Table 603-1: Total Light Output Standards, although it must conform to all other requirements of this Section. All other outdoor lighting at public airport facilities must comply with the provisions of this Section. This provision does not apply to private helipads or landing strips.
2. **Infrared Security Lighting.** Lights emitting infrared radiation used for remote security surveillance systems are permitted for commercial or industrial applications with the following restrictions:
  - a. Fixed lights must be fully shielded; and
  - b. Movable lights, such as spotlights attached to infrared sensitive cameras, must be mounted so that the lights cannot be directed higher than 20 degrees below the horizontal, measured from the center of the light beam.
3. **Emergency Lighting by Emergency Services.** Searchlights, floodlights, spotlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, or utility personnel or at their direction.
4. **Holiday Decorations.** Low-lumen output holiday decorative lighting may be unshielded and remain on until 10:00 PM from October 15th to January 15th. No lights may be aimed in such a way that light is projected over or above the top of the roof, i.e., the highest parapet or roof eave.
5. **Solar-Powered Lighting.** Low-lumen output solar-powered lights used in residential landscaping applications and to illuminate walkways may use partially shielded fixtures and are exempt from the total lumen calculations for the site. Solar-powered lights are subject to all restrictions in this Section regarding light trespass onto adjacent properties.
6. **Construction and Renovation of Municipal Facilities.** All outdoor lighting used for construction or major renovation of County or other municipal buildings, structures, and facilities is exempt from the provisions of this Section.
7. **Lighting Required by the Federal Communications Commission.** Lighting required on telecommunication or other facilities by the Federal Communications Commission is exempt from the provisions of this Section.
8. **Underwater Lighting.** Underwater lighting used for the illumination of swimming pools and decorative water fountains is exempt from the provisions of this Section.
9. **Special Events.** Events for which a Special Event Permit has been issued are allowed temporary lighting for the duration of the event, provided the temporary lighting does not create glare or result in light trespass onto adjacent properties or roadways and complies with standards for temporary lighting found in subsection 603.J.3 (Temporary Lighting Permits).

**H. NONCONFORMING OUTDOOR LIGHTING.**

1. On the date when Section 603 (Outdoor Lighting Standards) goes into effect, any existing outdoor lighting which is being used in a manner or for a purpose which is otherwise lawful, but does not comply with the provisions of Section 603 (Outdoor Lighting Standards), it will be deemed legal but nonconforming, and will be allowed to continue.
2. No modification or replacement may be made to a nonconforming outdoor light fixture unless the fixture thereafter conforms to the provisions of Section 603 (Outdoor Lighting Standards).
3. Whenever a nonconforming use, structure, or lot is abandoned for a period of 180 consecutive days and then changed to a new use according to the requirements of Section 202 (Nonconforming Uses and Structures), then any existing outdoor lighting shall be reviewed and brought into compliance as necessary for the entire building, structure, or premises.

**I. VIOLATIONS AND ENFORCEMENT.**

1. It shall be a civil violation to install or operate an outdoor light fixture in violation of this Section. Any property owner violating any provisions of this Section may be assessed a civil penalty.
2. The requirements of Section 603 shall be enforced in compliance with the enforcement provisions of Section 205 (Enforcement).

**J. PERMITS.**

1. Permits and Development Plan Reviews:
  - a. Whenever the following are required, the applicant shall submit sufficient information with the application to enable the Development Services Director to determine whether the proposed lighting will comply with the requirements of Section 603.
    - i. Building Permits;
    - ii. Electrical Permits;
    - iii. Use Permits; and
    - iv. Development Plans.
  - b. All applications must include the following:
    - i. A site plan indicating the location of all existing outdoor lighting fixtures and the proposed location of all new outdoor lighting fixtures, indicating which of the existing fixtures, if any, are to be retained and which, if any, removed;
    - ii. 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, correlated color temperature (CCT), and lumen outputs. For existing lighting, photographs of the fixtures will be accepted if original manufacturer's information is not available; and
    - iii. Any other information as the Development Services Director may determine is necessary to ensure compliance with this Section.
  - c. If the Development Services Director determines that the proposed lighting does not comply with this Section, the permit will not be issued, or the plan will not be approved.

- d. Lighting on all single-family residential lots will be reviewed during the onsite building inspection, and compliance with this Section will be verified before issuance of the Certificate of Occupancy. An application for a Lighting Permit separate from the Building Permit is not required. The applicant must provide manufacturer's cut-sheet/catalog information detailing fixture shielding, location, proposed kelvins, and initial lumen output of lamps to be installed pursuant to subsection J.1.b. Where required by the Development Services Director, a drawing/illustration of the proposed shielded fixture must be provided.
  - e. Lamp or Fixture Substitution. Any proposed change to the type of light source after a permit has been issued requires submission of a change request for approval by the Development Services Director prior to substitution.
2. Approved Light Fixtures and Methods of Construction or Installation/Operation:
- a. The provisions of this Section are not intended to prevent the use of any light fixture, lighting design, or method of installation or operation not commercially available or specifically prescribed by this Section, provided that an alternate has been approved by the Development Services Director.
  - b. The Development Services Director may approve a proposed alternate provided the alternate:
    - i. Provides at least the equivalent compliance with the applicable specific requirements of this Section; and
    - ii. Otherwise satisfactorily complies with the intent of this Section.

*Note: The equivalent to Narrow-band Amber LED lighting is 2,200 K.*
3. Temporary Lighting Permits:
- a. The Development Services Director may grant a permit for temporary lighting if all the following criteria are found:
    - i. The purpose for which the lighting is proposed is not intended to extend beyond seven days;
    - ii. The proposed lighting will comply with the purpose of this Section; and
    - iii. The Permit will be in the public interest.
    - iv. The application for the Temporary Lighting Permit must include the following information:
      - (a) Name and address of applicant and property owner;
      - (b) Location of proposed fixtures;
      - (c) Type, color temperature in kelvins, and lumen output of lamp(s);
      - (d) Type and shielding of proposed fixtures;
      - (e) Intended use of the lighting;
      - (f) Duration of time for requested exemption;
      - (g) The nature of the exemption; and
      - (h) Any other information requested by the Development Services Director.

- b. The Development Services Director will make a determination on the application within 10 business days from the date of submission of the request and notify the applicant in writing of the decision. The Development Services Director may grant one renewal of the Permit for an additional seven days if it is found that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Development Services Director shall not grant more than one Temporary Lighting Permit and one renewal of a Temporary Lighting Permit for the same property within one calendar year. A denial by the Development Services Director may be appealed to the Planning and Zoning Commission within 30 days of the issuance of the decision.

K. **DEFINITIONS:**

See Section 301 (Definitions) for other general terms defined in this Ordinance.

**Adaptive Controls:** Hardware and/or electronics, used in conjunction with outdoor light fixtures, intended to dynamically alter or adjust the operation of those fixtures. Examples of adaptive controls include, but are not limited to, motion/occupancy sensors, dusk-to-dawn (“astronomical”) timers, and photocells.

**Correlated Color Temperature (CCT):** A measure in kelvin units (K) of the relative warmth or coolness of light. Lamps with a CCT of less than 2,700 K are considered “warm” sources. Regulations are based on the equivalent kelvin temperature by number, not by color, coolness, or warmth.

**Direct Illumination:** 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.

**Electrical Engineer:** A professional electrical engineer registered in the state of Arizona.

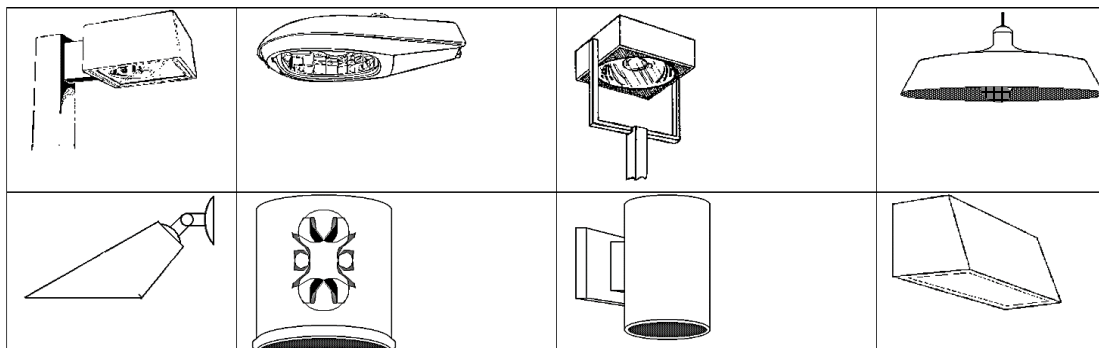
**Exterior Building Modifications:** Structural changes that alter the footprint of a residence or commercial building, accessory structures attached to or abutting a residence or commercial building, detached accessory structures over 400 square feet, or detached lighting poles or fixtures.

**Externally Illuminated Sign:** An external light source directed to illuminate the exterior surface of a sign.

**Fluorescent Light:** A lamp or tube containing low-pressure mercury vapor, other gas, or mixture that uses fluorescence to produce visible light.

**Fully Shielded Fixture:** A light fixture constructed and mounted so that all light emitted must be projected below the horizontal plane while covering the light source and any reflection or diffusion elements of the fixture. To be fully shielded, these fixtures must be closed on top and mounted such that the bottom opening is horizontal. If the light source, 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, the fixture is not fully shielded.

Examples of fully shielded fixtures include, but are not limited to, those illustrated below:



**Glare:** The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted and can 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.

**Initial Lumens:** The lumen rating for a brand-new light bulb. Initial lumens are listed in the manufacturer's specifications for lamps. For the purposes of determining compliance with this Section, initial (not "maintained" or "mean") lumen outputs of lamps (not fixtures) are the only value to be considered.

**Installed:** Attached, or fixed in place, whether or not connected to a power source.

**Internally Illuminated Sign:** A sign illuminated by an internal light source, fully enclosed within the sign and not directly visible, which is diffused through a translucent material.

**Kelvin:** A measurement of temperature. The "K" number in lighting stands for the number of kelvin units. It is the scientific measurement for the color of the light itself. The higher the number of kelvins, the "cooler" (toward the bluish white range) the light will be. Bluish white light can simulate daylight and easily brightens the night sky.

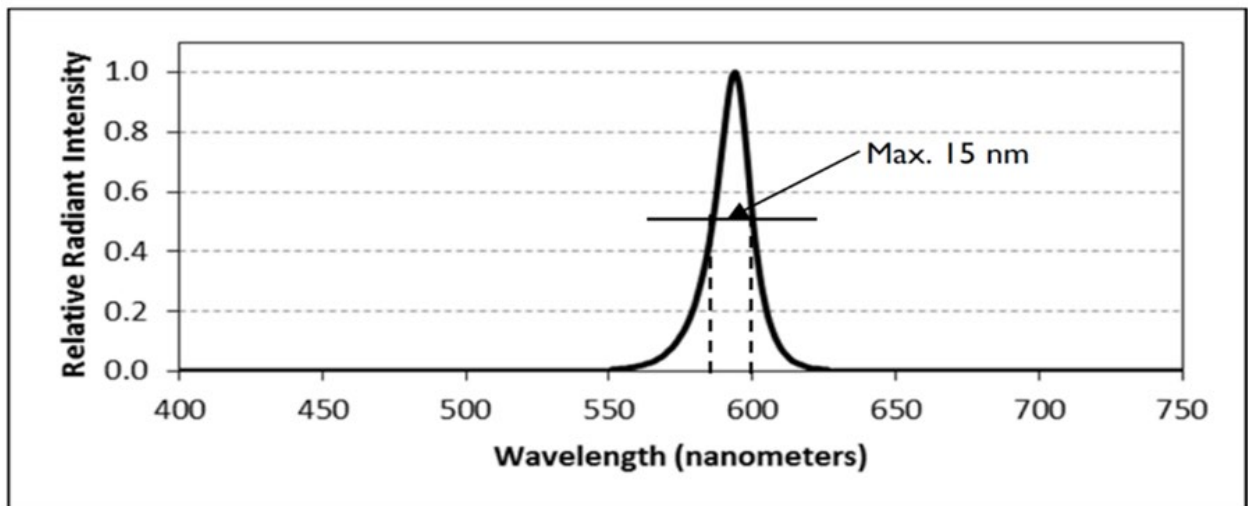
**Light Trespass:** Light falling across property boundaries on property not containing the originating light source.

**Lumen:** The unit used to measure the actual amount of visible light produced by a lamp, as defined by the manufacturer.

**Luminaire:** The complete lighting assembly, less the support assembly, of a light fixture.

**Motion Sensing Lighting:** A fixture designed, and properly adjusted, to illuminate an area by means of the automatic switching on of a lamp when motion is detected inside the area perimeter, and automatic switching off of the lamp when the detected motion ceases.

**Narrow-Band Amber LED (NBA LED):** A light-emitting diode (LED) with a spectrum similar to that shown in the graph below. To meet requirements of this Section, a Narrow-Band Amber LED must have a peak wavelength between 590 and 595 nm and a full width no greater than 15 nm when at 50 percent spectral intensity. Also called "narrow-spectrum amber", "limited-wavelength amber", and "590 nm amber". Note that the appearance of any of these terms in product literature is insufficient to confirm the spectrum characteristics described above; a graph of the spectrum is required to allow determination of the peak wavelength and full width standards described above.



**Neon Lighting:** Lighting that uses luminous gas filled tubes, often formed into text, symbols, or decorative elements. Neon Lighting includes tubes with typical diameters of 10 to 20 millimeters filled with neon, argon, xenon, or other gases and producing various colors of light. Neon lighting excludes replaceable fluorescent tubes.

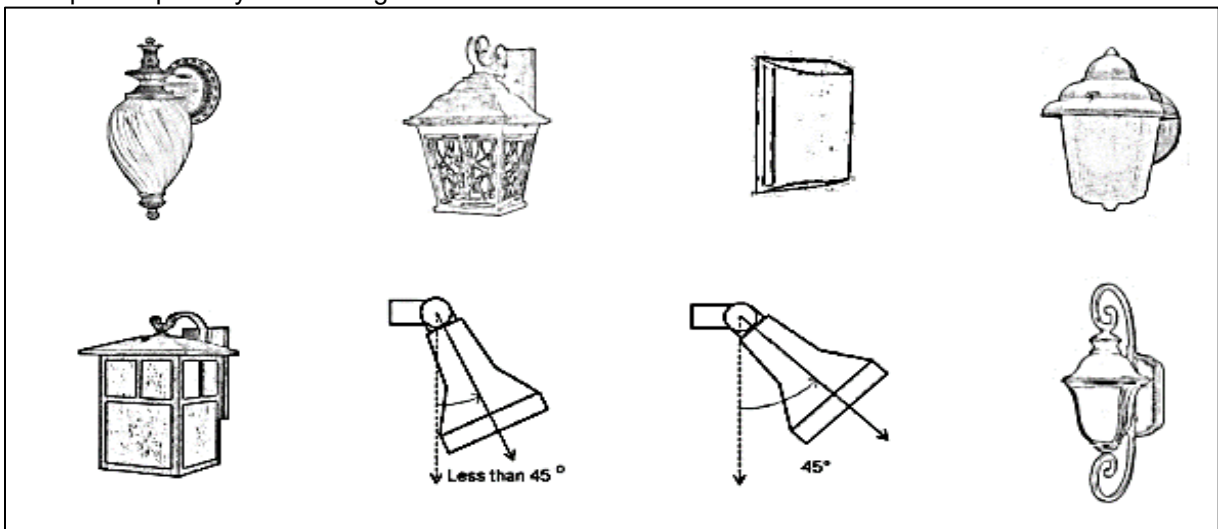
**Opaque:** Opaque means that the material must not transmit light from the internal illumination source.

**Outdoor Display Lot:** An area designed for the outdoor merchandising of product where active nighttime sales activity may occur, and where accurate color perception by customers is required. Outdoor display lots include automobile sales, assembly lots, garden supplies, and areas for temporary and seasonal sales, or other uses as determined by the Development Services Director.

**Outdoor Light Fixtures:** All outdoor illuminating devices, reflective surfaces, lamps, and other devices, either permanently installed or portable, which are used for illumination or advertisement, including , but not limited to, searchlights, spotlights, and floodlights for buildings and structures, recreational areas, parking lot lighting, entry/exit lighting, landscape and architectural lighting, billboards and other signs (advertising or other), streetlighting, product display area lighting, building overhangs, roof eaves, and open canopies, security lighting, and pedestrian areas or walkways.

**Partially Shielded Fixture:** A light fixture constructed and mounted such that most light emitted by the fixture, either directly from the light source or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal. Light emitted sideways or upwards arises only from incidental decorative elements or diffusing materials such as "honeycomb grid" or strongly colored glass or plastic. Fixtures using spot lamps are considered partially shielded if the lamps are aimed no higher than 45 degrees above straight down (half-way between straight down and straight to the side).

Examples of partially shielded light fixtures:



**Service Station Canopy:** A permanent roofed structure open on all sides, except where attached to a service station building, and used to provide shelter for service station fuel pumps.

**Street Lighting:** Lighting installed by or at the direction of the County or other governmental agency to illuminate public roadways.

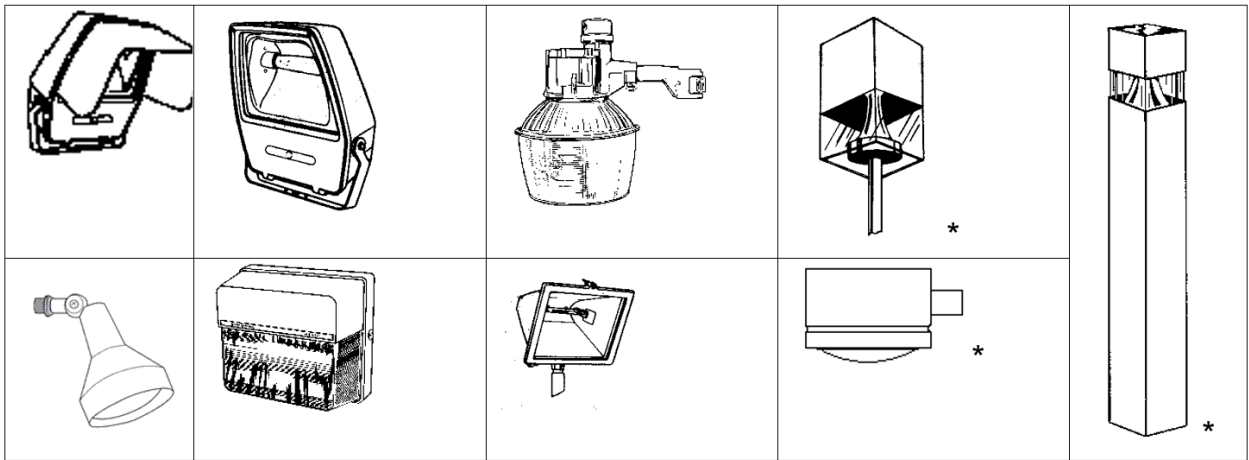
**String Lighting:** A series of small lights (bulbs, LEDs, or other light emitter) attached to a wire or cable, or inside of tubing, used for illumination or decorative purposes. Such lighting is not contained within a fixture and may be attached to or hung from surfaces or supported in any manner.

**Temporary Lighting:** Lighting which may not conform to the provisions of this Section, which is intended for uses which, by their nature, are of limited duration, such as business grand openings or special civic event.

**Total-Light Output:** The maximum total amount of light, measured in lumens, from all lamps used in outdoor light fixtures on a property. 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.

**Translucent:** To be considered translucent, diffused light is transmitted through a material from an internal illumination source.

**Unshielded Fixture:** A light fixture that is not fully shielded or partially shielded. Examples of fixtures that are unshielded include, but are not limited to, those illustrated below:  
 (Note: even though the lamp in these fixtures may be shielded from direct view when viewed from the side or above, reflective surfaces and/or lens covers are directly visible from the side.)



**Uplighting:** Lighting placed or designed to throw illumination upward.

**Watt:** The unit used to measure the electrical power consumption (not the light output) of a lamp.

## SECTION 604 STREET NAMING AND ADDRESSING

### A. TITLE AND PURPOSE:

1. This Section provides for the uniform assignment of property numbers the naming of new streets and renaming of old streets with conflicting or duplicate names in order to provide for efficient emergency services and the safety of the residents of Yavapai County as authorized by A.R.S. §11-811 et seq. and §11-251.05.

### B. APPLICABILITY:

This Section 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 section 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 Section 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 Section, the following terms are defined as follows:

**Address:** A property location identification including the following elements: Number, Directional Prefix, Street Name, Suffix, Post Directional and Unit Number, if applicable.

**Addressing Official:** The Development Services Director and/or designee 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 is 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 Section, 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, including private easement, street, or road.

**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. See subsection G.1.f.

**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, 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 shall process applications for address assignments, address changes, street naming applications, and street name change applications. 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 may cite persons in violation of this Section.
  - 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 Section by failing to affix the number assigned within sixty (60) days, to remove any old numbers affixed to such house, house entrance, or elsewhere, they shall be subject to civil penalty. Each day the property does not comply with this Section is a separate violation.
  - c. In the event that the street name applicant refuses to comply with the terms of this Section by failing to install street name signage within sixty (60) days and removing any inaccurate street name signage along the roadway, the applicant shall be subject to civil penalty. Each day the applicant does not comply with the Ordinance is a separate violation. result in a civil penalty being assessed and
  - d. All violations of this Section 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.). All rules for procedure for hearings in front of the County Hearing Officer shall apply to civil violations arising under this Section. Penalties:
  - e. Penalties shall be assessed pursuant to Section 206 of the Yavapai County Planning and Zoning Ordinance.

3. Appeals:

Any owner of property whose address has been changed or a decision made by the Addressing Official may appeal to the Board of Adjustment within thirty (30) days of the decision. Subject to applicable fees.

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. Names may be in a foreign language; however, the name must still be pleasant sounding, easy to read, spell and pronounce. The English translation of the word must accompany the application, petition and/or letter.

- c. 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.

- d. Unacceptable Street Names:

- (1) Numerical names (1st, 2nd, First, Second, etc.) or alphabet letters.
- (2) Names which may be considered frivolous, nonsensical, offensive, 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, Long Trail Road, or Circle Drive).
- (5) Names which include any punctuation or symbols i.e. , ' , . , - , # , / , & , etc.
- (6) Proper names unless proven to have historical significance. Documentation of historical significance must be provided with the application, petition and/or letter.

- e. Naming and Street Configuration:

- (1) Private easements / roads / streets two hundred feet (200') in length or longer and the potential to access five (5) or more lots (size of the lots determined by current zoning of that area) shall be named so that emergency personnel and the general public can locate them.
- (2) Cul-de-sacs shorter than two hundred feet (200') and providing access to four (4) or fewer lots should not be named and should assume the name of the intersecting through street unless the Addressing Official determines

that a separate name is necessary. However, where there is a series of long and short cul-de-sacs, all should have separate names.

- (3) 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.
- (4) In peculiar circumstances where a road loops back on itself for a substantial length, the Addressing Official may give a street two (2) different prefixes using a logical breaking point to ensure appropriate identification.
- (5) 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.
- (6) Streets located on the same alignment in the same geographical region shall not bear the same name and directional prefix if they are not connected.
- (7) Roadways that continue beyond a 90 degree turn and have road segments of at least two hundred feet (200’) in length or road segments that have the potential to extend to at least two hundred feet (200’) in the future, shall be officially named with separate road names to prevent confusion of the direction of the roadway.
- (8) The County accepts no liability for maintenance or signage by naming private roadways. Roadways intersecting with County maintained Rights-Of-Way are subject to Yavapai County Public Works policies.

f. 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, Trail.
  - (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; Trail: Trl.

g. Naming and Street Name Signs:

- (1) All Street name signs for dedicated streets and private streets shall conform to the following standards and meet the federal standards contained within the most recent Manual on Uniform Traffic Control Devices – MUTCD, U.S. Department of Transportation Federal Highway Administration. (MUTCD – Recommended Minimum Letter Heights on Street Name Signs.)
  - (a) Length of sign shall not exceed forty-two inches (42”).

- (b) Sign blade shall be six inches (6”) wide, extruded aluminum with a .090 web thickness and a .250 flange thickness for intersecting streets of speeds 30 mile per hour (mph) or less. Such signs shall have minimum letter heights of four inches (4”) for the street name and three inches (3”) for the suffix designation and directional prefixes, if used.
  - (c) Sign blade shall be nine inches (9”) wide, extruded aluminum with a .090 web thickness and a .250 flange thickness for intersecting streets of speeds 35 mile per hour (mph) or greater. Such signs shall have minimum letter heights of six inches (6”) for the street name and four inches (4”) for the suffix designation and directional prefixes, if used.
  - (d) Sign letters shall be reflectorized.
  - (e) Private street name signs shall have a brown background with white high-intensity reflective lettering. County maintained roadway signs shall be contrasting colors and shall have a white message on a green background.
  - (f) Conventional abbreviations are acceptable EXCEPT for the street names itself.
  - (g) 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 fit the name on the sign.
  - (h) Sign backing material shall be engineer’s grade 3M#2277 or equivalent.
  - (i) Sign posts, foundations, and mountings shall be constructed as to hold signs in a proper and permanent position, and to resist swaying in the wind or displacement by vandalism. Break away posts are recommended in case of signpost damage.
  - (j) Signs shall be vertically mounted at right angles to the direction of and facing the traffic they are intended to serve. Signs shall be placed atop of existing posts or stop signs when available.
  - (k) It will be the responsibility of the property owners to keep the sign properly positioned, clean, and legible with adequate reflectivity. Damaged or deteriorated signs shall be replaced as soon as possible by the property owners, or no later than fourteen (14) days after notification by the Addressing Official.
- (1) 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 maximum depending upon the suffix used, i.e., St., Ave., etc.

- h. Street Naming for New Subdivisions:
  - (1) After approval of a Preliminary Plat map and before submittal of a Final Plat, the developer shall submit a street naming 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 (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 for duplication of names, appropriateness of names, and for overall compliance with the street naming policy. The Department may modify or amend the proposal as it deems necessary to bring it into conformance with the requirements of this Section. 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 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 developer 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 NAMING APPLICATION PROCESS:

- 1. It is the applicant's responsibility to provide a completed street naming application consisting of the following items:
  - a. A minimum of six (6) street names in order of applicant's preference. Applicants shall contact Development Services for a preliminary review of the street names before submittal.
  - b. Verification from Yavapai County Public Works when an access permit is required for any private easement or roadway intersecting a county-maintained road.
  - c. A recorded legal description or a recorded survey map describing the easement to be named.
  - d. A simple hand drawn map or written directions to the property and easement in question.
  - e. A Letter of Responsibility and signed the application form.

The completed packet may be submitted electronically to Development Services with the above-mentioned items included.
- 2. Upon submittal of a complete street naming application, Development Services will review and verify the roadway (and alignment issues if any), any existing structures, and posted addresses and/or street signs. The applicant's proposed street names will be reviewed for approval; files will be processed on a first come first serve basis. The top three (3) names from the applicant's order of preference, that meet the required street naming criteria, will be selected for review from property owners and agencies.

3. Development Services will prepare a letter to the adjacent property owners asking them to review and prioritize the listed names in their preferred order. A blank line will be provided to give the property owners an opportunity to comment regarding their choice for an alternate street name. The adjacent property owners must provide the following information on the form letter for their application to be considered: parcel number, property owner name, owner's telephone number, email if applicable, and resident name and situs telephone number. The property owners will have two (2) weeks to review and return the letter. Staff will also send out the top three (3) selected names to the emergency agencies for review, which will occur concurrently with the property owner review.
4. Development services staff will compile all survey results and process the preferred choice. In the event of a tie, the Addressing Unit will defer to the applicant's preferred order. The Development Services office will send out a notification to all property owners of the newly adopted street name. The notice will place the street name into effect fifteen (15) days from the date of the letter.
5. When the road name becomes official, Development Services will notify all agencies with a map of the location of the new street name and any addresses that have been assigned or changed due to the naming of the easement/street. Property owners will receive a notice stating their new or changed address and a copy of the notification sent to the agencies.
6. Applicant is responsible for purchasing and installing necessary street signs. Street signs shall be installed within thirty (30) days of the official naming. The applicant will receive a copy of the sign standards and a copy of the Letter of Responsibility the applicant signed and submitted. The section assigning responsibility to the applicant for providing and installing the street signage and the applicant's signature will be highlighted.
7. Yavapai County Public Works or Development Services will perform an inspection to ensure proper installation of required signs. If the signs are not installed properly, Development Services will send a second notice to the applicant requiring the sign be installed properly within thirty (30) days, after which time another inspection will be completed. If the applicant is still not in compliance, the violation process will begin.

I. STREET NAME CHANGE PROCESS:

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 designee. This filing shall include a fee as adopted by the Board. The petition shall contain the signatures of at least fifty-one (51%) of the property owners adjacent to the roadway. The following items shall accompany the petition and fee:

  - a. A complete list containing all the names and addresses of adjacent property owners, service, and emergency organizations (i.e., fire, police, post office, etc.) regardless of whether those persons or organizations signed 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 subsection G.1.a through G.1.f of this Section, etc.)

- c. A map giving the location of the road that is the subject of the petition.
- d. The street's current Old name and proposed new name.
- e. Recorded legal description or survey map of the road proposed to be changed in its entirety.

Forms for this process are available from the Office of the Clerk of the Board of Supervisors and the Development Services Department. The completed packed may be submitted electronically to Yavapai County Development Services with above mentioned items included.

1. Hearing / Consent Approval:

Upon receipt of a petition for a road name change, a date shall be set for the Board of Supervisors to consider the street name change request, allowing adequate notice to the public. Notice of the hearing shall be sent by first-class mail to all adjacent property owners at least two (2) weeks prior to the hearing date by Development Services staff. In addition, notice of the hearing shall be published once in a newspaper of general circulation in the area to be affected of the proposed road name change, at least one (1) week prior to the hearing. Notices of the hearing shall be posted by Development Services staff 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. If no letters of opposition are received, the item may be placed as a consent item on the agenda.

2. Protests:

Any person may appear to protest 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.

3. Board of Supervisors Initiated Changes:

The Board of Supervisors and/or the Addressing Official may initiate a roadway name change without a petition and may waive any fee requirements or other portions of this process.

4. 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.

5. Effective Date:

A road name change shall become effective upon recordation of the Board Resolution, which shall be thirty (30) days after the date of Board approval unless a longer term is designated by the Board.

6. 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 thirty (30) days of the roadway being officially names. The street name sign shall be constructed and installed in accordance with this Section.

- b. Private streets names prior to this amendment shall be signed by the property owners/residents adjacent to the referenced street in accordance with this Section.
- c. Private roadways renamed pursuant to this section shall be signed by the party that initiated the street name change.

J. 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 subsections J.5.c and J.5.3). 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 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 the following elements:
  - (1) Number (Value denoting distance from baseline. Fractions shall not be included in an address number).
  - (2) Directional prefix (Indicating directions of street and its location within the grid system). A Directional Prefix is typically not required in the Sedona mile-post system.
  - (3) Street name and Suffix (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 driveway access on a named street. A building on a corner lot shall be assigned an address on the street the driveway accesses. A building out of sight from a named road 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 or road on which the address is assigned during both day and night. The numbers shall be posted so that they are visible from both directions of travel.
  - b. Numbers must be legibly marked and contrast with any background material. Trees, bushes or other debris shall not block visibility from the road.
  - c. numbers shall be located near the front door so similarly located on an attached garage. In all cases, addresses must be mounted in a location the is clearly visible.
  - d. Where a building is not clearly visible or if a building is more than seventy-five feet (75') from any road, the address number shall be displayed on the building and at the end of the driveway nearest to the road which provides access to the building.
  - e. Numerals indicating the address number of a residential dwelling shall be at least three and one-half inches (3 ½") in height.
  - f. Numerals for multiple dwelling units and nonresidential buildings shall be at least six inches (6") in height and shall be placed on the front of the building facing the road or on the end of the building nearest the road. If the structure is at least fifty feet (50') from the edge of the road, the addresses numbers shall be at least twelve inches (12") in height.
  - g. 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 notice to comply by the Addressing Official.
  - h. It shall be the duty of the property owner to post the correct address number and remove inaccurate numbering of that building in accordance with the above standards within sixty (60) days of adoption of this Section or notification of the Addressing Official.
  - i. The Addressing Official may authorize and approve alternate methods of displaying house numbers to meet the intent of this article when strict adherence to these standards would be unreasonable.
4. Pre-Existing Address Systems:
  - a. In communities where an addressing system has been in use prior to adoption of this Section, the Addressing Official may issue addresses in accordance with that system even if that system does not correspond with a County grid system (i.e. Bagdad, Town of Jerome)

- 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 State Route 89 and the north line of Section 27, Township 16 North, Range 2 West. Note: State Route 89 is the east-west baseline but does not have a value of zero (0). Address numbers between State Route 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:

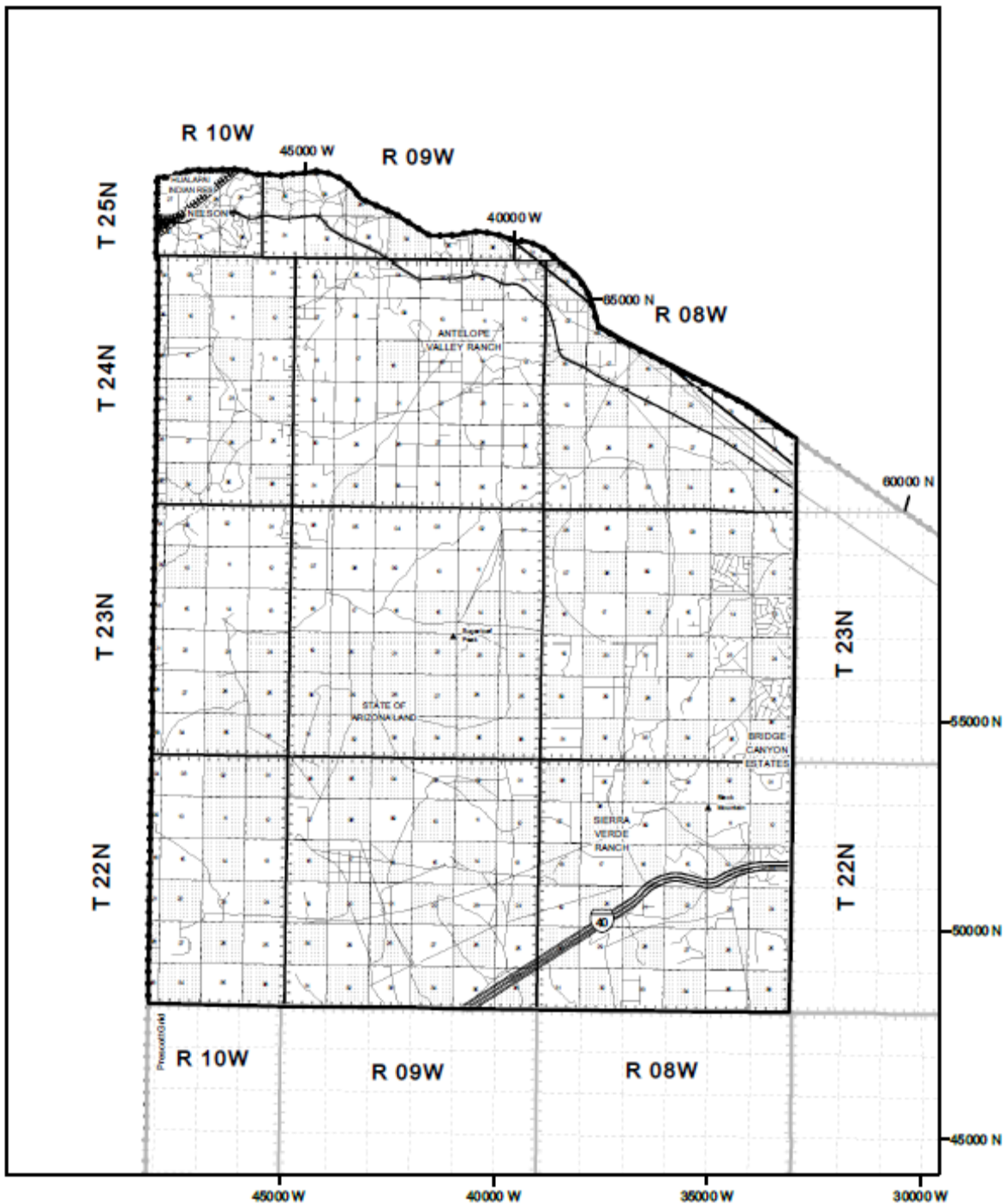
- (1) Origin: The northwest corner of Section 3, Township 13 North, Range 2 West.
- (2) Area: All of Yavapai County except: Lands included in the Camp Verde, Chino Valley, and Cottonwood Grid areas; the Sedona Milepost system; and any incorporated areas not included by intergovernmental agreement, reservation 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,

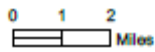
reservation lands, and any areas affected by pre-existing address systems that are recognized by the Addressing Official.

6. Maps of the County Address Systems. See the following pages.



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

# SHEET 1

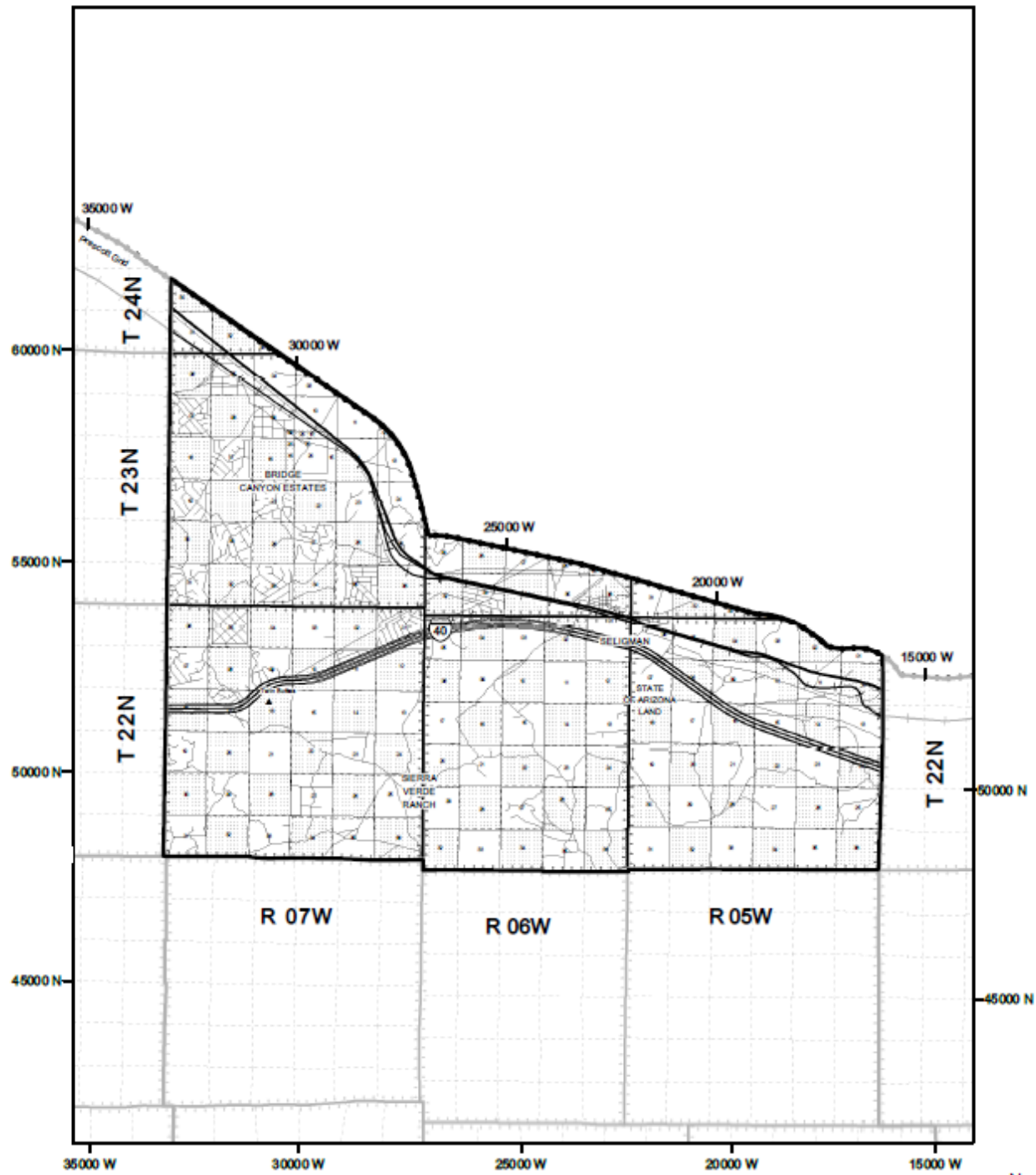


Public Land  
 T = Township  
 R = Range

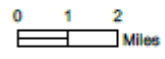
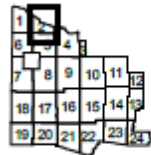
Address Grid Boundary  
 Address Grid:  
 • Prescott



CURRENT AS OF:  
 12/27/2019

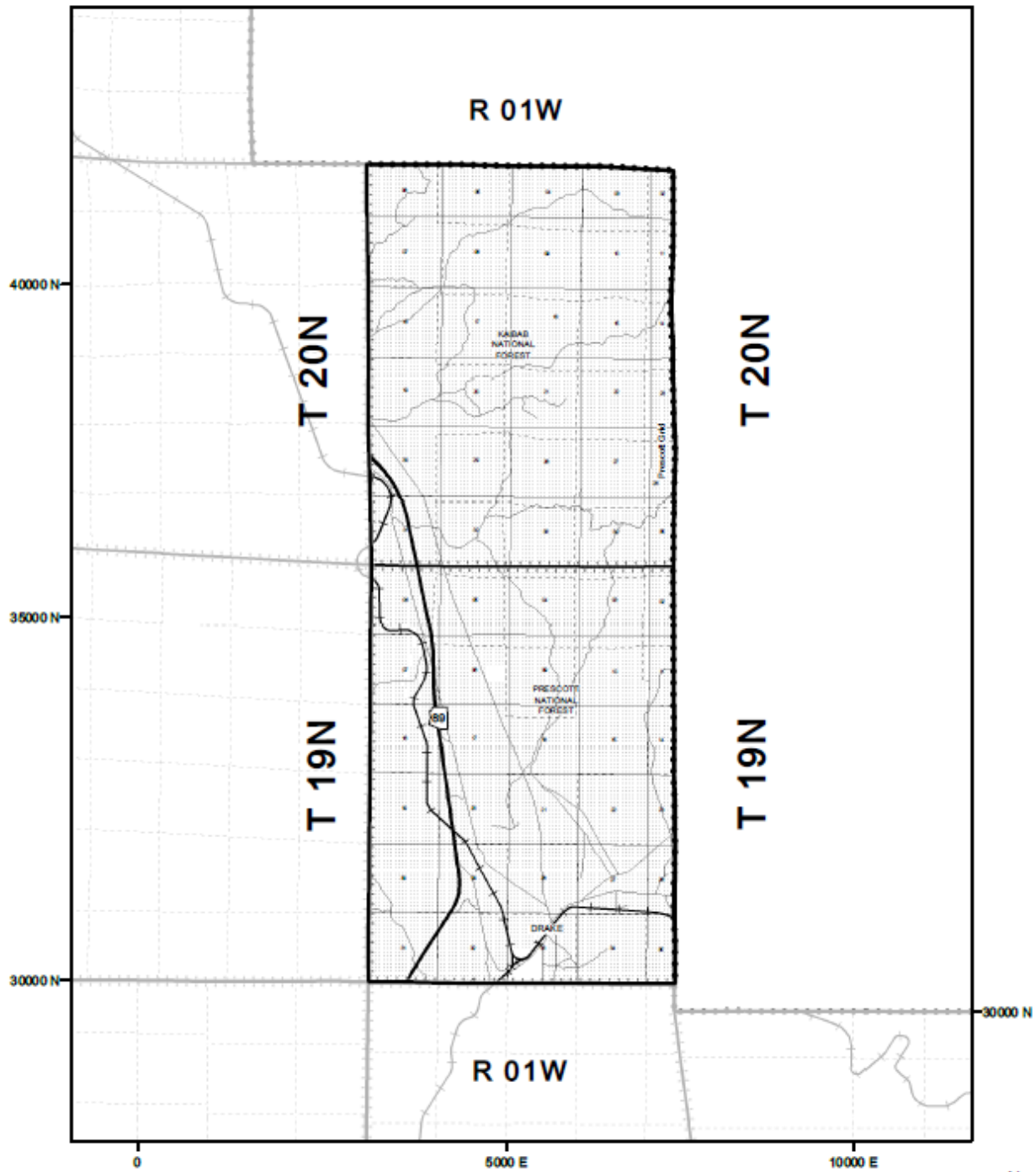


YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 2**

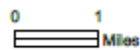




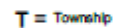


- Public Land
- Address Grid Boundary
- Township
- Address Grids:
- Prescott
- R** = Range





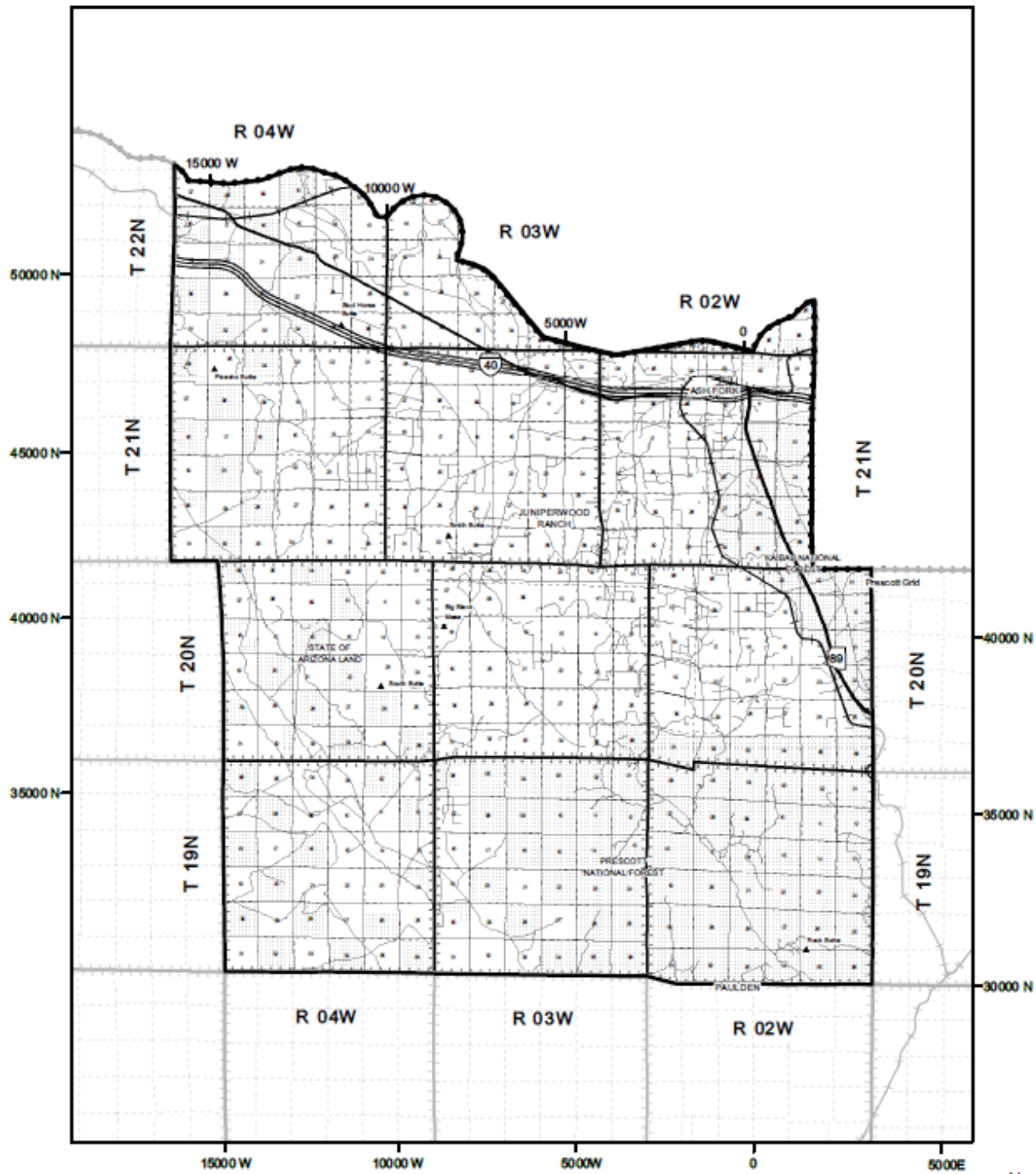
YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 3**



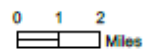
-  Public Land
-  Address Grid Boundary
-  T = Township
-  R = Range
-  Address Grid:  
• Prescott



CURRENT AS OF:  
12/27/2019



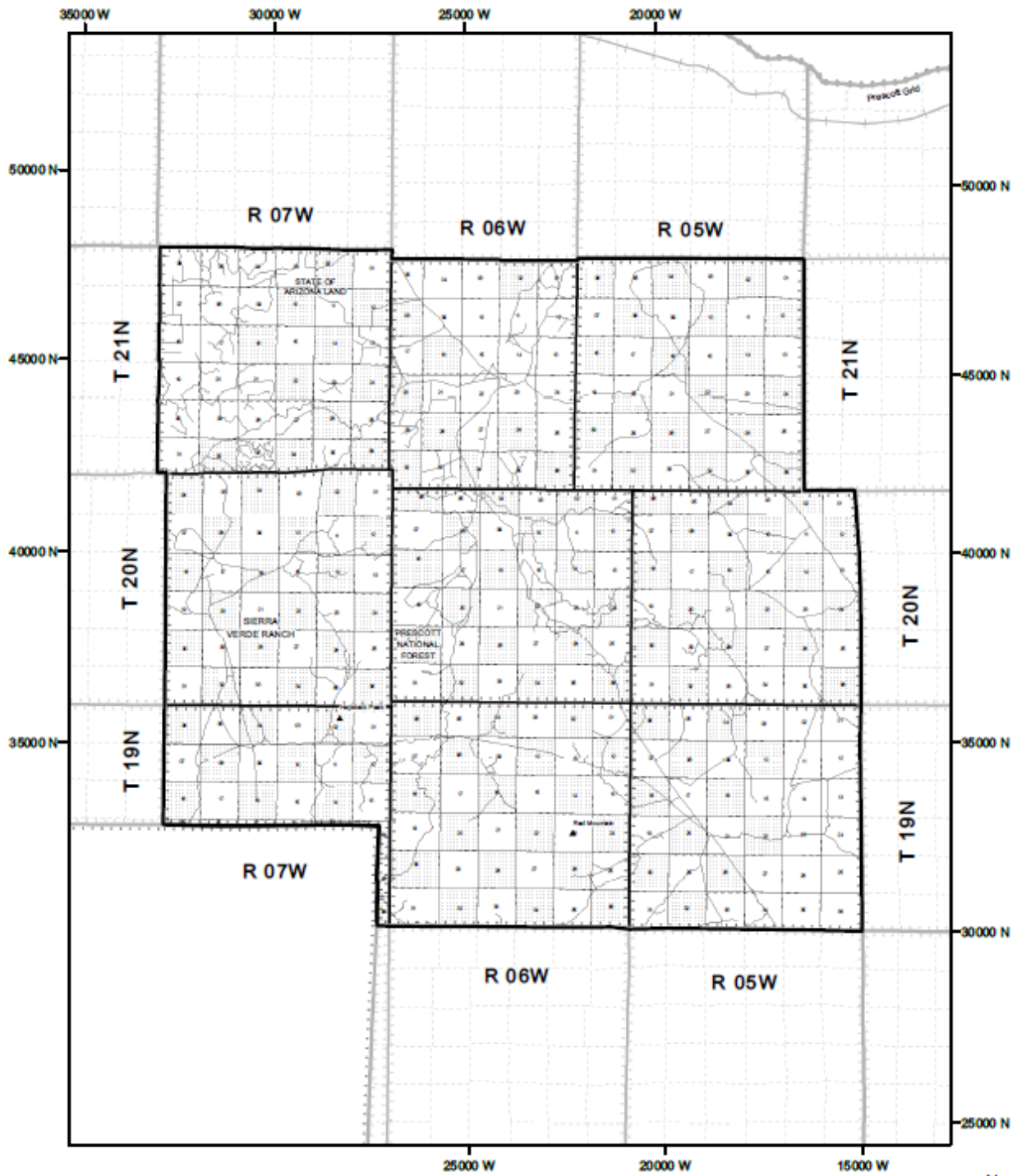
YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 4**



- Public Land
- T = Township
- R = Range
- Address Grid Boundary
- Address Grids:  
 • Prescott

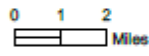
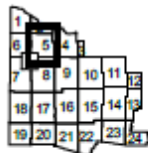


CURRENT AS OF:  
 12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

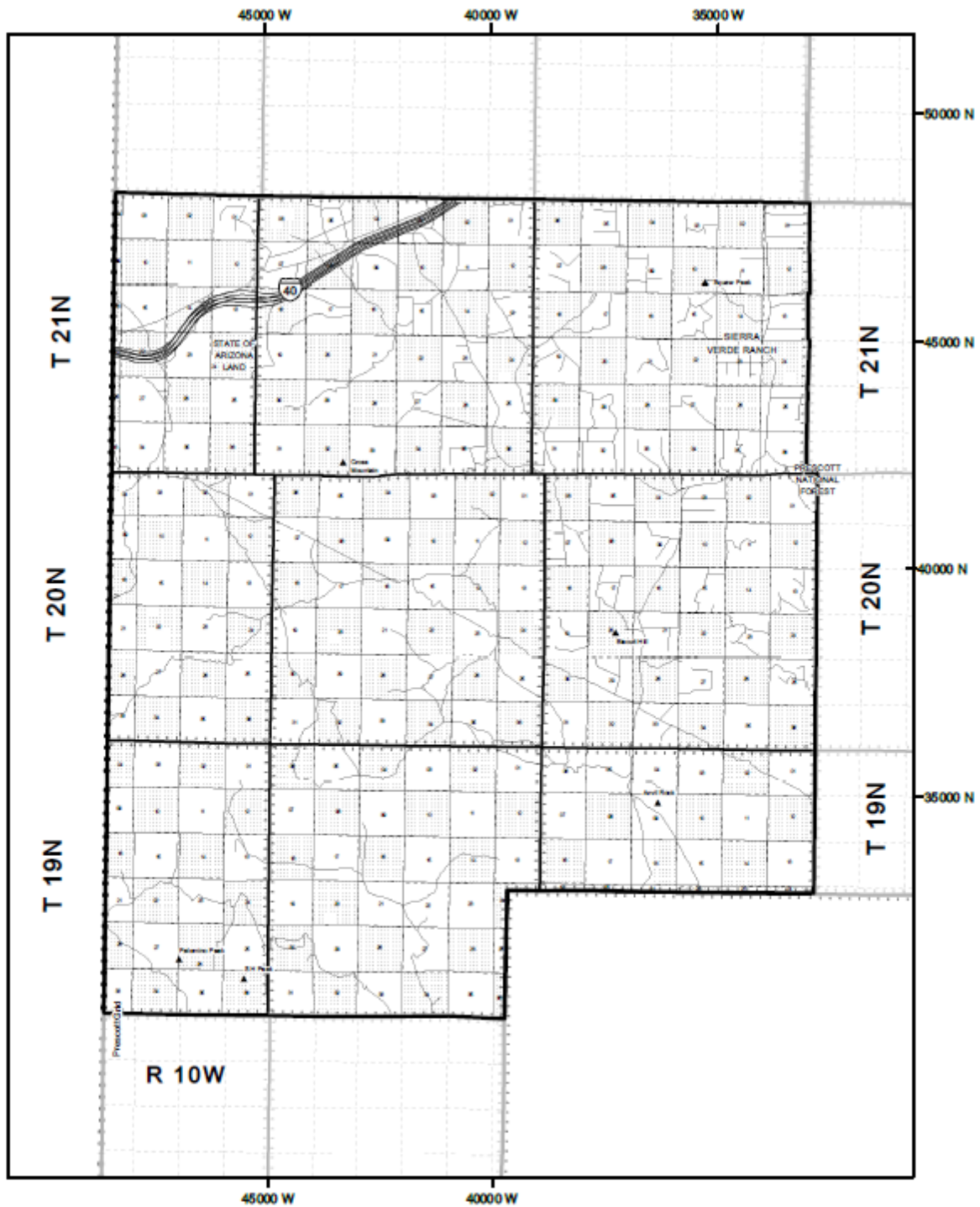
# SHEET 5



- Public Land
- Address Grid Boundary
- Address Grids:
- Prescott
- T** = Township
- R** = Range

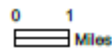


CURRENT AS OF:  
12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

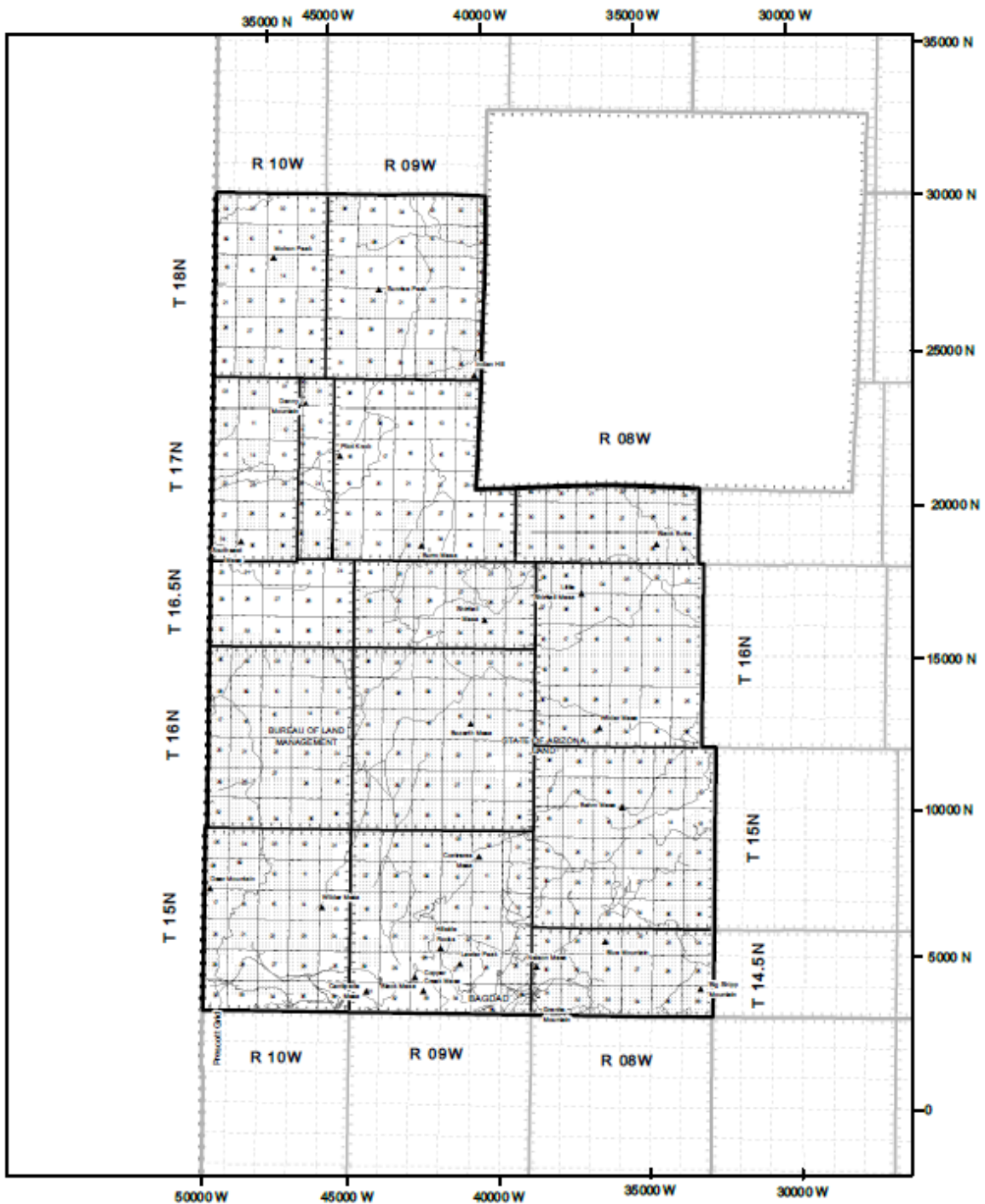
# SHEET 6



- Public Land
- T = Township
- R = Range
- Address Grid Boundary
- Address Grids: Prescott

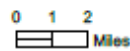





CURRENT AS OF: 12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

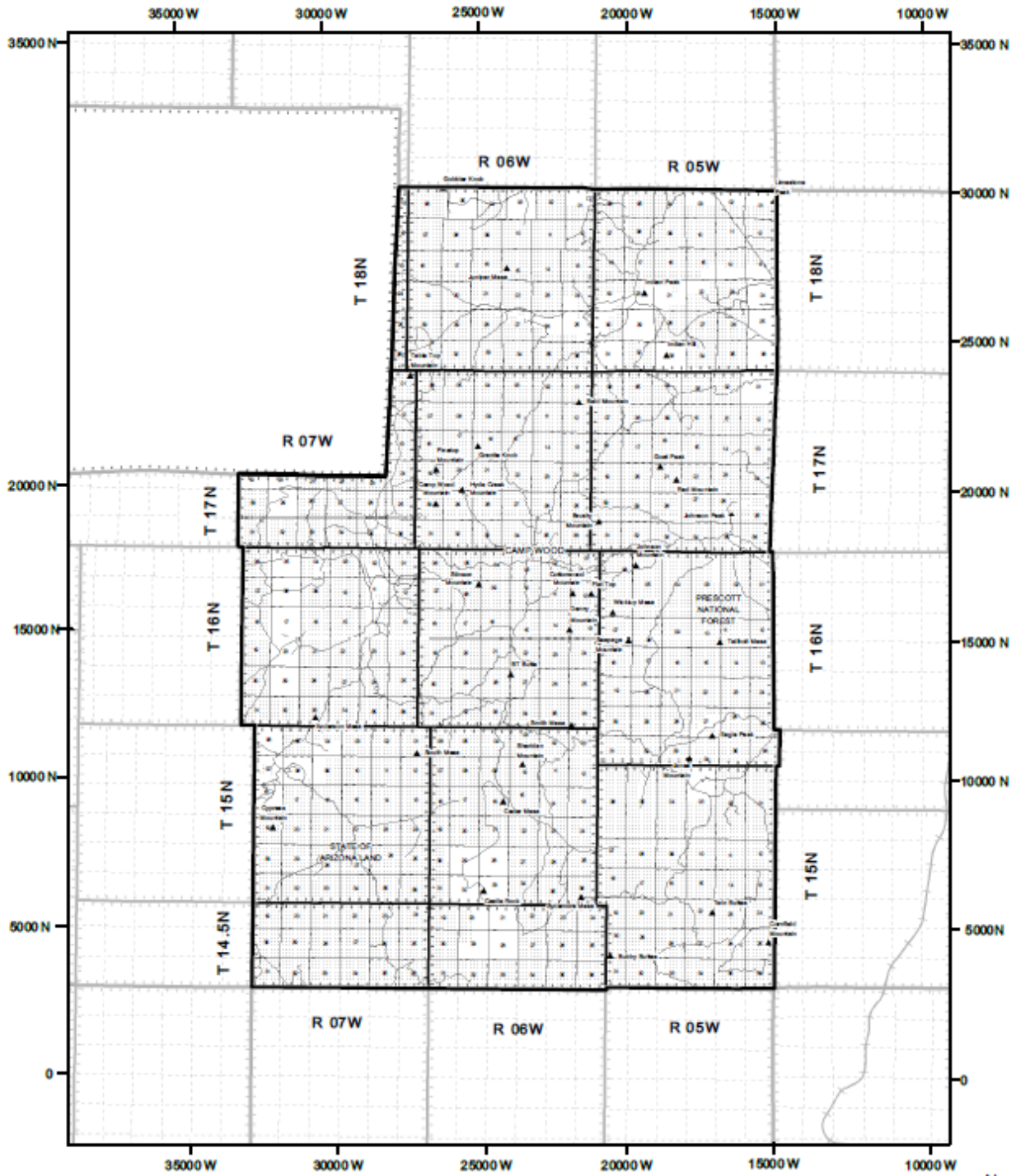
# SHEET 7



-  Public Land
-  Address Grid Boundary
- T** = Township
- R** = Range
-  Address Grid:
-  Prescott

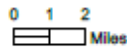


CURRENT AS OF:  
12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

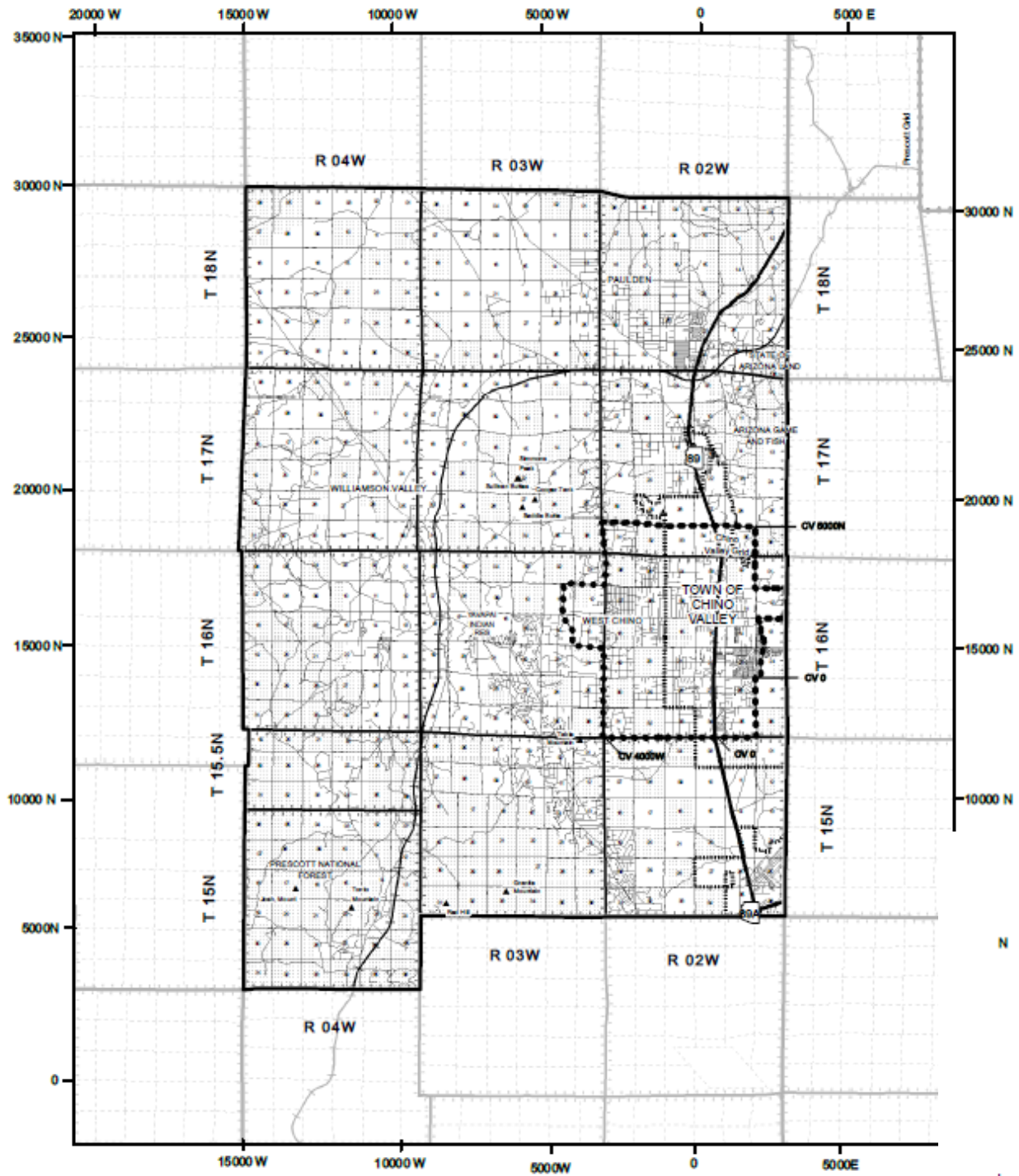
# SHEET 8



- Public Land
- Address Grid Boundary
- Address Grid:
- Prescott
- T = Township
- R = Range

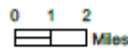


CURRENT AS OF:  
12/27/2019



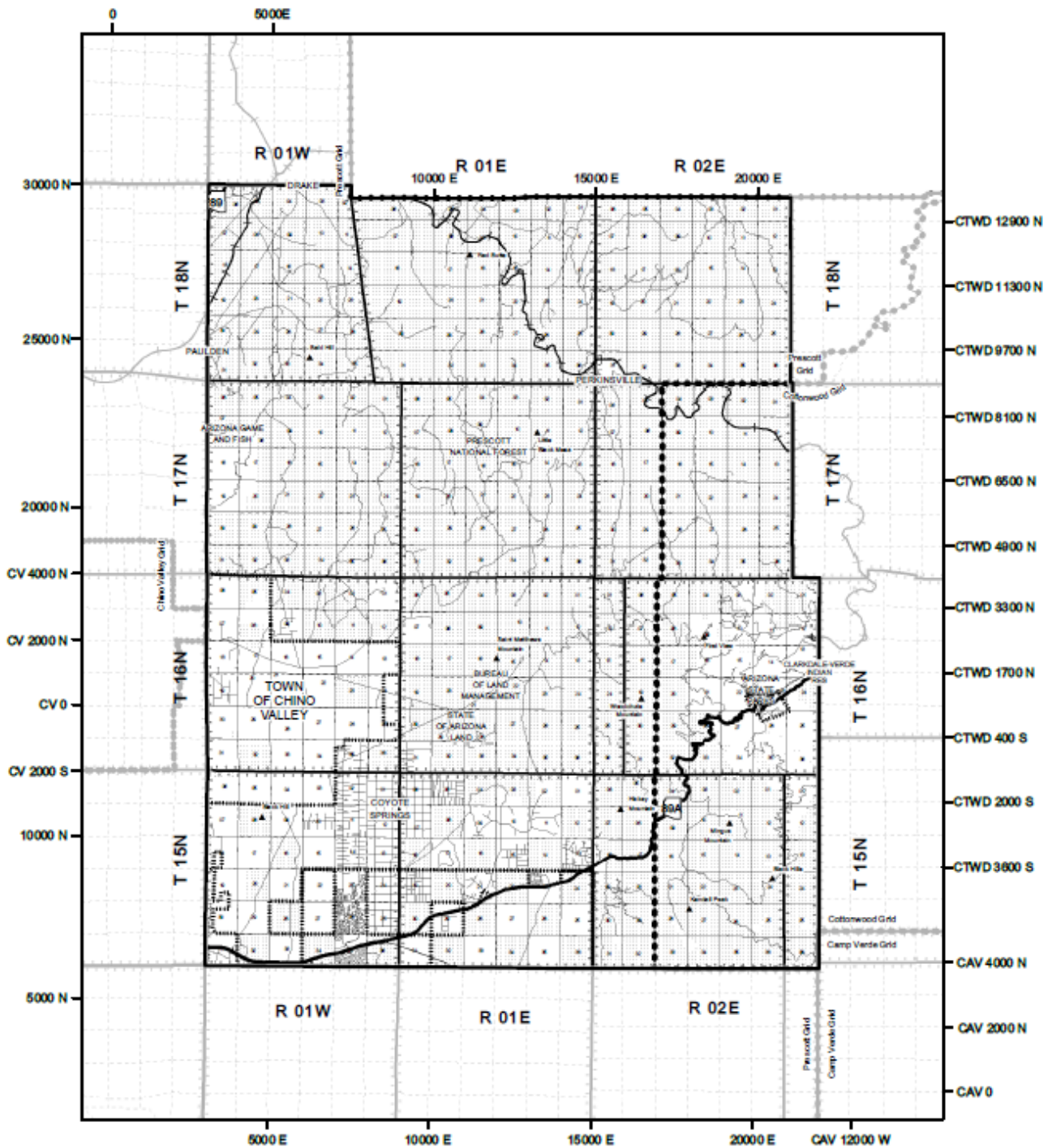
YAVAPAI COUNTY STREET AND ADDRESS ATLAS

# SHEET 9

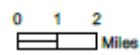


- Public Land
- Address Grid Boundary
- T = Township
- R = Range
- Address Grids:
  - Chino Valley
  - Prescott

LAST OF: 2019

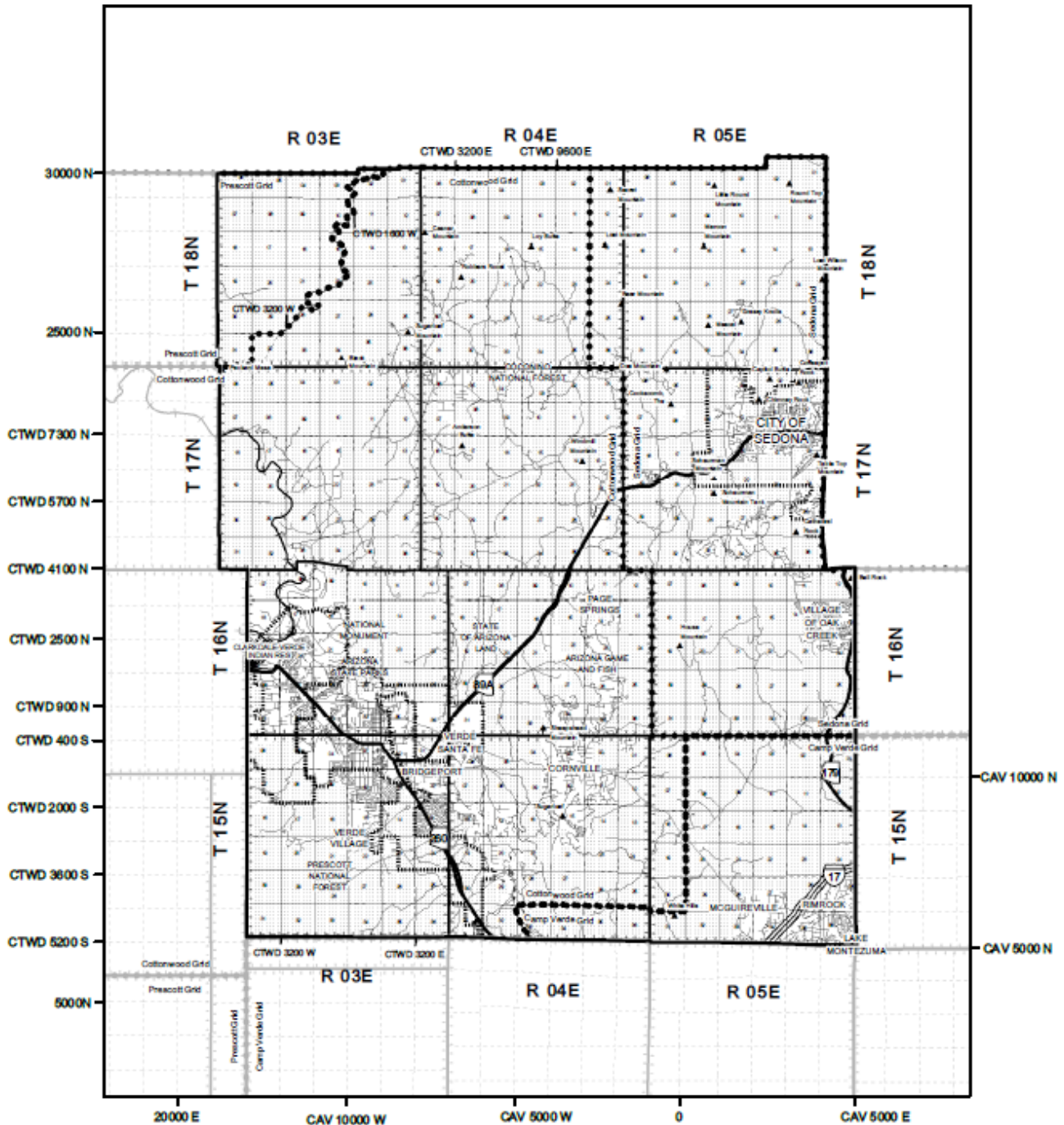


YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 10**



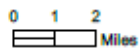
- Public Land
- T = Township
- R = Range
- Address Grid Boundary
- Address Grids:
  - Camp Verde
  - Chino Valley
  - Cottonwood
  - Prescott





YAVAPAI COUNTY STREET AND ADDRESS ATLAS

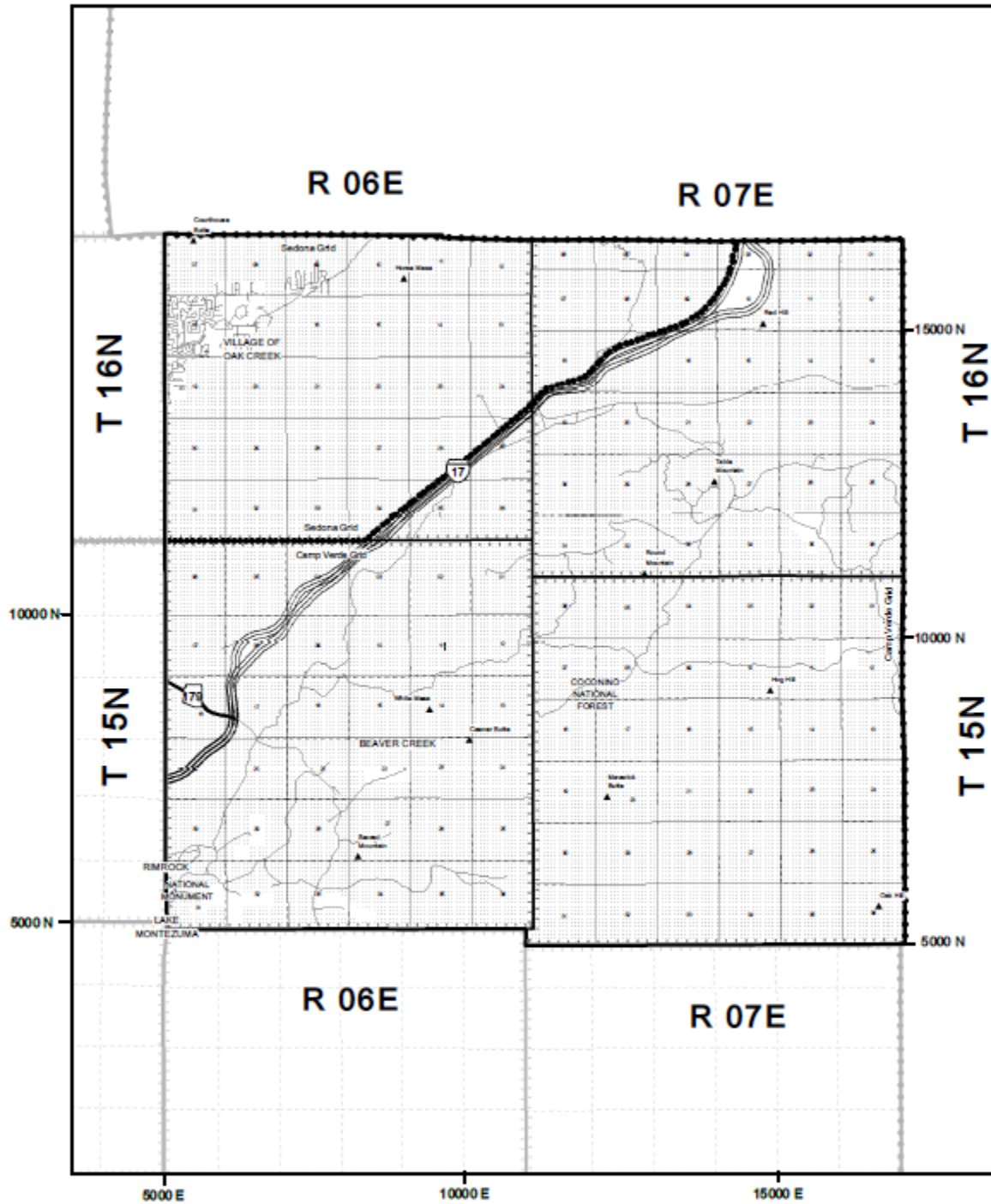
# SHEET 11



- Public Land
- Address Grid Boundary
- T** = Township
- Address Grids:
  - Camp Verde
  - Cottonwood
  - Prescott
  - Sedona
- R** = Range



CURRENT AS OF:  
12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

# SHEET 12



Public Land

T = Township

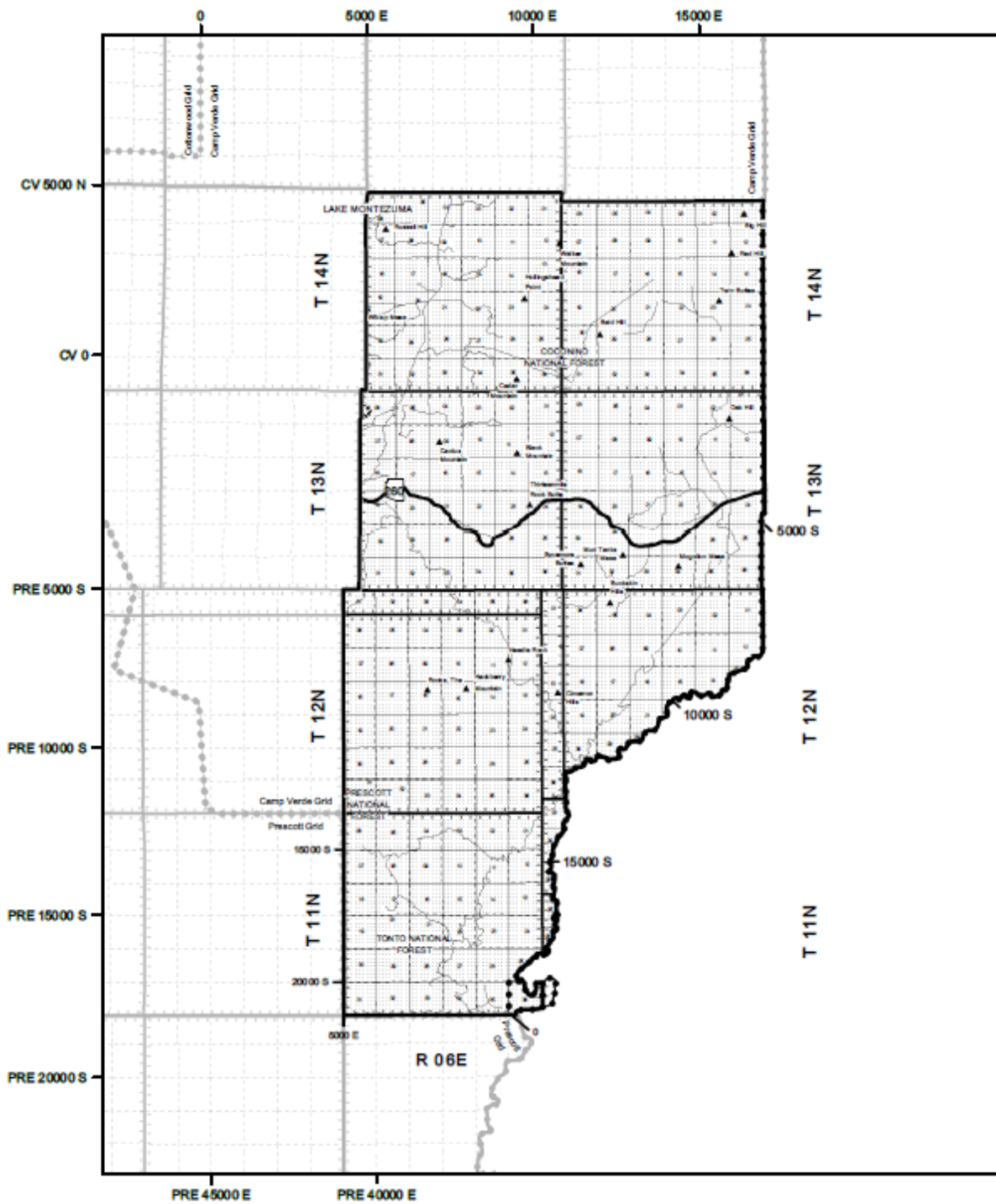
R = Range

Address Grid Boundary

Address Grids:  
 ● Camp Verde  
 ● Sedona

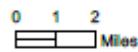


CURRENT AS OF:  
12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

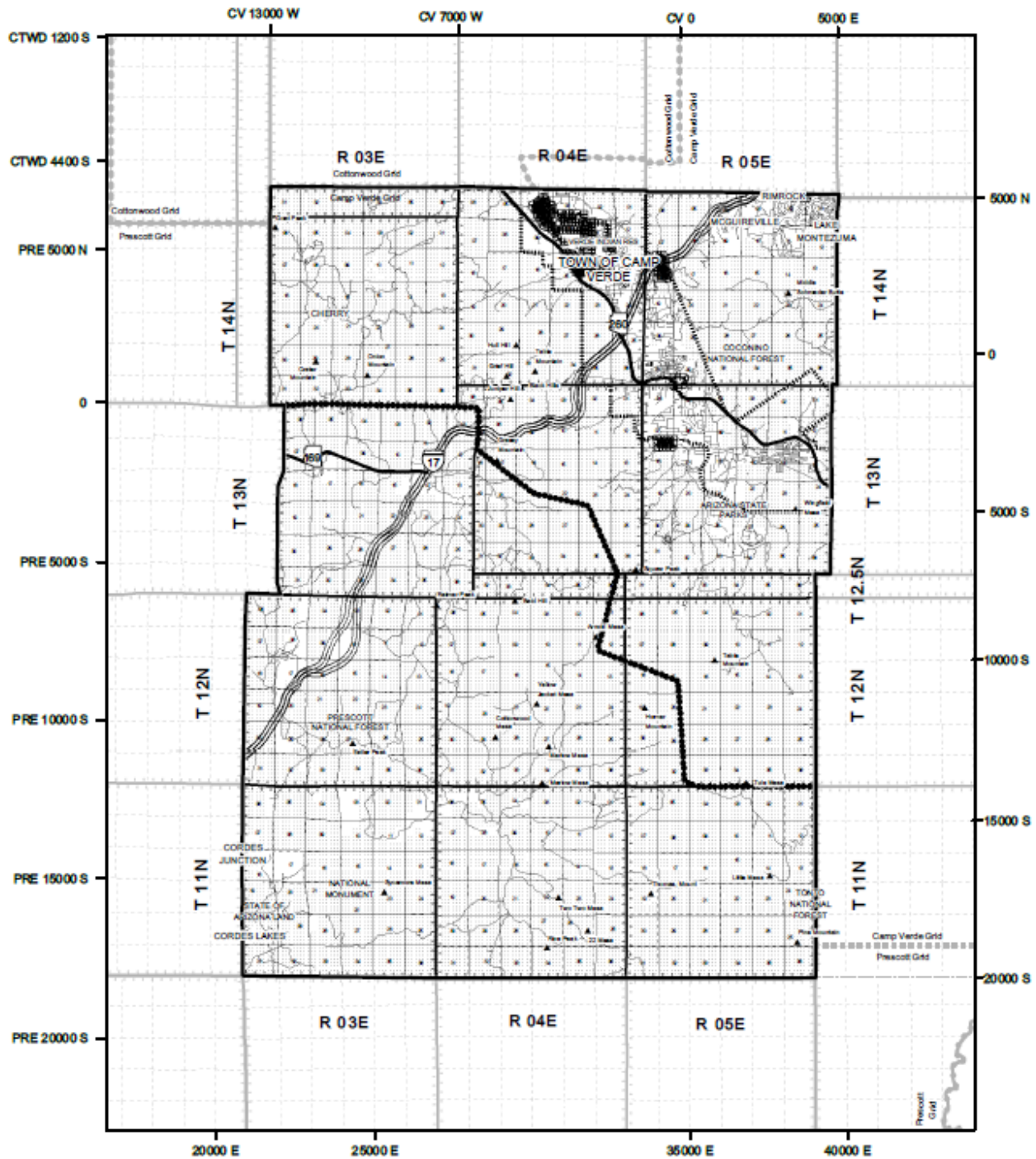
# SHEET 13



- Public Land
- Address Grid Boundary
- T = Township
- R = Range
- Address Grids:
  - Camp Verde
  - Cottonwood
  - Prescott



CURRENT AS OF:  
12/27/2019

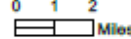


YAVAPAI COUNTY STREET AND ADDRESS ATLAS

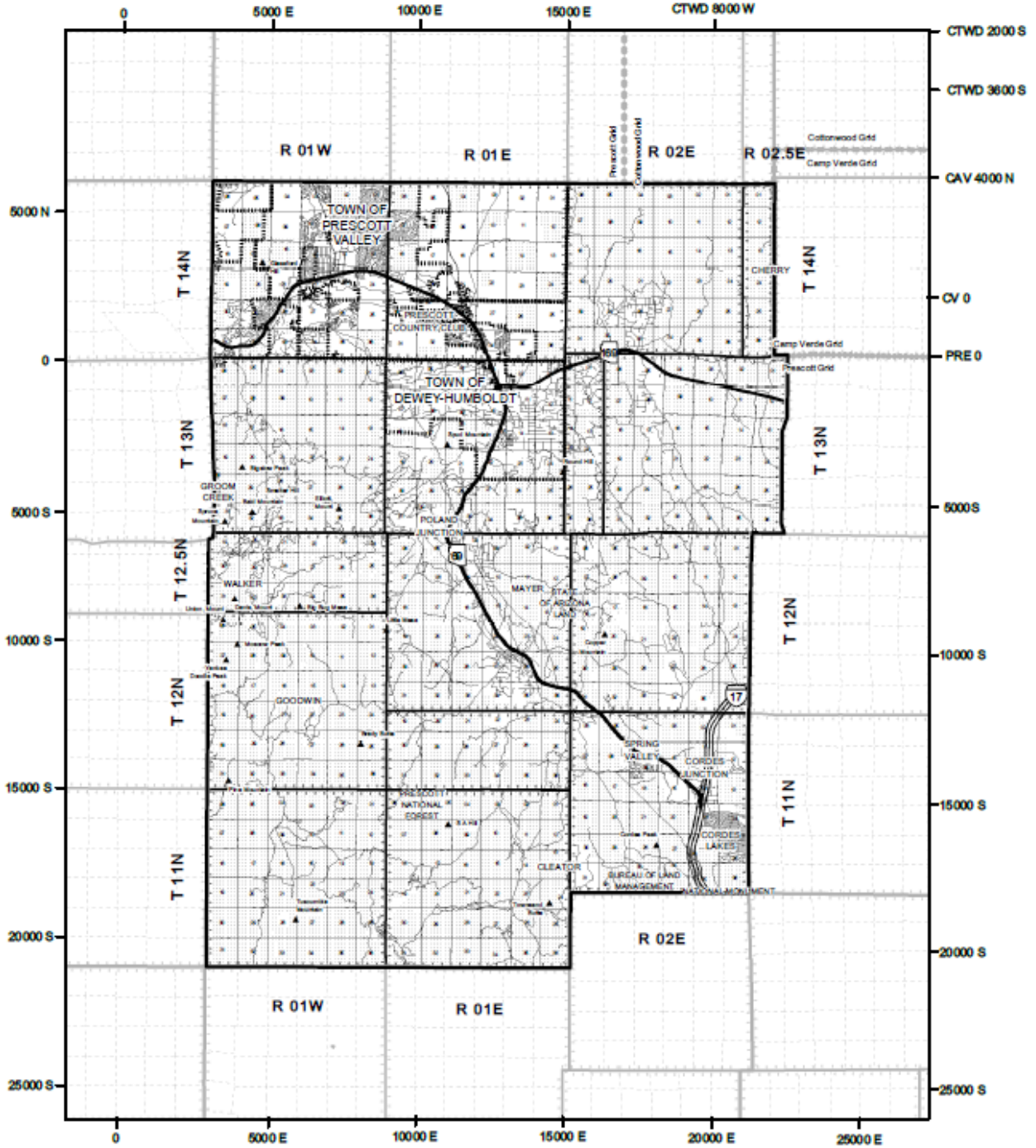
# SHEET 14



- Public Land
- Address Grid Boundary
- T** = Township
- R** = Range
- Address Grids:**
  - Camp Verde
  - Cottonwood
  - Prescott

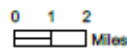


CURRENT AS OF:  
12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS

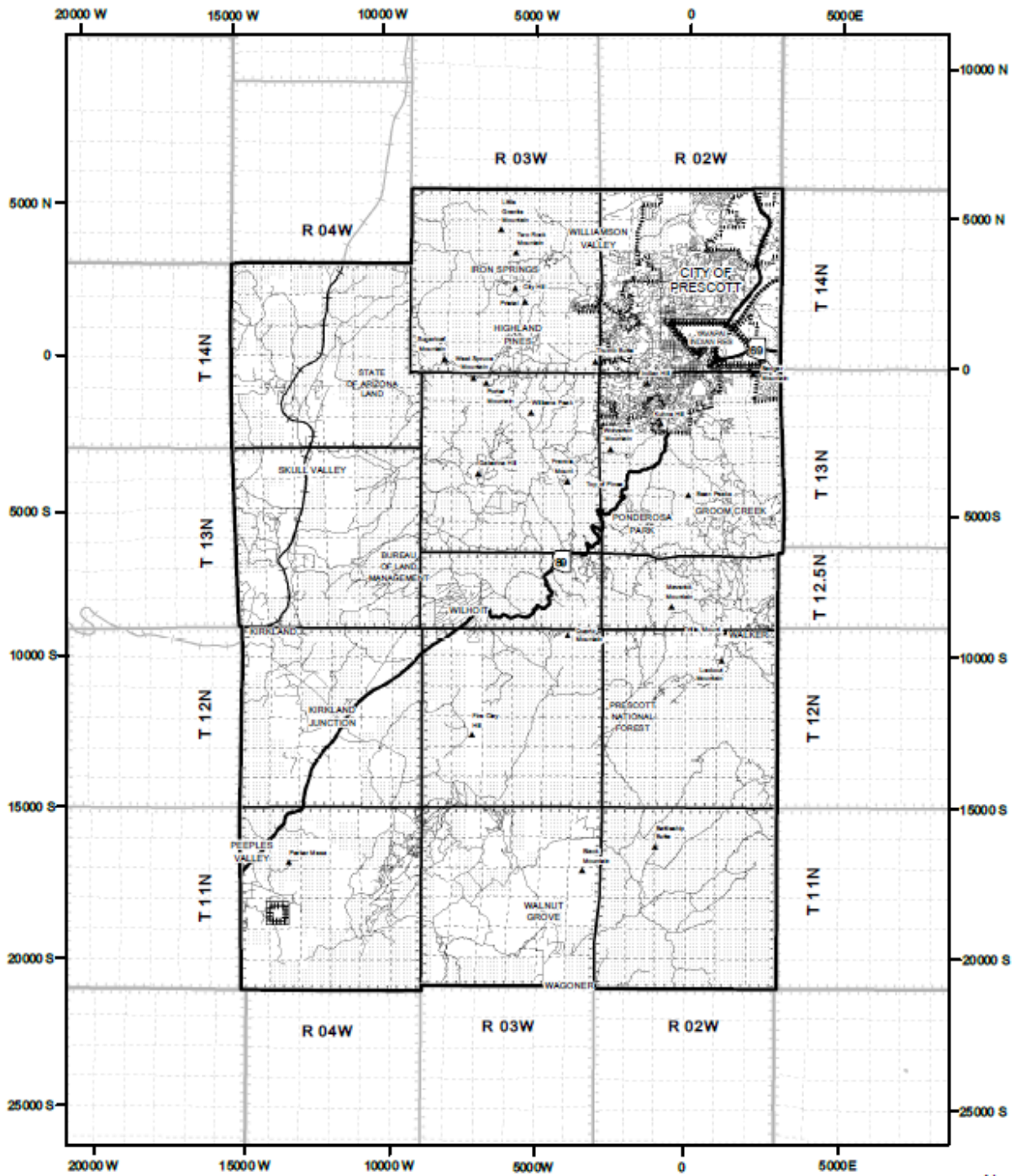
# SHEET 15



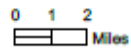
- Public Land
- T = Township
- R = Range
- Address Grid Boundary
- Address Grids:
  - Camp Verde
  - Cottonwood
  - Prescott



CURRENT AS OF:  
12/27/2019

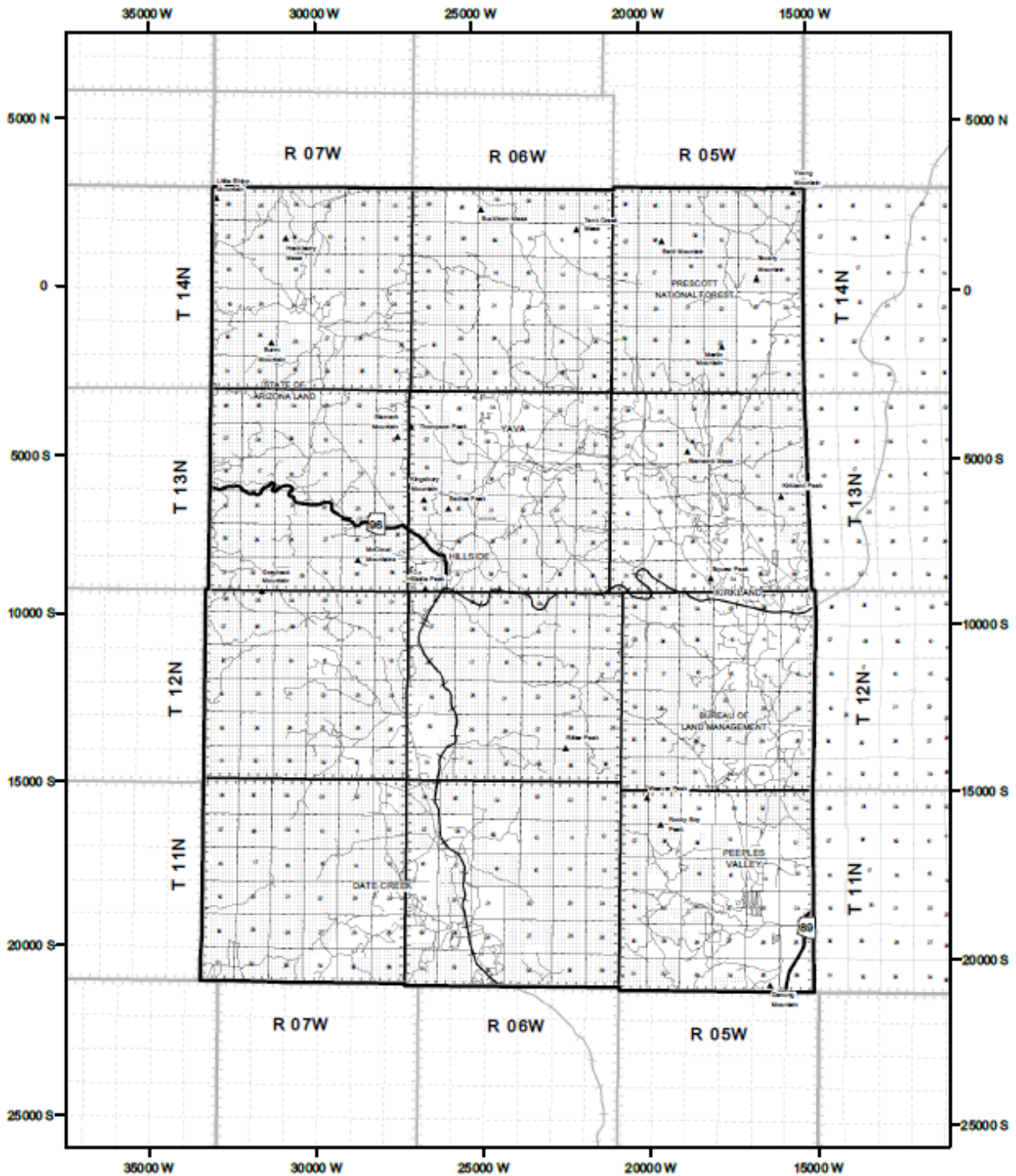


YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 16**



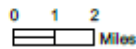
- Public Land
- Address Grid Boundary
- T = Township
- R = Range
- Address Grids:
- Prescott





YAVAPAI COUNTY STREET AND ADDRESS ATLAS

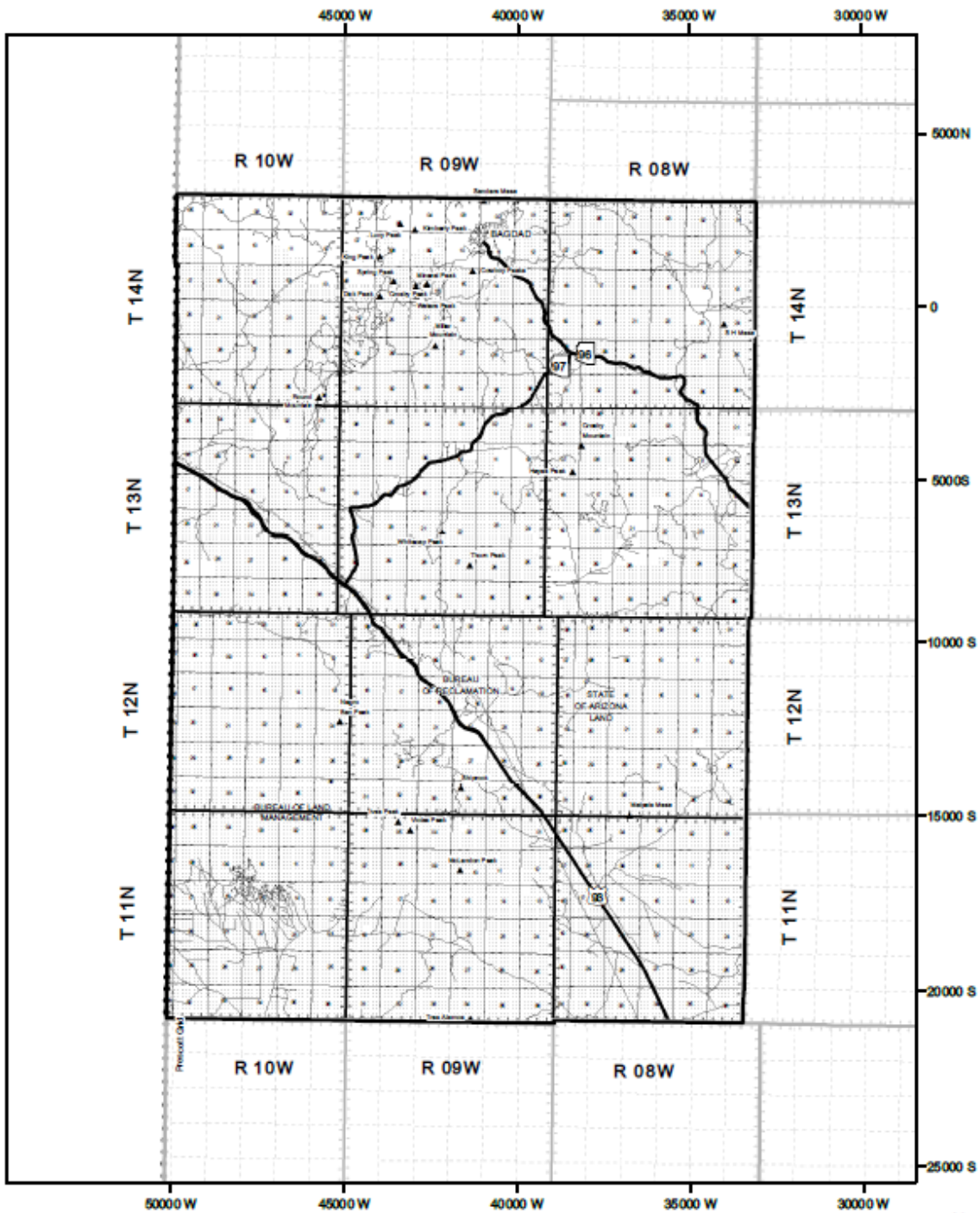
# SHEET 17



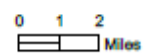
- Public Land
- Address Grid Boundary
- T = Township
- R = Range
- Address Grids:
- Prescott



CURRENT AS OF:  
12/27/2019

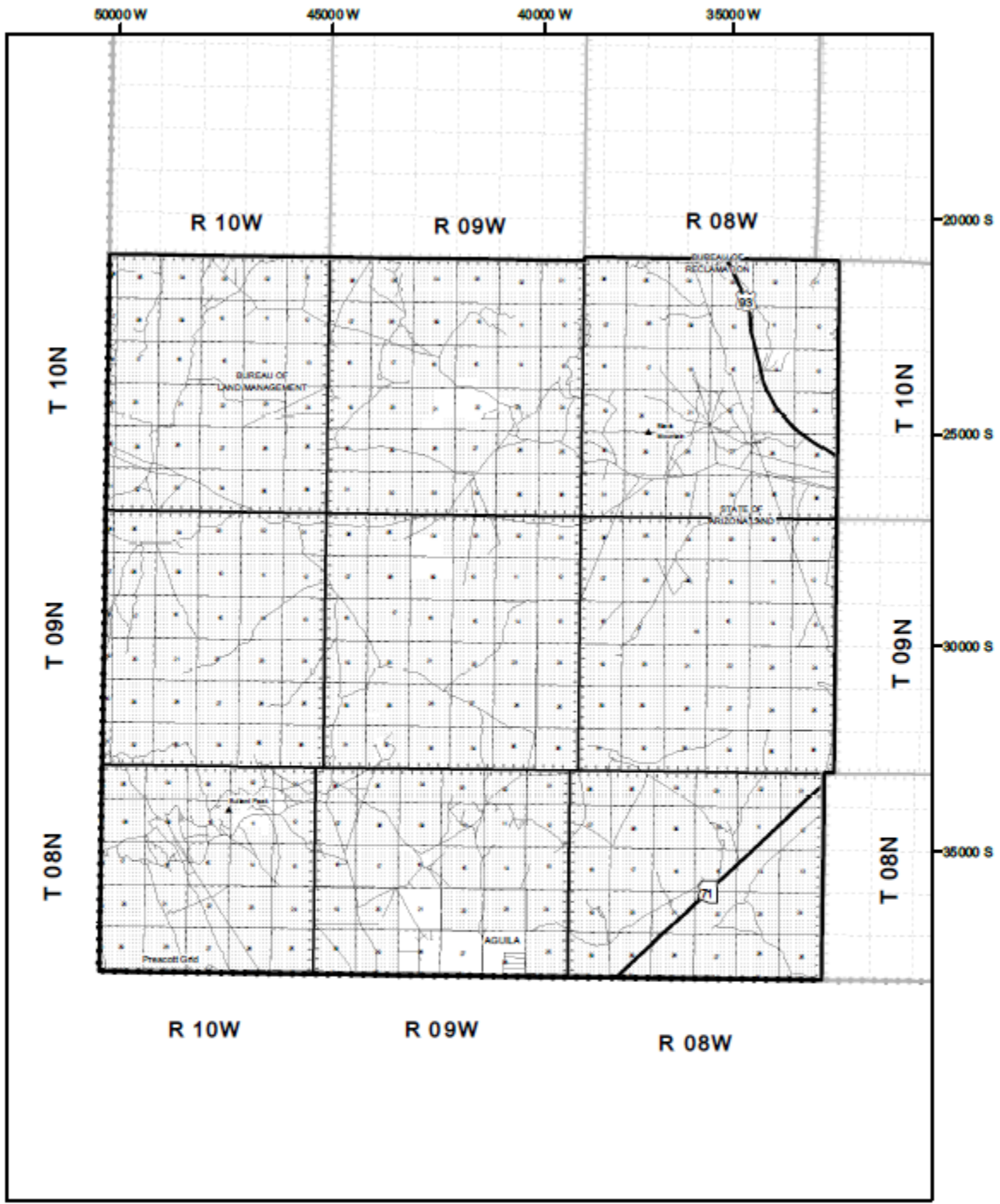


YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 18**

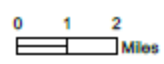


- Public Land
- Address Grid Boundary
- T** = Township
- R** = Range
- Address Grids:**
- Prescott





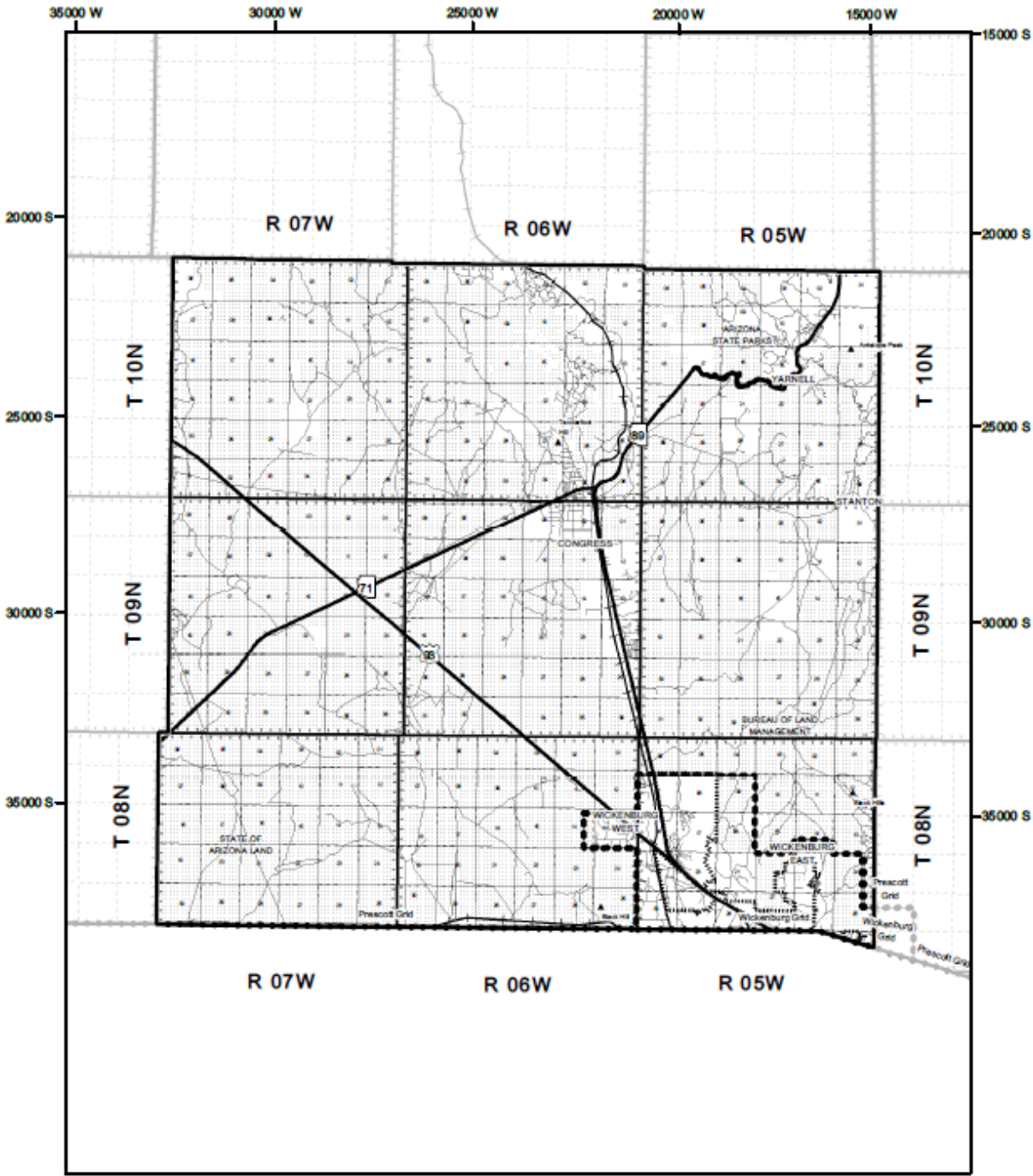
YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 19**



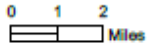
- Public Land
- Address Grid Boundary
- T = Township
- R = Range
- Address Grids:
- Prescott



CURRENT AS OF:  
12/27/2019

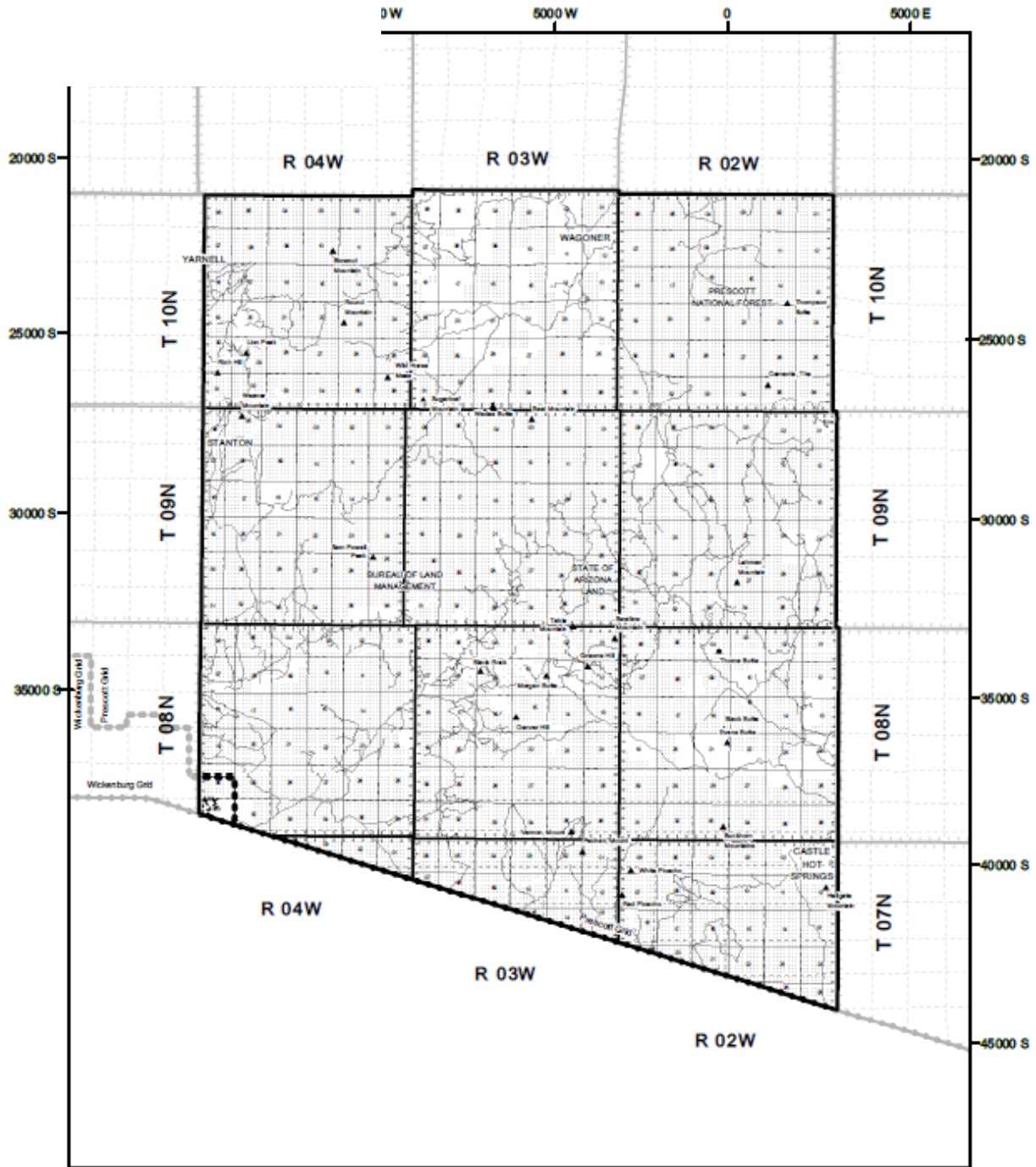


AVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 20**



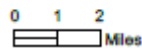
- Public Land
- Address Grid Boundary
- T** = Township
- R** = Range
- Address Grids:**
- Prescott
- Wickenburg





YAVAPAI COUNTY STREET AND ADDRESS ATLAS

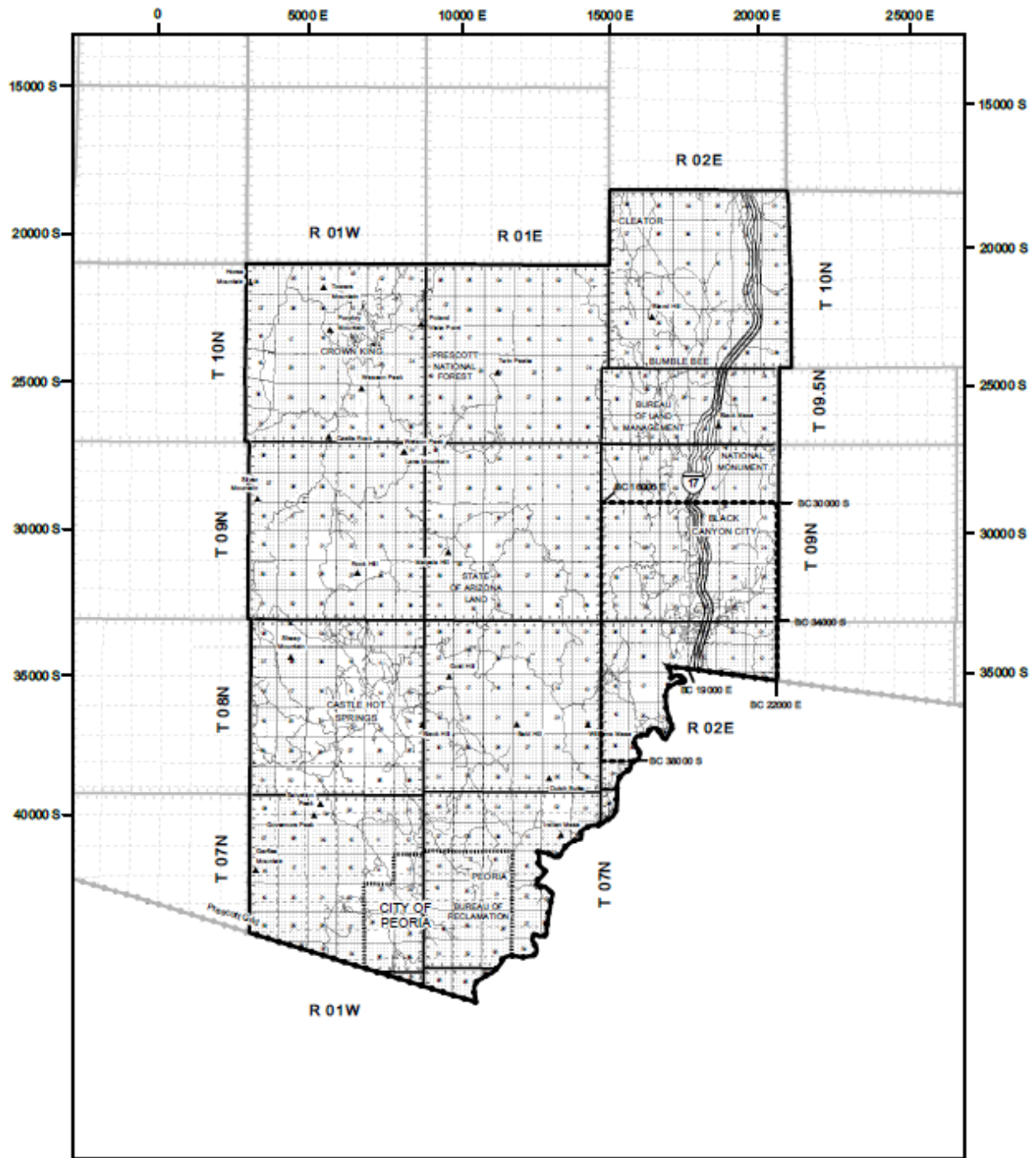
# SHEET 21



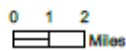
- Public Land
- Address Grid Boundary
- T** = Township
- R** = Range
- Address Grids:**
- Prescott
- Wickenburg



CURRENT AS OF:  
12/27/2019

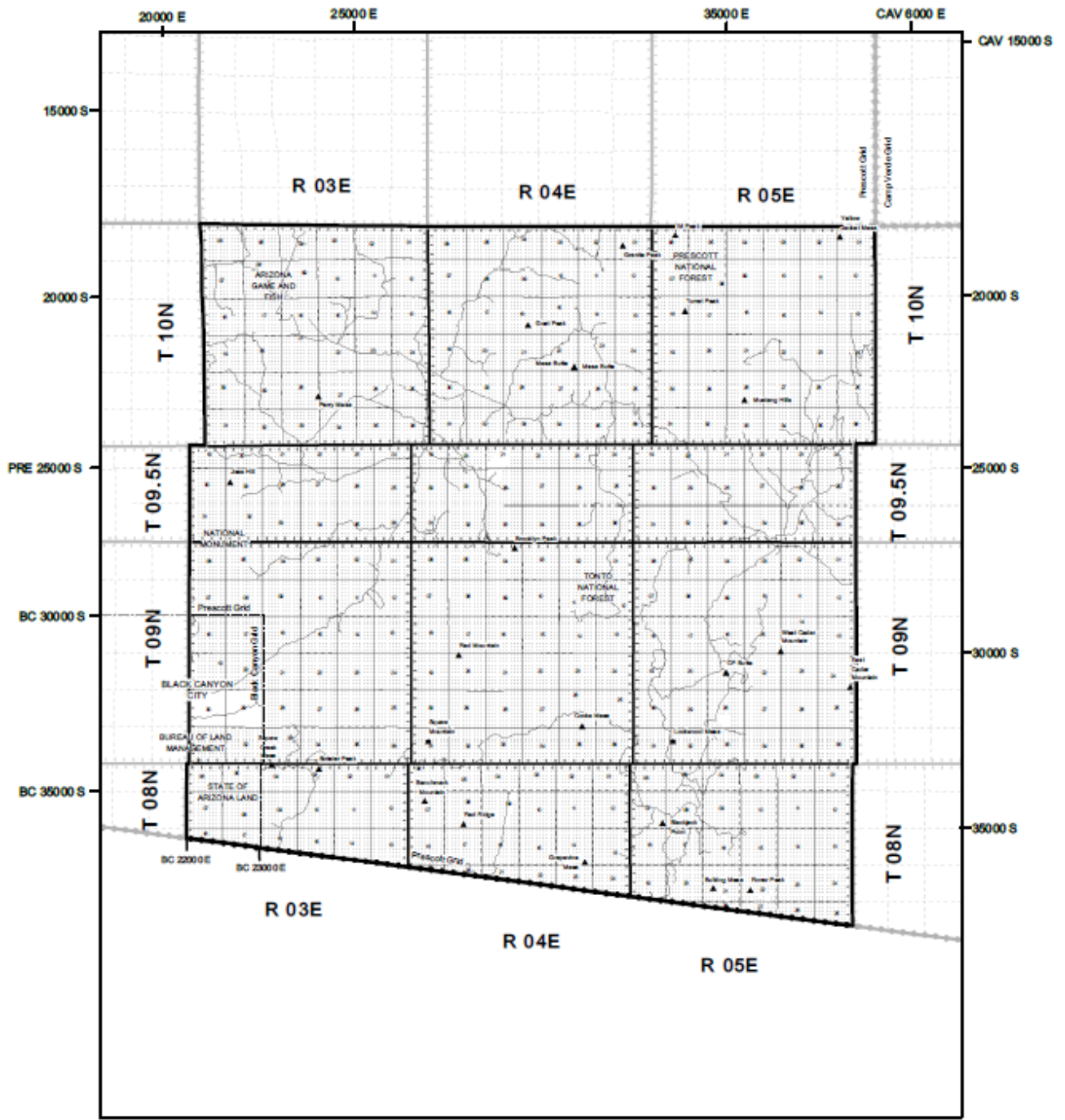


YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 22**



- Public Land
- Address Grid Boundary
- T = Township
- R = Range
- Address Grids:
  - Black Canyon City
  - Prescott





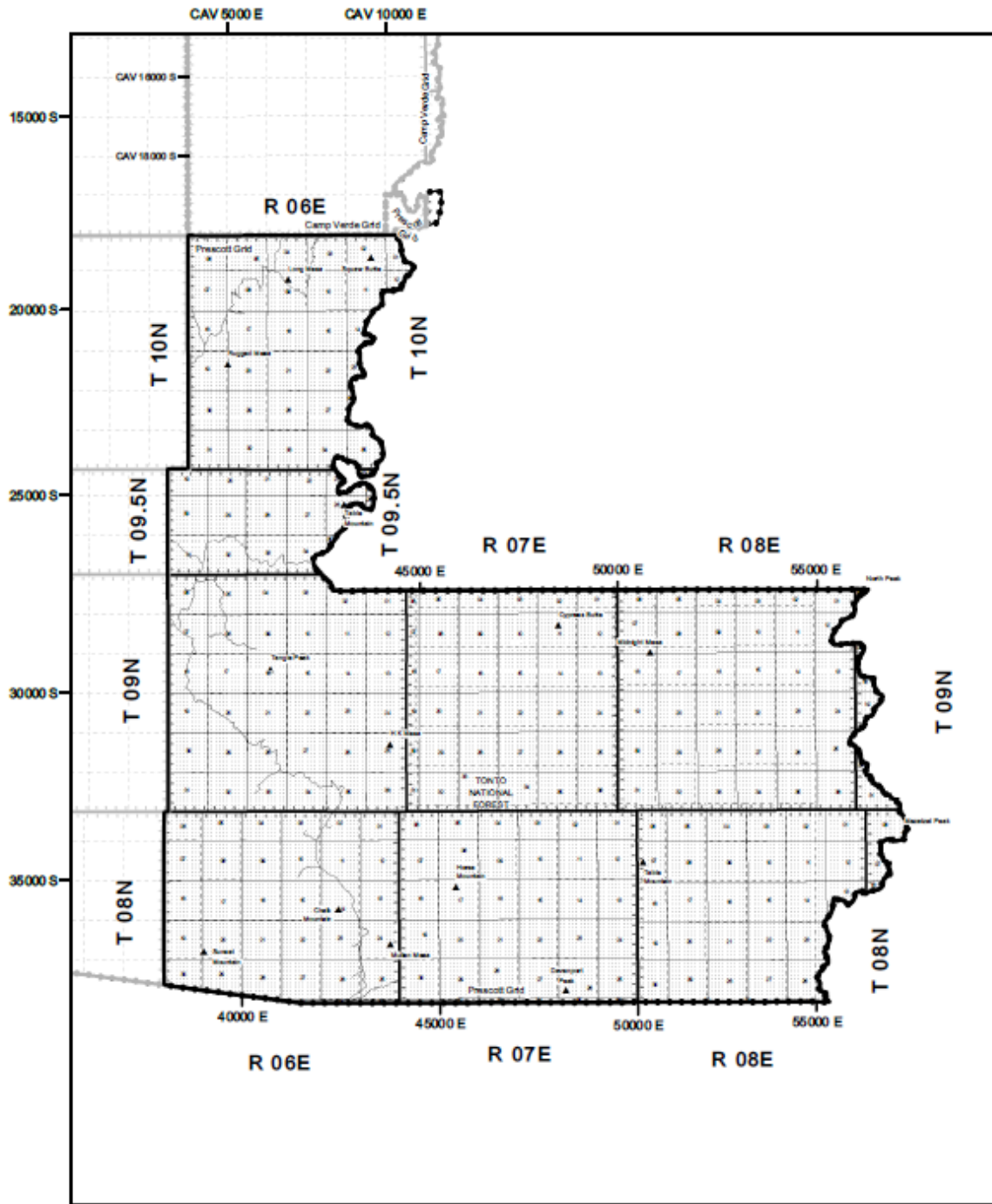
YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 23**



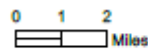
- Public Land
- Address Grid Boundary
- T** = Township
- R** = Range
- Address Grids:**
  - Black Canyon City
  - Camp Verde
  - Prescott



CURRENT AS OF:  
12/27/2019



YAVAPAI COUNTY STREET AND ADDRESS ATLAS  
**SHEET 24**



- Public Land
- Address Grid Boundary
- T** = Township
- R** = Range
- Address Grids:**
- Camp Verde
- Prescott



CURRENT AS OF:  
 12/27/2019

## 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) providing guidelines for the siting and design of Wireless Telecommunications Facilities; (2) protecting and promoting public health, safety and welfare; (3) protecting environmental resources; (4) considering and promoting harmony with adjacent and surrounding land uses; (5) protecting the integrity of historic, cultural and scenic resources, and citizen's quality of life; (6) encouraging the grouping (colocation) of facilities and equipment. As described in Subsection H of this Section, new towers can require either administrative review or a use permit depending on whether the proposed tower is a permitted use that meets all requirements of the specific zoning district.

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 Design):** 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 not limited to manmade trees, clock towers, flagpoles, light structures, steeples, water tanks, and architectural façade and parapet features.

**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.

**COW:** (Cell-On-Wheels) An abbreviation for a temporary wireless communications facility.

**DAS:** (Distributed Antenna System) An abbreviation for a type of physical structure or apparatus used to support or augment the performance of an existing wireless communication network. These typically appear in the form of improvements on utility poles, etc. and as such are not regulated by this section.

**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 an array.

**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.

**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. 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 and FCC.
- b. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority.
- c. All wireless communication facilities shall be maintained in compliance with applicable state, county 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.
- d. 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 or to identify the facility with respective facility owner and/or FCC or FAA information.
- e. All modifications shall apply for building permits appropriate to the modification and will be reviewed for compliance with all regulations.

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.

F. CELLULAR ON WHEELS (COW): Shall be allowed in any zoning district on a temporary basis to provide for wireless service in the event of an emergency, not to exceed 90 days, unless approved for a longer period by the Development Services Director. COW's for emergencies are not subject to a building permit but the wireless providers shall notify development services of the deployment COW. The operation of the COW must not interfere with emergency operations of small unmanned aerial systems or other technology or equipment used in the emergency. The wireless company is required to provide contact information for a representative available at all times for the equipment.

1. Cellular on Wheels may be deployed at the existing wireless sites to provide service during times of maintenance or failures of those facilities to provide for service coverage, not to exceed 90 days. No notification is required for deployment due to maintenance at existing facilities. Other deployments of a COW, such as may be needed for a special event or similar circumstances may be approved at the discretion of the Development Services Director, subject to appropriate stipulations to the location and length of use.

G. PROVIDER'S COMMUNICATION PLAN:

1. Each new wireless facility proposed shall include a communications plan with the following information.
  - a. Wireless propagation map illustrating the need for the tower at the specific location.
  - b. The provider's policy direction on the mitigation and/or reduction of the negative visual impact created by the proposed tower, including any proposals to conceal or disguise such facilities designed to be architecturally and/or environmentally

compatible with their surroundings in order to show that the manner in which an applicant proposes to fill a significant gap in service coverage is the least intrusive means.

- c. Designation of an agent of the provider who is authorized to receive communications and notices pursuant to this Section.
- d. Identification and justification of which FCC “shot clock” the proposed application must comply with.

H. APPLICATION REVIEW:

- 1. GENERAL: The following provisions shall govern the issuance for new wireless communication facilities.
  - a. If the wireless communication facility is a permitted use, a wireless application shall be applied for. This application will be used to review the location, lot size, height of the tower, stealth design for least intrusive design, and closure of a significant gap in service coverage as outlined in the providers communication plan.
    - (1) Development Services Staff will review the application for completeness within seven (7) business days of submittal.
    - (2) Applications which are not completed and fully comply with the requirements for the providers communication plan (Section G) will be deemed insufficient and the applicant will be notified in writing of the deficiencies. Applicant will need to resubmit a new complete application.
    - (3) Application fee is \$1,500. Applications submitted without the application fee will be determined to be incomplete and rejected.
    - (4) Development Services Staff will review the application based on compliance with the zoning ordinance requirements for the specific district standards where the wireless communications facility will be located.
    - (5) Staff will conduct a site inspection to determine if the design of the wireless communications facility is the least obtrusive method for design.
    - (6) Staff will make a formal recommendation to the Development Services Director for approval (including approval with stipulations), or denial of the application based on staff’s findings that the proposed location and configuration does not meet the intent of the permitted use.
    - (7) If the application is approved, a letter will be issued within 60 days of the date the application was deemed to be complete.
    - (8) A letter of approval for a wireless communications facility shall be valid for 180 days from the date of approval. Building permits must be applied for within the 180 days. A single 180-day extension may be requested from the Development Services Director, subject to a \$100 extension fee, provided no substantive changes are made to the original application.
    - (9) If the application is denied based upon a finding that the proposed location and configuration are not the least intrusive means to fill a significant gap

in service coverage the Board of Supervisors shall review the decision of the Development Services Director at a public hearing where the applicant will be allowed to appear and present evidence. Following the hearing the Board will issue a written decision to either affirm, overturn, or modify the denial.

- a. The hearing to review the decision will be advertised by posting the property 15 days in advance of the hearing and mailing letters to all property owners within 1,000 feet of the proposed wireless facility in addition to normal Board agenda posting requirements.
- b. If the wireless communication facility is not a permitted use that meets all of the requirements of the specific zoning district, then a use permit shall be required. Applications for use permits for a wireless communication facility shall be subject to the procedures and requirements for use permits as outlined in the zoning ordinance, and all federal, state, and local laws and regulations.

The following shall 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) 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;
- (6) A written narrative/explanation of why it is necessary that the proposed wireless communications facility be located in the proposed location, and how the proposal is the least intrusive design to fill a significant gap in service coverage.

- c. In Granting an approval of an application, Yavapai County may impose conditions to the extent that such conditions carry out the purposes of this ordinance.
- d. Any information of an engineering nature that the applicant submits shall be certified by an Arizona licensed professional engineer.
- e. The Development Services Director is authorized to employ on behalf of the County, an independent technical expert to review any material submitted by the applicant. The applicant shall pay for the costs of said review.

I. COLLOCATION REVIEW PROCEDURES: Applications for collocation of antennae on and equipment at an existing permitted wireless communications facility shall be subject to local, state and federal laws and regulations (including FCC REGULATIONS). Review of collocation or modifications to existing sites will be done through the building permit process. Building permit application shall require all documents required for the building permit in addition to the following;

- 1. An updated Provider’s Communication Plan, including any proposed changes in the service areas, antennae, towers, and policy direction;
- 2. Plans showing elevation drawings of the exterior of each element of the proposed wireless communication facility, method of fencing, coloration, and landscaping;
- 3. Certification that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations;
- 4. Copies of all wireless telecommunication licenses for all providers for the specific site of collocation who will use the facility at the time of filing the application;
- 5. Copy of signed, redacted, lease agreement with landowner, or letter of intent or authorization.

J. 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. Guy wires and accessory structures must satisfy the minimum Zoning District setback requirements.
- 2. Facilities that are located on existing or replaced streetlights, traffic signal poles or electrical utility poles are exempt from any setback requirements

## 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:

- (1) Physicians licensed pursuant to A.R.S. Title 32 Professions and Occupations, Chapter 7, 8, 13, 14 or 17.
- (2) 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.
- (3) Persons who are employed or acting as trainers for a bona fide amateur, semi-professional or professional athlete or athletic team.
- (4) 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.

## SECTION 607 MEDICAL AND ADULT USE MARIJUANA ORDINANCE

- A. **PURPOSE:** This article is adopted to protect the health, safety, and welfare of the community. Except as allowed by law for personal, private use, Yavapai County enacts reasonable regulations and requires compliance with laws for the retail sale, cultivation and manufacturing of marijuana or marijuana products in a marijuana establishment or marijuana testing facility and the cultivation, processing, and manufacturing of marijuana in a primary residence. Nothing in this Ordinance is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, or use of marijuana or marijuana products in violation of any applicable law. In accordance with Article II, Sections 1 and 2, Constitution of Arizona, the Yavapai County Board of Supervisors has considered the individual property rights and personal liberties of the residents of the County before adopting this ordinance.
- B. **DEFINITIONS:** The below words and phrases, wherever used in this article, shall be construed as defined in this section unless, clearly from the context, a different meaning is intended. Words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

**Chemical Extraction:** means the process of removing a particular component of a mixture from others present, including removing resinous tetrahydrocannabinol from marijuana.

**Chemical Synthesis:** means production of a new particular molecule by adding to, subtracting from, or changing the structure of a precursor molecule.

**County:** means Yavapai County, Arizona.

**Consume, Consuming, and Consumption:** mean the act of ingesting, inhaling or otherwise introducing marijuana into the human body.

**Consumer:** means an individual who is at least twenty-one years of age and who purchases marijuana or marijuana products.

**Cultivate and Cultivation:** mean to propagate, breed, grow, prepare, and package marijuana.

**Deliver and Delivery:** mean the transportation, transfer or provision of marijuana or marijuana products to a consumer at a location other than the designated retail location of a marijuana establishment.

**Department:** means the State of Arizona Department of Health Services or its successor agency.

**Dual Licensee:** means an entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

**Enclosed Area:** means a building, greenhouse, or other structure that has:

1. A complete roof enclosure supported by connecting walls that are constructed of solid material extending from the ground to the roof.
2. Is secure against unauthorized entry.
3. Has a foundation, slab, or equivalent base to which the floor is securely attached.
4. Meets performance standards ensuring that cultivation and processing activities cannot be and are not perceptible from the structure in terms of not being visible from public view without using binoculars, aircraft or other optical aids and is equipped with a lock or other security device that prevents access by minors.

**Extraction:** means the process of extracting or separating resin from marijuana to produce or process any form of marijuana concentrates using water, lipids, gases, solvents, or other chemicals or chemical processes.

**Industrial Hemp:** the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a Total Delta-9 Tetrahydrocannabinol (THC) concentration of not more than three tenths' percent (0.3%) on a dry-weight basis.

**Manufacture and Manufacturing:** mean to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

**Marijuana:** means all parts of the plant of the genus *cannabis*, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin; and includes cannabis as defined in A.R.S. § 13-3401; but does not include industrial hemp, the fiber produced from the stalks of the plant of the genus *cannabis*, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

**Marijuana Concentrate means:**

1. Resin extracted from any part of a plant of the genus *cannabis* and every compound, manufacture, salt, derivative, mixture or preparation of that resin or tetrahydrocannabinol.
2. Does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other products.

**Marijuana Establishment:** means an entity licensed by the Department to operate any of the following:

1. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
2. A single off-site cultivation location at which the licensee may cultivate marijuana and marijuana products which may not be transferred or sold to consumers.
3. A single off-site location at which the licensee may manufacture marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

**Marijuana Products:** means marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

**Marijuana Testing Facility:** means the Department or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

**Nonprofit Medical Marijuana Dispensary:** means a nonprofit entity as defined in A.R.S. § 36-2801(12).

**Open Space:** means a public park, public sidewalk, public walkway, or public pedestrian thoroughfare.

**Person:** means an individual, partnership, corporation, association, or any other entity of whatever kind or nature.

**Process and Processing:** means to harvest, dry, cure, trim or separate parts of the marijuana plant.

**Public Place:** has the same meaning prescribed in the Smoke-Free-Arizona Act, A.R.S. § 36-601.01.

**Public Property:** means property that is occupied, owned, controlled, or operated by the County.

**Smoke:** means to inhale, exhale, burn, carry, or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

**Transfer of Ownership or Control:** of marijuana establishment facility means and includes any of the following: sale, lease, or sublease of the business; the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or the establishment of trust, gift or other similar legal device which transfers ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

C. Marijuana Establishment (Dual Licensing)

1. A Marijuana Establishment shall only be allowed under the following provisions;
  - a. Operates both a nonprofit medical marijuana dispensary and marijuana establishment cooperatively in a shared or adjacent parcel location; and
  - b. Has not forfeited or terminated the nonprofit medical marijuana dispensary registration from the Department.
  - c. Marijuana Establishment Licenses issued under the social equity provisions (ARS 36-2854) shall not be required to comply with the Section 607.D.1.(a) dual licensing. Social Equity dispensaries shall only be allowed in the (C1, C2, C3, PM, M1, and M2) Zoning Districts and shall comply with all other regulations of this chapter.

D. Use Regulations: Location of Marijuana Establishment(s) shall comply with the following:

1. Marijuana establishments that sell marijuana to the public are restricted to Yavapai County Zoning Districts C1, C2, C3, PM, M1, or M2, subject to all applicable State Regulations.
2. Marijuana establishments that cultivate, manufacture, or extract marijuana are restricted to Yavapai County Zoning Districts PM, M1, or M2, subject to all applicable State Regulations.
3. Industrial hemp facilities that cultivate, manufacture, or extract marijuana are restricted to Yavapai County zoning districts PM, M1, or M2, subject to all applicable State Regulations.
4. Marijuana establishments shall not be located within 500 feet of a public or private school. This distance shall be measured from the lot line of the property in which the business is conducted or proposed to be conducted to the lot line of the protected use. Marijuana establishment locations that are licensed as dual licensees and that were licensed and operating as a nonprofit medical marijuana dispensary pursuant to A.R.S. § 36-2801 et. seq. as of the effective date of this ordinance shall be exempt from the limitation in this paragraph.
5. Marijuana establishments shall be in a permanent building, be permanently secured to an established foundation, shall adhere to County building and safety codes, and shall not include any temporary, portable, or self-powered mobile facilities, or any trailer, cargo container or motor vehicle.
6. Marijuana establishments shall not allow a person to consume marijuana or marijuana products on the premises or provide outdoor seating areas for the public.

7. Marijuana establishments shall provide for proper and secure disposal of marijuana, marijuana remnants or by-products discarded by the establishment. All marijuana, marijuana remnants, and marijuana by-products shall be disposed of in a manner that renders them unusable.
8. Marijuana establishments shall not emit dust, fumes, vapors, or odors into the environment. Prior to conducting business, marijuana establishments shall submit an odor control plan to the Yavapai County Development Services Department (YCDSD) at time of building permit submittal. Additionally, Marijuana Establishments shall ensure that ventilation, air filtration, building, safety, and design standards are compatible with adjacent uses and shall comply with the requirements of building and safety codes of the County.
9. Modifications to the layout of the site, floor plan or Uses inside a marijuana establishment shall require new odor control plans being submitted and may be subject to appropriate building or health department permits.
10. Marijuana establishments shall not sell marijuana or marijuana products except as permitted by state law.
11. Marijuana establishments shall not display or keep marijuana or marijuana products that are visible from outside the premises as seen from the property line. Windows and other see-through areas (doors, windows) shall not be covered more than 25% of the area.
12. Marijuana establishments shall comply with applicable county health regulations for food preparation and handling.
13. Marijuana establishments shall fully comply with laws and regulations applicable to safe and secure extraction.
14. Marijuana establishments shall adhere to Zoning Ordinance Section 603, Light Pollution Control requirements.
  - a. Greenhouses used to grow marijuana or industrial hemp shall be designed in such a manner as to not emit or transmit any light through the roof structure.
15. Marijuana establishments shall adhere to Zoning Ordinance Section 601, Sign Code.

E. Marijuana Testing Facilities.

The operation of a marijuana testing facility is restricted to Yavapai County Zoning Districts C1, C2, C3, PM, M1, and M2.

F. Individual's Primary Residence for Personal Use

To the fullest extent allowable by law, an individual is permitted to possess consume, process, manufacture, transport, and cultivate marijuana in a residential zoning district within the unincorporated areas of the County, subject to the following conditions and limitations:

1. It shall be unlawful for any individual who is at least twenty-one (21) years of age to possess, transport, cultivate or process more than six (6) marijuana plants.
2. It shall be unlawful for two or more individuals who are at least twenty-one (21) year of age to possess, transport, cultivate or process more than twelve (12) marijuana plants at the individuals' primary residence.

3. Except as provided by A.R.S. § 36-2801 et al. (the Arizona Medical Marijuana Act [2010] and the Smart and Safe Arizona Act [2020]) and this Section, it shall be unlawful for an individual to otherwise cultivate marijuana in a residential zoning district within the unincorporated areas of the County.
4. Processing or manufacturing marijuana for personal use by means of any liquid or gas other than alcohol that has a flashpoint below one hundred (100) degrees Fahrenheit is prohibited within the unincorporated areas of the County.
5. Kitchen, bathrooms, and primary bedroom(s) shall be used for their intended use and shall not be used primarily for residential marijuana processing, manufacturing, or cultivation.
  - a. For the purposes of personal cultivation, primary Bedrooms shall be calculated as one bedroom per 2 people, regardless of age.
6. A residence shall not emit dust, fumes, vapors, or odors into the environment and individuals shall ensure that any marijuana processing, manufacturing, or cultivation activities comply with applicable electrical, plumbing and other building codes, have adequate ventilation and air filtration, and that the building and design standards are compatible with adjacent uses.
7. Cultivation shall be limited to a closet, room, greenhouse, or other enclosed area on the grounds of the residence that is: (1) properly modified to safely accommodate the size and manner of cultivation, and (2) equipped with a lock or other security device that prevents access by minors.
8. Cultivation shall take place in an area where the marijuana plants are not visible from public view without using binoculars, aircraft, or other optical aids.

## SECTION 608 SOLAR FACILITIES

**PURPOSE:** This Section establishes processes, requirements and performance standards for the placing, design, construction, operation, monitoring, modification, and removal of Utility-Scale Solar Facilities. This Section:

1. gives County residents, leaders, staff, and developers clear direction on the appropriate siting of Solar Facilities while considering unique permitting conditions for each site;
2. provides standards for the placement, design, construction, monitoring, modification, and removal of Utility-Scale Solar Facilities;
3. protects and promotes public safety and welfare, and provides for the diversification of energy types in order to maintain energy security;
4. encourages the efficient use of energy and promotes clean, renewable energy production by providing clear standards to encourage Utility-Scale Solar Facilities that:
  - a. minimize and mitigate impacts on natural, cultural, and Recreational Resources;
  - b. maintain and protect wildlife populations and corridors, viewsheds, vegetative communities, dark skies, air quality, and natural quiet;
  - c. protect property values;
  - d. offer private landholders options for economic diversity and stability; and
  - e. provide adequate financial assurance for decommissioning of facilities; and
5. supports projects that provide clear benefits to the County, such as revenue generation, job creation, and economic and environmental benefits.

Small-Scale Solar Use standards are addressed in Section 410.G.10 and Section 501.E and are excluded from this Section.

- B. **DEFINITIONS:** Throughout 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 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).

**Agrivoltaics:** Agricultural production, such as crop or livestock production or pollinator habitats, underneath or adjacent to PV panels (also known as agrisolar or dual-use solar). This practice may help to prevent water evaporation and produce a localized cooling effect.

**Battery Energy Storage System (BESS):** A physical container providing secondary containment to battery cells that is equipped with cooling, ventilation, fire suppression, and a Battery Management System (BMS).

**Battery Energy Storage System (BESS) Facility:** A commercial facility containing a group of batteries used to store and dispatch electric energy along with its component parts including associated containers, ventilation, fire safety equipment, associated fencing, landscaping, parking lots, and support structures and buildings. A BESS Facility may also include electrical substations,

transformers, transmission lines, inverters, metering, communications equipment, and transmission poles. BESS Facilities may be part of a Solar Facility Use Permit where permitted by these regulations.

**Battery Management System (BMS):** An electronic regulator that manages a Battery Energy Storage System (BESS) by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and direct current (DC) surge, and door access, and is also capable of shutting down the system before operating outside of safe parameters.

**Brownfield:** A former industrial or commercial site for which the expansion, redevelopment, or reuse of the site may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

**Concentrating Solar Thermal Devices/Towers (CSV):** A device using mirrors to reflect and concentrate sunlight onto a receiver. The use of such devices will not be permitted.

**Critical Habitat:** As defined in the Endangered Species Act, specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection. These areas are delineated by the U.S. Fish and Wildlife Service.

**Decommissioning Plan, Solar Facility:** A plan to disconnect, remove, and properly dispose of equipment, facilities, or devices associated with a Solar Facility and to return the site to its original state.

**Desktop Study:** A preliminary review of available information about a project site to help determine existing characteristics and conditions of the Project Area and vicinity, and whether additional data may be needed. These studies shall include a literature review of current scientific research related to wildlife, vegetation, water resources, and cultural, archaeological, and historic features that may be present. Desktop Studies will be used to make early decisions regarding appropriate site locations, buffering requirements, design, and construction alternatives, which will help to improve time and cost estimates for the applicant by avoiding unforeseen obstacles.

**Development Area:** The portion of the Project Area where ground disturbance occurs and project infrastructure is installed. The Development Area does not include buffers, wildlife corridors, or other areas which remain unfenced and undisturbed.

**Hillside:** The slope of a landform that rises above or descends below the surrounding terrain and has a distinct summit. For the purposes of this Section, the term Hillside may be applied to the rising or descending side of land features in the terrain that may be referred to as a hill, hillock, knoll, bluff, dune, talus, eminence, mound, prominence, promontory, cliff, valley flank, declination, dip, drop, pitch, ditch, depression, crater, etc.

**Important Bird Area:** Areas identified, monitored, and protected by the Audubon Society as being vital to the continued existence of a large variety of bird species.

**Integrated Photovoltaic (Integrated PV):** Photovoltaics incorporated into building materials, such as shingles.

**Photovoltaic (PV):** A material or device, such as a Photovoltaic panel, that absorbs sunlight and converts it directly into electricity.

**Photovoltaic Array Block (PV Array Block):** A grouping of Photovoltaic panels.

**Project Area, Solar Facility (Project Area):** The total area of land (calculated in acres) encompassed by a Solar Facility including buffers, wildlife corridors, or other areas which remain unfenced and undisturbed.

**Project Boundary, Solar Facility (Project Boundary):** The Project Boundary shall include all the collected Project Areas and shall also run along streets abutting the Project Area.

**Rated Capacity:** The maximum capacity of a Solar Facility based on the sum of each Photovoltaic system's nameplate capacity reported as Watts Direct Current (Wdc) or Watts Alternating Current (Wac).

**Recreational Resources:** Public and private lands and facilities intended for active recreational uses such as trails, athletic fields or courts, tracks, swimming pools, parks and ramadas, playgrounds, golf courses, outdoor riding arenas, group camps, and other designated recreational facilities.

**Small-Scale Solar Use:** The use of solar energy electricity generation equipment intended for onsite usage only. Small-Scale Solar Use standards are addressed in Section 410.G.10 and Section 501.E and are excluded from this Section.

**Solar Facility:** A commercial facility that converts sunlight into electricity using Photovoltaics or other conversion technology, along with all necessary equipment for generating electricity, which may include charge regulators, inverters, associated fencing, landscaping, parking lots, and PV support structures and buildings. A Solar Facility may also include electrical substations or transformers, transmission lines, and Battery Energy Storage Systems (BESS) where permitted by these regulations.

**Solar Photovoltaics Panel Coverage:** The total acres covered by groupings of Photovoltaic panels (PV Array Blocks) including spaces between panels but excluding driveways, wildlife corridors, required setbacks, wetlands, and the like.

**Special Status Species:** Federally threatened or endangered species, other federally protected species, Arizona Species of Greatest Conservation Need 1A and 1B, and U.S. Forest Service or Bureau of Land Management (BLM) sensitive species, as appropriate.

**Visual Resource:** A physical feature that defines the visual and aesthetic character of an area, and can include natural features, scenic vistas and viewsheds, or human-made structures on or in a

landscape. Resource designations such as a Scenic Byway, Scenic Corridor, Scenic Road, Historic Road, National All-American Road, gateway community, National Scenic; or-National Historic Trails, or other well-established trails, National or County Parks and Monuments, ridgelines, and the Granite Dells are examples of Visual Resources, or as determined through the Preliminary Site Investigation described in subsection D.1.c(2).

**Wildlife Linkage:** An area of land used by wildlife to move between or within habitat blocks to complete activities necessary for survival, reproduction, and population persistence. Such areas are identified by the Arizona Game and Fish Department (AZGFD) and consist of interconnecting wildlife corridors and undisturbed lands that provide contiguous connection between habitat blocks.

C. GENERAL PROVISIONS:

1. The operation of a Solar Facility shall require a Solar Facility Use Permit approved by the Board of Supervisors. The Solar Facility Use Permit will be applied for in the same manner as a rezoning (zoning district change) as described in Section 208 of this Ordinance, with the application requirements described for a Solar Facility Use Permit in subsection D and the development and performance standards described in Subsection F of this Section.
2. The Project Area designated within the Solar Facility Use Permit application may include multiple parcels and portions of parcels, which may be wholly owned or leased areas of parcels.
  - a. All land within the Project Area may or may not form one solid area (e.g., when separated by roads) and may form a collection of non-contiguous areas.
  - b. The entire Project Area covered by a Solar Facility Use Permit will be considered a single Solar Facility. However, no portion of the Project Area may be separated by a distance greater than one-half (1/2) mile from the next closest portion of the Project Area. Any such portion separated by more than one-half (1/2) mile will require a separate Solar Facility Use Permit application.
  - c. A minimum of five thousand two hundred eighty feet (5,280') – (one mile) must be maintained between separate Solar Facility Development Areas.
3. The Project Boundary shall include all the collected Project Areas and shall also run along streets abutting the Project Area.
4. A buffer zone within the Project Area shall be established and mapped in the Development Plan for the purpose of mitigating the effects of the Solar Facility upon surrounding properties, wildlife, and resources located both within and outside of the Project Area and the community at large.
  - a. The buffer zone shall be an area reserved for open space, wildlife corridors, natural vegetation, and landscaping.
  - b. The buffer zone shall be a minimum of five hundred (500') feet, begin at the Development Area, and may encompass other required setbacks, as defined in subsection F.2, and wildlife corridors that shall be defined in consultation with the Arizona Game and Fish Department.

D. SOLAR FACILITY USE PERMITS: A Solar Facility Use Permit may be approved for a period of forty (40) years. The project operator may apply for a single ten (10) year extension so long as the project remains in compliance with all terms of the original Solar Facility Use Permit, including the approved site plan. The Solar Facility must meet current operational standards and must address public safety and welfare, habitat, and wildlife impact considerations that are acceptable to the Board of Supervisors at the time of the renewal application.

1. Pre-Application Requirements:

- a. In accordance with the requirements of Section 582 Use Permits, a Preliminary Planning Meeting with Development Services must occur prior to submission of the Solar Facility Use Permit application.
- b. Following the Preliminary Planning Meeting, the applicant must engage in the Citizen Participation process pursuant to Section 209 of this Ordinance prior to submission of the Solar Facility Use Permit application. The notification range for Citizen Participation shall be a minimum of two thousand six hundred forty (2,640') feet (i.e., half mile) from the Project Boundary. The notification range shall be extended to five (5) miles from the Project Boundary for city and town councils, homeowner associations, resident organizations, and other stakeholders identified during the Preliminary Planning Meeting. Development Services staff will also determine the appropriate number of community meetings the applicant will be required to hold.
- c. Concept Plan and Preliminary Site Investigations: A review of the Concept Plan and Preliminary Site Investigations must be completed prior to submission of the Solar Facility Use Permit application. This review may take place as part of the Preliminary Planning Meeting or as a separate meeting following initial discussion during the Preliminary Planning Meeting.
  - (1) The Concept Plan of the Project Area shall provide a visual summary of the project and shall consist of:
    - (a) aerial imagery of the Project Area superimposed with the Project Boundary;
    - (b) general location and arrangement of buffer zones, tree preservation, sensitive habitats, wildlife corridors, floodplain, fencing, screening, structures (with elevations), PV array blocks, driveways. and entrances;
    - (c) locations of any proposed BESS Facility and/or substations; and
    - (d) locations of electric lines and overhead utility lines, including the proposed route of private electric power transmission lines from the Solar Facility to the points of connection to the grid.
  - (2) Preliminary Site Investigations: Preliminary site investigations, inventories and mapping of the following resources shall be of appropriate scope to effectively evaluate and mitigate potential adverse issues. The applicant must also furnish the County with copies of any National Environmental Policy Act (NEPA) reports if they are required by other entities. This information will be used to guide the project applicant and the County in

determining the appropriate siting and design of an installation. The applicant shall complete the following Desktop Studies of the Project Area and the surrounding area within at least five (5) miles of the Project Boundary for review, and all studies shall be conducted by qualified professionals.

- (a) Preliminary habitat and wildlife study which identifies potential wildlife issues by determining whether Special Status Species or their habitats may be present. All state and federal wildlife management agencies with jurisdiction over the Project Area must be consulted for this study. However, the applicant will only be required to submit responses received within a four (4) month period following the initial outreach. This study shall also address any site-specific wildlife concerns about existing and suitable habitat, Important Bird Areas, and wildlife corridors to be established and protected from disturbance within the Project Area. Wildlife corridors shall be determined in consultation with the Arizona Game and Fish Department using the best available information at the time of this study. Any issues raised by state and federal wildlife management agencies must be addressed in the Wildlife Protection Plan (subsection D.2.c) for consideration by the Board of Supervisors.
- (b) Preliminary study of Recreational Resources and public lands, which shall include identification of these resources as well as an evaluation of any potential negative impacts to them.
- (c) Preliminary study (Class I and Class II cultural resource surveys) of archaeological, cultural, and historic sites, which shall include identification of these resources as well as an evaluation of any potential negative impacts to them. This study must be conducted by a qualified professional and include an on-site survey of the site. In addition, a summary of communication and collaboration efforts, such as a pre-cultural on-site survey with any potentially affected Native American tribes to evaluate cultural and historic resources or sites, heritage areas, or cultural landscapes must be submitted with the application. If any areas or objects of archeological, paleontological, or historic significance are discovered on the site during the course of the Class I and Class II surveys, or during the construction of an approved Solar Facility, the applicant shall be required to have a qualified professional conduct a Class III survey encompassing the discovery area, and any other locations within the Project Area as recommended by the survey professionals, the State Historic Preservation Office (SHPO), or by any qualified third party professionals retained by the County.

- (d) Preliminary study of known water resources and watercourses, streams, creeks, washes, etc., both onsite and adjacent to the site, which shall include identification of these resources as well as an evaluation of any potential impacts to them. A statement as to potential negative impacts or use of those resources for the project must also be provided.
  - (e) Preliminary study of Visual Resources (viewshed analysis) and residentially zoned property located within five (5) miles from the Project Boundary, or a distance determined by the Development Services Director, must be identified on a map showing the resource's distance from and relationship to the facility. This preliminary information will be used by the County and the applicant to select suitable site locations and the number of viewpoints from which the Visual Impact Analysis will be prepared.
2. Application Requirements: Each application for a Solar Facility Use Permit must be in compliance with this Section including all required site investigations, reports, and plans, and with Section 582 (Use Permits) of this Ordinance. The following information must be included with the application.
- a. Solar Facility Report: A report providing a detailed description of the project and containing a narrative overview of the Solar Facility, including:
    - (1) applicant, owner, and the operator of the proposed Solar Facility;
    - (2) current uses and physical characteristics of the Project Area and the surrounding area;
    - (3) intended energy provider to interconnect to the Solar Facility and location of proposed interconnection;
    - (4) approximate Rated Capacity of the Solar Facility project;
    - (5) type and location of interconnection to electrical grid and details of coordination with the local energy provider;
    - (6) approximate number of panels and representative types;
    - (7) the Project Area and Solar Photovoltaic Panel Coverage expressed in acres;
    - (8) an inventory with description of all proposed structures and uses including BESS Facilities, inverters, and substations;
    - (9) an inventory of all Solar Facilities within two (2) miles of the Project Boundary;
    - (10) an explanation of why the proposed site has been chosen based on the preferred sites/restricted locations criteria (subsection F.1.d and e);
    - (11) an explanation of how the facility provides clear economic and environmental benefits to the County;
    - (12) an explanation of how the facility's design and operational procedures apply current best practices and technologies;
    - (13) a detailed description of how the project meets each of the required Performance Standards in subsection F; and

- (14) results of the Preliminary Site Investigations required in subsection D.1.c(2). The narrative will document how the site was evaluated and inspected, include the name and details of the professional(s) conducting each study, and any additional information requested at the Pre-Application review.
- b. Development Plan: In addition to the requirements in subsection D.2.a, the Development Plan must also include:
- (1) the Project Area and Solar Photovoltaic Panel Coverage expressed in acres;
  - (2) the Project Boundary, property lines, leased area lines, official street line, and all easements within the Project Area, including but not limited to right-of-way and utility easements;
  - (3) approximate location of driveways, parking, and entrances onto streets;
  - (4) approximate locations and dimensions of all existing and proposed structures, including PV panels, charge regulators, inverters, substations, BESS Facilities, connections to the grid, fencing within the Project Area, including the location of all dwellings and associated structures within two thousand six hundred forty (2,640') feet (i.e., half mile) of the Project Boundary;
  - (5) example elevations and graphic imagery of structures depicting the typical style, size, and exterior construction materials in sufficient detail to exhibit the relative compatibility of the proposed development with the character of the neighborhood; and
  - (6) a conceptual grading plan indicating existing and proposed contours at no greater than two (2')-foot contours.
- c. Wildlife Protection Plan: This plan shall be based on the results of the Preliminary Site Investigations. The Wildlife Protection Plan must detail the following information:
- (1) an inventory of all Special Status Species that may be present on or utilize the site;
  - (2) identification of existing and proposed wildlife Critical Habitat and Important Bird Areas;
  - (3) location and dimensions of wildlife corridors and design details regarding fencing, if any, including a description of potential impacts to wildlife and wildlife movement;
  - (4) direct and cumulative impacts to wildlife and Wildlife Linkages and explanation of how these impacts will be avoided through project design, habitat enhancement, stewardship activities, evaluation, continued monitoring, or other mitigation strategies; and
  - (5) notations summarizing conditional requirements related to wildlife, such as timing restrictions to reduce or prohibit activities in specified areas during sensitive life cycle events (e.g., active nesting periods and migration movements) and wildlife survey requirements.

- (6) Post-construction Wildlife Corridor Monitoring: The owner or operator and their successors shall work with the Arizona Game and Fish Department and the County to determine an appropriate post-construction monitoring plan to validate the effectiveness of implemented wildlife corridors in maintaining habitat connectivity. This may include telemetry and camera studies or other effective options at the time of completion.
- d. Cultural Resources Management Plan: This plan shall be based on the preliminary study of archaeological, cultural, and historic resources and must be prepared by a qualified professional to protect and mitigate impacts to any known or discovered archaeological, cultural, or historic sites or artifacts found in the Project Area. Instructions notifying operators how to proceed in the event such cultural resources are encountered during construction or grading must be included on construction documents.
- e. Stormwater Management Plan: The proposed Stormwater Management Plan must be in accordance with all applicable County standards/regulations and in conformance with the Flood Control District Stormwater Management Requirements in effect at the time of application and must be approved by the Flood Control District prior to issuance of construction permits. The stormwater management plan shall include, but not be limited to, the following sections:
  - (1) preliminary and post-development hydrologic analysis of water quantity and proposed usage;
  - (2) proposed stream buffer/setback analyses;
  - (3) erosion and sediment control regulations for land disturbing activities;
  - (4) Post-Construction Stormwater Quality Treatment Regulation requirements; and
  - (5) County and the Federal Emergency Management Agency (FEMA) floodplain regulations/requirements.
- f. Visual Impact Analysis: A visual impact analysis demonstrating project siting and, if necessary, proposed mitigation and screening to reduce impacts on the visual character of the surrounding area.
  - (1) The applicant shall provide accurate, to scale, photographic simulations showing the relationship of the Solar Facility to its surroundings.
  - (2) Photographic simulations must show views of Solar Facility structures and uses from prominent locations, adjacent roads, nearby highways, existing dwellings (from closest adjacent property line), and other residential, scenic, cultural, and Recreational Resources in order to assess the visual impact of the Solar Facility.
  - (3) The total number of simulations and the perspectives from which they are prepared shall be established by the Development Services Director after the pre-application meeting and will be chosen with the intent of establishing the visual impacts upon sensitive areas potentially receiving the greatest impacts from such a proposal.

- g. Landscaping Plan: The Landscaping Plan must have sufficient detail to demonstrate compliance with ground cover and vegetation preservation requirements and screening requirements of this Section (subsections F.5 and F.6). The Landscaping Plan shall include:
- (1) specifications of proposed ground cover (including seed mixes), screening materials (including identification of appropriate plant species and spacing), and proposed herbicides used if any;
  - (2) design and specifications of proposed additional vegetative screening as needed for certain dwellings and other improvements, in compliance with subsections F.6 of this Section;
  - (3) installation and maintenance practices to include the establishment of ground cover and woody plant materials, and the application of herbicides if any;
  - (4) locations and descriptions of plant communities and densities in areas that have not been previously plowed or graded;
  - (5) proposed clearing or grading of natural vegetation or woody plants including stands of trees, shrubs, and woodlands, which may be a separate plan;
  - (6) description of invasive weed populations and densities currently existing on the site and provisions for controlling and preventing the spread of noxious weeds during construction, throughout project operation, and post operation restoration; and
  - (7) proposed restoration procedures for roadway shoulders and other areas disturbed by construction.
- h. Public Safety, Fire Protection, and Emergency Management Plan: The proposed Public Safety, Fire Protection and Emergency Management Plan for construction and post construction operation of the facility, including plans for ongoing management of forest and fire fuels shall be submitted by the applicant. Additional mitigation may be required if requested by the local or nearest fire district to support response capabilities. This plan must be finalized and approved by the Development Services Director prior to issuance of construction permits.
- i. Traffic Plan: The applicant shall submit a preliminary traffic plan describing estimated travel routes and trip volumes during the construction and decommissioning processes. Public road improvement, repair and maintenance is further addressed within subsection H of this Section. This plan must be finalized and approved by the Development Services Director and Yavapai County Public Works prior to issuance of construction permits.
- j. Airport Studies: For the purpose of determining impacts on area airports, a Glare Impact Study and/or an Airspace Study in accordance with, and if required by, Federal Aviation Administration (FAA) requirements shall be submitted by the applicant.
- k. Land Use Impacts and Mitigation: In addition to typical Citizen Participation notification requirements (see Section 209), the applicant must contact all relevant

land use entities in the vicinity of the proposed Solar Facility (i.e., U.S. Forest Service, Bureau of Land Management, etc.) to discuss, and memorialize in written form, the potential impacts of the project and the recommended mitigation strategies and measures. Such dialogue will be submitted to the Development Services Director for review and reference.

1. Decommissioning Plan: The applicant shall submit a Preliminary Decommissioning Plan to be approved by the Board of Supervisors as part of the application. This Plan shall specify the procedure by which the owner or operator, or their successors, will remove the improvements associated with the Solar Facility and any BESS Facility after the end of their usefulness and to reclaim the property for immediate non-solar related uses, including restoring the Project Area to natural conditions where reasonably achievable. Prior to issuance of construction permits, the applicant shall submit a Detailed Decommissioning Plan, which must demonstrate substantial conformance with the Preliminary Decommissioning Plan, to be approved by the Development Services Director. The Development Services Director may choose to defer approval of this plan as a separate hearing item through the Board of Supervisors if substantial changes have been made. The Detailed Decommissioning Plan must be prepared by a professional engineer licensed in the state of Arizona who has expertise in the removal of Solar Facilities through educational knowledge or practical experience. The Plan shall be prepared in sufficient detail to determine compliance with subsection M, and shall include the following:

- (1) anticipated life span of the project;
- (2) implementation and manner in which the project will be decommissioned and reclaimed, including:
  - (a) plans for stabilizing the soils;
  - (b) ripping the soil to loosen the compaction areas prior to native reseeding, and replanting; and
  - (c) disposal and recycling of Solar Facility materials including but not limit to PV panels, inverters, and batteries; and
- (3) decommissioning and reclamation cost estimate prepared by an independent third-party Arizona licensed professional engineer mutually agreed upon by the Applicant and the Development Services Director.
  - (a) The estimate shall quantify the gross estimated cost for decommissioning and reclamation of the Solar Facility and any BESS Facility in accordance with the Decommissioning Plan and these conditions.
  - (b) The estimate shall explicitly detail the cost and manner in which the estimate was determined.
  - (c) The estimate shall establish the full amount of the decommissioning and reclamation cost without regard to the possibility of salvage value unless the Board of Supervisors accepts the value of the salvage as part of a third-party engineer's analysis, as updated every five (5) years with the rest of the cost estimate to ensure reasonable and accurate estimates.

- (d) The estimate shall reflect the costs of decommissioning and restoration of the Project Area in accordance with subsection M of this Section.
3. Site Plan Approval: The applicant must submit and receive Board of Supervisor approval of the Site Plan for the entire project prior to obtaining any construction or other permits related to the Solar Facility.
4. Waiver Request: In certain instances where the applicant desires a deviation from the requirements of this Section, the waiver request to deviate from a specified requirement may be considered for approval if:
  - a. compliance with the specified requirement would be impractical;
  - b. the deviation would not result in adverse impacts compared to what would otherwise be permitted under this Ordinance; and
  - c. the deviation would not conflict with planned uses and resources in the area.
  - d. For otherwise suitable projects where adverse impacts on natural resources may be unavoidable, as identified in the Preliminary Site Investigations described in subsection D.1.c(2), offsite mitigation may be proposed that is commensurate with the degree and nature of the impact as determined acceptable by the Board of Supervisors. At a minimum, such mitigation shall provide an acreage ratio offset of three-to-one (3:1) acres for every affected acre. Examples of acceptable mitigation measures shall include any combination of the following:
    - (1) the dedication of conservation easements on lands of equivalent value habitat or resources;
    - (2) long-term restoration of equivalent habitat or resources;
    - (3) stewardship of equivalent affected species or resources; and
    - (4) long-term wildlife studies.
  - e. The applicant must submit written information with the application indicating the circumstances which are believed to necessitate the need for a deviation from the specific requirement, as well as any proposed alternatives.
  - f. The written information shall clearly outline the positive and negative impacts of the proposed changes and what protective measures will be taken by the applicant to adequately reduce, avoid, and mitigate such impacts, along with explanation of how the proposed changes will not adversely affect public safety and welfare, or wildlife and wildlife movement.
  - g. If the proposal is deemed reasonable by the Development Services Director after all internal and external agency reviews are completed, the waiver request will be submitted for consideration as part of the final application to the Board of Supervisors.
5. Application Review Time: Application review time for Solar Facility Use Permits will be one hundred eighty (180) days. The application review time may be increased with a determination made by the Development Services Director in writing based upon the size and complexity of the application as determined by factors including but not limited to the number of third-party reviews to be coordinated and completed and the Project Area of the Solar Facility.

6. A minimum of one (1) year prior to the end of the Solar Facility Use Permit term, the Solar Facility owner or operator must notify the Development Services Director in writing of future plans for the Solar Facility, which may include decommissioning and reclamation or a request for Solar Facility Use Permit renewal.
7. Although the Solar Facility allowed by this Section may potentially be located upon multiple parcels of land, the underlying Solar Facility Use Permit comprises and approves only one (1) unified Solar Facility Use Permit. The use of any parcel, or portion thereof, that results in a conflict with the associated Development Plan (subsection D.2.b) or failure to properly maintain the Project Area according to the Site Maintenance Agreement (subsection G) may cause the Solar Facility Use Permit to terminate. The Development Agreement (subsection E) may also contain provisions that may result in termination of the Solar Facility Use Permit.
8. Prior to terminating a Solar Facility Use Permit pursuant to subsection D.7 or subsection E, and prior to initiating a partial or complete decommissioning and reclamation of any project, the Board of Supervisors must provide the owner and operator, or their successors, with official notice of the County's intent to terminate and/or decommission via certified mail. The notice will identify each specific reason for the commencement of the termination or decommissioning and reclamation process and will provide thirty (30) calendar days to remedy the issue identified in the notice. If the remedy requires more than thirty (30) calendar days to complete, the owner or operator or their successors must respond in writing within the thirty (30) calendar day period and inform the County. The request for a reasonable and specific timeframe to remedy the identified issue(s) will be considered by the Development Services Director. In the event that thirty (30) calendar days pass and the issues have not been completely resolved nor has the County received any written correspondence from the owner or operator or their successors, the Development Services Director may place the item on the Board of Supervisor's Agenda to allow public comment and input from the owner or operator or their successors prior to considering a termination of the Solar Facility Use Permit, commencing decommissioning of the Solar Facility, or providing additional time to remedy the issue(s), which will be determined by the Board of Supervisors.
9. The Solar Facility Use Permit conditions of approval and Section 608 requirements shall be binding on the applicant, owners, and operators, or their successors, assignees and transferees, and any affiliates, agents, or lessees of the applicant who have a contractual relationship with the applicant concerning the construction, operation, maintenance, or reclamation of the project. The applicant shall provide to the County a list of any agreement(s) or lease(s) pertaining to the project which note that the contracting parties and/or lessees will be responsible for compliance with the conditions and requirements set forth in the Solar Facility Use Permit approval and Section 608. The applicant shall also provide an affidavit acknowledging that the applicant's responsibilities with respect to compliance with such conditions and requirements shall not cease or be abated by reason of the fact that the applicant is not in control of or responsible for operation and maintenance of the project facilities.

- E. DEVELOPMENT AGREEMENT: A Development Agreement between the Solar Facility owner or operator and the County, which is satisfactory to and approved by the County, shall be required to provide that the Solar Facility is developed, maintained, decommissioned, and reclaimed in accordance with the requirements of these regulations and does not create an undue burden on County services. The Development Agreement must be approved by the Board of Supervisors and all associated financial assurances must be posted prior to issuance of construction permits.
1. The Development Agreement shall include the following items, subject to any approved waivers:
    - a. annual compliance monitoring report prepared by the project operator and submitted to the Development Services Director;
    - b. posting of financial assurances for installation and maintenance of the Solar Facility as described in subsections G, H, I, J, and K (failure to develop or maintain the Solar Facility in the manner required may result in loss of the associated financial assurance funds, termination of the Solar Facility Use Permit, and decommissioning of the Solar Facility);
    - c. provision by the project operator of specialized fire safety equipment or other protections deemed necessary by County emergency services staff as described in subsection L; and
    - d. decommissioning of the Solar Facility and reclamation of the Project Area (subsection M), including:
      - (1) posting and collection of associated financial assurance funds;
      - (2) review and recalculation of decommissioning and reclamation costs;
      - (3) the various required deadlines associated with decommissioning and reclamation; and
      - (4) adherence to the finalized Detailed Decommissioning Plan.
  2. The Development Agreement includes financial assurance, as described in subsection M.1.g, which must be received prior to the approval of any construction permits and must remain in full force for the duration of the life span of the Solar Facility and until all decommissioning and reclamation is completed to the satisfaction of the County. If the County receives notice or reasonably believes that any form of assurance has been revoked, or the County receives notice that any assurance may be revoked, the County may, after providing notice and a reasonable opportunity to post a replacement security, terminate the Solar Facility Use Permit and shall be entitled to take all actions necessary to obtain the rights to the securitized funds.
  3. Liability Insurance: The owner or operator of the Solar Facility shall maintain a current general liability insurance policy with minimum limits of \$1 million per occurrence with a \$2 million aggregate to include the County as an additional insured, with the designation of primary and noncontributory. The County may require higher limits. The owner or operator must immediately provide the County, in writing, with notice of cancellation or other changes to this liability insurance policy.
  4. Compliance with Other Agencies:

- a. The owner or operator of the Solar Facility must comply with the Arizona Game and Fish Department (AZGFD) guidelines for handling Special Status Species, should any be encountered during construction and operation of the project, and must consult with AZGFD or the U.S. Fish and Wildlife Service, as appropriate, on all other issues concerning wildlife.
    - b. The owner or operator of the Solar Facility must consult the State Historic Preservation Office (SHPO) with respect to cultural resources. If objects of cultural significance or any archeological, paleontological, or historic sites are discovered during the construction or operation of the project, the owner or operator shall promptly report the discovery to the Director of the Arizona State Museum (ASM) and, in consultation with the Director, shall immediately take all responsible steps to secure and maintain the preservation of the discovery as required by ARS §41-844. If human remains and/or funerary objects are encountered during the course of any ground-disturbing activities related to the construction or maintenance of the project, the owner or operator shall cease work on the affected area of the project and notify the Director of the ASM as required by ARS §41-865 for private land, or as required by ARS §41-844 for state, county, or municipal lands.
  5. Use of Third Parties: The County may obtain reviews, inspections or other work completed by a third party for the purpose of review or monitoring of the Solar Facility, the costs of which shall be required to be reimbursed by the Solar Facility owner or operator. Examples of such work include but are not limited to reviews and associated inspections of the Wildlife Protection Plan, stormwater quantity and quality plans, the Decommissioning Plan, and compliance reports.
  6. Change of Owner or Operator: The Solar Facility owner or operator must give the County ninety (90) days written notice prior to any proposed change of the Solar Facility operator or ownership, with the additional requirement that the new owner or operator must enter into all required written agreements and provide the required financial assurances prior to the release of the then current owner or operator.
- F. DEVELOPMENT AND PERFORMANCE STANDARDS: The following standards are intended to mitigate and avoid adverse impacts on adjacent property owners, the surrounding area, viewshed, and natural, cultural, archaeological, and Recreational Resources, as well as future development within the County.
1. Location and Dimensions: Solar Facilities are required to be located in the RCU (Residential; Rural) zoning district. The County will utilize the following criteria to identify appropriate locations within this required zoning district. A waiver request, as described in subsection D.5 of this Section, shall be required for consideration to locate a Solar Facility in any other zoning district. The Board of Supervisors may also utilize and require these criteria for the siting of Solar Facilities in other zoning districts when considering whether to approve the waiver request.

- a. The maximum Development Area shall not exceed three thousand (3,000) acres per project.
- b. The cumulative acreage maximum for all Solar Facility projects located within Yavapai County is ten thousand (10,000) acres.
- c. Solar Facilities must be located greater than one half (1/2) mile from any incorporated municipal limits, or no more than one quarter (1/4) mile where the Board of Supervisors receives the consent of the affected municipality by way of a resolution of approval submitted by the governing body. This requirement shall not apply to non-contiguous areas of a town or city (“islands”) that are less than twenty-five (25) acres in size.
- d. Preferred Sites: The following site characteristics are considered preferred. No combination of preferred characteristics will create an entitlement to a Solar Facility Use Permit, but the Board of Supervisors will consider those characteristics to determine whether a location is appropriate. The determination of whether a proposed Solar Facility’s location is appropriate is a legislative decision by the Board of Supervisors. Preferred sites will be located on:
  - (1) a previously utilized site exhibiting challenging characteristics for reuse (e.g., existing Brownfield, aggregate extraction, or mining site);
  - (2) project sites exhibiting highly disturbed and degraded ecological features;
  - (3) project sites having low environmental, recreational, and cultural or archaeological resource values as identified in the required preliminary site investigations;
  - (4) project sites that may retain traditional uses and allow for multiple uses such as Agrivoltaics;
  - (5) project sites that have minimal negative visual impact on significant landforms and scenic viewsheds of widely recognized aesthetic or recreational value, or which are more than ten (10) miles from Visual Resources such as natural landforms, vegetation, water features, and human modifications that give the landscape its visual aesthetic quality;
  - (6) project sites located near major highway interchanges and existing or planned industrial areas; and
  - (7) project sites that use or are near an existing or planned substation, or transmission line or other satisfactory inter-tie location.
- e. Restricted Locations: The following locations within the Project Area must remain in an undisturbed condition unless a waiver is granted as described in subsection D.4.
  - (1) Locations that would fragment, degrade, or irreparably harm important resources of local, County, state, or federal significance, as determined through the Preliminary Site Investigations described in subsection D.1.c(2).
  - (2) Locations that conflict with or have potential significant negative impacts on Special Status Species and their habitats, other special wildlife

designations such as Critical Habitat and Important Bird Areas, identified wildlife corridors (e.g., pronghorn antelope, predators, and other wide-ranging wildlife), and significant stands of unique vegetative communities (e.g., saguaro cactus), as determined through the Preliminary Site Investigations described in subsection D.1.c(2).

- (3) Scenic sites, areas, and viewsheds of recognized aesthetic or recreational value, as determined through the Preliminary Site Investigations described in subsection D.1.c(2).
  - (4) Unique topographic features such as ridges.
  - (5) Steep Hillside slopes averaging greater than eight percent (8%) over three hundred (300') feet or more of horizontal run. Development of slopes that average up to ten percent (10%) over three hundred (300') feet may be permitted, provided that the affected area comprises less than ten percent (10%) of the Development Area.
  - (6) Sites or locations that conflict with or have potential negative impacts on archaeological, cultural, and historic resources or sites, heritage areas, or cultural landscapes as formally identified by a designated tribal entity or government), and as determined through the Preliminary Site Investigations described in subsection D.1.c(2).
  - (7) Locations that require significant ground disturbance and grading due to their unique topographical features or environmental constraints.
  - (8) Forested or heavily vegetated sites or locations comprising thirty percent (30%) canopy density of woody species (i.e., trees, shrubs) or saguaro cactus species as averaged across the vegetated area.
  - (9) Floodplains, riparian areas, wetlands, or seeps as may be determined by the Federal Emergency Management Agency (FEMA), Yavapai County Flood Control District, or other federal, state, and local public entities charged with environmental water quality and protection.
2. Setbacks: The following standards shall apply to the Development Area of the Solar Facility, unless otherwise expressly stated in this Section, including fencing and PV panels, but not including landscaping, unless a waiver is granted as described in subsection D.4.
- a. Five thousand two hundred eighty feet (5,280') – (one mile) from any dwellings (existing or under permit), or subdivision or Planned Area Development having a recorded Final Plat which has been approved by the Board of Supervisors.
  - b. Five hundred (500') feet from any lake, creek, perennial or intermittent stream, river, major tributaries, riparian areas, wetlands, or seeps, as measured from the top edge of the bank, or from the outer edge of any delineated Federal Emergency Management Agency (FEMA) Floodplains. Minor tributaries may warrant a reduced buffer setback to be no less than one hundred fifty (150') feet as determined by the Board of Supervisors.
  - c. One thousand (1,000') feet from federally protected lands (e.g., National Park, National Monument, Conservation Lands), and five hundred (500') feet from other

federally managed lands, unless such adjacent lands have leased or planned uses deemed compatible by the Board of Supervisors.

- d. One thousand (1,000') feet from County open space, parks, and other Recreational Resources.
  - e. Five hundred (500') feet from forested or heavily vegetated areas comprising forty-five (45%) percent or greater canopy density of woody or cactus species (i.e., trees, shrubs, succulents) as averaged across the vegetated area, or from transitional habitat areas.
  - f. Five hundred (500') feet from ravines, canyons, or other significant and well-defined drainage features, as measured from the peak of the outer edges of these features.
  - g. One hundred fifty (150') feet from any Hillsides with slopes of ten percent (10%) or greater or with a total elevation gain of fifty (50') feet or more. The setback will be measured from the high and low points where the average slope percentage calculation begins and ends.
  - h. Five hundred (500') feet from significant archeological, paleontological, or historic sites as identified in the Cultural Resources Management Plan, or sites already formally recognized by the State Historic Preservation Office (SHPO). Identified cultural ruins of documented significance may require an additional setback up to one thousand (1,000') feet as determined by the Board of Supervisors.
  - i. Six hundred fifty (650') feet from each parcel corner on land parcels with checkerboard ownership arrangements (i.e., public land/private land) to allow connectivity to be maintained for wildlife corridors identified in the Wildlife Protection Plan (subsection D.2.c). Parcels with adjacent corners that also provide an equivalent buffer would be able to complete a combined wildlife corridor of one thousand three hundred (1,300') feet.
  - j. Three hundred (300') feet from the official street Right-of-Way line of any State or Interstate highway.
3. Height:
- a. The maximum height of the highest edge of PV panels when fully tilted shall be twenty (20') feet, as measured from the average finished grade of the row.
  - b. The maximum height of all other structures associated with the Solar Facility shall be thirty-five (35') feet as measured from the finished grade at the base of the structure to its highest point, including appurtenances. This does not apply to poles and other equipment associated with onsite substation uses.
4. Wildlife Corridors: The applicant for a proposed Solar Facility is required to conduct a preliminary habitat and wildlife study as part of the required preliminary site investigations. The study shall identify existing corridors, potential impacts, and proposed mitigation measures to avoid or substantially reduce potential impacts to wide-ranging wildlife that may be present on or utilize the Project Area (e.g., deer, pronghorn antelope, elk, bears, mountain lions, etc.). Existing wildlife corridors and those identified in the Wildlife Protection Plan (subsection D.2.c) shall be provided a minimum width of one thousand

three hundred (1,300') feet through the entire length of the course where daily or seasonal migrations of pronghorn antelope, elk, and mule deer are known to occur. If the length of the corridor through the Project Area exceeds two (2) miles, a minimum width up to two thousand (2,000') feet may be required as determined by the Board of Supervisors and consultation with the Arizona Game and Fish Department (AZGFD). If a proposed Solar Facility is located where such migrations do not occur, a smaller buffer may be implemented as identified in the Preliminary Site Investigation described in subsection D.1c.(2)(a) in consultation with the AZGFD. The applicant must consult with the AZGFD in identifying wildlife corridors to provide adequate access for wildlife to safely navigate through and around the Project Area. Wildlife Linkages and access strategies must be shown in the Concept Plan and Development Plan submitted to the County. The use of wildlife permeable fencing with holes large enough to allow for small and medium-sized animals (e.g., racoons, rabbits, squirrels, etc.) to fit through is required. All fencing must be permeable to small animals by leaving a six (6") inch gap between the bottom of the fence and the ground, exclusive of substation and BESS Facilities. These accommodations will be provided to support habitat connectivity and facilitate the safe movement of mobile wildlife species.

5. Ground Cover and Vegetation Preservation: Preliminary erosion control, site maintenance, noxious weed control and management, and native plant preservations and revegetation plans shall be submitted as part of the Landscaping Plan. The project must be planned and developed in a way that maintains the local ecosystem by minimizing grading and site disturbance and to maximize retention of native vegetation, topsoil, and landforms. Areas cleared during construction that are not needed for site operations must be revegetated with native vegetative cover.
  - a. For the purpose of preventing erosion and managing runoff, any disturbed land, including land under and around the PV panels following construction or decommissioning, must be seeded with a certified weed free native revegetation seed mix based on plants predominantly native to the site and Yavapai County, as approved by the Development Services Director. Such ground cover shall be continually maintained on the site for the duration of the Solar Facility Use Permit.
  - b. Solar Facilities shall be designed and developed to minimize grading and to protect and preserve prominent landscape features (i.e., rock outcroppings, large boulders, etc.), unique plant communities, riparian zones, steep slopes, and other natural features, prime grassland, woodland, and Sonoran Desert habitat. No more than a ten percent (10%) average change from natural grade will be allowed except for roads, equipment pads, substation, BESS, and other structures that require a leveled surface to meet engineering or safety codes.
6. Screening: The required Project Boundary setbacks and buffer zone must provide adequate screening to reduce visual impacts associated with the Solar Facility. Screening should be placed strategically with consideration of wildlife benefit and must not impede identified wildlife corridors. In areas where it is determined that setbacks and buffer zones do not

appropriately screen the project from sensitive locations (e.g., dwellings, designated viewsheds, scenic highways, etc.), the following screening measures shall apply.

- a. The applicant may use any combination of methods listed in this subsection, or other comparable methods deemed equivalent by the Board of Supervisors, to satisfy the screening requirements. The methods proposed by the applicant must provide adequate relief from ground level views and activity. While full view obstruction is not required, the intent is to minimize and soften views from being dominated by the project by providing strategic natural landscaping. Such screening shall be located within the buffer zone and outside of security fencing. Screening may also be required in other locations for specific uses or structures, such as substations and BESS Facilities. The Board of Supervisors may approve a plan to allow phased screening based on special or unique conditions of the use or site. The screening required by this section must be shown on the required Development Plan.
  - (1) Existing vegetation, topography, buildings, open space, or other elements located on or adjacent to the site may be considered as part of the required screening if deemed adequate by the Board of Supervisors.
  - (2) Vegetative landscaping intended for screening may include a combination of evergreen and deciduous trees, shrubs, and/or cacti or succulents where appropriate, that are native to Yavapai County and four (4') to six (6') feet in height (excluding cacti and succulents) at time of planting. The combination of plant species to be installed and spacing shall be detailed in the Landscaping Plan (subsection D.2.g).
  - (3) Berms must generally be constructed with a three-to-one (3:1) horizontal-to-vertical ratio, four (4') feet to six (6') feet above the adjacent grade, with a top that is three (3') feet in width (the wide top is necessary to have a flat area for plantings). The outside edges of the berm must be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm must have a naturalistic appearance and may not be uniform like a dike. All land berms shall be seeded with a certified weed free revegetation seed mix based on shrubs, cacti and succulents, grasses and herbaceous forbs, and wildflowers native to Yavapai County as approved by the Development Services Director.
  - (4) Fencing: Proposed fencing shall be designed to minimize visual impacts and be complementary with scenic corridors and adjacent properties. Fencing shall also be designed to minimize impacts to wildlife and must not impede identified wildlife corridors.
    - (a) Exclusionary fencing shall be aligned to avoid dead-ends where wildlife could become trapped. If fencing is required within a wildlife corridor due to industry regulatory standards, it must consist of a wildlife friendly design

provided by the Arizona Game and Fish Department (e.g., fencing with a maximum height of forty-two (42”) inches and a smooth bottom wire that is eighteen to twenty (18-20”) inches above the ground to allow pronghorn and deer fawns to pass under).

- (b) Fencing intended for screening must be at least seventy-five (75%) percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street.
  - (c) Fencing may be used in combination with other screening methods but shall not be the primary method. For the purposes of this subsection, fencing shall not be used to screen more than thirty (30%) percent of the views required to be screened.
  - (d) Depending on the location, such as where fencing abuts residential uses, ornamental features may be required on the fence.
  - (e) Fencing material used for screening shall not include chain link fencing with slats.
  - (f) When feasible, fencing shall be designed around groups or clusters of equipment, as opposed to fencing the entire site.
  - (g) New fencing must not impede existing easements to private or public lands.
- (5) The perimeter of BESS Facilities, substations, and other structures must be enclosed with security or game fencing prior to the commencement of operations of the Solar Facility as required by local, state, and federal regulations and national safety codes. Perimeter fencing around PV arrays must be composed of low-visibility game or similar fencing. Arizona Game and Fish and other applicable agencies shall be consulted on the design of perimeter fencing and associated wildlife openings. Fencing shall be maintained in an upright and functional condition pursuant to the executed Site Maintenance Agreement.
- (6) Dwellings located one thousand (1,000’) feet or less from the Project Boundary which are existing or under permit at the time of Board of Supervisors approval of the Solar Facility may require additional vegetative screening from views of the Solar Facility structures as determined appropriate by the Development Services Director. Such vegetative screening shall be located within the buffer zone in an area extending at least seventy-five (75’) feet from either side of the dwelling.
- (7) Additional screening where appropriate may be required as determined by the Development Services Director.

7. **Outdoor Storage:** Material storage areas shall be located in low-visibility areas of the project site whenever possible. The locations of any storage areas and an inventory of anticipated materials to be stored must be included in the Development Plan. Screening requirements for outside storage areas will be determined by the Development Services Director upon review.
8. **Outdoor Lighting:** Any outdoor exterior lighting associated with the Solar facility or BESS Facility shall be limited to levels required for safety and security and avoid crossing into identified wildlife corridors. All outdoor lighting must comply with Section 603 Light Pollution Control, and lamps must not exceed a correlated color temperature (CCT) in excess of three thousand (3,000K) kelvins. Light poles associated with the Solar Facility shall not exceed a height of eighteen (18') feet. Preliminary lighting information must be shown on the Development Plan (see Section 603.D.2). Additional lighting after approval of the Solar Facility Use Permit may require an amendment to the Solar Facility Use Permit as determined by the Development Services Director.
9. **Glare Impact:** All structures and PV panels associated with the Solar Facility shall be arranged to direct reflected sunlight and artificial light away from adjacent parcels, identified wildlife corridors, and public streets, and shall be installed in such a manner as to prevent glare that could interfere with any road or air traffic. As indicated in subsection D.2.j of this Section, the Federal Aviation Administration (FAA) may require a glare impact study and/or an airspace study to determine impacts on area airports.
10. **Noise:** Operational noise impacts at the Project Boundary shall not exceed fifty (50 dBA) decibels where abutting residential or Planned Area Development use districts, identified wildlife corridors, or where abutting parcels with dwellings existing at the time of Board of Supervisors approval of the Solar Facility. This must be demonstrated by a noise analysis prepared by a qualified expert or by submission of manufacturer documentation showing noise level compliance with the fifty (50 dBA) decibels standard, as determined satisfactory by the Development Services Director.
11. **Signs:** Any signs associated with the Solar Facility shall be designed to comply with Section 601 Sign Code and a sign permit must be obtained for all proposed signs. Only signs related to Solar Facility use and safety will be permitted, including directional signs for emergency purposes proposed in consultation with the Fire District, Sheriff's Office, and Emergency Management staff.
12. **General Compliance:** The Solar Facility or BESS Facility shall be designed, constructed, tested, and operated to fully comply with all applicable County, state, and federal laws, regulations, codes, and requirements. The Solar Facility shall also comply with the most current standards set forth by industry regulating bodies, including the Western Electricity Coordinating Council (WECC) and North American Electric Reliability Corporation (NERC) planning standards, as approved by the Federal Energy Regulatory Commission (FERC), the National Electric Safety Code (NES) standards, and Federal Aviation Administration (FAA) regulations.

- G. **INSTALLATION AND MAINTENANCE:** The Solar Facility must be developed in accordance with the approved Development Plan and shall be continually maintained and kept in good repair including, but not limited to, fencing, ground cover, screening, lighting, driveways, entrances, PV panels, and structures.
1. A Site Maintenance Agreement shall be mutually executed between the owner or operator and Yavapai County (as a condition of approval).
  2. The Solar Facility operator shall be responsible for the cost of developing and maintaining the Solar Facility.
  3. The Solar Facility operator shall be responsible for arranging the training of all project field personnel regarding proper ingress/egress routes and on-site protocols for working in environmentally, culturally, or archeologically sensitive areas. Contractors employing such field personnel must maintain records documenting that the personnel have received this training.
  4. A Construction Management Plan that includes an estimated construction schedule and hours of operation must be provided to the County prior to the start of construction.
  5. Unless allowed by a phasing plan approved by the Board of Supervisors, all grading, groundcover, berms, fencing, trees, and other forms of landscaping shall be installed in accordance with the Development Plan within one (1) year of the commencement of construction.
  6. Berms and fencing shall be continuously maintained and repaired or replaced if damaged.
  7. Solar panels must be repaired or replaced or removed when they are either nonfunctional or in visible disrepair.
  8. All undeveloped portions of the subject property shall be maintained in a natural, undisturbed, and debris-free condition. The project operator shall monitor noxious weed density and provide mitigation to eradicate or prevent the spread of such weeds based on the Landscaping Plan (subsection D.2.g).
  9. After the construction of the solar arrays, native low-growing vegetation shall be used to stabilize and restore disturbed areas of the site for the duration of the facility's use.
  10. Weed and vegetation control or mowing shall be performed routinely and a performance bond reflecting the costs of such maintenance for a period of six (6) months must be posted and maintained by the owner or operator.
  11. Groundcover and landscaping shall be continuously maintained and replaced if dead.
  12. While the use of herbicides is not encouraged, any herbicides must be applied in a manner that does not cause "drift", which occurs when applied pesticides move through the air to abutting properties or aquatic habitat. Only Environmental Protection Agency (EPA) designated minimum risk herbicides may be used for vegetative and weed control. Herbicide applicators must possess an Arizona Certified Pesticide Applicator license.
  13. The Solar Facility operator shall be responsible for noxious weed management in accordance with state laws within the Project Area.
  14. Failure to maintain the site or its improvements over a continuous period of twelve (12) months, as determined by the Development Services Director based upon receipt of a valid Land Use complaint, an unsatisfactory Annual Report as described in subsection E.1.a, unsatisfactory annual life and fire safety inspections and/or unsatisfactory semi-annual

self-inspection of battery units described in subsection L.4, or a failure to provide any of these reports, may result in termination of the Solar Facility Use Permit and initiate the facility's decommissioning by the Board of Supervisors (subsection D.7 and D.8). However, following the first six (6) months of such failure to maintain the site, the County will have the option to hire appropriate professionals to perform needed maintenance using the surety funds designated by the Development Agreement (subsection E.1.b).

- H. PUBLIC ROAD IMPROVEMENT, REPAIR, MAINTENANCE, AND DEDICATION (including bridges, drainage structures, guard rails and all other roadway related infrastructure): The Solar Facility owner or operator shall be responsible for any damage to public roads caused by the installation or decommissioning of a Solar Facility. In addition to the Traffic Plan (subsection D.2.i) which provides general travel routes and trip volumes to assist in the general review of the Solar Facility Use Permit, a public road mitigation plan may be required by Yavapai County Public Works to address the following.
1. Improvement, repair, and maintenance of public roads, including during installation and decommissioning of the Solar Facility.
    - a. Yavapai County Public Works may require more than one Mitigation Plan to document road conditions, first during installation, and again during decommissioning and reclamation.
    - b. The Mitigation Plan will identify all public roads within unincorporated Yavapai County proposed as haul routes to transport equipment, parts and material for construction, operation, maintenance, and decommissioning of any Solar Facility, including estimated daily vehicle counts as required by Yavapai County Public Works.
  2. The applicant shall provide a traffic impact analysis (TIA) to the County Engineer for all roads under the exclusive control of the County to determine the level of maintenance and/or road improvements required during the construction phase of the solar project. Consideration shall be given to turning movements, vehicle weights and lengths, frequency of trips, and intersection site distance. Improvements may include, but are not limited to, temporary signage, drainage improvements, and road surface improvements up to and including asphalt pavement. Any long-term impacts to the transportation corridors and drainage shall be considered prior to final approval of the project.
    - a. All associated costs for any required TIA of the haul routes under exclusive control of the County shall be paid for by the applicant.
    - b. Yavapai County Public Works will inspect the haul routes periodically to determine the road conditions and any damages caused by the Solar Facility. The Solar Facility shall be responsible for the costs of such inspections, repairs, and restoration of the haul road, or any other road damaged by activities associated with the Solar Facility.
  3. Existing roads shall be used to provide access to the site. If new roads are constructed, the amount of land disturbance must be minimized. Roads constructed to provide vehicle access for site shall be designed and constructed to standards approved by Yavapai County

Public Works and the nearest Fire District, in coordination with any required public safety, fire protection, and emergency management plans.

- a. Grading and road construction permits are required under certain circumstances as described in the current version of the Yavapai County Engineering Design and Construction Manual.
  - b. Measures to control and mitigate dust on roads shall be outlined in a dust control and mitigation plan.
4. If prior to or during initial installation of the Solar Facility Yavapai County Public Works determines the haul routes designated by the applicant appear inadequate for use as haul routes because of the weight of the loads, the number of trips, drainage issues, or because of safety concerns, then the Solar Facility owner or operator may be required to improve and maintain the roads to accommodate the anticipated traffic load. The costs and details for required improvements shall be included in the project's Development Agreement and subsequent amendments as needed.
  5. Yavapai County Public Works may require financial assurance to address any reasonably foreseeable costs and expenses related to the repair and maintenance of the haul roads designated by the applicant. Such financial assurance requirement may be a separate agreement or may be included as part of the Solar Facility Development Agreement required by subsection E.2 of this Section.
  6. The property owner/developer must dedicate the full right-of-way for all minor and major arterial roads (see Yavapai County Interactive Map) or as identified by the Yavapai County Public Works Director prior to obtaining a building permit.
  7. The property owner/developer shall coordinate with the appropriate Fire Department or Fire District on the required roadway cross section to provide adequate weight capacity and internal circulation from the project vehicular access points to key internal project components (i.e., inverters, batteries, etc.) for fire and emergency response apparatus.
- I. **STORMWATER MANAGEMENT PERFORMANCE BOND:** The Solar Facility owner or operator shall be responsible for all stormwater facilities. The project should be planned with low impact development stormwater management techniques and must meet the requirements in the most current version of the Yavapai County Drainage Design Manual for detention of increases in runoff, with an intention to capture and infiltrate stormwater and rainwater. A performance bond or other surety acceptable to the Board of Supervisors may be required as deemed necessary to ensure compliance with the County's stormwater regulations and to correct nonfunctioning or inadequate stormwater controls or necessary maintenance and may be a separate agreement or may be included as part of the Solar Facility Development Agreement required by subsection E.2 of this Section. The bond or other surety, if any, may be required to remain in effect during the entire term of the Solar Facility Use Permit.
- J. **BATTERY STORAGE:** Battery Energy Storage System (BESS) Facilities associated with a Solar Facility and included in the Solar Facility Use Permit are subject to the provisions of this Section and the following additional requirements.
1. **Location:** Due to their potentially combustible nature and possible large footprint, the siting of BESS Facilities must meet the following criteria.

- a. BESS Facilities shall be located in nonresidential areas unless approved as part of the Solar Facility Use Permit or substation.
  - b. BESS Facilities may not be located in areas used by the public (Recreational Resources) or within identified wildlife corridors.
  - c. BESS Facilities may be co-located with the project substation as described in subsection K.
  - d. Take advantage of existing topography, structures, and vegetation to provide extra screening.
  - e. Design the BESS Facility so that it mitigates the potential detrimental impacts to the general health, safety, and welfare of the community, and to wildlife.
  - f. Design and configure the BESS Facility in a way that minimizes other adverse impacts on the community (e.g., views, noise, and vibration).
2. Configuration:
- a. All battery cells shall be contained within a BESS equipped with cooling, ventilation, built-in 24/7 automated fire detection and extinguishing technology (following all manufacturer recommendations), and a Battery Management System (BMS).
  - b. The BMS shall monitor individual battery module voltages and temperatures, container temperature and humidity, combustible off-gassing, fire, ground fault and direct current (DC) surge, and door access.
  - c. The BMS must be capable of shutting down the system before it begins to operate outside of safe parameters (before thermal runaway takes place).
3. Construction, Maintenance and Operation: BESS Facilities shall be constructed, maintained, and operated in accordance with applicable codes and standards including, but not limited to:
- a. all applicable fire, electrical and building codes adopted by the County;
  - b. National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems, 2023 Edition and subsequent editions; and
  - c. Underwriters Laboratories (UL) 9540A, Standard for Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems and subsequent editions; and, unless otherwise required by such regulations and codes.
    - (1) Access to all batteries and electrical switchgear shall be from the exterior for normal operation and maintenance.
    - (2) Access will not be permitted to any containers that have an interior walkway while the system is in operation.
    - (3) Signage must include the following information:
      - (a) type of technology associated with the BESS;
      - (b) any associated special hazards;
      - (c) type of suppression system installed in the area of the BESS; and
      - (d) 24-hour emergency contact information, including reach-back phone number.
    - (4) Disconnect and other emergency shutoff information must be clearly displayed on a light reflective surface.

- K. SUBSTATIONS: Substations associated with a Solar Facility and included in the Solar Facility Use Permit are subject to the provisions of this Section and the following additional requirements.
1. Location:
    - a. Substations may not be located within five hundred (500') feet of adjacent residential districts, existing or approved residences, subdivisions, public lands and uses, or parkland. An exception to this requirement will be made when co-locating within one hundred (100') feet of an existing utility substation, however, a substation may not be located within an identified wildlife corridor.
    - b. Take advantage of existing topography, structures, and vegetation to provide extra screening.
    - c. Design the substation so that it mitigates the potential detrimental impacts to the general health, safety, and welfare of the community, and to wildlife.
    - d. Design and configure the substation in a way that minimizes other adverse impacts on the community (e.g., views, noise, and vibration).
  2. Term: Substations approved as part of the Solar Facility Use Permit will have the same Use Permit term as the Solar Facility, however, substations and transmission lines may have a life expectancy longer than that of the remainder of the Solar Facility. Therefore, upon decommissioning of the Solar Facility, the private owner of a substation may apply for a new Use Permit or other zoning approval to allow the continued use of the substation. Public utility service providers are exempt from this requirement.

L. EMERGENCY PREPAREDNESS/SAFETY INSPECTIONS:

1. The Solar Facility owner or operator shall allow County employees and designated third-party inspectors access to the Solar Facility premises with forty-eight (48) hour notice for inspection purposes as set forth in their application.
2. The Solar Facility operator shall coordinate with County emergency services staff (e.g., Fire District, Sheriff's Office, and Emergency Management staff) to provide materials and continuing education to these departments serving the Project Area with emergency services.
  - a. These materials shall inform staff on how to safely respond to onsite emergencies, including emergencies associated with any BESS Facilities.
  - b. The Solar Facility operator shall arrange a pre-operational training session with emergency services staff to familiarize personnel with issues unique to the Solar Facility prior to the initiation of solar operations.
3. The Solar Facility owner or operator shall provide a fire safety plan, a fire evacuation plan, and all other submittals relating to emergency planning and preparedness as required by applicable fire, electrical and building codes adopted by the County or referenced in this Section, including directional signs for emergency purposes proposed in consultation with the Fire District, Sheriff's Office, and Emergency Management staff.
4. In addition to the annual life and fire safety inspections required by the most current fire codes and performed by the fire jurisdiction having authority, the Solar Facility operator shall conduct semi-annual on-site self-inspections of the battery units and submit a written report to the Development Services Director on their condition.

5. The Solar Facility Development Agreement, required by subsection E.1.d of this Section, must address provision of specialized BESS Facility fire safety equipment or other protections, if necessary for support of the BESS Facility use.
  - a. The cost of this specialized equipment, or a portion thereof, may be required to be reimbursed by the Solar Facility owner or operator.

M. DECOMMISSIONING AND RECLAMATION: The Solar Facility Use Permit shall include the submission of a Detailed Decommissioning Plan as described in subsection D.1. Prior to the issuance of construction permits, the cost estimate for the complete removal of non-operational above and below ground improvements must be submitted and financial assurance must be posted.

1. Decommissioning Plan: The Decommissioning Plan will address the following items.
  - a. All physical improvements, materials, and equipment related to solar energy generation, transmission, and storage must be removed from the surface and the subsurface to a minimum depth of forty-eight (48”) inches. The pre-existing soil grade shall also be restored following disturbance caused in the removal process. These shall include, but are not limited to, structures, buildings, equipment, cabling and wiring, solar electric systems, electrical components, security barriers, foundations, pilings, berms, storm water improvements, and any other associated facilities.
  - b. All fencing shall be removed and recycled or reused unless the Development Services Director grants approval for any existing perimeter fencing to remain in place, in which case, the Arizona Game and Fish Department will be consulted to ensure that the remaining fence will not negatively impact wildlife.
  - c. All access roads located within the Project Area shall be removed unless the Development Services Director approves a written request from the current or purchasing landowner to allow a portion of the access roads and associated culverts or related materials to remain.
  - d. For any part of the Solar Facility on leased property, the Decommissioning Plan may propose to incorporate agreements with landowners regarding the retainment of driveways, roads, landscaping, berms, fences, gates or repurposed buildings or other structures with approval by the Board of Supervisors. However, any proposed use of remaining buildings or other structures must be in conformance with the regulations for the zoning district in effect at the time of Board of Supervisors approval.
  - e. Ground cover and screening established as part of the Solar Facility Development Plan and other existing vegetation may remain as part of the Decommissioning Plan. Land disturbed as part of the decommissioning process must be reseeded and re-vegetated with certified weed free native seed mixes (such as those described in subsection F.5) or other plant species suitable to the area. A list of such appropriate plant materials shall be provided by the Development Services Director. Such planting and associated grading or other land disturbance must be completed within one (1) year of removal of Solar Facility structures and equipment, in accordance with the Decommissioning Plan approved and adopted by the Board of Supervisors.

- f. Disposal and recycling of all Solar Facility materials and equipment, including but not limited to PV panels, inverters, and batteries must fully comply with all applicable County, state and federal laws, regulations, and code requirements, which includes a County-approved demolition permit for work to be performed by a licensed contractor and an approved location for disposal of such materials and equipment.
- g. **Guaranteed Funds:** Financial assurance for the estimated cost of decommissioning and reclamation, which may include the possibility of salvage value if allowed by the Board of Supervisors, prepared as required in subsection E.2, must be guaranteed by the owner or operator of the Solar Facility prior to issuance of construction permits to ensure that decommissioning and reclamation can successfully occur. Should another authority having jurisdiction (e.g., Arizona State Land Department, Bureau of Land Management, etc.) also require financial assurance for decommissioning and reclamation, the Board of Supervisors may consider accepting the same or portions of the same financial assurance to satisfy both requirements, so long as the assurance meets the specifications of both Yavapai County and the separate authority, as part of a waiver request pursuant to subsection D.5. Upon issuance of the financial assurance, the applicant shall name the County as a party to the financial assurance. The applicant may choose one of the following options (either the full cost option or the tiered securitization option) to provide financial assurance.
  - (1) **Full Decommissioning Cost:** The full cost of decommissioning and reclamation will be guaranteed by one or any combination of the following as determined acceptable by the Board of Supervisors.
    - (a) **Trust Fund:** The owner or operator of the Solar Facility shall establish a trust fund into which money specifically earmarked for decommissioning and reclamation is deposited. The Solar Facility Development Agreement shall prohibit the release of these funds without the written consent of the County. The County shall consent to the release of the funds upon compliance with the Decommissioning Plan approved by the Board of Supervisors.
    - (b) **Payment Surety Bond:** The owner or operator of the Solar Facility shall obtain a surety bond satisfactory to and approved by the County in an amount equal to the estimated cost of decommissioning and reclamation. A standby trust fund must be established into which the surety company will make payments if the owner or operator fails to comply with their financial responsibilities. This money deposited into the standby trust fund shall be used to pay a third party to perform the work described in the Decommissioning Plan approved by the Board of Supervisors.
    - (c) **Letter of Credit:** A letter of credit issued by a financial institution that has a credit rating of at least BBB+ or higher by Standard and Poor's or Baa1 or higher by Moody's; and financial ratios and capitalization requirements that are acceptable to the County, in the full amount of the decommissioning and reclamation estimate.

- (2) Tiered Securitization: An amount equal to, or more than, ten (10%) percent of the approved decommissioning and reclamation cost estimate shall be either: deposited into a cash escrow account at a financial institution acceptable to the County; or an amount equal to, or more than, ten (10%) percent of the decommissioning and reclamation cost estimate in the form of a payment surety bond or a letter of credit issued by a financial institution that has a credit rating of at least A- from Standard & Poor's or A3 from Moody's and assets (50%) and capital surplus (50%) totaling at least \$10,000,000,000, or an A.M. Best financial strength rating of at least A- (Excellent) or other credit rating and capitalization reasonably acceptable to the County shall be obtained. The amount deposited in the cash escrow account, or the amount of the surety bond or letter of credit, shall increase by an additional ten (10%) percent each year on the anniversary of the commencement of operation of the Solar Facility for nine (9) additional years until 100% of the full cost estimate of decommissioning and reclamation is achieved.
  - h. Cost Estimate Update: The estimated decommissioning and reclamation costs must be recalculated at an interval no sooner than every year but not later than every five years by an independent third-party Arizona licensed professional engineer, following the requirements for the original cost estimate as required in subsection M.1.g of this Section, and using the most current industry standards. The cost of preparing this update must be paid by the owner or operator.
    - (1) If the recalculated estimated cost of decommissioning and reclamation exceeds the original estimated cost by two percent (2%) or greater, then the Solar Facility owner or operator shall deposit additional funds into the trust fund or cash escrow account or make an update to the payment surety bond or letter of credit to meet the new cost estimate.
    - (2) If the recalculated estimated cost of decommissioning and reclamation is less than ninety-eight percent (98%) of the original estimated cost, then the County may consider approval of a written request by the owner or operator to reduce the required deposits or, payment surety bond, or letter of credit to the recalculated estimate of decommissioning and reclamation cost.
    - (3) Any increase or decrease in the decommissioning and reclamation securitization shall be funded by the applicant or refunded to the applicant (if permissible by the form of security) within ninety (90) calendar days and shall be similarly readjusted for every subsequent five (5)-year decommissioning cost estimate update.
2. Amendment to Decommissioning Plan: Any amendment must be approved by the Board of Supervisors prior to beginning decommissioning and reclamation. Applications for an amendment shall require a public hearing under the same procedures as required for the Solar Facility Use Permit. Required timeframes for completion of decommissioning and reclamation shall not be extended due to the amendment application process.

3. Partial Decommissioning: If decommissioning is triggered for a portion, but not the entire Solar Facility, then the owner or operator shall complete decommissioning and reclamation in accordance with the Decommissioning Plan for the applicable portion of the Solar Facility. The remaining portion of the Solar Facility shall continue to be subject to the Decommissioning Plan.
4. Date of Decommissioning: If the Solar Facility is to be decommissioned and reclaimed, the Solar Facility owner or operator must notify the Development Services Director in writing of the proposed date of discontinued operations and plans for removal.
5. Abandonment of Solar Facility: Unless otherwise approved by the Development Services Director (e.g., to allow time to repair damage from severe weather or to update equipment), Solar Facilities that have not been in active and continuous service for a period of twelve (12) months, as determined by the Development Services Director based upon receipt of a valid Land Use complaint, an unsatisfactory Annual Report as described in subsection E.1.a, unsatisfactory annual life and fire safety inspections and/or unsatisfactory semi-annual self-inspection of battery units described in subsection L.4, or a failure to provide any of these reports, shall be decommissioned and reclaimed at the Solar Facility owner or operator's expense. However, following the first six (6) months of failure to maintain the site, the County will have the option to hire appropriate professionals to perform needed maintenance using the surety funds designated by the Development Agreement (subsection E.1.b).
6. The owner or operator or their successors, within six (6) months after the complete cessation of use of the Solar Facility and at their sole expense, shall initiate and provide continuous decommissioning of the Solar Facility in accordance with the approved Decommissioning Plan.
  - a. Following the completion of decommissioning of the entire Solar Facility and payment for any such costs arising out of a default by the owner or operator or their successors, any remaining securitized funds held by the County shall be distributed to the project owner(s) in the same percentage of the securitized funds matched with the percentage of the project owner's acreage ownership of the Solar Facility.
7. Default Decommissioning and Reclamation by the County: If the owner or operator, or their successors, fail to decommission the Solar Facility pursuant to the approved Decommissioning Plan, and the County has not approved a repowering of the Solar Facility, the County shall have the right, but not the obligation, to commence decommissioning and reclamation activities and shall have access to the property, and shall have the right to draw on securitized funds up to the amount of the actual decommissioning costs, and the rights to the solar generation equipment and BESS equipment and materials remaining on the property. If applicable, any excess decommissioning and reclamation securitized funds shall be returned to the current owner(s) of the property after the County has completed the decommissioning and reclamation activities and paid all outstanding invoices, divided according to the percentage of the property owner's acreage ownership of the Solar Facility. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the owner or operator or their successors, including under the County's zoning powers.

CHAPTER 7 ORDINANCE AMENDMENTS

**SECTION 701 ORDINANCE AMENDMENTS**

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

FEBRUARY 5, 1973  
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  
EFFECTIVE

NOVEMBER 19, 1979  
DECEMBER 1, 1979

RESOLUTION #419 Fee schedule for Construction Permits amended and removed from the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JANUARY 21, 1980  
JANUARY 21, 1980  
H.A. 3005

The Planned Unit Development (PUD) District added to the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 20, 1980  
OCTOBER 20, 1980  
H.A. 3284

Planned Unit Development (PUD) Amendment - "20' setback around periphery...."

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MARCH 16, 1981  
MARCH 16, 1981  
H.A. 3369

The Residential Camping District (RCD) added to the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

APRIL 20, 1981  
APRIL 20, 1981  
H.A. 3395

The Open Space, Recreational Conservation District (OS) added to the Ordinance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

AUGUST 17, 1981  
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  
EFFECTIVE

AUGUST 17, 1981  
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  
EFFECTIVE

AUGUST 17, 1981  
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  
EFFECTIVE

DECEMBER 21, 1981  
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  
EFFECTIVE

DECEMBER 21, 1981  
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  
EFFECTIVE

SEPTEMBER 7, 1982  
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  
EFFECTIVE

OCTOBER 12, 1982  
OCTOBER 12, 1982  
H.A. 3768

Add the Planned Area Development (PAD) to the Zoning Ordinance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 20, 1982  
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  
EFFECTIVE

DECEMBER 20, 1982  
DECEMBER 20, 1982  
H.A. 3856

SECTION 110 Amend Density District in its entirety.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 20, 1982  
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  
EFFECTIVE

APRIL 18, 1983  
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  
EFFECTIVE

APRIL 18, 1983  
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  
EFFECTIVE

DECEMBER 19, 1983  
DECEMBER 19, 1983  
H.A. 4113

SECTION 111 Amend B. Permits, 2. Information required for obtaining Construction Permits.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 12, 1983  
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  
EFFECTIVE

MAY 7, 1984  
MAY 7, 1984  
H.A. 4277A

SECTION 111 Amend D. Inspection, to include "permission to enter property".

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 5, 1984  
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  
EFFECTIVE

DECEMBER 10, 1984  
JANUARY 10, 1985  
H.A. 4418

SECTION 111 Amend to add F. Certificate of Compliance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JANUARY 2, 1985  
JANUARY 2, 1985

RESOLUTION #632 Fee Schedule for Sign Permits.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JANUARY 21, 1985  
JANUARY 21, 1985

RESOLUTION #634 Fee schedule for Certificate of Compliance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

APRIL 22, 1985  
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  
EFFECTIVE

JUNE 17, 1985  
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  
EFFECTIVE

DECEMBER 16, 1985  
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  
EFFECTIVE

NOVEMBER 24, 1986  
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  
EFFECTIVE

JUNE 22, 1987  
JULY 1, 1987

RESOLUTION #728 Establish both new hearing and zoning clearance fee structure by resolution.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MAY 16, 1988  
JUNE 16, 1988  
H.A. 5205

SECTIONS 111-115 Add the hearing officer to Section 111 and rearrange the section; revise Section 112 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  
EFFECTIVE

MARCH 28, 1988  
APRIL 28, 1988

RESOLUTION #759 Hearing Officer Rules and Procedures.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JUNE 6, 1988  
JULY 6, 1988  
H.A. 5369

SECTION 109 Revise building height language in C1, C2, C3, & M1 districts.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 24, 1988  
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  
EFFECTIVE

OCTOBER 24, 1988  
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  
EFFECTIVE

OCTOBER 24, 1988  
NOVEMBER 24, 1988  
H.A. 5450

SECTIONS 108,118 Add to 108E., 118B. freestanding sign setbacks.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 22, 1990  
OCTOBER 22, 1990

RESOLUTION #800 Street Naming & House Numbering System

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 22, 1990  
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  
EFFECTIVE

SEPTEMBER 23, 1991  
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  
EFFECTIVE

APRIL 27, 1992  
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  
EFFECTIVE

OCTOBER 26, 1992  
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  
EFFECTIVE

JANUARY 25, 1993  
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  
EFFECTIVE

FEBRUARY 22, 1993  
MARCH 24, 1993  
H.A. 5959

- SECTION 108 Repeal subsection I. Swimming Pool Safety and replace.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MARCH 8, 1993  
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  
EFFECTIVE

AUGUST 9, 1993  
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  
EFFECTIVE

DECEMBER 17, 1993  
JANUARY 17, 1994  
H.A. 6046

Modifications to amendments specified in HA 5857 in April of 1992.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 17, 1993  
JANUARY 17, 1994  
H.A. 6045

Modifications to amendments specified in HA 5910 in October of 1992.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 17, 1993  
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  
EFFECTIVE

JUNE 13, 1994  
JULY 13, 1994  
H.A. 6140

Above ground storage tanks

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

SEPTEMBER 6, 1994  
OCTOBER 6, 1994  
H.A. 6146

SECTION 602 Parking standards (delete previous standards and replace with new standards).

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 7, 1994  
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  
EFFECTIVE

FEBRUARY 6, 1995  
MARCH 8, 1995  
H.A. 6227

SECTION 103 Definition of Family

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

APRIL 3, 1995  
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  
EFFECTIVE

DECEMBER 4, 1995  
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  
EFFECTIVE

JANUARY 2, 1996  
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  
EFFECTIVE

FEBRUARY 5, 1996  
MARCH 7, 1996  
H.A. 6398

Elimination of Certificate of Compliance as Mandatory.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MAY 6, 1996  
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  
EFFECTIVE

JULY 7, 1997  
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  
EFFECTIVE

AUGUST 4, 1997  
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  
EFFECTIVE

OCTOBER 14, 1997  
NOVEMBER 14, 1997  
H.A. 6619

SECTION 111 Expiration and Extension of Zoning Clearances.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 14, 1997  
NOVEMBER 14, 1997  
H.A. 6635

SECTION 108 General Provisions – Swimming Pool Safety

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 14, 1997  
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  
EFFECTIVE

OCTOBER 14, 1997  
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  
EFFECTIVE

JANUARY 20, 1998  
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  
EFFECTIVE

MAY 4, 1998  
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  
EFFECTIVE

JUNE 15, 1998  
JULY 15, 1998  
H.A. 6744

Extension of the Urban Overlay Zone in the Verde Valley.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

AUGUST 3, 1998  
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  
EFFECTIVE

AUGUST 17, 1998  
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  
EFFECTIVE

MAY 3, 1999  
JUNE 3, 1999  
H.A. 6864

SECTION 123 Add Section 123, Sex Oriented Business Ordinance Amendment, Appendix H.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MAY 3, 1999  
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  
EFFECTIVE

SEPTEMBER 7, 1999  
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  
EFFECTIVE

FEBRUARY 7, 2000  
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  
EFFECTIVE

FEBRUARY 7, 2000  
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  
EFFECTIVE

MARCH 6, 2000  
APRIL 6, 2000  
H.A. 6997

SECTIONS AS LISTED 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  
EFFECTIVE

JUNE 5, 2000  
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  
EFFECTIVE

JUNE 19, 2000  
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  
EFFECTIVE

SEPTEMBER 18, 2000  
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  
EFFECTIVE

MARCH 5, 2001  
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  
EFFECTIVE

MAY 21, 2001  
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  
EFFECTIVE

APRIL 1, 2002  
MAY 1, 2002  
H 1004

SECTION 120 Revised entire outdoor lighting ordinance, now entitled Light Pollution Control Ordinance.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MAY 20, 2002  
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  
EFFECTIVE (with emergency clause)

JUNE 17, 2002  
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  
EFFECTIVE

JULY 1, 2002  
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  
EFFECTIVE

JULY 1, 2002  
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  
EFFECTIVE

DECEMBER 16, 2002  
JANUARY 16, 2003  
H 2070

- SECTION 103 Add STEEL STORAGE CONTAINER DEFINITION
- SECTION 108 H. - Amend 1.m "...boxcars, refurbished sea transport/ocean-going 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  
EFFECTIVE

DECEMBER 16, 2002  
JANUARY 16, 2003  
H 2143

Comprehensive update/ reformatting of entire ordinance

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

APRIL 7, 2003  
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  
EFFECTIVE

JUNE 2, 2003  
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  
EFFECTIVE

JUNE 2, 2003  
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  
EFFECTIVE

AUGUST 18, 2003  
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  
EFFECTIVE

AUGUST 18, 2003  
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  
EFFECTIVE

AUGUST 18, 2003  
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  
EFFECTIVE

JANUARY 4, 2004  
FEBRUARY 4, 2004  
H 3091

SECTION 420 Amend C. to read “Retail Sales, restricted to on-site sales only.”

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JANUARY 4, 2004  
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  
EFFECTIVE

SEPTEMBER 20, 2004  
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  
EFFECTIVE

NOVEMBER 1, 2004  
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  
EFFECTIVE

NOVEMBER 1, 2004  
DECEMBER 1, 2004

Establish updated and all-encompassing fee schedule by resolution.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

APRIL 4, 2005  
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  
EFFECTIVE

APRIL 18, 2005  
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  
EFFECTIVE

APRIL 18, 2005  
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  
EFFECTIVE

MAY 2, 2005  
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  
EFFECTIVE

MAY 2, 2005  
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  
EFFECTIVE

MAY 16, 2005  
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  
EFFECTIVE

JUNE 20, 2005  
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  
EFFECTIVE

JULY 18, 2005  
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  
EFFECTIVE

JULY 18, 2005  
AUGUST 18, 2005  
H 5071

SECTION 505 Chapter 5 (General Provisions) – Add Section 505 Agricultural Exemptions.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JULY 18, 2005  
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  
EFFECTIVE

SEPTEMBER 6, 2005  
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  
EFFECTIVE

NOVEMBER 7, 2005  
DECEMBER 7, 2005  
H 5154

SECTION 207 Amend Section 207 (Board of Adjustment) by omitting Subsection F.4.b.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 7, 2005  
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  
EFFECTIVE

FEBRUARY 6, 2006  
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  
EFFECTIVE

FEBRUARY 6, 2006  
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  
EFFECTIVE

FEBRUARY 6, 2006  
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  
EFFECTIVE

MARCH 20, 2006  
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  
EFFECTIVE

JUNE 5, 2006  
JULY 5, 2006  
H5193

SECTION 440 Amend Section 440 (Planned Area Development).

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JULY 17, 2006  
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  
EFFECTIVE

JULY 17, 2006  
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  
EFFECTIVE

AUGUST 21, 2006  
NOVEMBER 1, 2006

Establish updated and all-encompassing fee schedule by resolution.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 2, 2006  
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  
EFFECTIVE

OCTOBER 2, 2006  
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  
EFFECTIVE

OCTOBER 16, 2006  
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  
EFFECTIVE

JANUARY 16, 2007  
FEBRUARY 15, 2007

Revise fee schedule and establish updated refund policy by resolution.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MAY 21, 2007  
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  
EFFECTIVE

OCTOBER 1, 2007  
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  
EFFECTIVE

APRIL 21, 2008  
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  
EFFECTIVE

SEPTEMBER 2, 2008  
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  
EFFECTIVE

SEPTEMBER 2, 2008  
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  
EFFECTIVE

SEPTEMBER 2, 2008  
OCTOBER 2, 2008  
H8064

SECTION 581 ADD Section 581 TRASH, GARBAGE, AND REFUSE CONTAINMENT.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 20, 2008  
NOVEMBER 19, 2008

Revise fee schedule by resolution to establish maximum fees.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 15, 2008  
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  
EFFECTIVE

MARCH 16, 2009  
APRIL 15, 2009

Revise fee schedule by resolution to include abandoned vehicle inspection fee.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MAY 4, 2009  
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  
EFFECTIVE

SEPTEMBER 8, 2009  
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  
EFFECTIVE

SEPTEMBER 8, 2009  
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  
EFFECTIVE

NOVEMBER 2, 2009  
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  
EFFECTIVE

NOVEMBER 16, 2009  
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  
EFFECTIVE

NOVEMBER 16, 2009  
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  
EFFECTIVE

APRIL 5, 2010  
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  
EFFECTIVE

APRIL 19, 2010  
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  
EFFECTIVE

JULY 19, 2010  
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  
EFFECTIVE

OCTOBER 18, 2010  
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  
EFFECTIVE

FEBRUARY 22, 2011  
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  
EFFECTIVE

MARCH 21, 2011  
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  
EFFECTIVE

JULY 18, 2011  
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  
EFFECTIVE

FEBRUARY 21, 2012  
MARCH 22, 2012

Revise fee schedule by resolution to add Zoning Verification Letter fee.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MARCH 5, 2012  
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  
EFFECTIVE

APRIL 2, 2012  
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 50<sup>th</sup> Legislature, 1<sup>st</sup> Regular Session as approved/signed into law by the Governor effective July 20, 2011 and September 30, 2011.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

AUGUST 6, 2012  
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  
EFFECTIVE

JANUARY 7, 2013  
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  
EFFECTIVE

JULY 15, 2013  
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  
EFFECTIVE

JULY 15, 2013  
AUGUST 15, 2013  
H13033

SECTION 410 Amend Section 410 (R1L DISTRICT) to add provisions/criteria for private family cemeteries.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JULY 15, 2013  
AUGUST 15, 2013  
H13038

SECTION 410 Amend Section 410 (R1L DISTRICT) G. 10. in regard to Solar Installations and Wind Turbines.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

JULY 15, 2013  
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  
EFFECTIVE

AUGUST 5, 2013  
SEPTEMBER 4, 2013  
H13042

SECTION 205 Amend Section 205 (ENFORCEMENT) F. (ZONING CLEARANCE) 2. to add language in regard to confirming contractor information when processing permits.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

SEPTEMBER 8, 2015  
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.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

SEPTEMBER 8, 2015  
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  
EFFECTIVE

OCTOBER 5, 2015  
NOVEMBER 4, 2015  
H15038

SECTION 588 Amend Section 588 (YARDS AND COURTS) A.1 and Add A.3.c. in regard 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  
EFFECTIVE

OCTOBER 5, 2015  
NOVEMBER 4, 2015  
H1503

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  
EFFECTIVE

NOVEMBER 2, 2016  
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  
EFFECTIVE

NOVEMBER 2, 2016  
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  
EFFECTIVE

NOVEMBER 2, 2016  
DECEMBER 2, 2016  
H16040

SECTION 516 Amend Section 516 (DENSITY DISTRICTS) to reduce minimum building separations and “PLEASE NOTE:” in regard to detached accessory structures and to properly identify the Flood Control District.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 2, 2016  
DECEMBER 2, 2016  
H16042

SECTION 410 Amend Section 410 (R1L DISTRICT) H. to add language in regard to occupancy of temporary housing and required yard setbacks.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 2, 2016  
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  
EFFECTIVE

FEBRUARY 15, 2017  
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  
EFFECTIVE

FEBRUARY 15, 2017  
MARCH 17, 2017  
H16088

SECTIONS 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  
EFFECTIVE

NOVEMBER 1, 2017  
DECEMBER 1, 2017  
H17032

SECTIONS 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  
EFFECTIVE

AUGUST 7, 2019  
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  
EFFECTIVE

AUGUST 7, 2019  
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  
EFFECTIVE

AUGUST 7, 2019  
SEPTEMBER 7, 2019  
H19029

SECTIONS 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.

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

MARCH 4, 2020  
APRIL 4, 2020  
PLA19-000028

SECTION AS LISTED Amend Section 205 (ENFORCEMENT) F. (ZONING CLEARANCE) 1. (EXEMPTIONS FROM CLEARANCES) b. to add language for amateur radio antennas and support structures; and add the definition of amateur radio antennas in Section 301 (DEFINITIONS); and amend the definition of Structure to not include amateur radio towers in Section 301 (DEFINITIONS).

ADOPTED BY BOARD OF SUPERVISORS  
EFFECTIVE

APRIL 1, 2020  
MAY 1, 2020  
H19033

SECTION AS LISTED Amend Section 604 (STREET NAMING AND ADDRESSING) to update Street Naming and Addressing.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 16, 2020  
JANUARY 16, 2021  
PLA20-000085

SECTION AS LISTED Amend Section 301 Definitions: Educational Institution; Section 400 Use Districts; Section 410 R1L District (C ); Section 410 R1L, add subsection O; Section 420 C1 District, add subsection T; Section 430 PM District, add subsection G; Section 440 Planned Area Development (PAD), add subsection D.12; Section 582 Use Permits; and delete and replace Section 605 Wireless Communications Facilities.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

SEPTEMBER 1, 2021  
OCTOBER 1, 2021  
PLA21-000026

SECTIONS AS LISTED Amend SECTION 410 (RIL DISTRICT) to add sub section P; The personal cultivation of Marijuana is allowed subject to the provisions set forth in Section 607. To add sub section U; A Marijuana Establishment shall be permitted subject to the provisions set forth in Section 607 of this Ordinance. To add sub section H; A Marijuana Establishment shall be permitted subject to the provisions set forth in Section 607 of this Ordinance. Add SECTION 607 MEDICAL AND ADULT USE MARIJUANA ORDINANCE.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

OCTOBER 18, 2023  
NOVEMBER 18, 2023  
PLA23-000121

SECTION 209 Amend SECTION 209 CITIZEN PARTICIPATION D.1. to add sub section c. to add language for requirement of notification radius for Citizen Participation process for Planned Area Developments (PAD) and Major Planned Area Development Amendments.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

JUNE 19, 2024  
JULY 19, 2024  
PLA24-000028

SECTIONS AS LISTED Amend SECTION 301 (DEFINITIONS) to amend and delete language and illustrations to Attached Buildings, amend and delete language to both Building (Detached) and Building Separation, and add definition of Breezeway. Delete and replace table illustrations listed at the end of each of the following SECTIONS: 410, 411, 412, 413, 414, 415, 420, 421, 422, AND 516.B.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

SEPTEMBER 4, 2024  
OCTOBER 3, 2024  
PLA24-000042

SECTION 410. G.10 Amend Section 410.G. to amend and add language referring to small-scale solar use criteria as listed in section 501 Accessory Uses and Structures.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 6, 2024  
DECEMBER 4, 2024  
PLA24-000042

SECTION 608      ADD Section 608 SOLAR FACILITIES.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 4, 2024  
JANUARY 3, 2024  
PLA24-000086

To remove the Fee Schedule and Refund Policy provisions from Zoning Ordinance; to establish as an independent document.

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

JUNE 18, 2025  
JULY 18, 2025  
PLA25-000039

SECTIONS AS LISTED      Amend Section 301 (DEFINITIONS) to add “Eave”; DELETE previous Section 603 (LIGHT POLLUTION CONTROL) to REPLACE with new Section 603 (OUTDOOR LIGHTING STANDARDS).

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

NOVEMBER 19, 2025  
DECEMBER 20, 2025  
PLA25-000072

SECTIONS AS LISTED      Amend Section 301 (DEFINITIONS) to DELETE “Guest Home”, MODIFY “Dwelling Unit”, and ADD “Accessory Dwelling Unit”, “Gross Floor Area”, “Habitable Area”, “Kitchen (Cooking Facilities)”, “Permitted Use”, “Rental (Long-Term)”, “Rental (Short-Term or Vacation)”, and “Wet Bar”;  
Amend Section 410.J (R1L DISTRICT) to replace Guest Home allowance with Accessory Dwelling Unit allowance;  
DELETE previous Section 537 (GUEST HOME) to REPLACE with new Section 537 (ACCESSORY DWELLING UNITS).

ADOPTED BY THE BOARD OF SUPERVISORS  
EFFECTIVE

DECEMBER 17, 2025  
JANUARY 16, 2026  
PLA25-000092

SECTIONS AS LISTED      Amend Section 201 (APPLICABILITY AND EXEMPTIONS) and DELETE previous Section 505 (AGRICULTURAL EXEMPTIONS) to replace with NEW Section 505 AGRICULTURAL USE EXEMPTIONS.

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