



**NOTICE OF A REGULAR MEETING OF THE ZONING CODE UPDATE CITIZEN ADVISORY  
COMMITTEE  
OF THE TOWN OF CLARKDALE  
THURSDAY, JANUARY 15, 2026 AT 4:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ  
OR  
Join Zoom Meeting  
<https://zoom.us/j/83116437164>  
Meeting ID:831 1643 7164

Unless otherwise stated, the public will have physical access to the meeting place 15 minutes prior to the start of the meeting.

**Town of Clarkdale Vision**

The Town of Clarkdale connects our unique history, proximity to the Verde River, and small-town charm to a future with a vibrant economy.  
We cultivate an environment where residents and businesses can thrive; providing services and jobs for our residents and capitalizing upon tourism.  
We sustainably enhance our infrastructure, support the arts and education, and develop recreational opportunities to create a bright future for our entire community.

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN that the Zoning Code Update Citizen Advisory Committee will hold a Regular Meeting open to the public on Thursday, January 15, 2026, at 4:30 PM at 19 N. Ninth Street, Clarkdale, Arizona, Clark Memorial Clubhouse, Men's Lounge. A quorum of Town Council members may be present at this meeting; however, they will not deliberate or take action on any items. All members of the public are welcome to attend.

**ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC COMMENT**

The Zoning Code Update Citizen Advisory Committee invites the public to provide comments at this time. Members of the Zoning Code Update Citizen Advisory Committee may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Persons interested in making comments on a specific agenda item are asked to complete a brief form and submit it to the Clerk or liaison during the meeting. Each speaker is

asked to limit their comments to three minutes unless a different amount of time is noted on the agenda or is determined by the Presiding Officer or by a majority vote of the Council, Commission or Committee.

**4. MINUTES**

**A. Approval of Minutes**

Discuss, consider and act upon the draft minutes from the regular meeting on Dec. 18, 2025.

**5. NEW BUSINESS**

**A. Chapter 13 - Amendments**

Discuss, consider and act upon the Zoning Code update to Chapter 13 - Amendments.

**6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN**

**A. Zoning Code Update to Chapter 11 - Design Review and Site Plan Review**

Discussion only regarding the Zoning Code updates to Chapter 11 - Design Review and Site Plan Review.

**B. Prohibited Plant List**

Discussion only regarding a Prohibited Plant List to be included in Chapter 9 - Landscape Design Standards.

**7. FUTURE AGENDA ITEMS**

Zoning Code Update Citizen Advisory Committee may propose items to be placed on a future agenda. This item is for discussion only.

**8. ADJOURNMENT**

**Values**

Values are the guiding principles that provide an organization with purpose and direction. The Town of Clarkdale’s organizational values are:

**COPPER**

**Customer focused**

**Open, transparent and equitable**

**Preserving our history, charm, and environment**

**Planning for a sustainable future**

**Economic and social resiliency**

**Resourceful and innovative**

**Mission**

The Town of Clarkdale serves the community by providing amenities, infrastructure, services, and public safety to enhance quality of life. We are stewards of our history while we sustainably and resiliently plan for the future with an emphasis on community engagement

and transparency.

*Persons with a disability may request reasonable accommodations by contacting the Town Hall at (928) 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.*



# Staff Report

Item Number: 4.A.

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- Agenda Item:**            **Approval of Minutes**  
Discuss, consider and act upon the draft minutes from the regular meeting on Dec. 18, 2025.
- Staff Contact:**            Scott Ellis, Community Development Director
- Meeting Date:**            January 15, 2026
- Strategic Goal:**            Not applicable.
- Background:**            Review of the draft minutes from the regular meeting on Dec. 18, 2025.
- Budget Impact:**            No budget impact.
- Recommendation:**       Staff recommends that the Citizens Advisory Committee approve the draft minutes of the regular meeting held on Dec. 18, 2025.



**SUMMARIZED MINUTES OF A REGULAR MEETING OF THE  
ZONING CODE UPDATE CITIZEN ADVISORY COMMITTEE  
OF THE TOWN OF CLARKDALE**

**THURSDAY, DECEMBER 18, 2025 AT 4:30 PM**

(To listen to the full audio/video of the meeting,  
please visit [www.clarkdale.az.gov](http://www.clarkdale.az.gov) – agendas & minutes)

**Members Present:** *Allen Spence, Kerrie Snyder, Robyn Prud'homme-Bauer, Virginia Smith, Laura Jones, Selena Pao.*

**Members Absent:** *Joe Conk, Craig Backus, Ray Selna.*

**Other Municipal Officials Present:** *Community Development Director Scott Ellis, Community Development Senior Planner Clover Pinion, Community Development Admin Guss Espolt.*

**Audience:** *No members of the public were present.*

**Zoom:** *Two members of the public were present.*

**1. CALL TO ORDER** – *Chair Spence called the meeting to order at 4:30 p.m.*

**2. ROLL CALL**

**Present:** *Allen Spence, Kerrie Snyder, Robyn Prud'homme-Bauer, Virginia Smith, Laura Jones, Selena Pao.*

**Absent:** *Joe Conk, Craig Backus, Ray Selna.*

**3. PUBLIC COMMENT**

*No public comment.*

**4. MINUTES**

**A. Approval of Minutes**

Discuss, consider and act upon the draft minutes from the regular meeting on Dec. 4, 2025.

**Motion:** *Approve the draft minutes from the meeting held on Dec. 4, 2025.*

**by Snyder second by Pao.**

**Vote: - 5-0**

Advisory Member	Aye/Nay
Selena Pao	Aye

Ray Selna	Absent
Virginia Smith	Aye
Laura Jones	Aye
Joe Conk	Absent
Craig Backus	Absent
Robyn Prud'homme-Bauer	Absent
Kerrie Snyder	Aye
Allen Spence (Chair)	Aye

*Note: Robyn Prud'homme-Bauer arrived at 4:41 p.m., after the minutes were voted upon.*

## 5. NEW BUSINESS

### A. Chapter 9 - Landscape Design Standards

Discuss, consider and act upon the Zoning Code update to Chapter 9 - Landscape Design Standards.

**Motion:** *to approve the Zoning Code update to Chapter 9 - Landscape Design Standards and forward it to Town Council with a recommendation of the same, with the corrections.*

**by Jones, second by Snyder**

**Vote: - 6-0**

Advisory Member	Aye/Nay
Selena Pao	Aye
Ray Selna	Absent
Virginia Smith	Aye
Laura Jones	Aye
Joe Conk	Absent
Craig Backus	Absent
Robyn Prud'homme-Bauer	Aye
Kerrie Snyder	Aye
Allen Spence (Chair)	Aye

## 6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

### A. Zoning Code Update to Chapter 13 - Enforcement, Amendments, and Penalties

*Discussion only regarding the Zoning Code updates to Chapter 13 - Enforcement, Amendments, and Penalties. Community Development Director Scott Ellis, presented the updates to chapter 13.*

## 7. FUTURE AGENDA ITEMS

*Zoning Code Update Citizen Advisory Committee proposed the following item to be placed on a future agenda.*

- *Continue discussion of zoning update.*

## 8. ADJOURNMENT

**Motion:** *To adjourn the meeting.*  
**by** *Prud'homme-Bauer, second by Snyder*  
**Vote:** - **6-0**

Advisory Member	Aye/Nay
Selena Pao	Aye
Ray Selna	Absent
Virginia Smith	Aye
Laura Jones	Aye
Joe Conk	Absent
Craig Backus	Absent
Robyn Prud'homme-Bauer	Aye
Kerrie Snyder	Aye
Allen Spence (Chair)	Aye

*Chair Spence adjourned the meeting without objection at 5:15 p.m.*

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Chairperson Spence  
 Zoning Code Advisory Committee

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Scott Ellis  
 Community Development Director



# Staff Report

Item Number: 5.A.

**Agenda Item:** **Chapter 13 - Amendments**  
Discuss, consider and act upon the Zoning Code update to Chapter 13 - Amendments.

**Staff Contact:** Scott Ellis, Community Development Director

**Meeting Date:** January 15, 2026

**Strategic Goal:** This agenda item supports the following Clarkdale Strategic Goal Area:

- Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.

**Background:** The Citizens Advisory Committee (CAC) has been reviewing draft text amendments to the Town of Clarkdale's Zoning Code. The purpose of this item is to finalize and approve the chapter listed above.

**Stipulations: None**

**Budget Impact:** No budget impact.

**Recommendation:** Staff recommend that the CAC approve the Zoning Code updates to Chapter 13 - Amendments and forward it to Town Council with a recommendation of the same.

**Suggested Motion:** "I move to recommend approval of the updates to Chapter 13 - Amendments of the Town of Clarkdale's Zoning Code to Town Council, subject to the stipulations indicated in the staff report."

**CHAPTER 13**  
**ENFORCEMENT, AMENDMENTS, AND PENALTIES**

[Articles](#)[Sections](#):

~~13-010~~ — Enforcement

~~13-020~~ ~~010~~      **Procedure for Amendments**

~~13-030~~ — Penalties

~~13-040~~ ~~020~~      **Severability**

~~13-050~~ ~~030~~      **Repeal**

**Section ~~13-010~~ Enforcement**

~~A. *Building Permits.* No structure shall be erected, added to, or structurally altered, until a permit therefore has been issued by the Building Official, as required by the Building Code of the Town of Clarkdale. All applications for such permits shall be in accordance with the requirements of this Ordinance.~~

~~B. Certificates of Occupancy, Non-Conforming Use:~~

~~1. No existing use of land, on the date this Ordinance becomes effective, shall be modified and no structure hereafter erected, altered or extended, shall be used or changed in use, until a Certificate of Occupancy shall have been issued by the Building Official certifying that the land and the structure or proposed use thereof complies with the provisions of this Ordinance.~~

~~2. No non-conforming use shall be maintained, renewed, changed, or extended without a Certificate of Occupancy having first been issued by the Building Official, therefore.~~

~~3. All Certificates of Occupancy shall be applied for coincident with the application for a building permit. Said certificate shall be issued within fifteen (15) days after the erection or alteration shall have been approved.~~

~~4. The Building Official shall maintain a record of all certificates. Copies shall be furnished, upon request and payment of a reasonable fee, to any person having a proprietary or tenancy interest in the structure or land affected.~~

~~5. No permit for excavation, erection, alteration, or repair for any structure shall be issued until an application has been made for a Certificate of Occupancy.~~

~~6. Under such conditions as set by the Board of Adjustment a temporary Certificate of Occupancy for not more than thirty (30) days for structures or land may be issued.~~

~~7. All appropriate certificates of use shall be issued for those uses in existence at the time this Ordinance was adopted or at the time any new use is established under this Ordinance.~~

~~C. Board of Adjustment: The Board of Adjustment shall have all the duties and powers as stated in Article 17-2-2 of the Town Code. (Prior code § 13-1)~~

### **Section 13-010 Procedure for Amendments**

#### **A. Purpose**

The Council may, from time to time as public necessity, convenience, general welfare and good zoning practices requires, change the boundaries of zone districts ~~or alter the district category on a parcel~~, hereinafter referred to as zone changes or re-zoning and may also amend, change, repeal or supplement the regulations herein established. Zone changes or amendments may be initiated by the Town Council or by the Planning Commission on its own motion or by an application of the owner of any property within the area proposed to be changed or a request can be made by a citizen for an amendment.

#### **B. General Plan Conformance**

All amendments which change the boundaries of any zoning district or change the text of the Zoning Ordinance must conform to the adopted General Plan of the Town of Clarkdale. Any re-zoning ordinance, if adopted, shall further the implementation of, and not be contrary to, the goals, policies, and applicable elements of the General Plan. A re-zoning conforms with the land use element of the General Plan if it proposes land uses, densities, or intensities within the range for the subject property as stated in the General Plan or any amendment thereto.

C. Application Requirements ~~(Revised by Ordinance No. 366 on 3/10/15; Effective 4/10/15)~~

~~Application for change of zone~~[A request for a zone change](#) shall be made on an application [form](#) provided by the Town of Clarkdale. Fees shall be paid for such application according to the adopted schedule for such requests. All applications will be available for public inspection upon submittal to the Community Development Department.

~~Prior to all re-zoning applications being accepted, an application for a pre-application review meeting shall be submitted by the applicant so that Town staff may provide additional information and outline the process and requirements for the zone change.~~

The following information shall be included with all applications for a zone change amendment.:

~~1. A detailed description of the proposed development plan for which the zone change is being requested including a specific schedule for proposed improvements. (A.R.S. 9-462.01.12.E). The development plan shall include a statement of intended use and a general layout of the property including proposed building placement, parking lot design and access.~~

~~2. A draft site plan showing proposed building layout, parking and all proposed construction or modifications to an existing structure. Site plan shall include notation for any proposed dedication of public rights-of-way or drainage areas.~~

~~4. A proposed zoning exhibit for which the zone change is being requested, shall include the following:-~~

~~including proposed or existing dedicated rights-of-way and proposed zoning boundaries.~~  
~~2. A draft site plan showing proposed building layout, parking and all proposed construction or modifications to an existing structure. Site plan shall include notation for any proposed dedication of public rights-of-way or drainage areas. Proposed or existing dedicated rights-of-way and proposed zoning boundaries.~~

~~1.~~

~~2.~~ ~~2.~~ A narrative of how the requested zone change complies with the Clarkdale General Plan.

~~3.~~ ~~4.~~ Completed application [form](#).

- ~~4. 5.~~ Meeting notes from the Pre-Application meeting provided by the Town.
- ~~5. 6.~~ Legal description of the property including a Record of Survey and map exhibit.
- ~~6. 7.~~ Copy of property title or statement of letter of authorization from the property owner notarized statement or letter of agency.
- ~~7. 8.~~ Proposed citizen participation plan to ensure the applicant pursues early and effective participation from the community regarding the proposed zoning amendment change. A summary of the neighborhood input provided in a citizen participation plan report shall be presented by the applicant to the staff prior a minimum of 15 days prior to the Planning Commission meeting.
- ~~8. 9.~~ The application shall be accompanied by a vicinity map showing the subject property as well as the surrounding area and a list of names and addresses of abutting property owners.

~~Town initiated zone changes and zone change applications originating from a transfer of development rights application shall be exempt from the requirement of providing a specific development schedule.~~

- ~~9. 9.~~ The Community Development Director shall determine whether the application is administratively complete within 30 thirty (30) days of submittal.
  - a. If the application is not administratively complete, the Town shall follow the procedures set forth in A.R.S. 9-835(e) until the application is administratively complete.
  - b. The Community Development Director shall determine whether a resubmitted application is complete within 15 fifteen (15) days after receiving the resubmitted application.
  - c. After determining that the application is administratively complete, the Town shall approve or deny the application within 180 one hundred eighty (180) days.

d. Notwithstanding subsection ~~(C)(9)(c)~~ of this section, the Town may extend the timeline for approval or denial of the application beyond ~~180 one hundred eighty (180)~~ days for either of the following reasons:

- i. For extenuating circumstances, the Town may grant a one-~~(1)~~ time extension of no more than ~~30 thirty (30)~~ days.
- ii. If an applicant requests an extension, the Town may grant extensions of ~~30 thirty (30)~~ days each for each extension granted.

e. This section does not apply to land that is designated as a district of historical significance pursuant to A.R.S. ~~9-462.01(a)(10)~~ or an area that is designated as historic on the National Register of Historic Places or planned area developments.

~~1. 10. A preliminary traffic impact statement may be required by the Community Development Director Town of Clarkdale.~~

~~10.~~

~~2. 11. A preliminary drainage report and plan may be required by the Community Development Director Town of Clarkdale.~~

~~11.~~

~~12. 12. Submit a filing fee outlined in the Town of Clarkdale Fee Schedule.~~

#### D. Citizen Participation

~~1. 1. The legislative body of the Town of Clarkdale has adopted the following citizen review and participation process that applies to all re-zoning cases. By law and policy, the re-zoning process is designed to give the greatest opportunity possible for citizen participation in such a public process. In the event of doubt regarding public participation, more, not less public participation, shall be the standard.~~

The purpose of the citizen participation process is to:

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

~~b. 2.~~—Ensure that the citizens and property owners of Clarkdale have an adequate opportunity to learn about the applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

~~c. 3.~~—Facilitate ongoing communications between the applicant, interested citizens and property owners, Town staff, and elected officials throughout the application review process.

~~2. 2.~~—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.

The process includes the following elements:

~~a. 1.~~—A minimum of one ~~(1) public hearing~~ neighborhood meeting be held on all re-zoning cases ~~and proposed text amendments organized and presented by the applicants. The neighborhood meeting shall be completed a minimum of 3015 days prior to the Planning and Zoning Commission public hearing; and Town staff may attend to observe the meeting.~~

~~The first hearing will be before the Planning Commission. A second public hearing will be before the Mayor and Council.~~

~~b. 2.~~—The ~~Town applicant~~ shall notify all affected property owners within ~~300 three five hundred (300500)~~ feet of the subject site by first class mail no less than ~~15 fifteen (15)~~ days prior to the ~~public hearingneighborhood~~ meeting date.

~~c. 3.~~—The notification above shall include date, time, and place for the ~~public hearingneighborhood~~ meeting as well as a description of the proposed change in land uses. A map of the location of the zone change shall be included in the notification ~~as well as a description of the proposed changes.~~

~~d. 4.~~—Reference shall be made as to where comments can be made concerning the proposed zone change ~~and when such comments are due prior to the public hearing including the applicant and Town staff contact information.~~

~~e. e.~~—The affected property shall be posted ~~15 fifteen (15)~~ days in advance of the ~~public hearingneighborhood meeting~~ date so that the following are visible from a distance of ~~100 one hundred (100)~~ feet; the word “zoning”, the present zoning district classification, the proposed zoning district classification, and the date, ~~and time, and location~~ of the hearing.

**Commented [CP1]:** Really? Isn't the posting for the public hearing enough, they have to do two?

~~5. In addition the Town always encourages any person proposing a re-zoning to contact surrounding property owners to ascertain and possibly address issues and concerns before the public hearings.~~

~~f. A notice shall be published at least once in a newspaper of general circulation at least fifteen (15) days in advance of the public hearing.~~

~~g. In addition to notice by publication, mailed notices, and property postings, the Town of Clarkdale and the Planning and Zoning Commission reserve the right to give notice to the hearing in such other manner as it may be deemed necessary. The Commission always encourages any person proposing a re-zoning to contact surrounding property owners to ascertain and possibly address issues and concerns before the public hearings. Such contacts could include neighborhood meetings or other methods of addressing citizen comments.~~

**Commented [CP2]:** I think we should take this out, Not that we wouldn't encourage but it's fluff and doesn't need to be in the ordinance.

#### E. Public Hearing Requirements

~~1. A minimum of two (2) public hearings will be held on all re-zoning cases and proposed text amendments. The first public hearing will be before the Planning and Zoning Commission; the second public hearing will be before the Town Mayor and Council.~~

~~a. The Planning and Zoning Commission shall hold a public hearing on any re-zone. If no written protest is filed (see section G of this ordinance), the re-zone may be presented to the Town Council at a public hearing with opportunity for public comment.~~

~~i. Notice of the time and place of the hearing including a general explanation of the matter to be considered and a general description of the area affected shall be given at least 15 days before the hearing in the following manner:~~

~~i. The Town shall notify all affected property owners within 300 feet of the subject site by first class mail no less than 15 days prior to the public hearing dates.~~

~~ii. The notification above shall include date, time, and place for the public hearing as well as a description of the proposed change in land uses. A map of the site shall be included in the notification. If there is availability for the~~

public to join remotely, information for that shall be included as well.

iii. Reference shall be made as to where comments can be made concerning the proposed zone change and when such comments are due prior to the public hearing.

ii. The affected property shall be posted by the applicant a minimum of 15 days in advance of the public hearing date so that the sign is visible from the public right of way and shall include the following: the existing zoning district classification, the proposed zoning district classification and the date and time of the Public Hearings and Town and applicant contact information. If the project abuts to public right of ways, a sign shall be placed on each public roadway frontage.

iii. A notice shall be published at least once in a newspaper of general circulation at least 15 days in advance of the public hearing by the applicant.

iv. In proceedings involving re-zoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency or such governmental unit abutting such land.

v. In proceedings that are not initiated by the property owner involving re-zoning of land which may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be re-zoned and all property owners, as shown on the last assessment of the property, within 300 feet of the property to be re-zoned.

vi. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing Land Uses, notice shall be provided in the manner prescribed below:



district classification and the date and time of the Public Hearings and Town and applicant contact information. If the project abuts to public right of ways, a sign shall be placed on each public roadway frontage.

- III. A notice shall be published at least once in a newspaper of general circulation at least 15 days in advance of the public hearing by the applicant.
- IV. In proceedings involving re-zoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency or such governmental unit abutting such land.
- V. In proceedings that are not initiated by the property owner involving re-zoning of land which may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be re-zoned and all property owners, as shown on the last assessment of the property, within three hundred (300) feet of the property to be re-zoned.
- VI. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing Land uses, notice shall be provided in the manner prescribed below:
  - i. A 10% or more increase or decrease in the number of square feet or units that may be developed.
  - ii. A 10% or more increase or reduction in the allowable height of buildings.
  - iii. An increase or reduction in the allowable number of stories of buildings.
  - iv. A 10% or more increase or decrease in setback or open space requirements.

v. An increase or reduction in permitted uses.

2. In addition to notice by publication, mailed notices, and property postings, the Town of Clarkdale reserves the right to give notice to the hearing in such other manner as it deems necessary.

a. The Planning and Zoning Commission shall hold a public hearing on any re-zoning or text amendment case and make a recommendation to the Town Council. case. Notice of the time and place of the hearing including a general explanation of the matter to be considered and a general description of the area affected shall be given at least fifteen (15) days before the hearing in the following manner:

a. The notice shall be published at least once in a newspaper of general circulation.

b. In proceedings involving re-zoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency or such governmental unit abutting such land.

c. In proceedings that are not initiated by the property owner involving re-zoning of land which may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be re-zoned and all property owners, as shown on the last assessment of the property, within three hundred (300) feet of the property to be re-zoned.

d. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing Land uses, notice shall be provided in the manner prescribed by Sub-Section e.

1. A ten percent (10%) or more increase or decrease in the number of square feet or units that may be developed.

2. A ten percent (10%) or more increase or reduction in the allowable height of buildings.

~~i. 3. An increase or reduction in the allowable number of stories of buildings.~~

~~ii. 4. A ten percent (10%) or more increase or decrease in setback or open space requirements.~~

~~i. 5. An increase or reduction in permitted uses.~~

b. The Town Council shall hold a public hearing on any re-zoning or text amendment case and may vote to approve, deny, table or remand back to the Planning Commission for further review and changes.

If the owners of twenty percent (20%) or more either of the area of the parcels included in a proposed change, or of those immediately adjacent in the rear or and side thereof extending one hundred fifty (150) feet therefrom, or of those directly opposite thereto extending one hundred fifty (150) feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, the proposed re-zoning shall not become effective except by the favorable vote or three-fourths (3/4) of all members of the Council. The written protest shall be filed with the Clarkdale Town Clerk no later than ten (10) working days after the Planning Commission's decision on the amendment. If no written protest is filed, the amendment will be presented to the Town Council at a public meeting with opportunity for public comment.

2. The Town shall notify all affected property owners within three hundred (300) feet of the subject site by first class mail no less than fifteen (15) days prior to the public hearing dates.
  - a. The notification above shall include date, time, and place for the public hearing as well as a description of the proposed change in land uses. A map of the site shall be included in the notification. If there is availability for the public to join remotely, information for that shall be included as well.
  - b. Reference shall be made as to where comments can be made concerning the proposed zone change and when such comments are due prior to the public hearing.
3. The affected property shall be posted by the applicant a minimum of fifteen (15) days in advance of the public hearing date so that the sign is visible from the public right of way and shall include the following: the existing zoning district classification, the proposed zoning district classification and the date and time of the Planning Commission and Town Council hearings and Town and applicant contact information. If the project abuts to public right of ways, a sign shall be placed on each public roadway frontage.
4. A notice shall be published at least once in a newspaper of general circulation at least fifteen (15) days in advance of the public hearing by the applicant.

~~5. In proceedings involving re-zoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice of public hearing shall be transmitted to the planning agency or such governmental unit abutting such land.~~

~~6. In proceedings that are not initiated by the property owner involving re-zoning of land which may change the zoning classification, notice by first class mail shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be re-zoned and all property owners, as shown on the last assessment of the property, within three hundred (300) feet of the property to be re-zoned.~~

~~7. In addition to notice by publication, mailed notices, and property postings, the Town of Clarkdale reserves the right to give notice to the hearing in such other manner as it deems necessary.~~

~~e. In proceedings governed by Sub-Section d of this section, the Town shall provide notice to real property owners pursuant to at least one (1) of the following notification procedures:~~

~~1. Notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly governed by the changes.~~

~~2. If the Town issues utility bills or other mass mailings that periodically include notices or other informational or advertising materials, the Town shall include notice of such changes with such utility bills or other mailings.~~

~~3. The Town shall publish such changes prior to the first hearing on such changes in a newspaper of general circulation. The changes shall be published in a "display ad" covering not less than one-eighth (1/8) of a full page.~~

~~f. If notice is provided pursuant to (2) or (3) of sub-section "e" above, the Town shall also send notice by first class mail to persons who register their names and addresses with the Town as being interested in receiving such notice.~~

~~g. Notwithstanding the notice requirements set forth above, the Town may give notice of the hearing in such other manner as it may deem necessary or desirable.~~

F. Procedure for Amendments - Recommendation of the Commission ~~(Revised by Ordinance 366 on 3/10/15; effective 4/10/15)~~

At the public hearing, the Commission shall make a recommendation to the Town Council. The Commission recommendation shall be presented to the Council by the Community Development Department sStaff in a public hearing meeting.

The Planning Commission may consider the following when reviewing a zone change amendment request [in their decision](#):

- ~~1.~~ [1.](#) The amendment conforms to the Clarkdale General Plan, specifically the Land Use Element.
- ~~2.~~ [2.](#) The amendment conforms to any adopted ~~Focus~~-Area plans, if applicable.
- ~~3.~~ [3.](#) The proposed development provides buffering to adjacent land uses.
- ~~4.~~ [4.](#) The proposed development ~~addresses mitigates~~ traffic impact.
- ~~5.~~ [5.](#) The proposed development addresses noise impact to surrounding properties.
- ~~6.~~ [6.](#) The proposed development will conform to all existing zoning regulations, ~~including the Outdoor Lighting Code and Landscape Design Standards for that district.~~
- ~~7.~~ [7.](#) The proposal may provide community benefits such as:
  - ~~a.~~ [a.](#) Pedestrian connections
  - ~~b.~~ [b.](#) Vehicular connections
  - ~~c.~~ [c.](#) Improvement to public right-of-way
  - ~~d.~~ [d.](#) Installation of utility infrastructure
  - ~~e.~~ [e.](#) Improvement of public space
  - ~~f.~~ [f.](#) Protection of open spaces
- ~~8.~~ [8.](#) Funding and installation of all required improvements as specified by the Town shall be the responsibility of the applicant.

~~a.~~ Pedestrian connections

~~b.~~ Vehicular connections

~~e. Improvement to public right-of-way~~

~~d. Installation of utility infrastructure~~

~~e. Improvement of public space~~

~~f. Protection of open spaces~~

~~8. Funding and installation of all required improvements as specified by the Town shall be the responsibility of the applicant.~~

~~After a public hearing, the Commission shall make a report and recommendation to the Town Council. This report shall be made by forwarding the application for amendment with the appropriate recommendations, unless the applicant shall request the application be withdrawn. The Commission recommendation shall be presented to the Council by the Community Development Department Staff in a public meeting.~~

#### G. Protest

~~If the owners of 20% or more either of the area of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property, excluding government-owned property, or of those immediately adjacent in the rear or/and side thereof extending 150 feet therefrom, or of those directly opposite thereto extending 150 feet from the street frontage of the opposite lots, or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property, excluding government-owned property, file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths (3/4) of all members of the governing body of the municipality. If any members of the governing body are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the governing body, if such required number of votes is not less than a majority of the full membership of the legally established governing body. For the purposes of this subsection, the vote shall be rounded to the nearest whole number. A protest filed pursuant to this subsection shall be signed by the property owners, excluding government-owned property, opposing the proposed amendment and filed in the office of the clerk of the municipality not later than noon one (1) business day before the date on which the governing body will vote on the proposed amendment or on an earlier time and date established by the governing body.~~

#### H.G. Emergency Measure -- Town Council's Decision-

A decision by the Town Council involving re-zoning of land which is not owned by the Town and which changes the zoning classification of such land may not be enacted as an emergency measure and such change shall not be effective for at least thirty (30) days after

final approval of the change in classification by the Council. ~~(Revised by Ordinance #437 on 12/10/24; effective 1/10/25; prior code § 13-2)~~

### **Section 13-030 Penalties**

~~(Revised 10/25/16; Resolution 1529; Ordinance 376; Effective 10/26/16)~~

~~Any violation of this Ordinance shall be punishable under Article 1-8 of the Town Code; any civil sanction for a violation (as this term is defined by the Town Code) of this Ordinance shall not exceed three hundred dollars (\$300) and any penalty of imprisonment for a violation of this Ordinance shall not exceed ninety (90) days. (Prior code § 13-3)~~

### **Section 13-020 Severability**~~Severability~~~~Separability~~

~~It is hereby declared to be the intent of the Town Council that the provisions of this Ordinance shall be severable. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason declared invalid by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions hereof. (Prior code § 13-4)~~

### **Section 13-030 Repeal**

~~Where provisions of this Ordinance or any other law or ordinance recognized and adopted by the Town Council impose more stringent requirements or limitations, then the more stringent requirement, regulation, or limitation shall govern. All Ordinances or part of Ordinances in conflict with provisions of this Ordinance are hereby repealed. (Prior code § 13-5)~~



# Staff Report

Item Number: 6.A.

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**Agenda Item:**            **Zoning Code Update to Chapter 11 - Design Review and Site Plan Review**  
Discussion only regarding the Zoning Code updates to Chapter 11 - Design Review and Site Plan Review.

**Staff Contact:**            Scott Ellis, Community Development Director

**Meeting Date:**            January 15, 2026

**Strategic Goal:**            This agenda item supports the following Clarkdale Strategic Goal Area:

- Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.

**Background:**            The Citizens Advisory Committee (CAC) has been reviewing draft text amendments to the Town of Clarkdale’s Zoning Code. The purpose of this item is to review and discuss the chapter listed above.

**Budget Impact:**            No budget impact.

**Recommendation:**        Discussion only. No recommendation.

## CHAPTER 11

### DESIGN REVIEW ~~AND SITE PLAN REVIEW~~

**Sections:**

- ~~11-010 Purpose and Applicability 11-010 Purpose and Applicability of Design Review~~
- ~~11-020 11-020 Application Procedure for Design Review Procedures~~
- ~~11-030 Application Submission~~
- ~~11-040 Submission Requirements~~
- ~~11-050 Filing Fee 11-030 Filing Fee for Design Review~~
- ~~11-060 Approval Standards and Criteria 11-040 Review Criteria for Design Review~~
- ~~11-050 Expiration of Design Review Approval~~
- ~~11-070 Expiration of Approval 11-060 Violations and Enforcement~~
- ~~11-080 Violations and Enforcement~~
- ~~11-090 Appeals~~
- ~~11-100 Post Approval Activities~~
- ~~11-110 Administration and Enforcement~~
- ~~11-120 Interpretation of the Code~~

~~11-070 — Appeals for Design Review~~

~~11-090 — Purpose and Applicability for Site Plan Review~~

~~11-100 — Review and Approval Authority~~

~~11-110 — Site Plan Application Submission and Review Procedures~~

~~11-120 — Site Plan Submission Requirements~~

~~11-130 — Approval Standards and Criteria for Site Plan Review~~

~~11-140 — Post Approval Activities~~

~~11-150 — Appeals for Site Plan Review~~

~~11-160 — Administration and Enforcement~~

~~11-170 — Interpretation of the Code~~

#### **Section 11-010 Purpose and Applicability ~~of Design Review~~**

The purpose of design review is to review the exterior design of proposed new buildings, proposed alterations to buildings and development or redevelopment projects ~~which do not include new buildings~~ within the Town of Clarkdale. These procedures are intended to protect the public's health and safety, promote the general welfare of the community, and to facilitate the organized development of commercial and industrial property.

- A. ~~A.~~—This Chapter shall apply to new buildings and redevelopment as defined in this Chapter or the Town of Clarkdale Zoning Ordinance, except single-family dwellings and accessory uses, and shall also apply to all public buildings and facilities. Structures (other than buildings), signs, landscaping, parking areas, public facilities and enclosures will be reviewed by the Community Development Director or designee if they are a part of new building development or building redevelopment.
- B. ~~B.~~—Property owners within the Historic District are subject to Design Review. Projects for properties opted into the district shall be reviewed by the Historic Preservation Commission; projects not opted into the district shall be reviewed by the Planning and Zoning Commission.

### Section 11-020 Design Review Procedures

A. Pre-application: A pre-application meeting is mandatory.

The purpose of the pre-application meeting is to:

1. Provide staff with an opportunity to review and comment on proposals prior to submittal.
  2. Discuss the development review process and required submissions with the applicant.
  3. Identify issues that need to be resolved in future submissions.
  4. Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.
  5. Applicants shall provide the information as indicated in Table 1 in Section 11-040 Submission Requirements.
- B. Persons applying for Design Review will be required to submit a Pre-application meeting request, two 24 X 36 inch printed copies and one electronic submittal of the site plan, including the development plan and supporting documentation that meet the minimum submission requirements set forth in Table 1 of Section 11-040 Submission Requirements. These materials shall be submitted to the Community Development Director or designee, who shall determine if the application is complete. If the application is complete, the Community Development Director or designee will notify the applicant that the application is administratively complete. A deposit toward

potential outside consultant fees incurred by the Town in the processing and review of a submittal shall be required per Article 3-4 of the Town Code.

1. If the application is determined to be incomplete, the Community Development Director or designee shall notify the applicant by electronic communication that the application is incomplete, and specify the additional materials required to make the application complete.
2. After the application has been accepted as complete the Community Development Department will distribute copies of the submittal to the following:
  - a. Community Development Director; and
  - b. Public Works Director; and
  - c. Town Engineer; and
  - d. Water Resources Manager; and
  - e. Chief of Police (or designee); and
  - f. Fire Chief (or designee); and
  - g. Building Inspector; and
  - h. Flood Control; and
  - i. Yavapai county Health Department; and
  - j. Any other agency or municipality that Town staff deems necessary; and
  - k. Representatives from the following may be included at the discretion of the Community Development Director:
    - I. School Districts; or
    - II. Arizona Public Services (APS); or
    - III. Unisource; or
    - IV. Arizona Department of Transportation (ADOT);
    - V. Arizona Department of Game and Fish; or
    - VI. United States Forest Service; or

VII. Yavapai County; or

VIII. Others as determined by the Community Development Director.

3. The Community Development Department may hold an on-site inspection of the site to review the existing conditions, verify the information submitted, and investigate the development proposal.
4. Following receipt of the comments from the various departments and agencies, the Community Development Director or designee shall forward one complete copy to the applicant via electronic communication.

### **Section 11-0320 Application Submission Procedure for Design Review**

a.A. A.—Applications for Design Review shall be filed with the Community Development Department. The following shall be included:

a.1. 1.—The proposed site plan—shall include the information as indicated in Table 1 in Section 11-040 Submission Requirements including, but not limited to, a north arrow, name and address of owner, address of property and legal description, all property lines dimensioned and marked as property lines, existing structures, and enclosures, proposed parking areas, landscaping, accessory buildings and lighting.

b.2. 2.—The Landscaping plan shall be on separate sheet and colored.

e.3. 3.—Any other information which the Community Development Director or designee finds necessary to establish compliance with this Section.

b.B. B.—If applicable, aA separaten application for approval of demolition, partial demolition or removal of an existing building or structure shall be filed with the Community Development Director Department on a form prescribed by the Director. The application shall be accompanied by the following:

a.1. 1.—Legible photograph showing all sides of the building or structure for which the application is made.

b.2. 2.—Legible photograph showing the adjoining properties.

e.3. 3.—Any other information which the Community Development Director or designee finds necessary to establish compliance with this Section.

- ~~e.C.~~ C.—~~If applicable, aA separaten~~ application for approval of ~~all signs~~ shall be accompanied by the following:
- ~~a.1.~~ 1.—Plans to scale with sufficient detail to show the size, lighting, and placement of the sign.
  - ~~b.2.~~ 2.—~~A If applicable,~~ legible photograph ~~or colored rendering~~ showing the face of the building on which the sign is to be mounted ~~and/or a vicinity photograph or colored rendering~~ for a free-standing sign ~~if one is being installed.~~
  - ~~e.3.~~ 3.—Any other information which the Community Development Director or designee finds necessary to establish compliance with this Section.
- ~~d.D.~~ D.—Upon receipt of an application for Design Review, the Community Development Director or designee shall review the application for administrative completeness and return to applicant with corrections ~~within 10 business days of submittal.~~
- ~~a. 1.~~ 1.—~~Upon a finding of administrative completeness approval, the Community Development Director or designee shall review the application for substantial conformance with adopted codes.—~~
  - ~~1. 2.~~ 2.—The Community Development Director ~~or designee~~ shall notify the applicant of deficiencies within 15 business days of administrative completeness approval.
  - ~~b.—~~ Upon a finding of administrative completeness approval, the Community Development Director or designee shall review the application for substantial conformance with adopted codes. The Town will distribute the submittal to those as listed in Section 11-020.B.2. of this ordinance.
  - ~~2.~~ 2.
  - ~~e. 3.~~ 3.—Upon a finding of substantive review approval by the Community Development Director or designee, the design shall be deemed approved, and a written notice will be sent to the applicant by email.
  - ~~3.~~ 3.

**Section 11-040 Submission Requirements**

All applications for Design Review must contain the information indicated as being required in Table 1 (below).

**A. Submittal Requirements Checklist**

**Table 1**

<u>Pre-app</u>	<u>Design Review</u>	-	-	-	-	-	-
-	<u>2 hard copies, 1 electronic submittal</u>	<u>2 hard copies, 1 electronic submittal</u>	<u>Required Materials:</u>				
<u>1</u>	-	<u>X</u>	<u>Fully executed and signed copy of the application and fees paid in full.</u>				
<u>2</u>	-	<u>X</u>	<u>A copy of the deed to the property, an option to purchase the property, letter of agency, or other documentation to demonstrate right, title or interest in the property on the part of the applicant.</u>				
<u>3</u>		<u>X</u>	<u>Legal description and boundary survey to scale.</u>				
<u>4</u>	<u>X</u>	<u>X</u>	<u>The parcel #(s) and lot # on which the project is located.</u>				
<u>5</u>	<u>X</u>	<u>X</u>	<u>Vicinity map showing general location of the site within the Town.</u>				
<u>6</u>	-	<u>X</u>	<u>The name, registration number, and seal of the person who prepared the plan, if applicable.</u>				
<u>7</u>	<u>X</u>	<u>X</u>	<u>Boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.</u>				
<u>8</u>	-	<u>X</u>	<u>Site photos/map from all directions at corners (standard prints).</u>				
<u>9</u>	-	<u>X</u>	<u>The maps or drawing must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than 500 feet to the inch for that portion of the tract of land being proposed for development. Applicant must also provide copies of all drawings submitted on 11" x 17" sheets.</u>				

10	-	X	<u>Digital copy of site plan materials (using control supplied by the Town Engineer).</u>
11	X	X	<u>Location of all required building setbacks, yards, and buffers.</u>
12	X	X	<u>Zoning classification(s) of property and surrounding property.</u>
13	-	X	<u>The bearings and length of all property lines of the property to be developed and the source of this information.</u>
14	X	X	<u>Location and size of any existing utility lines and easements.</u>
15	X	X	<u>Location, names, and present widths of existing public and/or private streets and rights-of-way within or adjacent to the proposed development.</u>
16	X	X	<u>The location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.</u>
17	X	X	<u>Location of intersecting roads or driveways within 200 feet of the site.</u>
18	-	X	<u>Location and dimensions of any existing easements and copies of codes covenants or deed restrictions.</u>
19	-	X	<u>The location of the nearest fire hydrant, dry hydrant or other water supply for fire protection.</u>
20	-	X	<u>The location of open drainageways.</u>
21	-	X	<u>The direction of existing surface water drainage across the site.</u>
22	-	X	<u>The direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.</u>
23	-	X	<u>A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article 7-11.</u>
24	-	X	<u>A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water</u>

			<u>quality, see Town Code Article 7-12.</u>
<u>25</u>	-	X	<u>The location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off site.</u>
<u>26</u>	-	X	<u>The location, dimensions and elevations of all existing buildings, proposed buildings and building expansion on the site.</u>
<u>27</u>	-	X	<u>The location, front view, dimensions, and lighting of existing signs and proposed signs.</u>
<u>28</u>	-	X	<u>A utility plan including estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal.</u>
<u>29</u>	-	X	<u>Provisions for handling all solid wastes, including hazardous and special wastes and the location and proposed screening of any on- site collection or storage facilities.</u>
<u>30</u>	-	X	<u>Proposed colored landscaping and buffering plan including irrigation plan.</u>
<u>31</u>	-	X	<u>Include the percentage of total landscaping for the project.</u>
<u>32</u>		X	<u>Outdoor Lighting Plan, including spec sheets.</u>
<u>33</u>		X	<u>Trash Enclosure.</u>
<u>34</u>		X	<u>A clear, simple site plan for presentations.</u>

### Section 11-0530 Filing Fee ~~for Design Review~~

The application for Design Review shall be accompanied by a non-refundable filing fee in an amount established by ~~resolution of the Town Council~~the currently adopted fee schedule of the Town.

**Section 11-040 — Review Criteria for Design Review**

~~A. The Community Development Director or designee shall review applications for design approval of new construction, alterations, additions, or renovations to existing buildings or structures and shall have the power to approve, conditionally approve, or disapprove all such requests. The decisions will be based on the following criteria:~~

~~1. The plan for the development must reflect the natural capabilities of the site to support development. Environmentally sensitive areas must be maintained and preserved~~

~~2. Natural drainage areas must also be preserved to maintain predevelopment and post-development flows.~~

~~3. All building, site, and roadway designs and layouts must be designed to preserve existing topography. Filling, excavation and earth moving activity must be kept to a must meet all grading requirements and meet engineering standard.~~

~~4. The main entrance to the building should be oriented to the street unless the parking layout, grouping of buildings, or size, shape, or topography of the lot requires orientation to the side and shall be clearly identified through building and site design, landscaping, and/or signage.~~

~~5. To encourage reduced building heights for commercial and industrial structures, the area of reduced height can be used to increase lot coverage by an equivalent amount. Required setbacks and other design standards must be maintained.~~

~~6. For the area of natural vegetation retained, the required landscaping area may be reduced by an equivalent amount.~~

~~7.— All construction for which site plan review is required shall also be required to submit a lighting plan with cut sheets for all fixtures. The lighting plan shall be developed in accordance with the requirements of Chapter 8—Outdoor Lighting Code.~~

~~8.— The development must provide for the buffering of adjacent uses where there is a transition from one zoning district to another zoning district and for screening of mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapter 9—Landscape Design Standards, and Chapter 4—General Provisions.~~

~~9.— All new construction for which Design Review is required shall also be required to submit a comprehensive sign plan for review. The plan shall be developed in accordance with the requirements of Chapter 7—Signage and is subject to review and approval as part of Design Review.~~

~~10.— Landscaping shall meet the requirements set forth in Chapter 9—Landscape Design Standards.~~

### **Section 11-060 Approval Standards and Criteria**

The following criteria shall be used by staff when reviewing applications for Design Review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Community Development Director or designee determines that the applicant has failed to meet minimum acceptable standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

The Community Development Director or designee shall review applications for Design Review approval of new construction, alterations, additions, renovations to existing buildings, sites or structures, and shall have the power to approve, conditionally approve, or disapprove all such requests. The decision will be based on the following criteria:

#### **A. Conformance with Development Standards**

1. All site plans must conform to the development standards set forth for the zoning district(s) assigned to the subject property. Uses shall conform to those identified as permitted uses or have been granted a Conditional Use Permit.

2. Uses must conform to the General Plan Designation assigned to the subject property.
3. The applicant may choose to transfer density or intensity of the proposed use from unbuildable wash areas into areas that are more developable.
4. To encourage reduced building heights for commercial and industrial structures, the area of reduced height can be used to increase lot coverage by an equivalent amount. Required setbacks and other design standards must be maintained.
5. Projects shall comply with all the requirements as set forth previously by the preliminary development review.
6. The proposal shall provide for safe and adequate vehicle and pedestrian ingress and egress in accordance with the Town's adopted Engineering Standards and designed to minimize congestion. Off-street parking must conform to the standards set forth in Chapter 4 - General Provisions, Sections 4-120 - Off-Street Parking and Loading, and 4-121 - Traffic and Pedestrian Access.
7. All building, site, and roadway designs and layouts must be designed to preserve existing topography. Filling, excavation and earth moving activity must meet all grading requirements and engineering standards.
8. The main entrance to the building should be oriented to the street unless the parking layout, grouping of buildings, size, shape, or topography of the lot requires orientation to the side and shall be clearly identified through building and site design, landscaping, and/or signage.
9. A site lighting plan which includes a schedule of the luminary and cut sheets for all outdoor light fixtures shall be required. Proposed lighting shall be so arranged as to not shine upon or reflect onto adjoining properties and proposed signs and their lighting shall be of such size, location and color as to not interfere with traffic or limit visibility of adjoining properties. The lighting plan shall be developed in accordance with the requirements of Chapter 8 – Outdoor Lighting Code.
10. The required landscaping shall be provided and maintained in accordance with Chapter 9 – Landscape Design Standards. For the area of natural vegetation retained, the required landscaping area may be reduced by an equivalent amount.
11. The development must provide for the buffering of adjacent uses where there is a transition from one zoning district to another zoning district and for screening of

mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapter 9 – Landscape Design Standards, and Chapter 4 - General Provisions.

12. The drainage report and plan must meet the minimum requirements of Yavapai County Flood Control and not create an adverse effect on adjacent properties.

The construction and civil improvement plans shall meet all adopted codes and regulations of the Town of Clarkdale.

13. The plan for the development must reflect the natural capabilities of the site to support development. Environmentally sensitive areas must be maintained and preserved.

14. Natural drainage areas must also be preserved to maintain pre-development and post development flows.

#### B. Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from public view. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

#### C. Water Supply Provisions

1. The development shall be provided with a system of water supply that provides each use with an adequate supply of water.

2. If the project is to be served by a private water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

#### D. Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.

Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of 2000 gallons per day or greater must demonstrate that the

groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Arizona.

#### E. Stormwater Management

The collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces shall be managed through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

The flow from the site after development must not exceed the predevelopment rate.

The applicant must demonstrate that on and off site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of downstream or adjoining properties, or the developer will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.

1. All natural drainage ways must be preserved at their natural gradients and must not be filled or converted into a closed system unless approved as part of the SPR.
2. The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.
3. The design of the storm drainage systems must be designed to accommodate upstream runoff that must pass over or through the site to be developed and provide for this movement.
4. The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source.

#### F. Water Quality Protection

All aspects of the project must be designed so that:

1. No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such

nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

2. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials must meet the standards of the Arizona Department of Environmental Quality (ADEQ) and the State Fire Marshal's Office.
3. If the project is located within the direct watershed of a "body of water most at risk from development" or a "sensitive or threatened region or watershed" as identified by the Arizona Department Environmental Quality (ADEQ), and requires a stormwater permit from the ADEQ, the project must comply with the standards of the ADEQ with respect to the export of total suspended solids and/or phosphorous.
4. If the project does not require a stormwater permit from ADEQ, it must be designed to limit the export of phosphorous from the site and conform to adopted codes regulating off-site phosphorous discharge.

#### G. Solid Waste Management

The proposed development must provide for disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having capacity to accept the project's wastes.

#### H. Sewage Disposal Provisions

1. The development shall be provided with a method of disposing of sewage that is in compliance with the State Plumbing and Health Codes.
2. All sanitary sewage from new or expanded uses must be discharged into a public sewage collection and treatment system when such facilities are currently available or can reasonably be made available at the lot line and have adequate capacity to handle the projected waste generation. All submittals must be in conformance with all adopted Codes.
  - a. It is mandatory that when a public sewer becomes available adjacent to any property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the provisions of Chapter 11 – Sewer of the Town Code.

Connections are mandatory when any one of the conditions stipulated in Chapter 11 – Sewer of the Town Code applies after the date specified for that condition.

This requirement may be waived if the use is already served by a properly functioning subsurface disposal system that is properly sized for the projected flows; connection to the public system shall occur if and when the subsurface system needs to be replaced.

b. If the public system cannot serve or be extended to serve a new or expanded use, the sewage must be disposed of by an on-site sewage disposal system meeting the requirements of the Subsurface Wastewater Disposal Rules.

c. When two or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to ensure proper maintenance of the system.

d. Industrial or commercial wastewater may be discharged into public sewers in such quantities and/or of such quality as to be compatible with sewage treatment operations. Such wastes may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes. Pretreatment includes, but is not limited to, screening, grinding, sedimentation, pH adjustment, surface skimming, chemical oxidation and reduction and dilution.

#### I. Flood Plain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town of Clarkdale and Yavapai County Flood Control flood plain management requirements.

#### J. Erosion Control

The following are required and must be stamped by an Arizona Registrant:

1. A Drainage Report addressing drainage and erosion concerns and stormwater management.

2. Cut/Fill plan.

### 3. Stormwater Protection Plan (SWPPP).

#### K. Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including, but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

~~11.— Any on-site illumination shall be in conformance with Chapter 8—Outdoor Lighting.—~~

#### **Section 11-0750      Expiration of ~~Design Review~~ Approval**

Design approval automatically expires if a building permit has not been issued within ~~two~~<sup>3</sup> years of the date of final approval. The Community Development Director or designee may grant a total of three sequential ~~one~~<sup>4</sup> year extensions of approval provided the applicant files the initial extension request within the ~~two~~<sup>3</sup> year period immediately following the final approval.

#### **Section 11-0860      Violations and Enforcement**

~~a.A.~~ A.—Prior to the issuance of a building permit, the Community Development Director or designee shall determine that the plans presented with the building permit application conform with the approved design and that approval has not expired.

~~b.B.~~ B.—The Community Development Director or designee shall ensure that development occurs in conformance with the conditions of design approval. In the event of a violation, the Community Development Director or designee shall notify the applicant by the most expedient means possible that he or she is in violation of the conditions of design approval. If the applicant does not comply with the conditions of design approval within 10 days after receipt of notification, the building permit may be revoked, and all construction activity shall cease.

### **Section 11-0970 Appeals for Design Review**

An appeal of any decision with respect to Design Review may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.

### **Section 11-090 Purpose and Applicability for Site Plan Review**

~~The site plan review procedures are intended to protect the public health and safety and promote the general welfare of the community. These processes are intended to facilitate the organization of development of commercial and industrial property.~~

~~A. A person who has right, title, or interest in a parcel of land must obtain site plan review approval prior to commencing any of the following activities on the parcel:~~

~~1. The construction or placement of any new building or structure for commercial or industrial use, including accessory buildings and structures, if such buildings or structures have a total area for all floors of 1000 square feet or more.~~

~~2. The expansion of an existing commercial or industrial building, structure, or uses including accessory buildings that increase the total floor area by 1000 square feet or more.~~

~~3. The conversion of an existing building in which 500 or more square feet of total floor area are converted from residential to commercial or industrial use, except in the case of home occupations.~~

~~4. The establishment of a new commercial or industrial use even if no buildings or structures are proposed, including uses such as gravel pits, cemeteries, golf courses, and other nonstructural commercial or industrial uses. The site plan review requirement shall be waived for wireless communication facilities.~~

~~5. The construction or expansion of paved areas or other impervious surfaces, including walkways, access drives, and parking lots involving an area of more than 2500 square feet.~~

~~6.— Any other new, amended, modified or expanded use, including commercial/industrial-planned area development (PAD) if so stipulated by other sections of the code.~~

~~7.— Any new or modified public structure or facility.~~

~~B.— The following activities shall not require SPR approval; however, building permits, plumbing permits, electrical permits or other State or local approvals are applicable as required by code or ordinance:~~

~~1.— The construction, alteration, or enlargement of a single family or two family dwelling, including accessory buildings and structures.~~

~~2.— The placement, alteration, or enlargement of a single manufactured house or mobile-home dwelling, including accessory buildings and structures on individually owned lots.~~

~~3.— Agricultural activities, including agricultural buildings and structures.~~

~~4.— The establishment and modification of home occupations that do not result in changes to the site or exterior of the building.~~

#### ~~Section 11-100 — Review and Approval Authority~~

~~The Site Plan Review Committee is established for the purpose of review and approval of site plans for all subdivisions; commercial or industrial development, or as deemed necessary by the Community Development Director.~~

~~A.— The following shall be members of the Site Plan Review Committee:~~

~~1.— Community Development Director; and~~

~~2.— Public Works Director; and~~

~~3.— Town Engineer; and~~

~~4.— Water Resources Manager; and~~

~~5.— Chief of Police (or designee); and~~

~~6.— Fire Chief (or designee); and~~

~~7.— Building Inspector; and~~

~~8.— Flood Control.~~

~~B.—Representatives from the following may be included at the discretion of the Community Development Director:~~

- ~~1. School Districts; or~~
- ~~2. APS; or~~
- ~~3. Unisource; or~~
- ~~4. ADOT; or~~
- ~~5. As determined by the Community Development Director.~~

### ~~Section 11-110 — Site Plan Application Submission and Review Procedures~~

~~A.—Preapplication: A preapplication conference is not mandatory but can be helpful to the applicant in identifying potential issues that will need to be addressed.~~

~~The purposes of the preapplication conference are to:~~

- ~~1.— Provide the Site Plan Review Committee with an opportunity to review and comment on proposals prior to submittal.~~
- ~~2.— Discuss the development review process and required submissions with the applicant.~~
- ~~3.— Identify issues that need to be resolved in future submissions.~~
- ~~4.— Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.~~
- ~~5.— A site inspection may be scheduled if deemed necessary.~~
- ~~6.— Applicants will need to provide as much information indicated on Table 1 in **Section 11-120** as possible, as completely as possible.~~

~~B.— Persons applying for site plan review will be required to submit a site plan review application, three/24 X 36 inch printed copies and one electronic submittal of the site plan, including the development plan and supporting documentation that meet the minimum submission requirements set forth **in Section 11-120**. These materials shall be submitted to the Community Development Director, who shall determine if the application is complete. If the application is complete, the Community Development Director will date-stamp the materials and notify the applicant that the application is administratively~~

~~complete. A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Article 3-4 of the Town Code.~~

~~1.— If the application is determined to be incomplete, the Community Development Director shall notify the applicant by letter that the application is incomplete, and specify the additional materials required to make the application complete.~~

~~2.— After the application has been accepted the Community Development Department will distribute copies of the site plan to the Community Development Department, Public Works and Engineering Department, Town Manager, Fire Chief, Police Chief, County Flood Control, and County Health for substantive review and comment.~~

~~3.— Site plans shall also be provided by the applicant to all other affected utility companies as well as to adjoining governmental entities as required by statute. Comments returned shall pertain to the agency’s area of specific authority and shall contain specific requirements from these reviewing agencies.~~

~~4.— The Community Development Department may hold an on-site inspection of the site to review the existing conditions, field verify the information submitted, and investigate the development proposal.~~

~~5.— Following receipt of the comments from the various departments and agencies, the Community Development Director shall forward one complete copy to the applicant via electronic communication and first-class mail.~~

**Section 11-120 — Site Plan Submission Requirements**

All applications for site plan review must contain the information indicated as being required in Table 1 (below).

**A.— Submittal Requirements Checklist**

Table 1

-	Pre-app	SPR	-	-	-	-	-	-	-
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	<del>3 hard-copies, 1 electronic</del>	<del>3 hard-copies, 1 electronic</del> submittal	Required Materials:
1	-	X	<del>Fully executed and signed copy of the application and fees paid in full.</del>
2	-	X	<del>A copy of the deed to the property, an option to purchase the property, letter of agency, or other documentation to demonstrate right, title or interest in the property on the part of the applicant.</del>
3	X	X	<del>Legal description and boundary survey to scale.</del>
4	-	X	<del>The parcel #(s) and lot # on which the project is located.</del>
5	-	X	<del>Vicinity map showing general location of the site within the Town.</del>
6	-	X	<del>The name, registration number, and seal of the person who prepared the plan, if applicable.</del>
7	-	X	<del>Boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.</del>
8	-	X	<del>Site photos/map from all directions at corners (standard prints).</del>
9	-	X	<del>The maps or drawing must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than 500 feet to the inch for that portion of the tract of land being proposed for development. Applicant must also provide copies of all drawings submitted on 11" x 17" sheets.</del>
10	-	X	<del>Digital copy of site plan materials (using control supplied by the Town Engineer).</del>
11	-	X	<del>Location of all required building setbacks, yards, and buffers.</del>

12	-	X	Zoning classification(s) of property and surrounding property.
13	-	X	The bearings and length of all property lines of the property to be developed and the source of this information.
14	-	X	Location and size of any existing utility lines and easements.
15	-	X	Location, names, and present widths of existing public and/or private streets and rights-of-way within or adjacent to the proposed development.
16	-	X	The location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.
17	-	X	Location of intersecting roads or driveways within 200 feet of the site.
18	-	X	Location and dimensions of any existing easements and copies of codes covenants or deed restrictions.
19	-	X	The location of the nearest fire hydrant, dry hydrant or other water supply for fire protection.
20	-	X	The location of open drainageways.
21	-	X	The direction of existing surface water drainage across the site.
22	-	X	The direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.
23	-	X	A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article 7-11.
24	-	X	A grading and drainage plan that includes existing contours, proposed contours, drainage channels and directions of flow, as well as stormwater calculations, erosion and sedimentation control measures and water quality, see Town Code Article

			<del>7-12.</del>
25	-	X	<del>The location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off site.</del>
26	-	X	<del>The location, dimensions and elevations of all existing buildings, proposed buildings and building expansion on the site.</del>
27	-	X	<del>The location, front view, dimensions, and lighting of existing signs and proposed signs.</del>
28	-	X	<del>A utility plan including estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal.</del>
29	-	X	<del>Provisions for handling all solid wastes, including hazardous and special wastes and the location and proposed screening of any on-site collection or storage facilities.</del>
30	-	X	<del>Proposed landscaping and buffering plan including irrigation plan.</del>
31	-	X	<del>Include the percentage of total landscaping for the project.</del>

**Section 11-130 — Approval Standards and Criteria for Site Plan Review**

The following criteria shall be used by the Site Plan Review Committee in reviewing applications for Site Plan Review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Site Plan Review Committee determines that the applicant has failed to meet minimum acceptable standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

**A — Conformance with Development Standards —**

1. — All site plans must conform to the development standards set forth for the zoning district(s) assigned to the subject property. Uses shall conform to those identified as permitted uses, or have been granted a Conditional Use Permit.
2. — Uses must conform to the General Plan Designation assigned to the subject property.
3. — The applicant may choose to transfer density or intensity of the proposed use from unbuildable wash areas into areas that are more developable.
4. — To encourage lower building heights, applicants may transfer the area of floors not used to increase lot coverage.
5. — Projects shall comply with all the requirements as set forth previously by the preliminary development review.

~~6.—The proposal shall provide for safe and adequate vehicle and pedestrian ingress and egress in accordance with the Town’s adopted Engineering Standards and designed to minimize congestion.—~~

~~7.—Proposed lighting shall be so arranged as to not shine upon or reflect onto adjoining properties and proposed signs and their lighting shall be of such size, location and color as to not interfere with traffic or limit visibility of adjoining properties.—~~

~~8.—The required landscaping shall be provided and maintained in accordance with Chapter 9—Landscape Design Standards.~~

~~9.—The drainage report and plan must meet the minimum requirements of Yavapai County Flood Control and not create an adverse effect on adjacent properties.—~~

~~10.—The construction and civil improvement plans shall meet all adopted codes and regulations of the Town of Clarkdale.—~~

#### ~~B.—Parking Layout and Design and Site Access~~

~~Off-street parking must conform to the standards set forth in Chapter 4—General Provisions, Sections 4-120—Off-Street Parking and Loading, and 4-121—Traffic and Pedestrian Access. Site access must conform to adopted engineering standards.—~~

#### ~~C.—Stormwater Management~~

~~The collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces shall be managed through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.~~

- ~~1.—The flow from the site after development must not exceed the predevelopment rate.~~
- ~~2.—The applicant must demonstrate that on and off site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of downstream or adjoining properties, or the developer will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.~~
- ~~3.—All natural drainage ways must be preserved at their natural gradients and must not be filled or converted into a closed system unless approved as part of the SPR.~~
- ~~4.—The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.~~
- ~~5.—The design of the storm drainage systems must be designed to accommodate upstream runoff that must pass over or through the site to be developed and provide for this movement.~~
- ~~6.—The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source.~~

#### ~~D.—Erosion Control~~

- ~~1.—The following are required and must be stamped by an Arizona Registrant:
  - ~~a.—A Drainage Report addressing drainage and erosion concerns and stormwater management.—~~~~

~~b.—Cut/Fill plan.~~

~~c.—Stormwater Protection Plan (SWPPP).~~

~~E.—Water Supply Provisions~~

~~1.—The development shall be provided with a system of water supply that provides each use with an adequate supply of water.~~

~~2.—If the project is to be served by a private water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.~~

~~F.—Sewage Disposal Provisions~~

~~1.—The development shall be provided with a method of disposing of sewage that is in compliance with the State Plumbing and Health Codes.~~

~~2.—All sanitary sewage from new or expanded uses must be discharged into a public sewage collection and treatment system when such facilities are currently available or can reasonably be made available at the lot line and have adequate capacity to handle the projected waste generation. All submittals must be in conformance with all adopted Codes.~~

~~a.—It is mandatory that when a public sewer becomes available within 300 feet of any property served by a private sewage disposal system, a direct connection shall be made to the public sewer in accordance with the provisions of Chapter 11—Design Review and Site Plan Review of the Town Code.~~

~~Connections are mandatory when any one of the conditions stipulated in Chapter 11— Design Review and Site Plan Review of the Town Code applies after the date specified for that condition.~~

~~This requirement may be waived if the use is already served by a properly functioning subsurface disposal system that is properly sized for the projected flows; connection to the public system shall occur if and when the subsurface system needs to be replaced.~~

~~b.— If the public system cannot serve or be extended to serve a new or expanded use, the sewage must be disposed of by an on-site sewage disposal system meeting the requirements of the Subsurface Wastewater Disposal Rules.~~

~~c.— When two or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to ensure proper maintenance of the system.~~

~~d.— Industrial or commercial wastewater may be discharged into public sewers in such quantities and/or of such quality as to be compatible with sewage treatment operations. Such wastes may require pretreatment at the industrial or commercial site in order to render them amenable to public treatment processes. Pretreatment includes, but is not limited to, screening, grinding, sedimentation, pH adjustment, surface skimming, chemical oxidation and reduction and dilution.~~

#### ~~G.— Utilities~~

~~The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from public view. If the service in the street or on adjoining lots is underground, the new service must be placed underground.~~

#### ~~H.—Natural Features~~

~~The site shall be landscaped in compliance with the requirements of Chapter 9—Landscape Design Standards.~~

#### ~~I.—Groundwater Protection~~

~~The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.~~

~~Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of 2000 gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Arizona.~~

#### ~~J.—Water Quality Protection~~

~~All aspects of the project must be designed so that:~~

~~1.— No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwater so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.~~

~~2.— All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials must meet the standards of the Arizona Department of Environmental Quality (ADEQ) and the State Fire Marshal's Office.~~

~~3.— If the project is located within the direct watershed of a “body of water most at risk from development” or a “sensitive or threatened region or watershed” as identified by the Arizona Department Environmental Quality (ADEQ), and requires a stormwater permit from the ADEQ, the project must comply with the standards of the ADEQ with respect to the export of total suspended solids and/or phosphorous.~~

~~4.— If the project does not require a stormwater permit from ADEQ, it must be designed to limit the export of phosphorous from the site and conform to adopted codes regulating off-site phosphorous discharge.~~

#### ~~K.— Solid Waste Management~~

~~The proposed development must provide for disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having capacity to accept the project’s wastes.~~

#### ~~L.— Historic and Archaeological Resources~~

~~If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including, but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.~~

#### ~~M.— Flood Plain Management~~

~~If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town of Clarkdale and Yavapai County Flood Control flood plain management requirements.~~

#### ~~N.— Exterior Lighting~~

~~All new construction for which site plan review is required shall also be required to submit a comprehensive lighting plan for review. The lighting plan shall be developed in accordance with the requirements of Chapter 8—Outdoor Lighting.~~

#### ~~O.—Buffering~~

~~The development must provide for the buffering of adjacent uses where there is a transition from one type of use to another use and for screening of mechanical equipment and service and storage areas. All setbacks, enclosures, walls and plantings shall comply with Chapters 9—Landscape Design Standards, and 4—General Provisions, Section 4-080—Fence Height.~~

#### ~~P.—Landscaping~~

~~Landscaping must be provided as part of site design. The landscape plan for the entire site must conform to Chapter 9—Landscape Design Standards.~~

#### ~~Q.—Business Signs~~

~~All new construction, for which SPR is required, shall submit a comprehensive sign plan for review. The sign plan shall be developed in accordance with the requirements of Chapter 7—Signage and is subject to review and approval as part of Design Review.~~

### **Section 11-1040 Post Approval Activities**

#### ~~a.A.~~ **A.—Incorporation of Approved Plan**

One copy of the approved site plan must be included with the application for the building permit for the project and all construction activities must conform to the

approved plan, including any conditions of approval and minor changes approved by the Community Development Director or designee to address field conditions.

b. ~~B.~~ **B.—Improvement Guarantees**

e. **1. Application**

e. **a. Improvement Guarantee: An improvement guarantee shall be required in such form as specified in sub-section 2 below as is necessary to ensure the proper installation of all on and off site improvements required as conditions of approval. The Developer shall submit an Engineer's Estimate of Probable Cost (EOPC) for review and approval by the Town, which shall determine the minimum assurance required.**

e. **b. Upon substantial completion of all required improvements, the developer must notify the Town Engineer of the completion or substantial completion of improvements and must send a copy of such notice to the appropriate municipal officials. The respective municipal officials shall inspect all improvements and shall file a report indicating either approval, partial approval, or rejection of such improvements with a statement of reasons for any rejection.**

f. **c. The Town Engineer and/or Building Official shall either approve, partially approve, or reject the improvements based on their conformance to adopted codes and regulations.**

g. **d. If the improvements are approved, the guarantee shall be released. Where partial approval is granted, the developer shall be released from liability only for that portion of the improvements approved.**

h. **2.—Form of Guarantee**

i. **Performance guarantees may be provided by a variety of means including, but not limited to, the following which shall be approved as to form and enforceability by the Town Attorney.**

j. **a. Security Bond - The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.**

k. **b. Letter of Credit - The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.**

l. ~~t.~~ c. Escrow Account - The applicant may deposit cash, or other instruments readily convertible into cash at face value, either with the Town, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon issuing a 48 hour advance notice to the applicant to complete the guaranteed improvements.

m. ~~r.~~ d. Letter from the financial institution providing funding for the project, indicating commitment to the completion of the project.

#### ~~n.C.~~ C.—Submission of As-Built Plans

Any project subject to ~~Design Site Plan~~ Review must provide the Community Development Director with a set of construction plans showing the building(s) and site improvements as actually constructed on the site. These “as-built” plans must be submitted prior to the issuance of a Certificate of Occupancy for the project or occupancy of the building.

#### ~~o.D.~~ D.—Submission of Digital Copies of As-Builts

Where the applicant or their engineers utilize computer aided drafting (CAD) programs to develop the site plan, digital drawing files of the as-builts shall be submitted to the Community Development Director ~~or designee~~ along with printed drawings.

#### ~~p.E.~~ E.—Changes to Approved Plans

#### E.

Changes in approved plans necessary to address field conditions may be approved by the Community Development Director ~~or designee~~ provided that any such change does not constitute a variance of greater than 10% of the approved plans. Changes that exceed 10% of building bulk, height, setback, or separation must be approved by the same process as for the initial ~~Design Rsite-plan~~ review.

#### ~~q.F.~~ F.—Updates/Phased Site Plans

If all phases are not approved at ~~site-plan review~~ Design Review, then each phase must be approved individually by the ~~Site Plan Review Committee~~ Community Development Director or designee prior to issuance of a building permit.

### ~~Section 11-150 Appeals~~

~~An appeal of any action taken by the Site Plan Review Committee with respect to this Chapter may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.~~

### **Section 11-160 Administration and Enforcement**

This Chapter shall be administered and enforced by the Community Development Director.

If the Community Development Director or designee finds that any provision of this Chapter is being violated, ~~they, he or she~~ shall notify the person responsible for such violation in writing, indicating the nature of the violation and ordering the action necessary to correct it.

~~They~~~~He or she~~ shall order that any illegal use of buildings, structures, additions, or work being performed be discontinued, or shall take any other action authorized by this Chapter to ensure compliance with or to prevent violation of its provisions.

The Community Development Director is hereby authorized to institute or cause to be instituted, in the name of the Town, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this Chapter; provided, however, that this Section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this Chapter.

The Town Manager or their authorized agent are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Code and recovering fines without court action.

Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

## Section 11-1270 Interpretation of the Code

The Community Development Director shall be responsible for administering the provisions of this Chapter including interpreting the provisions hereof.

An appeal of any action taken by the Community Development Director or designee with respect to this Chapter may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred feet of, the boundary of the affected property, or by any officer or department of the municipality affected by the action. Appeals must be filed within 30 days after the Community Development Director or designee renders a decision.

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~~Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.~~

~~Town Website: [www.clarkdale.az.gov](http://www.clarkdale.az.gov)~~

~~Town Telephone: (928) 639-2400~~

~~Hosted by General Code.~~



# Staff Report

Item Number: 6.B.

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- Agenda Item:**            **Prohibited Plant List**  
Discussion only regarding a Prohibited Plant List to be included in Chapter 9 - Landscape Design Standards.
- Staff Contact:**            Scott Ellis, Community Development Director
- Meeting Date:**            January 15, 2026
- Strategic Goal:**            This agenda item supports the following Clarkdale Strategic Goal Area:
- Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.
- Background:**            The Citizens Advisory Committee (CAC) has been reviewing draft text amendments to the Town of Clarkdale’s Zoning Code. The purpose of this item is to discuss a Prohibited Plant list to be included in Chapter 9 - Landscape Design Standards.
- Budget Impact:**            No budget impact.
- Recommendation:**        Discussion only. No recommendation.