



**NOTICE OF A REGULAR MEETING OF THE ZONING CODE UPDATE CITIZEN ADVISORY
COMMITTEE
OF THE TOWN OF CLARKDALE
WEDNESDAY, FEBRUARY 18, 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 Wednesday, February 18, 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 Feb. 5, 2026.

5. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Chapter 3 - Zoning Districts

Discussion only regarding the Zoning Code updates to Chapter 3 - Zoning Districts.

6. NEW BUSINESS

A. Chapter 5 - Conditional Use Permits

Discuss, consider and act upon the Zoning Code update to Chapter 5 - Conditional Use Permit.

B. Chapter 6 - Standards for Planned Unit Development and Planned Area Development

Discuss, consider and act upon the Zoning Code update to Chapter 6 - Standards for Planned Unit Development and Planned Area Development.

C. Chapter 12 - Subdivision Regulations

Discuss, consider and act upon the Zoning Code update to Chapter 12 - Subdivision Regulations.

D. Prohibited Plant List

Discuss, consider and act upon the Zoning Code of Chapter 9 - Landscape Design Standards, with the addition of Section 9-130, Prohibited Plant List.

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 Feb. 5, 2026.
- Staff Contact:** Scott Ellis, Community Development Director
- Meeting Date:** February 18, 2026
- Strategic Goal:** Not applicable.
- Background:** Review of the draft minutes from the regular meeting on Feb. 5, 2026.
- Budget Impact:** No budget impact.
- Recommendation:** Staff recommends that the Citizens Advisory Committee approve the draft minutes from the regular meeting on Feb. 5, 2026.



**SUMMARIZED MINUTES OF A REGULAR MEETING OF THE ZONING CODE UPDATE CITIZEN
ADVISORY COMMITTEE OF THE TOWN OF CLARKDALE
THURSDAY, FEBRUARY 5, 2026 AT 4:30 PM**

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

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: *One member of the public was present.*

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

2. ROLL CALL

Present: *Allen Spence, Joe Conk, Robyn Prud'homme-Bauer, Craig Backus, Laura Jones, Selena Pao.*

Absent: *Ray Selna, Kerrie Snyder, Virginia Smith.*

3. PUBLIC COMMENT

No public comment.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the Citizens Advisory Committee meeting on Jan. 29, 2026.

Motion: *Approve the draft minutes from the meeting held on Jan. 29, 2026.*

First: *Prud'homme-Bauer*

Second: *Conk*

Vote: - *6-0*

Advisory Member

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

Aye/Nay

Aye
Absent
Absent
Aye
Aye
Aye
Aye
Absent
Aye

5. NEW BUSINESS *None.*

6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Zoning Code Update to Chapter 6 - Standards for Planned Unit Development and Planned Area Development

Discussion regarding the update of Zoning Code Chapter 6 - Standards for Planned Unit Development and Planned Area Development.

B. Zoning Code Update to Chapter 2 – Definitions

Discussion regarding the Zoning Code update to Chapter 2 - Definitions; we will compare and contrast the current version on the website with the redlined version.

7. FUTURE AGENDA ITEMS

Zoning Code Update Citizen Advisory Committee did not propose items to be placed on a future agenda.

8. ADJOURNMENT

Motion: *To adjourn the meeting.*

First: *Conk*

Second: *Prud'homme-Bauer*

Vote: *- 6-0*

Advisory Member

Selena Pao

Ray Selna

Virginia Smith

Laura Jones

Joe Conk

Craig Backus

Robyn Prud'homme-Bauer

Kerrie Snyder

Allen Spence (Chair)

Aye/Nay

Aye

Absent

Absent

Aye

Aye

Aye

Aye

Absent

Aye

Chair Spence adjourned the meeting without objection at 5:36 p.m.

Chairperson Spence
Zoning Code Advisory Committee

Scott Ellis
Community Development Director



Staff Report

Item Number: 5.A.

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|-------------------------------|--|
| <u>Agenda Item:</u> | Chapter 3 - Zoning Districts Discussion only regarding the Zoning Code updates to Chapter 3 - Zoning Districts. |
| <u>Staff Contact:</u> | Scott Ellis, Community Development Director |
| <u>Meeting Date:</u> | February 18, 2026 |
| <u>Strategic Goal:</u> | Not applicable. |
| <u>Background:</u> | 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 the chapter listed above. |
| <u>Budget Impact:</u> | No budget impact. |
| <u>Recommendation:</u> | No recommendation. Discussion only. |

**CHAPTER 3
ZONING DISTRICTS**

Articles:

- 3-010 Single-Family Residential (R1)**
- 3-020 Single-Family Residential (R1A)**
- 3-030 Single-Family Residential Limited (R1L)**
- 3-040 Single-Family and Limited Multiple Family Residential (R2)**
- 3-050 Multiple Family Residential (R3)**
- 3-060 Manufactured Home Residential (R4)**
- 3-070 Manufactured Home Residential Alternate (R4A)**
- 3-080 Suburban Residential (RS3)**
- 3-090 Central Business District (CB)**
- 3-100 Commercial (C)**
- 3-110 Neighborhood Commercial District (NC)**
- 3-120 Highway Commercial District (HC)**
- 3-130 *Repealed by Ordinance #430.***
- 3-140 Industrial District (I)**
- 3-150 Open Space District (OS)**
- 3-160 Arts & Entertainment District**
 - 3-160-010 Purpose**
 - 3-160-020 District Boundaries**
 - 3-160-030 Design Guidelines**
 - 3-160-040 Exemptions**
- 3-170 Historic Preservation District (HPD)**
 - 3-170-010 Purpose**
 - 3-170-020 Historic Preservation Overlay District Designation**
 - 3-170-030 Development Standards**
 - 3-170-040 Application Process**
 - 3-170-050 Certificate of Appropriateness**
 - 3-170-060 Demolition and Moving of Buildings and Structures**

Section 3-010 Single-Family Residential (R1)

PURPOSE AND INTENT

This district is intended to provide for low-density residential neighborhoods consisting primarily of site-built, detached single-family homes on standard-sized lots. The district is designed to preserve established neighborhood character and promote compatibility between residential uses and supporting public facilities such as parks, schools, and utilities. Limited accessory and home-based activities are permitted in a manner that maintains the residential character of the area.

PERMITTED USES

~~A. – Principal Use Permitted: (Not requiring a use permit):~~

1. ~~One~~ Single-family dwellings, excluding mobile or manufactured homes.
2. Publicly owned or operated park, playground or community building.
3. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
4. Family Day Care Homes located on a public street.
5. Bed and Breakfast establishments in conformance with Section 4-150.

Keeping of fowl, subject to the standards in Chapter 4

Public and private schools

6. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. (Created by Ordinance #409 on 11-10-20; Effective 12-10-20)

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, private workshops, and home occupations governed by the provisions of Section 4-110.

CONDITIONAL USES

~~C. Conditional Uses Permitted: (Requires a use permit):~~

1. Home Occupations which do not adhere to the provisions of Section 4-110.
2. Group Day Care Homes located on a public street.
3. Churches, Synagogues, or other places of worship on lots of at least 10,000 square feet ~~Move to permitted uses?~~

~~4. Cemeteries~~

5. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)

- a. Applicant is required to obtain a Home Occupation License.

~~Unoccupied public utility buildings, structures, or appurtenances for public service use. Development standards may be modified through Conditional Use Permit approval. Extension of public services lines in public or private right-of-way is exempt from this requirement.~~

~~Hospitals?~~

~~Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.~~

DEVELOPMENT STANDARDS

- D. Building Height Limitation: 2 ½ stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.3 **change to percentage (30%)**
- F. Minimum Lot Size: 10,000 square feet **per single-family dwelling unit. This leads one to believe that more than one single family home can be placed on a property that is 20,000 square feet.**
- G. Minimum Lot Frontage: 60 feet.
- H. Minimum Average Lot Width: 80 feet.
- I. Minimum Yard Area Standards: Front - 20 feet
Side- 10 feet **street side setback 15 feet**
Rear- 20 feet
- J. **All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:**
 - a. Chapter 4 – General Provisions
 - b. Chapter 5 – Conditional Use Permit
 - c. Chapter 7 – Signs
 - d. Chapter 8 – Outdoor Lighting Code

Signs: ~~Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code § 3-1)~~

Section 3-020 Single-Family Residential (R1A)

PURPOSE AND INTENT

This district is intended to accommodate moderately sized residential lots that support site-built, detached single-family homes in a compact neighborhood setting. This district provides opportunities for attainable housing while maintaining compatibility with surrounding residential areas.

PERMITTED USES

~~A. -- Principal Use Permitted: (Not requiring a use permit). Make all permitted uses same as R1.~~

1. ~~One~~ Single-family dwellings, excluding mobile or manufactured homes.
2. Publicly owned or operated park, playground or community building.
3. Installation for sewer, water, gas electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
4. Family Day Care Home.
5. Bed and Breakfast establishments in conformance with Section 4-150.

~~Keeping of fowl subject to standards in chapter 4~~

~~Public and private schools~~

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, private workshops, and home occupations governed by the provisions of Section 4-110.

CONDITIONAL USES

C. ~~Conditional Uses Permitted: (Requires a use permit):~~

1. Home Occupations which do not adhere to the provisions of Section 4-110.
2. Group Day Care Homes
3. Churches, Synagogues, or other places of worship on lots of at least 10,000 square feet
4. Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331 -- Effective 0-4/08/11)~~
 - a. Applicant is required to obtain a Home Occupation License.

~~Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.~~

DEVELOPMENT STANDARDS

- D. Building Height Limitation: 2 stories, not to exceed 35 feet. ~~Should this be 2 ½ stories to match all other zones?~~
- E. Maximum Lot Coverage Ratio: 0.4 ~~Percentage~~
- F. Minimum Lot Size: 5,000 square feet ~~per single-family dwelling unit.~~
- G. Minimum Lot Frontage: 50 feet.
- H. Minimum Average Lot Width: 50 feet.
- I. Minimum Yard Area Standards: Front - 15 feet

Side - 5 feet **street side setback 10 feet**

Rear - 15 feet

J. **All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:**

- a. **Chapter 4 – General Provisions**
- b. **Chapter 5 – Conditional Use Permit**
- c. **Chapter 7 – Signs**
- d. **Chapter 8 – Outdoor Lighting Code**

~~Signs: Signs standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code § 3-2)~~

Section 3-030 Single-Family Residential Limited (R1L)

PURPOSE AND INTENT

This district is intended to provide for low-density residential development on larger lots in areas where rural character, open space, and reduced development intensity are desired. The district accommodates single-family homes and limited community-serving uses while maintaining greater lot area, setbacks, and open space to preserve neighborhood character.

PERMITTED USES

~~A. Principal Use Permitted: (Not requiring a use permit). Same as R-1~~

1. ~~One~~ Single-family dwellings, excluding mobile or manufactured homes.
2. Publicly owned or operated park, playground or community building.
3. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
4. Family Day Care Homes located on a public street.
5. Bed and Breakfast establishments in conformance with Section 4-150.

Keeping of fowl subject to standards in chapter 4

Public and private schools

6. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. (Created by Ordinance #409 on 11-10-20; Effective 12-10-20)

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, private workshops, and home occupations governed by the provisions of Section 4-110.

CONDITIONAL USES

~~C. Conditional Uses Permitted: (Required a use permit). Same as R-1~~

1. Home Occupations which do not adhere to the provisions of Section 4-110.
2. Group Day Care Homes located on a public street.
3. Churches, Synagogues, or other places of worship on lots of at least 43,560 square feet (1 acre) and located on a public street.

4. Golf Courses, Country Clubs including social and dining activities.
5. ~~Cemeteries.~~
6. Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331 – Effective 04/08/11)~~
 - a. Applicant is required to obtain a Home Occupation License.

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

- D. Building Height Limitation: 2 ½ stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.2 ~~Percentage~~
- F. Minimum Lot Size: 43,560 square feet (1 acre) ~~per single-family dwelling unit.~~
- G. Minimum Lot Frontage: 100 feet.
- H. Minimum Average Lot Width: 140 feet.
- I. Minimum Yard Area Standards: Front - 30 feet
Side - 10 feet ~~street side setback 15 feet~~
Rear - 30 feet
- J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:
 - a. Chapter 4 – General Provisions
 - b. Chapter 5 – Conditional Use Permit
 - c. Chapter 7 – Signs

d. Chapter 8 – Outdoor Lighting Code

~~Signs: Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code § 3-3)~~

Section 3-040 Single-Family and Limited Multiple Family Residential (R2)

PURPOSE AND INTENT

This district is intended to provide for a mix of single-family and small-scale multi-family housing, including duplexes, triplexes, and fourplexes. The district supports moderate residential density while maintaining compatibility with surrounding neighborhoods. Development is intended to provide housing diversity, promote efficient land-use, and ensure appropriate transitions between lower and higher density areas.

PERMITTED USES

~~A. – Principal Uses Permitted: (Not requiring a use permit):~~

1. ~~One~~ Single-family dwellings, excluding mobile or manufactured homes.
 2. Two (2), three (3) and four (4) family dwelling units, excluding mobile homes.
 3. Publicly owned or operated park, playground or community building.
 4. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
 5. Family Day Care Homes and Group Day Care Homes.
-

6. Bed and Breakfast establishments in conformance with Section 4-150.

Keeping of fowl subject to standards in chapter 4

Public and private schools

Churches and similar places of worship

7. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. (Created by Ordinance #409 on 11-10-20; Effective 12-10-20)

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, private workshops, and home occupations governed by the provisions of Section 4-110.

CONDITIONAL USES

~~C. Conditional Uses Permitted: (Requires a use permit).~~

1. Home Occupations which do not adhere to the provisions of Section 4-110.

2. Apartment buildings exceeding ~~four (4)~~ five (5) units per building.

3. Churches, synagogues or other places of worship on lots of at least 10,000 square feet. ~~Why a size limit? This may not be legal. Recommend deleting and allowing churches as permitted use. They still have to meet all setback requirements and other development standards.~~

4. Hospitals, ~~public schools or private schools located on collector or arterial streets.~~

5. Day Care Centers.

6. ~~Cemeteries.~~
7. Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331 – Effective 04/08/11)~~
 - a. Applicant is required to obtain a Home Occupation License.

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

- D. Building Height Limitations: 2 ½ stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.4 ~~Percentage~~
- F. Minimum Lot Size:
 1. 8,000 square feet per single-family dwelling unit. ~~Do we want to allow more than one single family home in multi-family zones? It's not that different than two or three duplexes that would otherwise be allowed.~~
 2. 4,000 square feet per dwelling unit for structures exceeding detached single-family homes.
- G. Minimum Lot Frontage: ~~30 feet for all~~
 - ~~1.–60 feet for a single-family dwelling unit.~~
 - ~~2.–90 feet for two (2), three (3) or four (4) unit structures.~~
 - ~~3.–120 feet for apartment complexes.~~
- H. Minimum Average Lot Width: 60 feet.
- I. Minimum Yard Area Standards:

Front- 20 feet

Rear- ~~20 feet~~ 10 feet

Side- 8 feet for single-family dwelling unit and single story multi-unit structures, 10 feet for multi-unit structures exceeding one story.

J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

- a. Chapter 4 – General Provisions
- b. Chapter 5 – Conditional Use Permit
- c. Chapter 7 – Signs
- d. Chapter 8 – Outdoor Lighting Code
- e. Chapter 9 – Landscape Design Standards
- f. Chapter 11 – Design Review

~~Signs: Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code § 3-4)~~

Section 3-050 Multiple Family Residential (R3)

PURPOSE AND INTENT

This district is intended to accommodate higher-density residential development, including apartments and other multi-family housing types. The district provides opportunities for a range of housing choices and supports proximity to commercial areas.

PERMITTED USES

~~A. – Principal Uses Permitted: (Not requiring a use permit).~~

1. Any use permitted by right in the R2 zone district.
2. Multiple family dwelling structures.
3. Churches, hospitals, schools ~~and cemeteries~~.
4. Convalescent homes and retirement centers.
5. Bed and breakfast establishments, boarding and rooming houses.
6. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. (Created by Ordinance #409 on 11-10-20; Effective 12-10-20)

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, private workshops, and home occupations governed by the provisions of Section 4-110. For non-residential uses one illuminated, non-flashing identification on-premises sign not exceeding sixty-four (64) square feet and indicating only the name or address of the use thereof in conformance with Chapter 7.

CONDITIONAL USES

~~C. Conditional Uses Permitted: (Requires a use permit):~~

1. Home occupations which do not adhere to the provisions of Section 4-110.
2. Day Care Centers.
3. Golf Courses and Country Clubs including social and dining activities.

Cemeteries

Hospitals

4. Private clubs, fraternities, sororities and lodges, excepting those whose chief activity is a service customarily carried on as a business.

5. Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331 – Effective 04/08/11)~~

a. Applicant is required to obtain a Home Occupation License.

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

D. Maximum Building Height: 3 stories, not to exceed 45 feet.

E. Minimum Lot Size:

1. 8,000 square feet for single-family use.
2. 4,000 square feet per unit for two (2), three (3) or four (4) family structures.
3. 3,000 square feet per unit for apartment structures, with a minimum of 18,000 square feet.
4. 20,000 square feet for non-residential uses.

Add an open space requirement, 20%

For all multi-family uses, no less than 20% of the total lot area shall be provided as “Usable Open Space” as defined in this ordinance. The Community Development Director may reduce the required open space with Design Review approval.

F. Maximum Lot Coverage Ratio: 0.4 Percent

G. Minimum Lot Frontage: Match R2

1. 60 feet for a single-family dwelling unit.

2. 90 feet for two (2), three (3) or four (4) unit structures.
3. 120 feet for apartment complexes and non-residential uses.

H. Minimum Average Lot Width: 60 feet.

I. Minimum Yard Area Standards: **Match R2**

Front- 20 feet for residential uses, 25 feet for non-residential uses

Rear- 20 feet for residential uses, 25 feet for non-residential uses

Side- 8 feet for single-family dwelling unit and single story multi-unit structures, 10 feet for multi-unit structures exceeding one story, 25 feet for non-residential uses

J. **All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:**

- a. **Chapter 4 – General Provisions**
- b. **Chapter 5 – Conditional Use Permit**
- c. **Chapter 7 – Signs**
- d. **Chapter 8 – Outdoor Lighting Code**
- e. **Chapter 9 – Landscape Design Standards**
- f. **Chapter 11 – Design Review**

~~Signs: Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code § 3-5)~~

Section 3-060 Manufactured Home Residential (R4)

PURPOSE AND INTENT

This district is intended to provide for manufactured home subdivisions, manufactured home parks, and recreational vehicle parks in an organized setting. The district ensures manufactured housing is developed in a manner consistent with public health and safety standards, adequate infrastructure, and compatibility with surrounding land uses.

PERMITTED USES

~~A. – Principal Uses Permitted (Not requiring a use permit):~~

1. Manufactured Home ~~Rental~~ Parks
2. Manufactured Home Subdivisions
3. Recreational Vehicle Parks
4. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. ~~(Created by Ordinance #409 on 11-10-20; Effective 12-10-20)~~

~~B. Accessory Uses Permitted: (Not requiring a use permit):~~

1. Accessory uses or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, carports, utility rooms, and recreation facilities, and home occupations governed by the provisions in Section 4-110.

CONDITIONAL USE PERMIT

~~C. – Conditional Uses Permitted: (Requiring a use permit):~~

1. Home occupations which do not adhere to the provisions in Section 4-110.
2. All uses other than principal uses require a conditional use permit.
3. Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331 – Effective 04/08/11)~~

- a. Applicant is required to obtain a Home Occupation License.

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS FOR MANUFACTURED HOME SUBDIVISIONS

D. Maximum Building Height:

1. One story front elevation, but not to exceed ~~18 feet~~. 25 feet

E. Minimum Lot Size:

1. ~~Manufactured Home Rental Park 5,000 square feet~~
2. ~~Manufactured Home Subdivision~~ 8,000 square feet

F. Maximum ~~Floor Area Ratio~~: .4 Percent

G. Minimum Lot Frontage: 30 feet.

H. Minimum Average Lot Width: 50 feet.

~~I.--Minimum Yards Required For Manufactured Home Rental Parks:~~

~~Front-15 feet~~

~~Side-10 feet~~

~~Rear-10 feet~~

~~With the exception on one side of the lot to the property line where an open sided covered metal carport with rain gutters will be allowed within the sideyard setback as long as 10 (ten) feet of separation is maintained to the nearest structure.~~

~~For Manufactured Home Subdivision:~~

~~Front- 20 feet~~

Side- 10 feet ~~street side setback 15 feet~~

Rear- 15 feet

~~J.--Signs: Sign requirements for this zone are outlined in Section 7.~~

K. Use of Manufactured Homes in Manufactured Home Subdivisions and Lots:

1. When authorized as provided elsewhere herein, such Manufactured Homes and use shall comply with the following requirements: Manufactured Homes shall be modern, minimum manufactured size twelve (12) feet minimum width, fifty (50) feet minimum length, used as a dwelling for not more than one (1) family unit, and shall be located on the site in accordance with the requirements for a permanent building; they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; and they shall be connected to Town sewer and water systems or as required by Town ordinance, accessory buildings and permanent add-ons shall be permitted as provided elsewhere, in the District in which located.

2. All Manufactured Homes located in the Town for a duration of thirty (30) days or more shall be skirted within said thirty (30) day period with material similar in appearance to the material used for siding on the Manufactured Home. The skirting shall completely enclose the space under the Manufactured Home.

3. Manufactured Homes shall, within thirty (30) days after installation, be provided with anchors and tie-downs adequate to secure stability and prevent shifting. Owners of Manufactured Homes shall, within thirty days after installation, secure an inspection of tie-downs and anchors from the Town's Building Official.

4. Floor Area, for the purpose of this article, shall include permanently constructed enclosed cabanas which are attached to the Manufactured Home and used as living quarters.

DEVELOPMENT STANDARDS FOR MANUFACTURED HOME SUBDIVISIONS

~~L.--Standards for Manufactured Home Rental Parks: (Excluding Manufactured Home Subdivisions)-~~

1. Site e Area Required:

-
- a. Minimum size, five (5) acres;
 - b. For each Manufactured Home space; 5,000 square feet of gross site area per Manufactured Home space.
2. Separation Requirements:
- a. A Manufactured Home or any part thereof shall not be closer than fifteen (15) feet to any building or structure or occupy or encroach upon any portion of any required yard or driveway.
 - b. A Manufactured Home or any part thereof shall not be closer than twenty-five (25) feet to any other Manufactured Home or part thereof if face to face, and if end to end, twelve (12) feet, except a temporary cabana having no side walls of any type may be erected and attached to a Manufactured Home, provided such temporary cabana shall not be closer than five (5) feet to any other Manufactured Home or occupy or encroach upon any portions of any required yard or driveway.

GENERAL REQUIREMENTS FOR RECREATIONAL VEHICLE PARKS AND MANUFACTURED HOME PARKS

3. ~~Streets:~~ Driveways, Interior Streets and Access-Ways:

Parks shall have direct access to a public street that the Town classifies as a highway, arterial, or collector street, except that no individual space within the park may have direct access to a public street. A minimum of two vehicular ingress/egress points shall be provided for each park, one of which may be kept closed to the general public if provision is made for emergency access per Fire District requirements.

A two-way interior street or access-way shall have a minimum width of 24 feet and a one-way interior street or access-way shall have a minimum width of 20 feet. All

interior streets or access-ways shall have a minimum vertical clearance of 13 feet 6 inches. Fire lanes shall be signed to prohibit parking per Fire District requirements.

All driveways and interior streets shall be surfaced in accordance with Town Standards.

All plans and traffic engineering shall be subject to approval by the Town Engineer.

Parking requirements subject to Town Standards shall apply. Tandem parking is allowed for required parking in individual spaces.

Street lighting shall comply with Chapter 8 of the Town Zoning Ordinance.

~~All streets shall be dust free and have a minimum width of twenty-four (24) feet, except when a street is located between Manufactured Home parking spaces, it shall have a minimum width of thirty (30) feet.~~

~~4.--Plan Engineering and Traffic Engineering:~~

~~All plans and traffic engineering shall be subject to approval of the Town Engineer and shall be based upon the spacing and maneuverability requirements for sixty (60) foot long Manufactured Homes.~~

Screening: All parks shall be screened from any adjacent lot by a solid masonry screen wall six feet in height, subject to fence requirements in the Town Zoning Ordinance.

Parks may include permanent buildings for office, recreational, laundry, shower, and restroom facilities constructed to currently adopted building and fire codes. Spaces in Manufactured Home Parks shall not be occupied by recreational vehicles, and spaces in Recreational Vehicle Parks shall not be occupied by Mobile Homes or Manufactured Homes.

All spaces shall be connected to electricity, water, and an approved sewage disposal facility.

All utility lines, cable TV, and electric transmission lines shall be placed underground within a park. An approved fire protections system shall be installed per Fire District requirements.

Landscaping provisions of Chapter 9 of the Zoning Ordinance shall apply.

Recreational vehicle storage areas, if provided, shall not exceed 25% of the area of the park and shall not be located within 50 feet from any street frontage. Storage areas shall be subject to Fire District requirements and shall be screened by solid screen wall or fence 6 feet in height.

Any open fire pits and barbecues shall be constructed according to currently adopted fire codes.

REQUIREMENTS FOR MANUFACTURED HOME PARKS

Minimum Lot Size: 5 acres

Minimum area per Manufactured Home Park Space: 3,000 Sq. Ft.

Minimum Average Width of Space: 40 feet

Minimum Depth of Space: 60 feet

Minimum Manufactured Home Size: 320 Sq. Ft.

Minimum Yards Required For Manufactured Home Parks:

Front- 15 feet

Side- 10 feet street side setback 15 feet

Rear- 10 feet

Attached canopies, awnings, covered porches, covered patios, carport roofs and similar attached building projections shall be measured the same as the main structure for setbacks.

With the exception on one side of the lot to the property line where an open sided covered metal carport with rain gutters will be allowed within the sideyard setback as long as 10 (ten) feet of separation is maintained to the nearest structure.

5. Certificate of Occupancy and Business License:

No certificate of occupancy or business license shall be issued unless and until the following requirements have been met:

- a. Thirty (30) percent of the Manufactured Home spaces planned in any part, or ten (10) such Manufactured Home spaces whichever is greater, shall have been completely prepared, constructed and equipped for use in all respects and unless and until such portion of the Manufactured Home park's community facilities in the category of, but not limited to, driveways, laundry facilities, bath, wash and toilet rooms ~~as the Planning Commission may require,~~ shall have been completely prepared, constructed, and equipped for use in all respects.
- b. A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of Certificate or License.

6. Uses of Manufactured Homes in Manufactured Home ~~Rental~~ Parks & Lots:

- a. When authorized as provided elsewhere herein, such Manufactured Homes and their use shall comply with the following requirements: Manufactured Homes shall be modern, used as a dwelling for not more than one family unit, and shall be located on the site in accordance with the requirements for a permanent building; they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; they shall be connected to the Town sewer and water systems or as required by Town ordinances; accessory buildings and permanent add-ons shall be permitted as provided elsewhere, in the District in which located.
 - b. All Manufactured Homes located in the Town for a duration of thirty (30) days or more shall be skirted within said thirty (30) day period with material similar in appearance to the material used for siding on the Manufactured Home. The skirting shall completely enclose the space under the Manufactured Home.
 - c. Manufactured Homes shall within thirty (30) days after installation, be provided with anchors and tie-downs adequate to secure stability and prevent shifting. Owners of Manufactured Homes shall, within thirty (30) days after installation, secure an inspection tie-down and anchors from the Town's Building Official.
-

d. Floor Areas, for the purpose of this section shall include permanently constructed, enclosed cabanas, which are attached to the Manufactured Home and used as living quarters.

e. No business shall be conducted within a Manufactured Home Rental Park except those that are for the operation of the park itself. ~~(Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code § 3-6)~~

REQUIREMENTS FOR RECREATIONAL VEHICLE PARKS

Minimum Recreational Vehicle Size: 3 acres

Minimum area per Recreational Vehicle Park Space: 1,800 Sq. Ft.

Minimum Average Width of Space: 30 feet

Minimum Spacing Between Recreational Vehicles (including attached structures): 10 feet

Minimum Yards Required For Recreational Vehicle Parks:

Front- 15 feet

Side- 10 feet street side setback 15 feet

Rear- 10 feet

Attached canopies, awnings, covered porches, covered patios, carport roofs and similar attached building projections shall be measured the same as the main structure for setbacks.

All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

- a. Chapter 4 – General Provisions
- b. Chapter 5 – Conditional Use Permit
- c. Chapter 7 – Signs
- d. Chapter 8 – Outdoor Lighting Code

- e. Chapter 9 – Landscape Design Standards
- f. Chapter 11 – Design Review

Section 3-070 Manufactured Home Residential Alternate (R4A)

PURPOSE AND INTENT

This district is intended to provide flexibility for manufactured housing development, including subdivisions and rental parks, while also allowing detached single-family homes. This district serves as a transitional residential district that accommodates a range of housing types.

PERMITTED USES

~~A. – Principal Uses Permitted (Not Requiring a Use Permit). –~~

1. Manufactured home ~~rental~~ parks subject to the development standards listed in Section 3-060 Manufactured Home Residential (R4)
2. Manufactured homes and manufactured home subdivisions subject to the development standards listed in Section 3-060 Manufactured Home Residential (R4)
3. ~~One~~ Single-family homes subject to R1 development standards.

B. Accessory Uses Permitted (Not Requiring a Use Permit).

1. Accessory uses or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, carports, utility rooms, and recreation facilities, and home occupations governed by the provisions in Section 4-110.

CONDITIONAL USES

~~C.—Conditional Uses Permitted (Requiring a Use Permit).—~~

1. Home occupations which do not adhere to the provisions in Section 4-110.
2. Public utilities, but only where substantial public service and convenience would result from the use and there is absence of danger or annoyance to nearby property owners and residents.
3. Medical marijuana caregiver facility. ~~(Created Ordinance #331 - Effective 04/08/11)~~
 - a. Applicant is required to obtain a home occupation license.

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

D. *Maximum Building Height.*

1. One story front elevation, but not to exceed 18 feet. ~~Match above changes to MH Parks~~

E. *Minimum Lot Size.* Minimum Lot Size: ~~See above development standards~~

- ~~1.—Manufactured Home Rental Park 5,000 square feet~~
- ~~2.—Manufactured home Subdivision 8,000 square feet~~

F. Maximum Floor Area Ratio: .4 ~~Percent (40)~~

G. Minimum Lot Frontage: 30 feet.

H. Minimum Lot Area Per Dwelling: 3,000 feet

I. Minimum Average Lot Width: 50 feet

J. Minimum Yards Required For Manufactured Home Subdivision: ~~See above~~

~~Front-15 feet~~

~~Side-10 feet~~

~~Side-adjacent to street-10 feet~~

~~Rear-15 feet~~

~~For manufactured home rental parks:~~

~~Front-15 feet~~

~~Side-10 feet~~

~~Side-adjacent to street-10 feet~~

~~Rear-10 feet~~

~~K.--Signs. Sign requirements for this zone are outlined in Section 7.~~

L. *Use of Manufactured Homes in a Manufactured Home Subdivision and Lots.* See above

~~1.--When authorized as provided elsewhere herein, such Manufactured Homes and their uses shall comply with the following requirements: Manufactured Homes shall be modern, minimum manufactured size, twelve (12) feet minimum width, fifty (50) feet minimum length, used as a dwelling for not more than one family unit, and shall be located on the site in accordance with the requirements for a permanent building, they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; they shall be connected to Town sewer and water systems or as required by Town ordinance; accessory buildings and permanent add-ons shall be permitted as provided elsewhere, in the District in which located.~~

~~2.--All manufactured homes located in the Town for a duration of thirty (30) days or more shall be skirted within said thirty (30) day period with material similar in appearance to the material used for siding on the Manufactured Home. The skirting shall completely enclose the space under the Manufactured Home.~~

~~3.--Manufactured homes shall, within thirty days after installation, be provided with anchors and tie-downs adequate to secure stability and prevent shifting. Owners of Manufactured Homes shall, within thirty (30) days after installation, secure an inspection of tie-down and anchors from the Town's Building Official.~~

~~4.—Floor Area, for the purpose of this article, shall include permanently constructed enclosed cabanas which are attached to the Manufactured Home and used as living quarters.~~

M. Standards or Manufactured Home Rental Parks: (Excluding Manufactured Home Subdivisions). See above reference to standards

~~1.—Site Area Required:~~

~~a.—Minimum size: five (5) acres.~~

~~b.—For each trailer space, 5,000 square feet of gross site area per trailer space.~~

~~2.—Separation Requirements:~~

~~a.—A Manufactured Home or any part thereof shall not be closer than fifteen (15) feet to any building or structure or encroach upon any required yard or driveway.~~

~~b.—A Manufactured Home or any part thereof shall not be closer than twenty-five (25) feet to any other Manufactured Home or part thereof if face to face, and if end to end, twelve (12) feet, except a temporary cabana having no side walls of any type may be erected and attached to a Manufactured Home, provided such temporary cabana shall not be closer than five (5) feet to any other Manufactured Home or occupy or encroach upon any portion of any required yard or driveway.~~

~~3.—Driveways:~~

~~All driveways shall be dust free and have a minimum width of twenty-four (24) feet, except when a driveway is located between Manufactured Home parking spaces, it shall have a minimum width of thirty (30) feet.~~

~~4.—Plan Engineering and Traffic Engineering:~~

~~All plans and traffic engineering shall be subject to approval of the Town Engineer and shall be based upon the spacing and maneuverability requirements for sixty (60) foot long Manufactured Homes.~~

~~5.—Certificate of Occupancy and Business License:~~

~~No certificate of occupancy or business license shall be issued unless and until the following requirements have been met:~~

~~a. Unless and until thirty (30) percent of the trailer spaces planned in any part, or ten (10) such trailer spaces whichever is greater, shall have been completely prepared constructed and equipped for use in all respects and unless and until such portion of the trailer park's community facilities in the category of, but not limited to, driveways, laundry facilities, bath, wash and toilet rooms as the Planning Commission may require, shall have been completely prepared, constructed, and equipped for use in all respects.~~

~~b. A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of Certificate or License. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code § 3-7)~~

N. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

1. Chapter 4 – General Provisions
2. Chapter 5 – Conditional Use Permit
3. Chapter 7 – Signs
4. Chapter 8 – Outdoor Lighting Code
5. Chapter 9 – Landscape Design Standards
6. Chapter 11 – Design Review

Section 3-080 Suburban Residential (RS3)

PERMITTED USES

PURPOSE AND INTENT

The intent of this district preserve and promote very low-density residential development in a rural or semi-rural setting. The district accommodates single-family homes on large lots and permits limited agricultural activities consistent with maintaining open space, privacy, and rural character. Development is intended to minimize urban intensity and preserve natural landscape features.

A. ~~Principal Use Permitted: (Not requiring a use permit).~~

1. ~~One~~ Single-family dwellings, excluding mobile or manufactured homes.
2. ~~Agricultural uses, such as crop production, orchards and vineyards???~~

~~Keeping of large animals such as cattle and horses, not to exceed one head per 20,000 sq.ft. of lot area. Swine and goats are prohibited.~~

~~Keeping of fowl subject to standards in chapter 4~~

~~Public and private schools~~

3. Publicly owned or operated park, playground or community building.
4. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
5. Family Day Care Homes located on a ~~public street. ?~~
6. ~~Church and incidental facilities located on a public street. ?~~
7. Bed and Breakfast Establishment in conformance with Section 4-150.

~~Churches and similar places of worship~~

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incidental to any use permitted by this section such as an accessory dwelling unit (ADU), private garages, private workshops, and home occupations governed by the provisions of Section 4-110.

CONDITIONAL USES

~~C. Conditional Uses Permitted: (Requires a use permit):~~

1. Home Occupations which do not adhere to the provisions of Section 4-110.
2. Group Day Care Homes located on a public street.
3. Golf Courses or Country Clubs including social and dining activities.
4. Cemeteries.
5. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)

(a) Applicant is required to obtain a Home Occupation License.

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

- D. Building Height Limitation: 2 ½ stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.2 **Percent**
- F. Minimum Lot Size: 3 acres (130,680 square feet) per single-family dwelling unit.
- G. Minimum Lot Frontage: 150 feet.
- H. Minimum Average Lot Width: 200 feet.
- I. Minimum Yard Area Standards:

Front-~~30 50 feet (total of front and rear yard must meet or exceed 130 feet)~~

Side-25 feet

Rear-~~30 50 feet (total of front and rear yard must meet or exceed 130 feet).~~

J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

1. Chapter 4 – General Provisions
2. Chapter 5 – Conditional Use Permit
3. Chapter 7 – Signs
4. Chapter 8 – Outdoor Lighting Code
5. Chapter 9 – Landscape Design Standards
6. Chapter 11 – Design Review

~~Signs: Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code § 3-8)~~

Section 3-090 Central Business District (CB)

PURPOSE AND INTENT

The Central Business (CB) District is intended to serve as a commercial, civic, cultural, and mixed-use heart of the Town. The district encourages a compact, pedestrian-oriented environment supporting retail, dining, lodging, residential, and commercial uses typical of historic downtowns.

PERMITTED USES

A. Principal Use Permitted: (Not requiring a use permit).

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Indoor recreational establishments such as bowling alleys, arcades, billiards parlors, and similar establishments. ~~Amusement place in a completely enclosed building~~
 2. Artist Studios – art production on site is subject to the performance standards of the Commercial District
 3. Assisted living facilities including convalescent homes, hospice care and retirement centers
 4. Bed and Breakfast Country Inn
 5. Commercial, trade and vocational schools
 6. Community Supported Agriculture (CSA) disbursement locations, ~~such as pre-sold agricultural product distribution to subscribing members. No on-site crop production is permitted.~~
 7. **Farmers Markets**
 8. Funeral Parlors without a crematorium
 9. Hotels and motels
 10. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. ~~(Created by Ordinance #358 on 3/11/14; Effective 4/11/14)~~
 11. Medical Marijuana Dispensary in a storefront location. (Created Ordinance #331 – Effective 04/08/11)
-

12. Museums and galleries
13. Parking lots, subject to town standards. Parking structures are prohibited.
14. Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors and other personal service uses of a similar nature.
15. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
- ~~16. Public garage, including storage and repair in accordance with Subsection 1- Performance Standards #3: Storage facilities~~
17. Marijuana establishments
18. Religious institutions
19. Repair shops for household small appliances, bicycles, and personal items
20. Residential uses including single-family and multi-family
21. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-160. (Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)
22. Retail sales including florist shops and greenhouses in connection with such shops. No outdoor display or outdoor storage is permitted.
23. Self-service laundry and cleaning establishments

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory dwelling units (ADUs), private garages and private workshops.

CONDITIONAL USES

~~C. Conditional Uses Permitted: (Use permit required).~~

~~(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)~~

~~(Revised by Ord #384; Res 1543; Adopted 5/9/17; Eff 6/9/17)~~

1. Agriculture Tourism
2. Agritourism Enterprise
3. Convenience stores/filling stations provided bulk storage of **flammable** liquids is underground. No repair shop or vehicle storage shall be permitted **except in conformance with the Zoning Code.**
4. Croplands
5. Day Care Center (child or adult)
6. Infusion of marijuana into food products by a marijuana establishment with a valid food establishment license in a storefront location
7. Medical Facilities, Licensed Inpatient and Outpatient
8. Outside display & sale of goods & merchandise: outside storage
9. **Storage facilities**
10. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)
- ~~11. Any use not listed but determined by the Community Development Director to be similar in commercial character and use:~~

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

- D. Maximum Building Height: 50 feet
- E. Minimum Lot Size: None
- F. Minimum Lot Frontage: 25 feet

G. Maximum Floor Area Ratio: None

H. Minimum Yards Required: None

PERFORMANCE STANDARDS TO BE MOVED TO CHAPTER 4

I. The Performance Standards for CB Districts are:

1. Traffic and curbs- No development will be permitted which permits or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.

2. Landscaping and paving- All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover. Undisturbed natural growth is encouraged. Covering with material that will provide an all-weather surface is an alternative.

3. Storage facilities- Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be enclosed on all sides by a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence; or as otherwise designated by the Board of Adjustment.

4. Illumination- Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare toward streets and adjoining properties.

~~5.- Noise- At no point on the boundary of residential or business zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the designated octave banks shown below (excluding operation of motor vehicles or other transportation facilities):~~

~~Maximum Sound Pressure~~

| Octave Cycles | Bank Per-Second | Level in Decibels -0002- Dynes-per- CM2 |
|------------------|--------------------|---|
| 0 to | 75 | 72 |
| 75 to | 150 | 67 |
| 150 to | 300 | 59 |
| 300 to | 600 | 52 |
| 600 to | 1200 | 46 |
| 1200 to | 2400 | 40 |
| 2400 to | 4800 | 34 |
| Above | 4800 | 32 |

Sound levels shall be measured with a sound level meter and associated octave band filter manufacture according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noise shall be capable of being accurately measure with equipment. Noises capable of being so measured, of the purpose of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels.

Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

~~6.—Smoke—No emission of smoke from any source shall be permitted to exceed a greater density than that density described as No. 1 on the Ringleman Chart. However, smoke may be emitted, which is equal to but not darker than No. 2 on the Ringleman Chart, for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau of Mines shall be the Standard.~~

~~7.—Glare or Heat—Any activity producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance or hazard along lot lines.~~

~~8.—Odors—No Emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or such a manner as to create a nuisance or hazard beyond the property lines.~~

~~9.—Vibration—No vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour of the day between the hours of 7:00 a.m. to 7:00 p.m., or of thirty (30) seconds or more duration in any one hour during the hours of 7:00 p.m. & 7:00 a.m.~~

~~10.—Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution—No emission shall be permitted which can cause damage to health, to animals, to vegetation, to other forms of property, or which can cause any excessive spoiling.~~

~~11.—Liquids and Solid Waste—No wastes shall be discharged in the streets, drainage ways or property which is dangerous to the public health and safety, and no waste shall be discharged in the public sewage system which endangers the normal operation of the public sewage system.~~

12. Frontage Road- In those CB areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct at ~~hi won their own~~ expense, a frontage road providing access to said highway. The frontage road shall be constructed according to ~~Town standards the specifications of the Town of Clarkdale, Arizona.~~

13. Screening- An owner of CB property whose property is immediately adjacent to any property having the zoning classification other than Industrial shall, at his own

expense, at the time of use of the property, construct a screen on his property to act as a barrier between his property and adjacent property having a more restrictive zoning classification. The screen may consist of plantings and/or a fence of solid construction as prescribed by the Town of Clarkdale upon application of the owner at the time the property is put to use.

J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

1. Chapter 4 – General Provisions
2. Chapter 5 – Conditional Use Permit
3. Chapter 7 – Signs
4. Chapter 8 – Outdoor Lighting Code
5. Chapter 9 – Landscape Design Standards
6. Chapter 11 – Design Review

~~Signs: Sign requirements for this zone are outlined in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code § 3-9)~~

Section 3-100 Commercial (C)

~~(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)~~

PURPOSE AND INTENT

~~This district is intended to provide for a broad range of retail, service, office, lodging, and mixed-use development that serves the community and surrounding region. The district accommodates automobile-oriented and general commercial uses while ensuring compatibility with adjacent residential districts through performance standards and site design requirements.~~

PERMITTED USES

~~A. – Principal Uses permitted: (Not requiring a use permit)~~

~~(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)~~

1. ~~Indoor recreational establishments such as bowling alleys, arcades, billiards parlors, and similar establishments. Amusement place in a completely enclosed building~~
2. Artist Studios – art production on site is subject to the performance standards of the Commercial District
3. Assisted living facilities including convalescent homes, hospice care and retirement centers
4. Automobile, trailer, boat, or farm implement display, sales or rentals.
5. Bed and Breakfast Country Inn
6. Commercial, trade or vocational schools
7. Community Supported Agriculture (CSA) disbursement locations, ~~such as pre-sold agricultural product distribution to subscribing members. No on-site crop production is permitted.~~
8. **Farmers Markets**
9. Funeral Parlors without a crematorium
10. Hotels and motels
11. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. ~~(Created by Ordinance #358 on 3/11/14; Effective 4/11/14)~~
12. Medical Facilities, Licensed Inpatient and Outpatient

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13. Medical Marijuana Dispensary in a storefront location (Created Ordinance #331 – Effective 04/08/11)
 14. Museums
 15. Park and ride facilities
 16. Parking lots, **subject to town standards**
 17. Personal service uses, including barber shops and beauty parlors, day spas dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature
 18. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
 19. Public garages including storage and repair
 20. Publicly owned or operated park, playground or building including public garages and storage yards in conformance with Subsection I.3
 21. Religions institutions
 22. Repair shops for household small appliances, bicycles, and personal items (previously included with Dressmaking, et. al.)
 23. Residential uses including single-family and multi-family
 24. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-160. (~~Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12~~)
 25. Retail sales ~~including florist shops and greenhouses in connection with such shops~~
 26. Self-service laundry and cleaning establishments
 27. Storage facilities ~~in accordance with Subsection 1: Performance Standards- #3:Storage facilities~~ Reference performance standards in Ch 4
-

28. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution (~~Created by Ordinance #358 on 3/11/14; Effective 4/11/14~~)

B. Accessory Uses Permitted: (Not requiring a use permit)

1. Accessory dwelling units (ADUs) and caretaker's facilities clearly incidental to and secondary to the use of the premises for business purposes.

C. Conditional Uses Permitted: (Use permit required)

~~(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)~~

~~(Revised by Ord #384; Res 1543; Adopted 5/9/17; Eff 6/9/17)~~

1. Agriculture Tourism
2. Agritourism Enterprise
3. Automatic or self-service car wash
4. Campsites and recreational vehicle parks
5. Convenience stores/filling stations provided bulk storage of **flammable** liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
6. Infusion of marijuana into food products with a valid food establishment license in a storefront location
7. Croplands
8. Day Care Center (child or adult)
9. Outside display of goods and merchandise, outside storage
10. Public Utilities
11. **Wireless Communication Tower that meets or exceeds Federal Communications Commission standards, not to exceed 65 (sixty-five) feet in height. Height shall be measured as the distance from the base of the Wireless Communication Tower to the**

top of the Wireless Communication Tower. If the Wireless Communication Tower is attached to a building, height is the distance from the base of the building to the top of the Wireless Communication Tower. (Created 7/9/16 by Ordinance #352; Effective 8/9/13)

~~12. Any use not listed but determined by the Community Development Director to be similar in commercial character and use~~

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

D. ~~Development Standards for Commercial:~~

1. Maximum Building Height: 50 feet
2. Minimum Lot Size: 24,000 square feet
3. Minimum Lot Frontage: 200 feet
4. Minimum Lot Width: 100 feet
5. Minimum Yard Setbacks:
 - a. Front - 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater
 - b. Side – None. ~~Where a lot adjoins a lot in a residential district or a residential use, whether single-family or multi-family along its side lot line, there shall be a 15 foot side yard.~~
 - c. Rear - 20 feet
6. For parcels that front on ~~SR State Route~~ 89A, direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.

E. Performance Standards For C Developments:

1. Traffic and curbs- No Commercial development will be permitted which permits or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.
2. Landscaping and paving- All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover. Undisturbed natural growth is encouraged. Covering with material that will provide an all weather surface is an alternative.
3. Storage facilities- Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be enclosed on all sides by a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence; or as otherwise designated by the Board of Adjustment.
4. Illumination- Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare toward streets and adjoining properties.

~~5.--Noise--At no point on the boundary of residential or business zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the designated octave banks shown below (excluding operation of motor vehicles or other transportation facilities):~~

~~Maximum Sound Pressure~~

| | | |
|-------------------|-----------------------|---------------------------|
| Octave | Bank | Level in |
| Cycles | Per-Second | Decibels |
| | | -.0002- |
| | | Dynes per |
| | | CM² |

~~Maximum Sound Pressure~~

| Octave Cycles | Bank Per-Second | Level in Decibels -0002- Dynes-per CM2 |
|------------------------------|--------------------------------|---|
| 0 to | 75 | 72 |
| 75 to | 150 | 67 |
| 150 to | 300 | 59 |
| 300 to | 600 | 52 |
| 600 to | 1200 | 46 |
| 1200 to | 2400 | 40 |
| 2400 to | 4800 | 34 |
| Above | 4800 | 32 |

~~Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be capable of being accurately measured with equipment. Noises capable of being so measured, for the purposes of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels. Noises incapable of~~

~~being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.~~

~~6.—Smoke—No emission of smoke from any source shall be permitted to exceed a greater density than that density described as No. 1 on the Ringleman Chart. However, smoke may be emitted, which is equal to but not darker than No. 2 on the Ringleman Chart, for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau of Mines shall be the standard.~~

~~7.—Glare or Heat—Any activity producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance or hazard along lot lines.~~

~~8.—Odors—No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or such a manner as to create a nuisance or hazard along lot lines.~~

~~9.—Vibration—No vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for three minutes or more duration in any one hour of the day between the hours of 7:00 a.m. to 7:00 p.m., or of thirty seconds or more duration in any one hour during the hours of 7:00 p.m. and 7:00 a.m.~~

~~10.—Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution—No emission shall be permitted which can cause damage to health, to animals, to vegetation, to other forms of property, or which can cause any excessive spoiling.~~

~~11.—Liquids and Solid Waste—No wastes shall be discharged in the streets, drainage ways or any property which is dangerous to the public health and safety, and no waste shall be discharged in the public sewage system which endangers the normal operation of the public sewage system.~~

12. In any Commercial area, access from any state or federal highway shall be four hundred (400) feet minimum between driveways and shall be approved by the Building Official of the Town of Clarkdale.

13. Screening- An owner of Commercial property whose property is immediately adjacent to any property having the zoning classification other than Industrial shall at his/her own expense, at the time of use of the property, construct a screen on his/her property to act as a barrier between his/her property and adjacent property having a more restrictive zoning classification. The screen may consist of plants and/or a fence of solid construction as prescribed by the Town of Clarkdale upon application of the owner at the time the property is put to use.

F. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

1. Chapter 4 – General Provisions
2. Chapter 5 – Conditional Use Permit
3. Chapter 7 – Signs
4. Chapter 8 – Outdoor Lighting Code
5. Chapter 9 – Landscape Design Standards
6. Chapter 11 – Design Review

~~Signs. Sign requirements for this zone are outlined in Chapter 7, Signs. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #430 on 8/13/24; effective 9/14/24; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code §3-10)~~

Section 3-110 Neighborhood Commercial District (NC)

~~(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)~~

~~District Intent:~~

Provide opportunities for commercial centers that offer everyday goods and services located within close proximity to residential neighborhood and that promote foot and bicycle traffic to those areas.

District Purpose:

This zone strives to provide service commercial uses while still providing a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air and existing visual amenities. Adaptive reuse of residential structures is strongly encouraged with the intent to facilitate the use of mixed use areas to buffer residential areas.

A. PERMITTED USES Principal Permitted Uses

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Artist Studios – art production on site is subject to the performance standards of the Commercial District
2. Assisted living facilities including convalescent homes, hospice care and retirement centers
3. Bed and Breakfast Country Inn
4. Commercial, trade or vocational schools
5. Community Supported Agriculture (CSA) disbursement locations, such as pre-sold agricultural product distribution to subscribing members. No on-site crop production is permitted
6. Farmers Markets
7. Funeral Parlors without a crematorium
8. Hotels and motels a maximum of two stories in height
9. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged.

All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.

10. Museums

11. Park and Ride facilities

12. Parking lots, **subject to town standards.**

13. Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature

14. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices

15. Public garages including storage and repair

16. Religious institutions

17. Repair shops for household small appliances, bicycles, and personal items

18. Residential uses including single-family homes a maximum of two stories in height and multi-family a maximum of three stories in height or 35 feet whichever is less

19. Restaurants, taverns, bars and sidewalk cafes in conformance with Section [4-160](#). **(Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)**

20. **Indoor R** retail sales which do not involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises and are similar in scale and design to the adjacent residential uses

B. Accessory Uses (Not requiring a use permit)

Accessory dwelling units (ADUs) and caretaker's residence in conjunction with a permitted use

C. Conditional Uses (Use Permit Required)

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Agriculture Tourism
2. Agritourism Enterprise
- ~~3. Amusement facilities within a structure with sound containment~~
4. Campsites and recreational vehicle parks for stays of thirty (30) days or less
5. Convenience stores/filling stations provided bulk storage of **inflammable** liquids is underground. No repair shop or vehicle storage shall be permitted **except in conformance with the Zoning Code.**
6. Croplands
7. Day Care Center (child or adult)
8. Dry cleaners
9. Halfway House with on-site staff (excluding treatment centers)
10. Laundry, self-service for individual use only
11. Medical Facilities, Licensed Inpatient and Outpatient
- ~~12. Outside display & sale of goods & merchandise for a limited period of time~~
13. Parking structures or garages, a maximum of two stories in height
14. Retail stores which involve any kind of manufacturing, processing or treating of products other than that which is clearly incidental to the retail business conducted on the premises
15. Any use not listed but determined by the Community Development Director to be similar in commercial character and use

DEVELOPMENT STANDARDS

~~D. Development Standards for the Neighborhood Commercial District:~~

1. Maximum Building Height: 35 feet

2. Minimum Lot Size: 6,000 square feet
3. Minimum Lot Frontage: 50 feet
4. Minimum Lot Depth: 120 feet
5. Minimum Yard Setbacks:
 - a. Front - 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater
 - b. Side – None. Where a lot adjoins a lot in a residential district or a residential use, whether single-family or multi-family along it's side lot line, there shall be a 15 foot side yard.
 - c. Rear - 20 feet
6. For parcels that front on SR 89A, direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.

E. *Performance Standards for Neighborhood Commercial.*

1. Traffic and curbs - No development will be permitted which allows or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.
2. Landscaping and paving Landscaping and paving - All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover, natural organic or inorganic material. Twenty-five [25] percent of the total lot area or a minimum fifteen [15] foot wide strip of land adjacent to the street right of way. All landscaping shall be developed in accordance with the Town of Clarkdale's Landscape Ordinance (Chapter 9, Section 9-030).
3. Storage facilities-Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be screened from public view by an opaque enclosure such as a masonry wall or solid fence. No

materials or products shall be stacked or stored to exceed the height of the wall or fence.

4. Illumination-Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare and light spill toward streets and adjoining properties and shall be in accordance with the Town of Clarkdale's Outdoor Lighting Code. (Chapter 8).

5. Nuisances - No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site. Any business in the Neighborhood Commercial Zone must be operated in accordance with all state and federal environmental regulations.

6. Liquids and solid waste - No wastes shall be discharged in the streets, drainage ways or property. No waste shall be discharged in the public sewage system that endangers the normal operation of the public sewage system.

7. Outdoor displays and seating - All sales, displays and seating shall be conducted within an enclosed area, unless outdoor activities are previously approved by the Community Development Director.

8. Site plan and design review - All development and redevelopment in the Neighborhood Commercial Zone is subject to Site Plan and Design Review per Chapter 11 of the Town of Clarkdale Zoning Code.

9. Highway Access - In any Neighborhood Commercial areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct, at their own expense, any required improvements in accordance with state and federal regulations.

~~10.--Odors--No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such a manner as to create a nuisance or hazard at the lot lines.~~

J. The Sign Standards for Neighborhood Commercial are outlined in Chapter 7 of the Town of Clarkdale Zoning Code. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #430 on 8/13/24; effective 9/14/24; prior code § 3-11)

Reference same chapters as above (i.e. ch 4, ch 8, ch 9, ch 7)

Section 3-120 Highway Commercial District (HC) TO BE DISCUSSED

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

A. District Intent:

To provide opportunities for regional, automobile-oriented, commercial business development.

District Purpose:

The Highway Commercial District is intended for establishments offering accommodations, supplies, or services, specialized automotive and related sales and service establishments, all of which serve persons coming to them from large trading areas. Such uses ordinarily do not seek sites in shopping centers and therefore must be provided at independent locations. The Highway Commercial district will be located along major thoroughfares.

PERMITTED USES

B. Principal Permitted Uses (Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Amusement facilities
2. Artist Studios – art production on site is subject to the performance standards of the Commercial District
3. Assisted living facilities including convalescent homes, hospice care and retirement centers

-
4. Auto, trailer, boat, and farm implement display, sales and rental
 5. Bed and Breakfast Country Inn
 6. Commercial, trade or vocational schools
 7. Community Supported Agriculture (CSA) disbursement locations
 8. Farmers Markets
 9. Funeral Parlors without a crematorium
 10. Hotels and motels a maximum of two stories in height
 11. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.
 12. Medical Facilities, Licensed Inpatient and Outpatient
 13. Museums
 14. Park and Ride facilities
 15. Parking lots
 16. Personal service uses, including barber shops and beauty parlors, day spas dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature
 17. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
 18. Public garages, including storage and repair, a maximum of two stories in height
 19. Religions institutions
 20. Repair shops for household small appliances, bicycles, and personal items
-

21. Residential uses including single-family and multi-family a maximum of two stories in height

22. Restaurants, taverns, bars and sidewalk cafes (Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12)

23. Retail sales

24. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)

C. Accessory Uses in the Highway Commercial District

1. Accessory dwelling units (ADUs) and caretaker's residence in conjunction with a permitted use

D. Conditional Uses [Use Permit Required]

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

(Revised by Ord #384; Res 1543; Adopted 5/9/17; Eff 6/9/17)

1. Agriculture Tourism

2. Agritourism Enterprise

3. Campsites and recreational vehicle parks for stays of thirty (30) days or less

4. Car wash-automatic or self-service

5. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.

6. Croplands

7. Day Care Center (child or adult)

8. Dry cleaners

9. Halfway House with on-site staff (excluding treatment centers)
10. Laundry, self-service for individual use only
11. Outside display & sale of goods & merchandise for a limited period of time
12. Public Utilities
13. Storage facilities in accordance with Subsection 1: Performance Standards
#3:Storage facilities
14. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

E. Development Standards for Highway Commercial

1. Maximum Building Height: 50 feet
2. Minimum Lot Size: 12,000 square feet
3. Minimum Lot Frontage: 100 feet
4. Minimum Lot Depth: 120 feet
5. Minimum Yard Setbacks: 20 feet
 - a. Front - 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater
 - b. Side - None
 - c. Rear - 20 feet
6. For parcels that front on SR 89A, direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.

F. Performance Standards for Highway Commercial.

1. Traffic and curbs - No development will be permitted which allows or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or

interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.

2. Landscaping and paving - All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover, natural organic or inorganic material. Twenty [20] percent of the total lot area or a minimum fifteen [15] foot wide strip of land adjacent to the street right of way. All landscaping shall be developed in accordance with the Town of Clarkdale's Landscape Ordinance (Chapter [9](#), Section [9-030](#)).

3. Storage facilities - Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be screened from public view by an opaque enclosure such as a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence.

4. Illumination - Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare and light spill toward streets and adjoining properties and shall be in accordance with the Town of Clarkdale's Outdoor Lighting Code. (Chapter [8](#)).

5. Nuisances - No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site. Any business in the Highway Commercial Zone must be operated in accordance with all state and federal environmental regulations.

6. Liquids and solid waste - No wastes shall be discharged in the streets, drainage ways or on private property. No waste shall be discharged in the public sewage system that endangers the normal operation of the public sewage system.

7. Outdoor displays and seating - All sales, displays and seating shall be conducted within an enclosed area, unless outdoor activities are previously approved by the Community Development Director.

8. Site plan review and design review - All development and redevelopment in the Highway Commercial Zone is subject to Site-Plan and Design Review per Chapter [11](#) of the Town of Clarkdale Zoning Code

9. Highway access - In any Highway Commercial areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct, at their own expense, any required improvements in accordance with state and federal regulations.

10. Odors – No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such a manner as to create a nuisance or hazard at the lot lines.

G. The Sign Standards for Neighborhood Commercial are outlined in Chapter 7 of the Town of Clarkdale Zoning Code. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #430 on 8/13/24; effective 9/14/24; prior code § 3-12)

~~Section 3-130-89A Corridor Commercial Overlay District~~

~~(Repealed by Ordinance #430)~~

Section 3-140 Industrial District (I)

PURPOSE AND INTENT

This district is intended to provide for areas of manufacturing, fabrication, warehousing, distribution, research, and other industrial activities. The district accommodates uses that may generate higher levels of noise, traffic, or outdoor storage than commercial districts. Development is intended to ensure compatibility with surrounding properties through performance standards, screening, and appropriate site design.

PERMITTED USES

~~A.–Principal Uses permitted: (Not requiring a use permit):~~

1. Any principal permitted use in the Commercial district, ~~except residences, manufactured home parks, and recreational vehicle parks.~~

2. Wholesale establishments, warehouses and self-storage units.
3. Laboratories, research, design and testing when conducted completely within an enclosed building.

Industrial and manufacturing establishments

Outdoor storage yards

Heavy construction equipment yards

~~4.—Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games and electrical or electronic apparatus.~~

~~5.—Manufacture or assembly of boats, bolts, nuts, screws, rivets, ornamental iron products, firearms, electrical appliances, tools, dies, machinery and hardware products and sheet metal products.~~

~~6.—Manufacture or storage of food products including candy, dairy and ice cream and fruit and vegetable processing and canning.~~

~~7.—Manufacture of rugs, mattresses, pillows, quilts, millinery, clothing, hosiery and fabrics, and printing and finishing of textiles and fibers into fabric goods.~~

~~8.—Manufacture and/or fabrication of boxes, crates, furniture, cabinets, baskets, veneer and other wood products of a similar nature.~~

~~9.—Manufacture of clay, stone or glass products including brick, cement, lime or composites.~~

10. Truck stop, transfer terminal or freight warehouse.
11. Lumber yards and mill work plants.
12. Sexually Oriented Businesses.
13. Medical or Recreation Marijuana Processing Facility. (Created Ordinance #409 11-10-20 – Effective 12-10-20)

14. Marijuana Testing Facility.

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory dwelling units (ADUs) and caretaker's facilities clearly incidental and secondary to the use of the premises for business purposes.

C. Conditional Uses Permitted: ~~(Use Permit Required). (Amended 7/9/13 by Ord #352; Eff 8/9/13); (Revised by Ord #384; Res 1543; Adopted 5/9/17; Eff 6/9/17)~~

1. Agriculture Tourism.

2. Agritourism Enterprise.

3. Compounding of chemicals, petroleum, coal, and allied products, such as: acids and derivatives, ammonia, chlorine; distillation, manufacture or refining of coal, tar, asphalt or wood; refining or wholesale storage of petroleum, gasoline or lubricating oils.

4. Croplands.

5. Quarrying, extracting, grinding or crushing of earth or minerals.

6. Reduction, refining, smelting, or alloying of metal and metal ores.

7. Auto salvage or junkyard.

Data Centers subject to the provisions of Chapter 4.

8. Wireless Communication Tower that meets or exceeds Federal Communications Commission standards. ~~(Created 7/9/13 by Ordinance #352; Effective 8/9/13)~~

a. Facilities within Zone A as indicated on the following map shall not exceed 200 (two hundred) feet.

b. Facilities in all other areas of the Industrial Zoning District shall not exceed 65 (sixty-five) feet.

~~9.—Any use not listed by determined by the Community Development Director to be similar in industrial character and use. (The Board of Adjustment shall have authority~~

~~to hear and decide appeals where it is alleged by the appellant that there is error in any order or decision made by an administrative official of the Town of Clarkdale based on or made in the enforcement of the Zoning Ordinance. (Created 7/9/13 by Ordinance #352; Effective 8/9/13)~~

~~10. -- Any use not listed but determined by the Community Development Director to be similar in commercial character and use. (Revised by Ord #384; Res 1543; Adopted 5/9/17; Eff 6/9/17)~~

Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public health, safety and general welfare.

DEVELOPMENT STANDARDS

- D. Maximum Building Height: 50 feet.
- E. Minimum Lot Size: 35,000 square feet.
- F. Minimum Lot Frontage: 200 feet.
- G. Minimum Lot Width: 150 feet.
- H. Minimum Yards Required:

Front- Any property or parcel abutting any State or U.S. Highway must fulfill the state and federal requirements for all structures.

All other, 30 feet from front property line; Side-None, unless residential use or adjacent to residential use, then ~~10~~ 15 feet; Rear- 20 feet.

I. Performance Standards for Industrial Districts:

1. Traffic and Curbs-No Industrial development will be permitted which permits or encourages vehicular traffic to back into the street right-of-way, or otherwise unduly restricts or interrupts the normal flow of traffic. Curbs shall be installed in front of each developed parcel (as required by staff).

2. Landscaping and Paving-All open areas of an improved lot shall be maintained in a dust free conditions by landscaping with trees, shrubs, or suitable groundcover. Undisturbed natural growth is encouraged, however, covering with material which will provide an all-weather surface as an alternative.
3. Storage Facilities-Outside storage and display shall be permitted provided:
 - a. It is setback from the street or public right-of-way so as not to obstruct pedestrian or vehicular traffic and to allow necessary visibility of traffic signal, signs and approaching traffic.
 - b. Display or storage areas are kept free of litter and debris.
 - c. Goods, merchandise and materials are properly secured against theft, vandalism or lost.
 - d. Display or storage areas are established and maintained in conformance with fire access standards of the 2003 International Fire Code.
4. Illumination-of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare toward street and adjoining properties.

~~5.—Noise-At no point on the boundary of residential or business property zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the designated octave banks show below (excluding operation of motor vehicles or other transportation facilities):~~

~~Maximum Sound Pressure~~

| Octave | Bank | Level in |
|-------------------|-----------------------|---------------------------|
| Cycles | Per-Second | Decibels |
| | | .0002 |
| | | Dynes Per |
| | | CM² |

~~Maximum Sound Pressure~~

| Octave | Cycles | Per Second | Level in | Decibels |
|-------------------|-------------------|-----------------------|---------------------|---------------------|
| 0 | to | 75 | 72 | 32 |
| 75 | to | 150 | 67 | 32 |
| 150 | to | 300 | 59 | 32 |
| 300 | to | 600 | 52 | 32 |
| 600 | to | 1200 | 46 | 32 |
| 1200 | to | 2400 | 40 | 32 |
| 2400 | to | 4800 | 34 | 32 |
| Above | 4800 | 32 | 32 | 32 |

~~Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be capable of being accurately measured with equipment. Noises capable of being so measured, for the purposes of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus, or minus, two decibels. Noises incapable~~

~~of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.~~

~~6.—Smoke—No emission of smoke from any source shall be permitted to exceed a greater density that described as No. 1 on the Ringleman Chart. However, smoke may be emitted, which is equal to, but, not darker than No. 2 on the Ringleman Chart for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau Mines shall be the standard.~~

~~7.—Glare or Heat—Any activity producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance or hazard along the lot lines.~~

~~8.—Odors—No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such manner as to create a nuisance or hazard along the lot lines.~~

~~9.—Vibration—No vibration shall be permitted which is discernible beyond the lot line to the human sense of touch for three (3) minutes or more duration in any one (1) hour of the day between the hours of 7:00 am to 7:00 pm, or of thirty (30) seconds or more duration in any one (1) hour period during the hours between 7:00 pm to 7:00 am.~~

~~10.—Fly, Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution—No emission shall be permitted which can cause damage to persons, animals or vegetation or other forms of property.~~

~~11.—Liquids and Solid Wastes—No wastes shall be discharged into the streets, drainage ways or onto any property which is dangerous to the public health and safety, and no waste shall be discharged into the public sewer system which endangers the normal operations of the public sewer system.~~

12. In any Industrial area, access from any state or federal highway shall be a minimum four hundred 400 feet between driveways and shall be approved by the Zoning Administrator of the Town of Clarkdale.

13. Screening-An owner of industrial property adjacent to any property having a zoning classification other than industrial shall, at the time of development or redevelopment of his property and at his own expense, construct a screen or barrier between his and the adjoining property. The screen may consist of plants and/or a fence or wall of solid construction as described by the Town of Clarkdale upon application of the owner at the time his property is developed or redeveloped.

J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

1. Chapter 4 – General Provisions
2. Chapter 5 – Conditional Use Permit
3. Chapter 7 – Signs
4. Chapter 8 – Outdoor Lighting Code
5. Chapter 9 – Landscape Design Standards
6. Chapter 11 – Design Review

~~Signs: Signs in conformance with Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code §3-14)~~

Section 3-150 Open Space District (OS)

A. Principal Uses Permitted:

1. Outdoor public uses, including open space and parking areas.
2. Ranching, farming, keeping of animals.
3. Historic and archaeological sites.
4. Water treatment, wastewater treatment facilities, and flood control structures.

B. Accessory Uses Permitted:

1. Accessory dwelling units (ADUs) and caretaker's residence where clearly incidental, subordinate and secondary to the principal permitted use of the property.
2. Restroom, storage buildings, and barns, as per Section [2-010](#), Definitions, and Section [4-010](#), General Provisions, Accessory Structures Standards.

C. Conditional Uses Permitted:

1. Outdoor recreational facilities, including horse stables, golf courses, and campgrounds.
2. Municipal facilities, including public buildings, fire stations, visitor centers, and cemeteries.

D. Development Standards:

1. For any development other than undisturbed open space, the development standards for Maximum building Height, Minimum Lot Size, Minimum Lot Frontage, Minimum Lot Width, and Minimum Yards Required shall be the same as the adjacent use district, and where more than one adjacent use district is indicated, the more restrictive district shall be used;
2. Landscaping: Subject to Section [9](#), Landscape Standards. For development within open space areas, a development envelope shall be designated for purposes of identifying undisturbed native plant area and area subject to landscaping requirements. All areas disturbed by the development or construction process, including building areas, parking areas, and staging areas, shall be included in the required calculations for landscaping, and shall be subject to landscaping requirements.
3. Parking: Subject to Section [4-120](#).
4. Parking and Loading.
5. Signs: Subject to the Sign Code in Section [7](#). (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code § 3-15)

Article 3-160

ARTS & ENTERTAINMENT DISTRICT

| | |
|------------------|----------------------------|
| 3-160-010 | Purpose |
| 3-160-020 | District Boundaries |
| 3-160-030 | Design Guidelines |
| 3-160-040 | Exemptions |

~~(Created by Ordinance #354; approved 9/24/13; Effective 10/24/13)~~

Section 3-160-010 Purpose

The purpose of this overlay district is three fold:

- To promote economic development in the Clarkdale central commercial area;
- To preserve the historic look of the Central Business District;
- To allow for the approval of exemptions from the distance restrictions prescribed in Arizona State Statute (A.R.S.) § 4-207(C)(4) regarding the location of establishments serving alcoholic beverages in relation to schools and churches. (Prior code § 3-16-1)

Section 3-160-020 District Boundaries

The Clarkdale Historic District was listed on the National Register of Historic Places in 1998. The Central Business District, a zoning district, lies within this historic designation. The Central Business District originally provided a wide variety of services for residents of the original Clarkdale Town Site.

The Arts & Entertainment District is an overlay district encompassing all of the Central Business District, some adjacent property with commercial zoning and residential property in close proximity to the Central Business District with the potential to transition, through a rezone process, to commercial uses and extending along Broadway Road into the Industrial Zoning District. (Prior code § 3-16-2)

Section 3-160-030 Design Guidelines

Per the 2012 Clarkdale General Plan: ‘The context of a place considers its history as well as its future.’

Properties within the Clarkdale Arts & Entertainment District shall closely consider the surrounding context of the existing structures when designing new or remodeled buildings. Incorporation of the following features is recommended:

- Establishment of a relationship to adjoining spaces
- Continuity of street scape along Main Street through inclusion of benches and appropriate landscaping
- Brick façades and/or partial brick inlays
- Clerestory windows
- A strong pedestrian connection to existing sidewalks or extension of the sidewalk system
- A main entrance from a public sidewalk
- Rounded arches
- Large storefront windows
- Varied roof lines

Where feasible, as determined during the Site Plan Review process, new development in the Arts & Entertainment District shall conform to the following standards:

- Place public parking behind buildings or participate in the development of new central public parking areas.
 - The front yard setback shall be reduced to zero if the main building abuts a public sidewalk.
 - Landscaping shall include shade trees along the front boundary. These trees shall be from the approved plant list in Chapter Nine of the Zoning Code.
-

All other development and performance standards are as found in the underlying zoning district. (Prior code § 3-16-3)

Section 3-160-040 Exemptions

Pursuant to A.R.S. § 4-207(C)(4), restrictions on licensing premises near school or church buildings, the Clarkdale Town Council may approve exemptions on liquor license applications to the distance restrictions in this section of state statute for businesses within the Arts & Entertainment District. Requests for exemptions must be submitted in writing to the Town Council. Review of the exemption requests will be scheduled on a Council agenda upon verification that the property owner and/or business owner is up to date on all utilities fees due to the Town, the business owner has a current business license, and there are no current code enforcement issues regarding the subject property. (Prior code § 3-16-4)

Section 3-170-010 Purpose

The purpose of this article is to support the preservation of buildings, structures, and sites identified in the Historic Resource Survey of Clarkdale (Ryden, 1989) and the National Register of Historic Places Designation (January 1, 1988), and to identify, preserve, and enhance the Town's significant historical, architectural, cultural, and archaeological resources in the interest of the welfare of the citizens of Clarkdale by:

1. Protecting, preserving, and enhancing the significant elements of the historical, architectural, cultural, and archaeological heritage of the Town;
2. Encouraging the identification and recognition of significant historic resources;
3. Encouraging the sensitive adaptation of historic properties to modern uses;
4. Ensuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within the Clarkdale Historic District are carried out in a manner which is not detrimental to the historic integrity of the district;
5. Encouraging the identification and protection of prehistoric and historic archaeological resources and enhancing the value of the Historic District and properties;
6. Protecting and preserving those properties within the Town that are valuable to the preservation of the community character and identity;
7. Preserving and enhancing the attractiveness of the Town to potential home buyers and business interests; and
8. Supporting historic tourism and promoting commercial development and economic benefit to the Town. (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

Section 3-170-020 Historic Preservation Overlay District Designation

The Historic Preservation District is an overlay zone. Overlay zones supplement the existing zoning by establishing additional requirements that are applied to the underlying

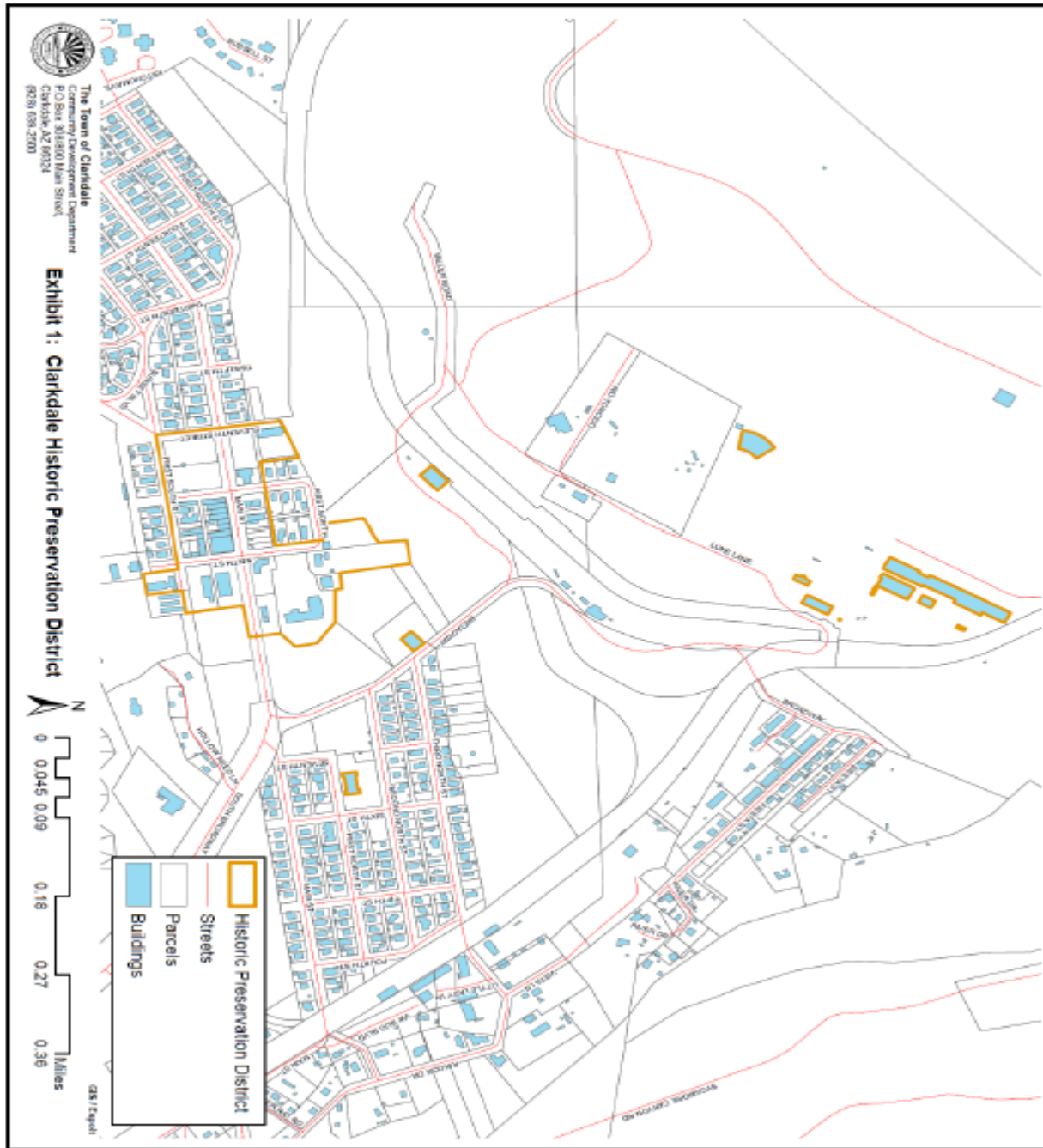
zoning district. Participation by property owners in the Historic District is voluntary. To participate and obtain the benefits provided by this article, property owners must sign an opt-in form. If a property owner signs an opt-in form and later decides not to participate in the Historic District, their participation can be withdrawn by signing an opt-out form. Property owners within the boundaries of the Historic Preservation District may opt-in or opt-out at any time.

A. *Historic Preservation District Boundaries.* The Historic Preservation District, which is subject to the regulations set forth herein, is designated by the boundaries identified in Exhibit 1, Historic Preservation District.

1. All provisions of the entirety of this article apply to properties within the Clarkdale Historic Preservation District identified in the map of the Clarkdale Historic Preservation District at the option of the property owner. If the owner opts to apply the standards of this section, all applicable standards in the section shall be applied. An opt-in form must be signed by the property owner and submitted to the Town prior to issuance of any building permits under this article.
2. Those property owners that do not opt in are subject to the development standards for the underlying zoning classification.
3. Historic properties electing to adhere to the requirements of the Historic Preservation Ordinance (HPO) shall inure to the following benefits:
 - a. Waiver of building permit fees for applications that bring existing historic structures in compliance with adopted building codes;
 - b. Accelerated review of historic preservation projects;
 - c. Accelerated permitting of historic preservation projects; and
 - d. Waived application fees for historic preservation projects.

B. The regulations set forth herein apply to all existing structures and to all new construction within the Historic District.

Exhibit 1: Clarkdale Historic Preservation District



C. The Historic Preservation Commission shall serve as the design review board for the Historic Preservation District. (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

Section 3-170-030 Development Standards

Properties within the Clarkdale Historic Preservation District shall consider the context of the surrounding and existing structures with respect to architectural style, building form, and building massing. Projects shall honor the Secretary of the Interior's Standards for the Treatment of Historic Properties.

When designing new or remodeled buildings or considering an adaptive reuse of an existing building, the following design features and elements shall be incorporated:

A. *Siting*. Please refer to Exhibit 2, Town of Clarkdale Streetscape, for a graphic representation of the requirements of this subsection.

1. *Establishment of a Relationship to Adjoining Spaces*. For new construction, one- and two-story buildings are encouraged.
2. A connection to existing sidewalks or an extension of the sidewalk system.
3. Continuity of streetscape along Main Street.
4. The main entrance shall be from a public sidewalk.
5. The front yard setback shall be reduced to zero if the main building abuts a public sidewalk.

Exhibit 2: Town of Clarkdale Streetscape



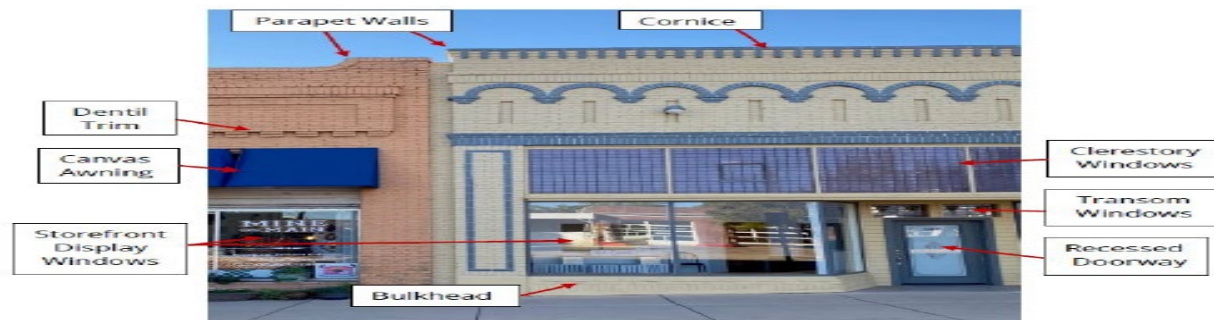
B. *Exterior Wall Design, Materials and Finishes*. Please refer to Exhibit 3, Historic Building Architectural Elements, for a graphic representation of the requirements of this subsection.

1. To the extent possible, incorporation of design features such as parapet walls, cornices, friezes, dentil trim, metal canopies, canvas awnings, clerestory windows,

transom windows, storefront display windows, recessed doorways and bulkheads should be utilized. New construction or additions should be compatible with, yet distinguishable from, existing buildings in the district.

2. Whenever possible, preservation of these features is required for rehabilitation or repair of existing structures.

Exhibit 3: Historic Building Architectural Elements



3. Masonry may be structural or veneer. Brick façades and/or partial brick inlays are encouraged.

4. Painting of brick is discouraged, unless replicating historic signage or installation of murals.

5. Stucco, wood, metal and other materials may be used as an accent.

Exhibit 4: Rooflines and Parapet Walls



C. *Roof and Parapet.* Please refer to Exhibit 4, Rooflines and Parapet Walls, for a graphic representation of the requirements of this subsection.

1. Varied roof lines and parapet walls are required for new construction.
2. Preservation and restoration of existing parapet walls are required.
3. Metal roofing is acceptable.
4. Rooftop mechanical equipment shall be screened from public view. For corner lots, equipment shall be screened from both front and side elevation.

D. *Storefronts, Doors, Windows and Awnings*. Please refer to Exhibits 5A, Wood Door Frame, and 5B, Storefront Detail, for a graphic representation of the requirements of this subsection.

1. Large storefront display windows may be recommended.
2. Wood is recommended for doors, trim and accenting the doorway and entry.
3. Windows shall be glass and shall be vertical in orientation and may be single, double hung, or fixed.
4. Steel may be used for doors and window frames if painted to match or anodized and compatible with the building.
5. Rounded arches are encouraged when feasible in new construction and preserved or restored in existing structures.
6. The use of wood for doors is strongly encouraged.
7. The use of canopies and awnings is allowed.

Exhibit 5: Door Frame and Entry Features



Exhibit 5A: Wood Door



Exhibit 5B: Storefront Detail

E. Site Features.

1. The purpose of this section is to provide instruction for site features to enhance new construction and maintain continuity within the district. These features include but are not limited to walkways, benches, street lighting, paving materials, walls, stairs and landscaping. These features must be appropriate to the scale and character of the Historic Preservation District as follows:
 - a. Landscaping shall be drought tolerant. Building planter beds or containers are allowed and drip irrigation is recommended. The property owner is responsible for maintaining plants in live condition.
 - b. Lighting shall not detract from the historic character of the structure and must comply with Section 8-070.
 - c. Benches shall be of similar form and character with existing benches on Main Street and shall be securely fastened to concrete footings or sidewalk and shall not detract from the character of the Historic Preservation District.
 - d. Outdoor sidewalk cafes are allowed and regulated through a separate permit application and shall be compliant with Section 4-160. The application can be submitted concurrent with the review process set forth in Section 3-170-030.
2. All other development and performance standards are as found in the underlying zoning district. (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

Section 3-170-040 Application Process

- A. Prior to submitting a building permit application in the Historic Preservation District, the applicant shall schedule a pre-application review (PAR) meeting with the Community Development Department staff to review the required application submittals and review process.
- B. All building permit applications for existing structures located in the Historic Preservation District, or proposed new construction located in the Historic Preservation District, shall be reviewed by the Historic Preservation Specialist, for classification as either a minor or major certificate of appropriateness as set forth in Section 3-170-050.

C. Plans showing the full scope of the proposed work shall be submitted at the time of application for a major or minor certificate of appropriateness. An approved plan shall be binding upon the applicant and their successors and assignees. No building permit shall be issued for any building or structure not in accordance with the plan except that temporary facilities shall be permitted in conjunction with construction after approval of temporary facilities by the Historic Preservation Specialist.

1. When a building permit is sought from the Town to demolish, alter, remodel, move, build, renovate or otherwise develop or landscape property in the Clarkdale Historic Preservation District, issuance of the permit shall be deferred until after a certificate of appropriateness is obtained.
2. Permits with special circumstances that require a variance, including but not limited to the size, height, locations and number of signs, the location of off-street parking, required screening and landscaping, the height of fences and walls, and the number of required off-street parking and loading spaces, may be recommended for approval through the certificate of appropriateness process. Such variances shall meet the following findings of fact:
 - a. Are not contrary to health, safety, or best interest of the public.
 - b. Enforcement of the provision shall cause an unnecessary hardship that is neither economic nor a self-imposed harm.
 - c. Condition unique to the property which was not created by the property owner.
 - d. The variance has no adverse effect on surrounding properties or the general public.
 - e. The variance does not conflict with the characteristics that make the property eligible for the National Register of Historic Places.
 - f. Practical difficulties or unnecessary hardship would result in having to comply strictly with the Zoning Ordinance.
 - g. No changes are made to underlying zoning districts or General Plan land use designations.

3. All other development and performance standards not found listed herein shall comply with the underlying zoning district.
4. Nothing in this article shall be construed to prevent ordinary maintenance, cleaning, or repair of any structure in the Historic Preservation District which does not alter or modify the historic character of the structure. (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

Section 3-170-050 Certificate of Appropriateness

A. Applications for certificates of appropriateness shall be submitted to the Town of Clarkdale Community Development Department. The Historic Preservation Specialist will review the application for completeness and provide review comments to the Commission. Applications shall include the following items:

1. Site plan: Shall include topography, vegetation, property lines, building, on-site circulation, and adjacent building footprints, streets, rights-of-way, curb cuts, driveways, sidewalks, signage, lighting, fences, and walls.
2. Exterior elevations: Shall include doors, windows, architectural features, and elevation marks from finished grade to highest point of eaves, roof ridge, or parapet walls.
3. Rehabilitation, remodel, or restoration plans: Shall include identification of features proposed for preservation and proposed for replacement.
4. Floor plans: For reference only, to help understand the overall plan.
5. Materials and colors: Shall depict proposed building façade, materials and colors.
6. Historic photographs: Shall provide project context, elements and compatibility with adjacent properties.
7. Color renderings: Provide finished project illustrations to show post-improvement compatibility with adjacent properties.

-
8. Landscape plan: May be required; Chapter 9, Landscape Design Standards, will apply.
 9. Other requirements, depending on scope of project and at the discretion of the Community Development Director:
 - a. Traffic impact analysis.
 - b. Preliminary and final plats or development plans.

B. *Minor Certificate of Appropriateness.* The minor certificate of appropriateness (Minor COA) is subject to the review and approval of the Community Development Department and the Building Official. All proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property or its effect on the Clarkdale Historic Preservation District as per the following minor certificate standards:

1. The proposed work is clearly within the development standards.
2. Limited to work that does not significantly alter the character and appearance of the property.
3. Approval authorizes the issuance of permits required by the Building Official.
4. Approval of a minor COA also serves as design review approval.
5. The public will be notified of approval, approval with stipulations, or denial of application at the next regular meeting of the HPC after approval by the Historic Preservation Specialist.
6. If a minor COA is not issued, a major certificate of appropriateness (major COA) shall be required.

C. *Major Certificate of Appropriateness.* The major certificate of appropriateness (major COA) shall be subject to the review and approval of the Historic Preservation Commission for all major new construction, significant restoration, alteration, demolition, or other major construction activity in the Clarkdale Historic Preservation District.

1. All proposed work shall not diminish, eliminate, or adversely affect the historic character of the subject property or its effect on the Clarkdale Historic Preservation District.
2. All work is subject to review and approval by the Building Official, Public Works Director, Town Engineer, and any other agency having jurisdiction over the project.
3. The major COA includes anything that constitutes substantial work, including but not limited to alteration, restoration, new construction, demolition, or other significant activities.
4. The major COA requires a public hearing before the Historic Preservation Commission. Notice shall be given in conformance with the notification process for public hearings before the Planning Commission.
5. The Historic Preservation Commission shall recommend approval of the application, approval with stipulations, or denial of the application. The Commission may also send the application back to the Historic Preservation Specialist for additional work.
6. The application shall then be forwarded to Town Council with a recommendation of approval, approval with stipulations, or denial.

D. The Historic Preservation Commission shall evaluate all proposals in accordance with the Secretary of the Interior Standards for the Treatment of Historic Properties and the adopted design guidelines for the district. A certificate of appropriateness shall be recommended if the Historic Preservation Commission determines that the proposed work:

1. Is compatible with the relevant historic, cultural, educational, or architectural qualities and characteristics of the property; and
2. Does not diminish or adversely impact the integrity of the Clarkdale Historic Preservation District;
3. Prior to forwarding the decision of the Historic Preservation Commission to the Town Council, the Historic Preservation Commission shall affirm whether the project conforms to the following findings of fact:

- a. Conforms to the Design Guidelines for the Historic Preservation District.
- b. Meets all applicable adopted building codes of the Town of Clarkdale.
- c. Does not diminish or adversely impact the integrity of the Historic Preservation District.

E. Approval of a Certificate of Appropriateness authorizes the issuance of permits required by the Building Official. (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

Section 3-170-060 Demolition and Moving of Buildings and Structures

It is the intent of this article to preserve the historic and architectural resources within the Historic Preservation District. However, it is recognized there can be circumstances beyond the control of a property owner that may result in the necessary demolition of a structure within the Historic Preservation District.

These circumstances include a building which constitutes an imminent safety hazard, which involves a resource whose loss does not diminish or adversely affect the integrity of the district, or that imposes hardship on its owners as follows:

- A. No permit shall be issued to move or demolish all or any part of a building, or other structure in the Historic Preservation District, without approval of a major or minor certificate of appropriateness as established in Section 3-170-050.
- B. Request for a demolition permit shall be exempt from these requirements if the Building Official determines, according to the criteria set forth in adopted codes, that the building is an imminent safety hazard to the public and that necessary repairs would be impractical. The Building Official shall first notify the Historic Preservation Specialist in writing before issuing the demolition permit.
- C. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year. A subsequent demolition application may be made and granted for a property that has previously been the subject of a one (1) year demolition permit denial if new facts or circumstances can be presented in support of the application.

D. If demolition approval is granted on any basis other than that of an imminent hazard, hardship, or upon expiration of a restraint of demolition, a demolition permit shall not be issued until a redevelopment or reuse plan for the property has received a certificate of appropriateness.

1. The redevelopment or reuse plan cannot be comprised of vacant land or propose no use to replace the demolished structure.
2. A redevelopment or reuse plan shall consist of a site plan illustrating the location of building, parking, walls, and landscaping, as well as building elevations that depict roof lines, doors, windows, and other architectural details.
3. A redevelopment or reuse plan shall also meet the requirements for Site Plan Review as set forth in Section 11-110.
4. A demolition approval may be conditioned on stipulations that provide for rights of access to the property for the purposes of documentation, including photo documentation, or for agreed upon removal of artifacts.

E. Relocation of structures shall follow the process set forth in this subsection and also obtain a certificate of appropriateness as set forth in Section 3-170-050.

Exhibit 6: Certificate of Appropriateness Process

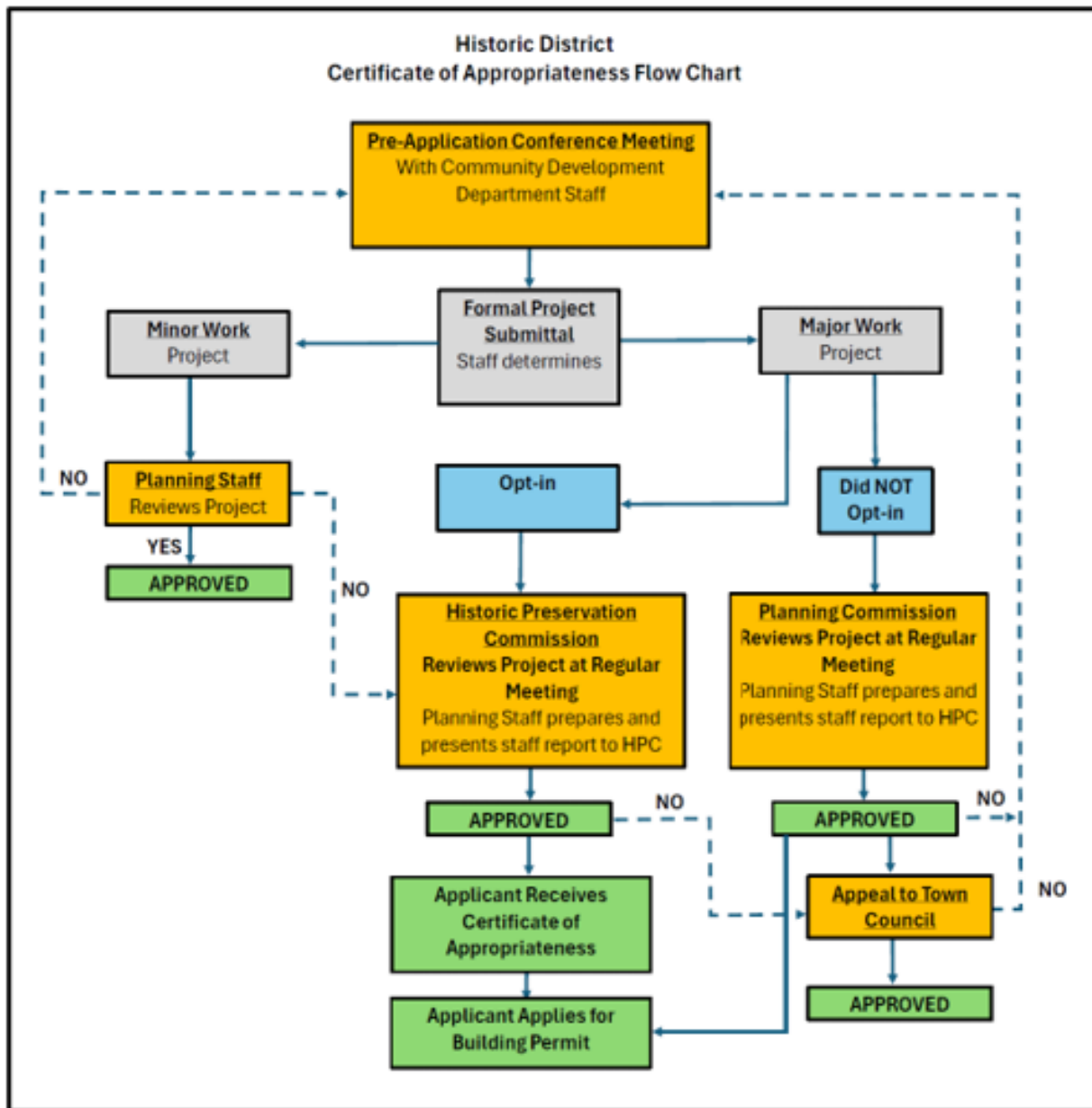
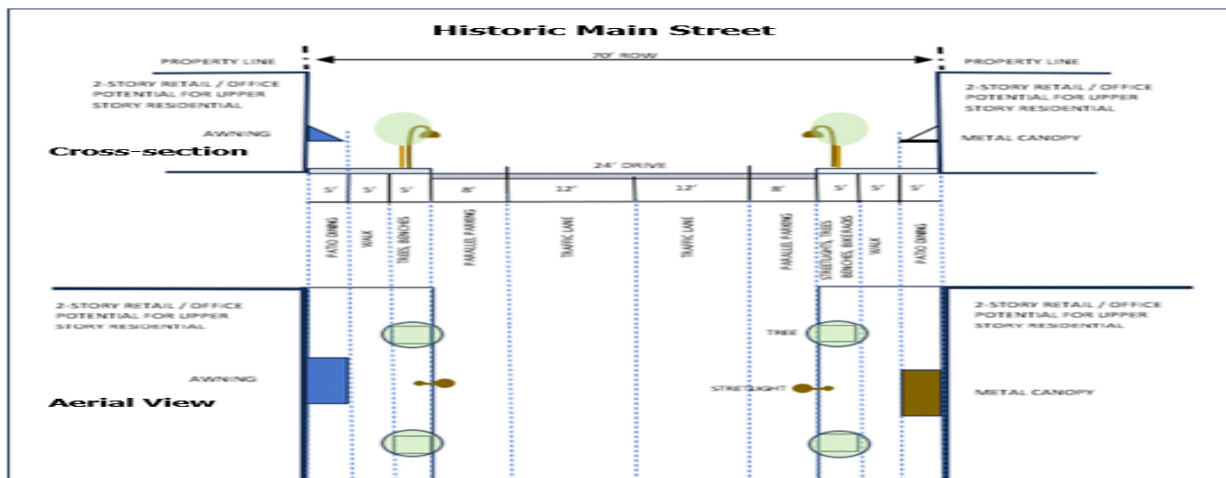


Exhibit 7: Historic Main Street Configuration



(Created by Ordinance #424 on 1/14/25; effective 2/13/25)

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

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

Town Telephone: (928) 639-2400

Hosted by General Code.



Staff Report

Item Number: 6.A.

Agenda Item: **Chapter 5 - Conditional Use Permits**
Discuss, consider and act upon the Zoning Code update to Chapter 5 -
Conditional Use Permit.

Staff Contact: Scott Ellis, Community Development Director

Meeting Date: February 18, 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.

Budget Impact: No budget impact.

Recommendation: Staff recommend that the CAC approve the Zoning Code updates to Chapter 5 - Conditional Use Permit and forward it to the Town Council with a recommendation of the same.

CHAPTER 5 CONDITIONAL USE PERMIT

SectionsArticles:

5-010 Purpose and Intent 5-010 Purpose and Intent

5-020 Authority 5-020 Authority

5-030 Procedure 5-030 Procedure

5-040 Denial by the Commission

5-050 Required Findings 5-0450 Required Findings

5-0560 Required Conditions for a Use Permitted by Conditional Use Permit Criteria

5-070 Term of a Conditional Use Permit 5-0670 Terms of a Conditional Use Permit

5-080 Revocation of a Conditional Use Permit 5-0780 Revocation of a Conditional Use Permi

5-090 Renewal of a Conditional Use Permit 5-0890 Renewal

5-100 Abandonment of a Conditional Use Permit 5-09100 Abandonment

5-110 Modification or Expansion of a Conditional Use Permit 5-10110 Modification or Expansion

5-110 Appeals

Section 5-010 Purpose and Intent

~~Pursuant to Arizona Revised Statutes (A.R.S.) Article 6.1, Section 9-462.01, within individual zones, there may be uses permitted on a conditional basis under which additional requirements for development must be met.~~ The purpose of the Conditional Use Permit is to allow integration of uses into the community which may only be suitable in specific locations, or because of unusual operational or physical characteristics that require special consideration, or only if such uses are designed or developed to assure maximum compatibility with adjoining ~~uses~~ issues.

Conditions may be applied to the issuance of the permit such that the proposed land use would not be detrimental to persons residing or working in the vicinity, ~~to~~ adjacent property, ~~to~~ the neighborhood, or ~~to~~ the public welfare in general. Under no circumstances shall any of the conditions of development be reduced below the minimum standards that are imposed upon any permitted land use within a given zoning district. A Conditional Use Permit may be granted only for those land uses expressly listed as such, and only after the Planning Commission has made a recommendation, and the ~~Common Town~~ Council has authorized such use as evidenced by resolution. ~~(Prior code § 5-1)~~

Section 5-020 _____ Authority

The Clarkdale Town Council, as the Town's governing body, retains final authority to approve, deny, approve with conditions or modified conditions, all applications for a ~~C~~onditional ~~U~~se ~~P~~ermit. ~~(Prior code § 5-2)~~

Section 5-030 _____ Procedure

- ~~A. 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 of Chapter 11 – Design Review, Section 11-040 Submission Requirements.

B. Persons applying for a Conditional Use Permit will be required to submit a Pre-application meeting request, including a letter of intent, the site plan and supporting documentation. 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 by electronic communication. 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 Service (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 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.

~~A. A. Application: Prior to making a formal application for a Conditional Use Permit, the applicant or agent shall review the proposal with the Community Development Director.~~ Application for a Conditional Use Permit shall be made by the property owner or the authorized agent, on a form available from the Town's Community Development Department. Application shall include: a letter of intent, a site plan, supporting documentation, ~~, a list of the names and addresses of all property owners within two hundred (200) feet of the proposed conditional use~~ and a non-refundable application fee. A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Section 3-5 of the Town Code. ~~(Revised by Ordinance #364. Approved 8/12/14; Effective 9/12/14)~~

C.

1. ~~1.~~ Public Hearing Required: The Town Planning Commission shall hold a public hearing on all Conditional Use Permit applications. Notice of the date, time and location place of the hearing, including a general explanation and the general location of the matter to be considered, shall be given at least 15 fifteen (15) days before the hearing in the following manner:
 - a. ~~a.~~ The notice shall be published at least once in a newspaper of local circulation. A notice shall be posted on the property at a strategic location. The notice shall include: ~~the~~ present zoning classification, ~~the~~ proposed use, ~~and~~ ~~the~~ date, ~~and~~ time and location of the hearing.
 - b. ~~b.~~ In proceedings involving Conditional Use Permit applications which abut other municipalities or unincorporated areas, or combinations thereof, copies of the notice of public hearing shall be transmitted to the planning agency of such governmental agency~~unit~~.

~~b.c.~~ TAdditionally, the Town shall notify by first class mail, those property owners of record within ~~300 two (200)~~ feet of any boundary on which the proposed conditional use might occur.

~~c.~~ ~~c.~~ ~~In the case of Conditional Use Permits that are not initiated by the property owner, notice by first class mail shall be sent to each property owner of record, within three hundred (300) feet of the proposed conditional use.~~

d. ~~d.~~ Notwithstanding the notice requirements set forth herein, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of a municipality for which notice was given.

~~2.~~ ~~2.~~ Planning Commission Public Hearing and Action: After the hearing, the Planning Commission shall present a written recommendation to the Town Council. The Commission's written recommendation shall contain the reasons or finding upon which its decision is based.

~~2.~~

~~3.~~ ~~3.~~ Council ~~Public Hearing and Action: If the Planning Commission has held a public hearing, T~~the Town Council may adopt, deny or modify the decision of the ~~Planning Ce~~ommission ~~with or~~ without holding a second public hearing. ~~Whichever route is taken, However, if a protest to the decision is submitted in writing within fifteen (15) days after Commission action, the Town Council shall hold a second public hearing. n~~Notice of the time, ~~and place, and location~~ of the ~~meetinghearing~~ shall be given in the same manner specified above.

~~3.~~

~~4.~~ ~~Protest Provision: If the owners of twenty percent (20%) or more of the lots within two hundred (200) feet of the proposed Conditional Use Permit, file a written protest against a Conditional Use Permit application, it shall not become~~

~~effective except by the favorable vote of three-fourths of all members of the Town Council able to vote. (Prior code § 5-3)~~

~~Section 5-040—Denial by the Commission~~

~~If the permit request is denied by the commission, and the property owner and/or applicant desires a review before the Town Council, the property owner and/or applicant must file a written request for a review with the Town Community Development Director within fifteen (15) days after the Commission action.~~

~~When the request for the review is filed with the Community Development Director, the notice of the time and place of the hearing including a general explanation and the general location of the matter to be reconsidered, shall be given in the same manner noted in the aforementioned Section 5-030, A1. a-d. Council shall evaluate the request at the next possible meeting (after public notice requirements are satisfied), and may affirm, reverse, or modify in whole or in part, the decision of the Commission. Notice shall be given to the Planning Commission of the request for a review, and the Commission shall submit a report to the Town Council setting forth the reasons for its action taken. The Commission may be represented at the hearing by the Chairperson of the Planning Commission or their designee.~~

~~If the Town Council makes a decision to grant a previously denied permit request, the Town Council may designate such conditions in connection with the permit as it deems necessary to secure the intent and purpose of this ordinance and conformity to the Town General Plan by requiring such guarantees and evidence that such conditions are being, or will be complied with.~~

~~The Town Council's decision shall be final and shall become effective immediately. Notice of the decision shall be mailed to the property owner and/or applicant at the address shown on the application. (Prior code § 5-4)~~

Section 5-0450 _____ Required Findings

- A. ~~A. The~~ In order to make recommendations on a Conditional Use Permit, the Planning Commission ~~should~~ shall make findings based on the following elements ~~(as they applies to the~~ at particular case~~case)~~:
1. ~~1.~~ Applicable Regulations: Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statutes, and any ordinance or policies that may be applicable.
 2. ~~2.~~ Bulk Regulations: The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences, and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.
 3. ~~3. Performance: That~~ Performance: The location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, or welfare ~~of, or convenience on~~ persons residing or working in the vicinity, to adjacent property, ~~to the neighborhood~~ or to the public welfare ~~in general~~.
 4. ~~4.~~ Traffic Impacts: The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition of approval.

5. ~~5.~~—Landscaping: Landscaping, and/or fencing of the proposed development, assures that the site development will be compatible with adjoining areas and with the intent of Town policies.
6. ~~6.~~—Nuisance: ~~That~~ the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. ~~That~~ the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibration, signage or illumination. ~~(Prior code § 5-5)~~

Section 5-0560 _____ **Required Conditions for a Use Permitted by Conditional Use Permit**
Criteria

~~A. (Revised by Ord #384; Res 1543; Adopted 5/9/17; Eff 6/9/17)~~

~~B.A.~~ A.—All Conditional Use Permits, including those that require that the applicant and/or developer obtain a building permit, shall meet minimum requirements of all Town ordinances, restrictions, regulations, and policies of the Town of Clarkdale which are in effect at the time of issuance of the Conditional Use Permit. Compliance with the following same is a condition of the use permit, including but ~~are~~ not limited to:

1. ~~1.~~—Consistency with the General Plan.
2. ~~2.~~—Sanitary waste improvements.
3. ~~3.~~—Street and/or sidewalk improvements.
4. ~~4.~~—Fire protection measures.
5. ~~5.~~—Utility service improvements.
6. ~~6.~~—Amount, type and location of outdoor lighting and signage.
7. ~~7.~~—Off-street parking area, aisles and access drives shall be designed and constructed so as to provide a durable, dustless surface stabilized surface with dust control measures.

8. ~~8.~~—Storm drainage improvements, based on a drainage report prepared by a licensed engineer, and approved by the Town Engineer.
9. ~~9.~~—Water service improvements.
10. ~~10.~~—Hours of operation.
11. ~~11.~~—Access.
12. ~~12.~~—Landscaping standards.
13. ~~13.~~—Compliance with applicable Federal, State and Local regulations.

~~14.—Required Conditions for Agriculture Tourism, Agritourism Enterprise and Croplands Uses~~

~~a.—A connection to Town of Clarkdale water system is required where connection is available within a reasonable distance as determined by the Town Manager or designated representative. If connection to the Town’s water system is not available, approval of Agriculture Tourism, Agritourism Enterprise and Croplands uses irrigating with well water will be considered on a case by case basis.~~

~~b.—All water connections shall be metered.~~

~~c.—All Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall be set back 25 feet from adjoining property lines when abutting residentially-zoned property.~~

~~d.—Drip/Micro Irrigation and on-site drainage shall incorporate Best Management Practices and not impact surrounding properties.~~

~~e.—Non-chemical pest control, such as the use of beneficial predators, beneficial parasitoids and biochemical methods, is strongly encouraged.~~

~~f.—A Conditional Use Permit application for Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall include the following elements:~~

- ~~i.— A detailed site plan of the proposal showing all required setbacks, proposed and existing buildings and structures and proposed access and easements.~~
- ~~ii.— A comprehensive low water use plan incorporating best practices.~~
- ~~iii.— An integrated pest management (IPM) plan. All chemicals shall be contained to the property under cultivation.~~
- ~~iv.— If fertilizer and soil amendments are proposed, a plan outlining use shall be included.~~
- ~~v.— A dust control plan incorporating best management practices per Clarkdale Town Code shall be provided. Only non-potable water shall be used for dust control measures.~~
- ~~g.— Approval of a Conditional Use Permit for Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall be based on consideration of the impacts to the environment and adjacent property owners.~~

~~h~~

~~All Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall comply with federal regulations, Arizona State Regulations and the Arizona Department of Agriculture rules and regulations. (Prior code § 5-6)~~

~~Section 5-0670 _____ Terms of a Conditional Use Permit~~

~~A.— It is the intent of this section that a Conditional Use Permit, once it is granted and meets all of all the conditions and restrictions imposed as a condition of approval, shall constitute restrictions running with the land and shall be adhered to by the owner of the land, and all successors or assigns. The use permit can be considered automatically void without Town Council action unless if one or more of the following actions have occurred:~~

- ~~A.— 1.— If a building permit is necessary to implement the use permit, a building permit shall have been issued within one (1) year of the effective date of the use permit, and substantial construction occurred.]~~

~~B.A. 2. If a building permit is not necessary to implementation of the use permit, then the actual use shall have *NOT* commenced within one year six (6) months of the effective date of the use permit.~~

~~C.B. 3. Any use permit issued by the Town Council shall be considered null and void if The project construction does *NOT* conform to the originally approved site plan. (See Modification of a Conditional Use Permit.) ~~(Prior code § 5-7)~~~~

Section 5-0780 _____ Revocation of a Conditional Use Permit

Use permits granted in accordance with the provision of this ordinance may be revoked if the conditions of operation imposed in the approval and issuance of the use permit have not, or are not being complied with. The Community Development Director/~~Zoning Administrator~~ or designee shall notify the permittee to correct the violation within 15 fifteen (15) days after notification. ~~If the violation is not remedied t~~The permit shall be considered for revocation at a public hearing by the Planning Commission at their next regularly scheduled meeting.

~~A. Application for a Revocation shall be made on a form available from the Town's Community Development Department. Application shall include: a letter of intent, a site plan, supporting documentation, and a non-refundable application fee. A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Section 3-5 of the Town Code.~~

~~1. Public Hearing Required: The Town Planning Commission shall hold a public hearing on the Revocation. Notice of the date, time and place of the hearing, including a general explanation and the general location of the matter to be considered, shall be given at least 15 days before the hearing in the following manner:~~

- a. The notice shall be published at least once in a newspaper of local circulation. A notice shall be posted on the property at a strategic location. The notice shall include the following: present zoning classification, proposed use, date, time and location of the hearing.
- b. In proceedings involving Revocations which abut other municipalities or unincorporated areas, or combinations thereof, copies of the notice of public hearing shall be transmitted to the planning agency of such governmental unit.
- c. The Town shall notify by first class mail, those property owners of record within 300 feet of any boundary on which the proposed conditional use might occur.
- d. Notwithstanding the notice requirements set forth herein, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of a municipality for which notice was given.

2. Planning Commission Public Hearing and Action: After the hearing, the Planning Commission shall present a written recommendation to the Town Council. The Commission's written recommendation shall contain the reasons or finding upon which its decision is based.

3. Council Action: The Town Council may adopt, deny or modify the decision of the commission with or without holding a second public hearing. Whichever route is taken, notice of the time, place, and location of the meeting shall be given in the same manner specified above.

1. _____

~~If the Town Planning Commission finds, following the public hearing, that the original conditions of operation imposed in the approval and issuance of the permit are not being complied with, the permit can be revoked and further operation of the use for which the Conditional Use Permit was approved shall constitute a violation of this code.~~

~~In the event that the Town Planning Commission recommends that the Conditional Use Permit be revoked, the applicant may file an appeal of the Common Council within fifteen (15) days from the date of the Town Planning Commission's public hearing on the matter. The Town Council shall hold at least one (1) public hearing on the matter. At the public hearing before the Town Council, the Town Council may either affirm the decision of the Commission upon a finding that the revocation was arbitrary and without just cause reverse the decision of the Commission. (Prior code § 5-8)~~

Section 5-0890 _____ ~~Renewal of a Conditional Use Permit~~

~~A.—In the event that the use for which a Conditional Use Permit was sought is not achieved within the aforementioned time frames one year, the permit may be renewed for an additional one (1) year period, in the case of a Conditional Use Permit that does not require a building permit, the permit may be renewed for an additional six (6) months.~~
Application for renewal of any Conditional Use Permit will be contingent upon the following action occurring:

- A. ~~1.—~~BEFORE the expiration date, a letter from the property owner, or designee, requesting a renewal of the Conditional Use Permit is submitted to the Community Development Director for consideration by the Planning Commission and Town ~~Common~~ Council in accordance with the procedures outlined within Section ~~5-0305-030., A1. a-d~~C. of this chapter~~section~~.
- B. ~~2.—~~A new application fee has been paid.
- B. _____
- C. ~~3.—~~One (1) extension offer no more than one (1) year ~~(365 days)~~ may be granted by the Town ~~Common~~ Council. ~~In the case of a Conditional Use Permit that does not require a building permit, one (1) extension for no more than six (6) months may be granted by the Common Council. (Prior code § 5-9)~~
- C. _____

Section 5-090100 ~~Abandonment of a Conditional Use Permit~~

~~A Conditional Use Permit shall be deemed abandoned upon the occurrence of certain events, including but not limited to: vacancy of the property for 180 consecutive days; cessation of the approved use; or any action determined by the Town of Clarkdale to constitute voluntary discontinuance of the permit. The occurrence of certain events, including but not limited to a 180-day period of vacancy of the property, cessation of activity for which the Conditional Use Permit was sought, or action that the Town of Clarkdale determines as a voluntary discontinuance of the Conditional Use Permit.~~ The Conditional Use Permit shall be considered null and void without Town Council action. (Prior code § 5-10)

Section 5-1010 _____ Modification or Expansion of a Conditional Use Permit

- A. ~~A.~~ Minor deviations of the site plan may be approved by the Community Development Director or designee. Major deviations, from the originally approved site plan, shall be subject to re-application for a Conditional Use Permit.
- B. ~~B.~~ Minor changes in the site plan may be approved by the Community Development Planning Director as long as such changes will not cause any of the following circumstances to occur:
1. ~~1.~~ A change in the character of the development.
 2. ~~2.~~ An increase in the number of dwelling units.
 3. ~~3.~~ A change that creates an increase in vehicular traffic.
 4. ~~4.~~ A change of the vehicular ingress or egress patterns.
 5. ~~5.~~ Proposed reduction to any of the required setbacks.
 6. ~~6.~~ Proposed increase in lot % ground coverage as authorized by the zoning district.
 7. ~~7.~~ Any proposed increase or reduction of the required off-street parking and loading spaces.

~~8. 8.—Proposed change necessitates public dedication of rights-of-way either as streets, alleys, public ways, drainage or utility easements. (Prior code § 5-11)~~

~~Increase in the intensity of use.~~

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

~~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~~

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

~~9. Hosted by General Code.~~

Section 5-110 Appeals

~~Decisions of the Town Council are final and conclusive and are not subject to administrative appeal under this chapter, as they are the acting Board of Adjustment.~~

~~Any person aggrieved by a final decision of the Town Council under this chapter may file a complaint in the Superior Court of Yavapai County, Arizona, within 30 days after the decision is rendered to seek judicial review, in accordance with A.R.S. § 9-462.06(K). The filing of a complaint does not stay proceedings on the decision unless the court grants a stay upon petition. Upon final review, the court may affirm, reverse or modify the decision, in whole or in part.~~

~~A.~~



Staff Report

Item Number: 6.B.

Agenda Item: **Chapter 6 - Standards for Planned Unit Development and Planned Area Development**

Discuss, consider and act upon the Zoning Code update to Chapter 6 - Standards for Planned Unit Development and Planned Area Development.

Staff Contact: Scott Ellis, Community Development Director

Meeting Date: February 18, 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.

Budget Impact: No budget impact.

Recommendation: Staff recommend that the CAC approve the Zoning Code updates to Chapter 6 - Standards for Planned Unit Development and Planned Area Development and forward it to the Town Council with a recommendation of the same.

Suggested Motion: "I move to recommend approval of the updates to Chapter 6 - Standards for Planned Unit Development and Planned Area Development of the Town of Clarkdale's Zoning Code to Town Council, subject to the stipulations indicated in the staff report."

CHAPTER 6

~~STANDARDS FOR PLANNED UNIT DEVELOPMENT AND~~ PLANNED AREA DEVELOPMENT (PAD)

This ordinance is intended to replace all existing PAD and PUD provisions in the Clarkdale Zoning Code.

Sections:

Section 6-010 ~~Planned Area Development (PAD) District~~

Section 6-020 ~~Purpose and Intent~~

Section 6-030 ~~Master Development Plan (MDP)~~

Section 6-030.1 ~~Permitted Uses and Use Framework~~

Section 6-030.2 ~~Density, Intensity, and Development Capacity~~

Section 6-030.3 ~~Development Standards Hierarchy and Modifications~~

Section 6-030.4 ~~Design Guidelines and Site Design Standards~~

Section 6-030.5 ~~Circulation, Access, and Parking~~

Section 6-030.6 ~~Open Space Standards~~

Section 6-030.7 ~~Landscape Standards~~

Section 6-030.8 ~~Utilities and Infrastructure~~

Section 6-030.9 ~~Phasing~~

Section 6-040 ~~Operations, Ownership, and Maintenance~~

Section 6-050 ~~Application, Review, and Approval Procedures~~

Section 6-060 ~~Amendments to Approved PAD~~

Section 6-070 ~~Enforcement and Compliance~~

Section 6-080 ~~Severability~~

Section 6-010 Planned Area Development (PAD) District

The PAD District is not intended to permit development that is inconsistent with the General Plan or to be used solely as a means to increase development intensity without corresponding public benefits.

A. Applicability

The PAD District may be applied to any property within the Town of Clarkdale through a legislative rezoning process. PAD zoning may be appropriate for properties of any size where unified planning, mixed land uses, phased development, or alternative development standards are proposed.

There shall be no minimum site area requirement for PAD zoning. The suitability of a site for PAD zoning shall be evaluated based on the proposed development concept, site characteristics, surrounding development, and consistency with the General Plan.

B. Establishment of PAD District

A PAD District shall be established only by ordinance adopted by the Town Council following recommendation by the Planning and Zoning Commission. The ordinance establishing the PAD shall approve a Master Development Plan that governs development of the property.

Upon approval, the PAD zoning classification shall replace the underlying zoning district. All development, use of land, construction, and improvements within the PAD shall comply with the approved PAD ordinance and Master Development Plan (MDP).

C. Relationship to Other Regulations

Development within a PAD shall comply with all applicable Town codes and regulations except where alternative standards are expressly established in the approved Master Development Plan (MDP). In the event of a conflict, the PAD ordinance and Master Development Plan shall control.

Any development standard, requirement, or procedure not expressly established or modified by the approved MDP shall be governed by the applicable provisions of the Clarkdale Zoning Code, Subdivision Regulations, and other adopted Town codes and standards, including but not limited to landscaping, parking, signage, lighting, grading, drainage, and environmental requirements.

PAD zoning is intended to allow flexibility in development standards; however, it shall not be used to avoid the intent or purpose of this Zoning Code. Flexibility shall be granted only where the overall development, as proposed and regulated through the

MDP, provides equal or greater protection of the public health, safety, and welfare and results in superior planning and design.

Section 6-020 Purpose and Intent

A. Purpose

The Planned Area Development (PAD) District is established to provide a zoning mechanism that permits flexibility in the application of land use and development regulations where unified planning and design of a site can result in superior development outcomes. The PAD District is intended to encourage innovative site planning, coordinated infrastructure development, efficient land utilization, preservation of natural features, high-quality architectural and site design, and long-term compatibility with surrounding development and community character.

The PAD district is intended to replace rigid, conventional zoning standards with a project-specific regulatory framework governed by an approved Master Development Plan (MDP). Through the MDP, the PAD district allows flexibility in land use and development standards when such flexibility results in improved site planning, enhanced architectural and landscape design, better circulation and connectivity, meaningful open space, and equal or greater protection of the public health, safety, and welfare that would not otherwise be achievable under standard zoning districts.

B. Intent

It is the intent of the Town of Clarkdale that the PAD District be used to implement the goals and policies of the Clarkdale General Plan through comprehensive site planning and coordinated development. PAD zoning is intended to promote compatibility with surrounding land uses, provide flexibility in development standards, and allow for creative design solutions that respond to site constraints and community context. The purposes of the PAD district include, but are not limited to, the following:

1. Encourage innovative and creative development that responds to site conditions, topography, environmental features, and surrounding land uses through a coordinated and unified planning approach.
2. Promote high-quality site design, building design, and architectural character that enhances the visual quality of the community and reinforces Clarkdale's small-town character and historic context.

3. Allow flexibility in development standards, including land use arrangement, density, intensity, setbacks, and building placement, when such flexibility produces development that is equal to or superior to that which would be allowed under conventional zoning standards.
4. Facilitate mixed-use, integrated, and master-planned developments where residential, commercial, civic, recreational, and open space uses can be thoughtfully arranged to function as a cohesive whole.
5. Ensure compatibility and appropriate transitions between differing land uses, densities, and development intensities both within the PAD and adjacent to surrounding properties.
6. Preserve and incorporate natural features, drainageways, scenic views, and environmentally sensitive areas into development design where practicable.
7. Provide for the coordinated planning and provision of infrastructure, utilities, drainage, access, circulation, and public services in a manner that supports orderly development and minimizes adverse impacts.
8. Implement the goals, policies, and land use framework of the Clarkdale General Plan through a development-specific regulatory document that is clear, enforceable, and binding on future property owners.
9.

Section 6-030 Master Development Plan (MDP)

- A. **Purpose and Function.** The Master Development Plan (MDP) is the primary and controlling regulatory document for a Planned Area Development. The MDP establishes the permitted land uses, development capacity, development standards, design guidelines, circulation framework, open space system, infrastructure provisions, and phasing for the PAD. Upon approval, the MDP shall supersede the conventional zoning standards otherwise applicable to the property, except where expressly stated.
- B. **Requirement.** An MDP shall be required for all PAD zoning requests and shall be submitted concurrently with the rezoning application. No subdivision, site development, building permit, or other development approval shall be issued except in conformance with an approved MDP.
- C. **Level of Detail.** The MDP shall be prepared at a level of detail sufficient to allow the Town to evaluate the proposed development and to serve as a clear, enforceable, and binding regulatory document. Conceptual or illustrative plans may be included, but all standards and limitations governing development shall be clearly stated.
- D. **Required MDP Components.** The MDP shall include, at a minimum, the following components:

1. *Development Narrative.* A written narrative describing the overall development concept, planning objectives, proposed land use mix, and how the PAD implements the Clarkdale General Plan.
2. *Land Use Plan.* A map identifying the location, acreage, and distribution of all proposed land uses, including residential, commercial, employment, civic, recreational, and open space areas.
3. *Use Framework.* A statement identifying permitted, conditional, and accessory uses within each area of the PAD. Uses not expressly identified shall be prohibited.
4. *Density and Intensity.* A statement of the maximum number of residential dwelling units and the maximum non-residential floor area permitted within the PAD. Residential unit counts shall be stated by housing type, where applicable.
5. *Development Standards.* Standards governing building height, setbacks, lot coverage, floor area ratio, parking, loading, and buffering. Standards may vary by area within the PAD where clearly identified.
6. *Design Guidelines.* Design standards and guidelines addressing architectural character, building massing, materials, colors, site layout, walls and fencing, lighting, signage, landscaping, and streetscape elements.
7. *Circulation Plan.* A plan identifying vehicular, pedestrian, bicycle, transit (if applicable), and emergency access, including internal circulation and connections to adjacent properties and public rights-of-way.
8. *Open Space Plan.* Identification of required and proposed open space areas, including the type, function, and minimum acreage of each open space category.
9. *Landscape Plan.* A conceptual landscape plan demonstrating compliance with Town standards or approved alternatives, including buffering, screening, and water conservation strategies.
10. *Utilities and Infrastructure.* A plan demonstrating the availability and adequacy of water, sewer, drainage, stormwater management, solid waste, and other public services.

11. *Phasing Plan.* A description and diagram identifying the sequence, timing, and extent of development phases and the infrastructure required for each phase.

12. *Ownership and Maintenance.* A description of ownership, management, and maintenance responsibilities for common areas, private streets, utilities, and open space.

D. **Findings and Consistency.** The MDP shall demonstrate consistency with the Clarkdale General Plan and shall provide sufficient information to support findings that the PAD results in superior planning and design when compared to conventional zoning.

E. **Effect of Approval.** Approval of the PAD rezoning and MDP establishes the allowable development rights for the property. Subsequent site plans, subdivisions, and building permits shall be reviewed for consistency with the approved MDP.

F. **Recordation.** The approved MDP and any conditions of approval shall be recorded with the Yavapai County Recorder and shall run with the land.

Section 6-030.1 Permitted Uses and Use Framework

A. **Use Categories.** The MDP shall organize permitted uses by general use category, which may include residential, commercial, employment, civic, recreational, open space, and accessory uses. The MDP may further distinguish uses by sub-area, phase, or development block.

B. **Residential Uses.** Where residential uses are proposed, the MDP shall identify permitted residential use types, including but not limited to single-family detached, single-family attached, duplex, townhouse, multifamily, live-work, or other housing types. The MDP shall state the maximum number of dwelling units permitted by housing type.

C. **Non-Residential Uses.** Where non-residential uses are proposed, the MDP shall identify permitted commercial, office, employment, institutional, or civic uses and shall state the maximum non-residential development capacity, expressed as gross floor area or other measurable standard.

D. **Mixed-Use Developments.** PADs may include mixed-use development where residential and non-residential uses are integrated vertically or horizontally. The MDP shall describe the relationship between uses, access arrangements, and compatibility measures.

- E. Accessory and Temporary Uses.** Accessory and temporary uses may be permitted where expressly authorized by the MDP and shall be subordinate to the primary permitted uses. Accessory uses not identified in the MDP shall comply with applicable Clarkdale Zoning Code provisions.
- F. Prohibited Uses.** Any use not expressly identified as permitted or conditional within the approved MDP shall be prohibited.
- G. Conditional Uses.** The MDP may identify uses that require additional review or conditions prior to establishment. The MDP shall describe applicable review procedures and performance standards for such uses.

Section 6-030.2 Density, Intensity, and Development Capacity

- A. General.** Residential density and non-residential development intensity within a Planned Area Development (PAD) shall be controlled exclusively through the approved Master Development Plan (MDP). No minimum or maximum density standards established elsewhere in this Zoning Code shall apply unless expressly incorporated into the MDP.
- B. Residential Density.** Where residential development is proposed, the MDP shall establish the maximum number of dwelling units permitted within the PAD. The maximum dwelling unit count shall be stated numerically and may be allocated by housing type, development area, or phase. Residential density may vary within the PAD where clearly identified in the MDP.
- C. Non-Residential Intensity.** Where non-residential development is proposed, the MDP shall establish the maximum permitted development capacity, which may be expressed as gross floor area, floor area ratio, building square footage, or other measurable standard. Intensity may vary by use type, sub-area, or phase as identified in the MDP.
- D. Density Transfers and Flexibility.** The MDP may allow the transfer or redistribution of residential density or non-residential intensity within the PAD, provided the overall maximum development capacity established by the MDP is not exceeded and the transfer results in improved site planning, open space preservation, or design quality.
- E. Measurement and Compliance.** Density and intensity shall be measured cumulatively across the PAD and by phase, where applicable. Development

approvals shall demonstrate compliance with the maximum limits established in the MDP prior to issuance of building permits.

F. Bonus Provisions. The MDP may provide for development bonuses or incentives, such as increased density or intensity, in exchange for identified public benefits, including but not limited to enhanced open space, public amenities, infrastructure improvements, or affordable housing, where consistent with the General Plan.

G. Vested Rights. Approval of a PAD and MDP shall vest development capacity only to the extent expressly stated in the MDP and subject to any phasing or timing limitations contained therein.

Section 6-030.3 Development Standards Hierarchy and Modifications

A. Standards Hierarchy. Development within a Planned Area Development (PAD) shall be governed by a hierarchy of standards. In the event of a conflict, the following order of precedence shall apply: (a) the approved Master Development Plan (MDP) and conditions of approval; (b) applicable development agreements, if any; (c) the Clarkdale Zoning Code; and (d) other adopted Town codes and standards.

B. Modification of Standards. The MDP may modify or establish alternative development standards, including but not limited to setbacks, building height, lot coverage, parking, loading, open space, and buffering, provided such modifications are clearly stated and result in equal or superior development outcomes.

C. Minimum Requirements. Unless expressly modified by the MDP, all development within a PAD shall comply with the minimum standards of the Clarkdale Zoning Code, Subdivision Regulations, and other adopted Town standards.

D. Area-Specific Standards. The MDP may establish different standards for distinct areas, blocks, or phases within the PAD, provided such standards are clearly delineated and internally consistent.

E. Performance-Based Approach. Development standards within a PAD may be performance-based, focusing on outcomes such as compatibility, functionality, and design quality rather than strict dimensional requirements.

F. Administrative Interpretation. The Community Development Director or designee may interpret the approved MDP for purposes of determining compliance, provided such interpretation does not alter permitted uses, development capacity, or substantive standards.

Section 6-030.4 Design Guidelines and Site Design Standards

- A. Purpose.** Design guidelines for a Planned Area Development (PAD) are intended to ensure high-quality, cohesive, and context-sensitive development that contributes positively to Clarkdale's character while allowing flexibility in design solutions. Design guidelines shall be adopted as part of the approved Master Development Plan (MDP).
- B. Applicability.** All development within a PAD shall comply with the design guidelines established in the approved MDP. Where design guidelines are not specified, applicable provisions of the Clarkdale Zoning Code shall apply.
- C. Architectural Design.** The MDP shall include architectural design standards addressing building form, massing, scale, roof forms, façade articulation, materials, colors, and architectural detailing. Standards shall promote visual interest, human-scale design, and compatibility with surrounding development and Clarkdale's historic context, where applicable, and as allowed under state law.
- D. Site Design.** Site design standards shall address building orientation, relationship to streets and open spaces, pedestrian connections, service and loading areas, refuse collection, and the screening of mechanical equipment.
- E. Streetscape and Public Realm.** The MDP shall establish streetscape standards for sidewalks, pedestrian amenities, street trees, lighting, street furniture, and public spaces. Streetscape design shall support walkability, safety, and visual cohesion.
- F. Walls, Fencing, and Screening.** Standards shall address the design, height, materials, and placement of walls and fencing, including required screening for service areas, parking, utilities, and mechanical equipment.
- G. Lighting and Signage.** The MDP shall include standards for site lighting and signage that promote safety and wayfinding while minimizing glare, light spillover, and visual clutter. All lighting must meet the requirements set within Clarkdale Zoning Code Chapter 8, Outdoor Lighting.
- H. Sustainability and Context.** Design guidelines may include sustainability measures such as energy efficiency, water conservation, shade structures, and heat mitigation strategies, where appropriate to the development.

Section 6-030.5 Circulation, Access, and Parking

- A. **Purpose.** Circulation standards for a Planned Area Development (PAD) are intended to ensure safe, efficient, and connected movement for vehicles, pedestrians, bicyclists, and emergency services within and adjacent to the development.
- B. **Circulation Plan Required.** The Master Development Plan (MDP) shall include a circulation plan identifying internal and external vehicular circulation, pedestrian and bicycle facilities, emergency access, and connections to adjacent properties and public rights-of-way.
- C. **Street Design.** Streets within a PAD may be public or private and shall be designed to accommodate anticipated traffic volumes, emergency access, and pedestrian safety. Alternative street cross-sections may be approved through the MDP where demonstrated to be functional and context-appropriate.
- D. **Connectivity.** The circulation system shall promote connectivity within the PAD and to surrounding development, including vehicular, pedestrian, and bicycle connections, where practicable.
- E. **Emergency Access.** The circulation plan shall provide adequate emergency access in accordance with applicable fire and building codes. Coordination with the serving fire district shall be required.
- F. **Parking Standards.** Parking requirements within a PAD shall be established by the MDP. Parking standards may be modified from conventional zoning requirements where supported by shared parking analysis, mixed-use design, or alternative transportation strategies.
- G. **Loading and Service Areas.** The MDP shall identify the location and design of loading areas, service access, and refuse collection facilities and shall provide for appropriate screening and circulation.
- H. **Traffic Studies.** Traffic impact studies may be required based on the scale, intensity, or anticipated impacts of the PAD.

Section 6-030.6 Open Space Standards

- A. **Purpose.** Open space within a Planned Area Development (PAD) is intended to provide functional, accessible, and meaningful areas for recreation, environmental preservation, buffering, visual relief, and community amenities.

- B. Open Space Plan Required.** The Master Development Plan (MDP) shall include an open space plan identifying the location, acreage, and function of all proposed open space areas within the PAD.
- C. Types of Open Space.** Open space may include active recreation areas, passive open space, natural resource areas, plazas, greens, trails, landscaped common areas, and similar features. The MDP shall identify the type and intended function of each open space area.
- D. Minimum Open Space.** Minimum open space requirements shall be established by the MDP based on project scale, land use mix, and site conditions. Where not specified, applicable Clarkdale standards shall apply.
- E. Accessibility and Design.** Open space areas shall be designed to be accessible, usable, and integrated into the overall development. Open space shall be connected through pedestrian pathways and shall provide visual and physical connections to adjacent development where feasible.
- F. Natural Features.** The MDP shall identify and incorporate existing natural features, drainageways, and environmentally sensitive areas into the open space system to the greatest extent practicable.
- G. Ownership and Maintenance.** The MDP shall identify ownership and maintenance responsibilities for all open space areas, including provisions for long-term maintenance.

Section 6-030.7 Landscape Standards

- A. Purpose.** Landscape standards within a Planned Area Development (PAD) are intended to enhance visual quality, provide buffering between uses, support water conservation, mitigate heat and glare, and contribute to the overall character of the development.
- B. Landscape Plan Required.** The Master Development Plan (MDP) shall include a conceptual landscape plan identifying landscape areas, plant types, screening, buffering, and streetscape elements. Detailed landscape plans shall be reviewed at subsequent development stages.
- C. Applicability of Town Standards.** Unless expressly modified by the MDP, landscaping within a PAD shall comply with applicable Clarkdale landscape, water conservation, and irrigation standards.

- D. Buffering and Screening.** Landscape standards shall address buffering and screening between incompatible uses, adjacent residential areas, parking areas, service areas, and public rights-of-way.
- E. Plant Selection and Water Use.** Plant materials shall be appropriate to the local climate and may include native and drought-tolerant species, and shall be in compliance with Clarkdale’s approved and prohibited plant lists. Landscape design shall emphasize water-efficient practices and long-term sustainability.
- F. Streetscape Landscaping.** The MDP shall identify streetscape landscaping elements, including street trees, landscape medians, pedestrian shade, and gateway features.
- G. Maintenance.** The MDP shall identify maintenance responsibilities for landscaped areas, including irrigation systems and landscape features.

Section 6-030.8 Utilities and Infrastructure

- A. Purpose.** Utilities and infrastructure standards for a Planned Area Development (PAD) are intended to ensure that adequate public and private facilities are provided to serve the development in a manner that is coordinated, efficient, and consistent with Town standards and long-term planning objectives.
- B. Infrastructure Plan Required.** The Master Development Plan (MDP) shall include an infrastructure plan demonstrating the availability, capacity, and adequacy of water, sewer, drainage, stormwater management, solid waste, and other required utilities and public services.
- C. Water and Wastewater.** The MDP shall demonstrate that sufficient water supply and wastewater capacity are available to serve the PAD in accordance with Town standards and applicable state requirements. Phasing of development shall be coordinated with the provision of water and wastewater infrastructure.
- D. Drainage and Stormwater Management.** The MDP shall address drainage patterns, stormwater management, and floodplain considerations. Development shall be designed to minimize adverse drainage impacts on surrounding properties and public facilities.
- E. Phased Infrastructure.** Where development is proposed in phases, the MDP shall identify infrastructure improvements required for each phase and shall

demonstrate that adequate infrastructure will be available prior to or concurrent with development.

F. Coordination with Service Providers. The MDP shall demonstrate coordination with applicable service providers, including fire, police, utility, and other service agencies, as required to support the proposed development.

G. Financing and Maintenance. The MDP shall identify responsibility for the construction, financing, and long-term maintenance of private infrastructure and facilities.

Section 6-030.9 Phasing

A. Purpose. Phasing provisions for a Planned Area Development (PAD) are intended to ensure orderly development, timely provision of infrastructure and services, and consistency with the approved Master Development Plan (MDP).

B. Phasing Plan Required. The MDP shall include a phasing plan identifying the sequence, timing, and geographic extent of each phase of development. The phasing plan shall be sufficiently detailed to allow the Town to evaluate infrastructure, service, and fiscal impacts.

C. Infrastructure and Services. Each development phase shall be supported by adequate infrastructure, utilities, and public services prior to or concurrent with development. No phase shall proceed unless required infrastructure for that phase is available.

D. Consistency with Approved Capacity. Development within each phase shall remain within the maximum density, intensity, and development capacity established by the MDP.

E. Phasing Adjustments. Minor adjustments to the approved phasing plan may be approved administratively where such adjustments do not increase overall development capacity, alter permitted uses, or create adverse impacts. Substantial changes to phasing shall require amendment of the PAD.

F. Expiration and Timing. The PAD approval or individual phases may be subject to time limitations as a condition of approval. Failure to commence development within the specified timeframe may result in expiration of approval for the affected phase.

Section 6-040 Operations, Ownership, and Maintenance

- A. **Purpose.** Operations, ownership, and maintenance provisions are intended to ensure that common areas, private infrastructure, and shared facilities within a Planned Area Development (PAD) are properly owned, operated, and maintained over the life of the development.
- B. **Ownership Structure.** The Master Development Plan (MDP) shall identify the ownership structure for all land, common areas, open space, private streets, utilities, and facilities within the PAD. Ownership may include individual ownership, homeowners' associations, property owners' associations, development entities, or other legally recognized entities.
- C. **Maintenance Responsibilities.** The MDP shall clearly assign responsibility for the operation and maintenance of common areas, private streets, utilities, open space, landscaping, stormwater facilities, and other shared improvements.
- D. **Town Remedies.** If required maintenance is not performed, the Town may take enforcement action as provided by the Zoning Code or other applicable law, including requiring corrective action or withholding permits.
- E. **Modification of Responsibilities.** Changes to ownership or maintenance responsibilities shall require approval through the appropriate PAD amendment process.

Section 6-050 Application, Review, and Approval Procedures

- A. **Purpose.** The purpose of this section is to establish clear procedures for the application, review, and approval of Planned Area Development (PAD) zoning and associated Master Development Plans (MDPs), ensuring transparency, consistency, and public participation.
- B. **Pre-Application Conference.** A pre-application conference with Town staff shall be required prior to submission of a PAD rezoning application. The purpose of the conference is to identify applicable requirements, review the proposed development concept, and determine the scope of required submittals.
- C. **Application Submittal.** A PAD application shall be submitted in accordance with Town application requirements and shall include, at a minimum, the proposed rezoning request, the Master Development Plan, supporting studies, and any additional materials required by the Town.
- D. **Staff Review.** Upon submittal of a complete application, Town staff shall review the PAD application and MDP for consistency with the Clarkdale General Plan, the Zoning

Code, and applicable Town standards. Staff may require revisions or additional information prior to scheduling public hearings.

E. Planning and Zoning Commission Review. The Planning and Zoning Commission shall hold a public hearing on the PAD application and shall make a recommendation to the Town Council based on the record, applicable standards, and public input. This process shall follow the procedures set forth in Chapter 13 of the Clarkdale Zoning Code.

F. Town Council Review and Approval. The Town Council shall hold a public hearing and may approve, approve with conditions, or deny the PAD rezoning and MDP. Approval shall be by ordinance and may include conditions necessary to ensure compliance with adopted policies and standards. This process shall follow the procedures set forth in Chapter 13 of the Clarkdale Zoning Code.

G. Findings. In approving a PAD, the Town Council shall make findings that the PAD is consistent with the General Plan, provides superior planning and design, and protects the public health, safety, and welfare.

Section 6-060 Amendments to Approved PAD

A. Purpose. This section establishes procedures for amendments to an approved Planned Area Development (PAD) and Master Development Plan (MDP), distinguishing between minor and major amendments to provide flexibility while preserving the integrity of the approved development framework.

B. Minor Amendments. Minor amendments may be approved administratively by the Community Development Director or designee and shall include changes that do not increase overall development capacity, alter permitted uses, materially change development standards, or create additional impacts. Minor amendments may include adjustments to internal circulation, site layout, or phasing that remain consistent with the intent of the approved PAD.

C. Major Amendments. Major amendments shall require the same review and approval process as the original PAD rezoning. Major amendments include, but are not limited to, increases in development capacity, changes to permitted uses, substantial modifications to development standards or design guidelines, or changes that result in new or increased impacts. Major amendment criteria includes but is not limited to:

1. An increase in the total number of dwelling units of more than 5 percent above the original approval;

2. An increase in the gross leasable square feet within a PAD of more than 10 percent above the original approval;
3. Any reconfiguration of land use classifications or parcel sizes that increases or decreases by more than 20 percent; and
4. Any change that could have a significant impact on areas adjoining the PAD, including significant traffic impact.

E. Determination of Amendment Type. The Community Development Director or designee shall determine whether a proposed amendment is minor or major based on the criteria established in this section. Such determination may be appealed in accordance with this Zoning Code.

F. Cumulative Amendments. The cumulative effect of multiple minor amendments shall be considered in determining whether a major amendment process is required. Minor amendments may not be “stacked” to avoid major amendment requirements.

G. Amendment Documentation. Approved amendments shall be documented and incorporated into the official PAD and MDP records.

Section 6-070 Enforcement and Compliance

A. Compliance Required. All development, use of land, construction activity, and operation within a Planned Area Development (PAD) shall comply with the approved PAD zoning, Master Development Plan (MDP), and any conditions of approval.

B. Enforcement Authority. The Town may enforce the provisions of the PAD, MDP, and this Zoning Code through any lawful means, including but not limited to withholding permits, issuing notices of violation, or pursuing civil or criminal remedies as authorized by law.

C. Permit Issuance. No building permit, grading permit, certificate of occupancy, or other development approval shall be issued unless the proposed development is in compliance with the approved PAD and MDP.

D. Remedies Not Exclusive. The remedies provided herein are cumulative and not exclusive. The Town may pursue one or more remedies simultaneously or consecutively.

Section 6-080 Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance.

Articles:

~~6-010~~ ~~Standards for Planned Unit Development~~

~~6-020~~ ~~Standards for Planned Area Development~~

~~Section 6-010~~ ~~Standards for Planned Unit Development~~

~~A. In the event a proposal is made to develop a parcel of land for residential, commercial or industrial purposes and in addition to the subdivision of the land, to construct all building, install all walks, drives, and planting and to offer for sale or lease elements of a project complete in every respect, the plans for such project need not conform to the lot and yard requirements. Plans to be approved under this Section must show:~~

- ~~1. Tentative subdivision plat;~~
- ~~2. Precise location and typical elevations of all proposed buildings & structures;~~
- ~~3. Existing and proposed grades and contours;~~
- ~~4. All walls and fences, all walks, drives, roadways, parking areas, and pavement of any kind;~~
- ~~5. Complete planting and irrigation plans;~~
- ~~6. Abstract of Covenants, Conditions and Restrictions (CC&R's);~~
- ~~7. Abstract of documents pertaining to formation of owners association or similar group, if any;~~
- ~~8. Financial ability to complete or security;~~
- ~~9. Provisions to guarantee continual permanent maintenance of joint open areas; private street, walkways, service areas and parks of the project. (Prior code § 6-1)~~

Section 6-020 Standards for Planned Area Development

~~A. A Planned Area Development (PAD) is intended to:~~

~~1. Provide for various types and combinations of land uses (such as commercial centers, single and multi-family housing, industrial complexes, and public spaces) through the adoption of preliminary and final development plans;~~

~~2. To establish planning and development control parameters while allowing sufficient flexibility to permit final detailed planning at the time of actual development, and to permit flexibility in land use, site design, placement of buildings, use of open spaces, and other development features;~~

~~3. To encourage and permit unified planning to achieve a compatible mixture and variety of land uses within the PAD and with the existing and anticipated development in the surrounding area;~~

~~4. To accomplish the purpose of zoning and other regulations to an equivalent or higher degree than where such regulations are designed to control development on individual lots; and~~

~~5. To promote economical and efficient land use, & improved level of amenities, appropriate and harmonious variety, creative design, and a better environment.~~

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

~~1. *Scope.*~~

~~a. The development of a PAD may proceed by increments to be called “development units.”~~

~~b. The PAD is intended to replace traditional rigid zoning regulations with development standards suited to the individual development. The permitted uses allowed, the yard, height, area requirements, and other requirements within the district shall be those approved in the preliminary and final development plans. In cases where requirements are~~

~~not specified in the development plans, the requirements of the equivalent zoning district shall apply. PAD regulations shall apply generally to the initiation and regulations of all PAD Districts. Where there are conflicts between special PAD regulations, these PAD regulations shall apply in the PAD unless the Commission or Town Council shall find in the particular case, at the time of re-zoning applications, that the provisions herein do not serve the public to a degree at least equivalent to such general zoning, or other regulations.~~

~~c. Where actions, designs or solutions are not literally in accord with applicable PAD or general regulations, but the Commission makes a finding in the particular case that the public is served to an equivalent or greater degree, the Commission may recommend specific modifications of the regulations.~~

~~2. *Planned Area Development Defined.* For the purpose of this Ordinance, a Planned Area Development shall:~~

~~a. Be a single development operation or a definitely programmed series of development operations.~~

~~b. Be for principal and accessory structures and uses substantially related to the character and purposes of the district.~~

~~c. Be developed according to a preliminary development plan that includes the locations of land uses, streets, utilities, and final development plans for all buildings, and other uses and improvements on the land as related to the buildings.~~

~~d. Include a program for provision, operation, and maintenance of any areas, facilities, and improvements designated for common use.~~

~~3. *Uses Permitted.* The Planned Area Development shall be used only for the following:~~

~~a. Single-family, two-family, multi-family, detached, semi-detached and attached dwellings.~~

~~b. Mobile home parks and subdivisions in accordance with the provisions of this Ordinance and any additional requirements of the Commission or Town Council may deem necessary to fulfill the intent of the requirements herein.~~

~~e. Home occupations when indicated as part of the development plan or with approval of a use permit.~~

~~d. Community facilities and public areas such as schools, parks and playgrounds.~~

~~e. Neighborhood retail uses and other non-residential uses limited to those enumerated in the C and CB Districts may be specifically and selectively authorized as to type and size only when integrated by design as an essential element of the development, and only in areas proposed for said uses as approved in the preliminary development plan.~~

~~f. Industrial uses in accordance with the provisions of the Industrial District.~~

~~g. Accessory uses and structures; such uses and structures may be located in the front one-half (1/2) of a lot, provided they are not nearer the front lot line than the main building or buildings.~~

~~h. *Public Utility Installations.*~~

~~i. Signs when submitted as part of the development plan or within the following general sign provisions.~~

~~4. *Lot and Yard Requirements.*~~

~~a. The yard requirements for a PAD shall be those approved in the preliminary development plan. In cases where yard requirements are not specified in the development plan, the yard requirements of the equivalent zoning district shall apply.~~

~~b. The average overall density of residential areas in the PAD shall not exceed that indicated by the Density Chart for PADS. Open spaces and recreational areas within the PAD may be included in land totals to calculate the average overall density.~~

The Density for PADS shall be set forth below:

Table 3 – Density Chart

| District | Units per Acre |
|-----------------|-----------------------|
| PAD-1 | 0.75 |

| District | Units per Acre |
|-------------------|-----------------------|
| PAD-2 | 1.00 |
| PAD-3 | 1.35 |
| PAD-4 | 1.75 |
| PAD-5 | 2.20 |
| PAD-6 | 2.75 |
| PAD-7 | 3.50 |
| PAD-8 | 4.75 |
| PAD-9 | 6.00 |
| PAD-10 | 8.00 |
| PAD-11 | 10.00 |
| PAD-12 | 12.00 |

~~c. Buildings located on sloping lots are permitted an extra story on the downhill side, provided the height does not exceed the maximum height in feet allowed.~~

~~d. Non-residential buildings and structures exceeding fifteen (15) feet in height shall be set back from the side and rear boundaries, if adjoining residentially zoned property, a distance equal to the required yard setback plus one (1) additional foot for each foot of height above (15) feet, except where specific setbacks are approved in the preliminary development plan.~~

~~e. Zero lot line setbacks may be allowed under the following circumstances;~~

~~1. The lot adjacent to the zero (0) setback side yard must be under the same ownership at the time of initial construction (ensuring that a developer does not infringe on the property rights of owners of adjacent tracts).~~

~~2. The setback on the adjacent lot must be either zero (0) feet or greater than ten (10) feet.~~

~~3. The opposite side yard of no less than ten (10) feet must be kept perpetually free of permanent obstructions (such as a storage shed or fence without a gate).~~

~~4. Similar zero (0) lot line exceptions can be made for the rear yard, but not for both the side and rear yards of the same lot.~~

~~5. In considering a proposed PAD, the Commission and/or Town Council may approve modifications of these requirements.~~

~~Justification for such modification shall be supplied by the applicant in written form as part of the hearing application procedure.~~

~~5. *Other Requirements.* The Commission and/or Town Council shall insure that the public welfare and safety is preserved, and that provision is made for harmonious and appropriate development of the land by requiring as needed:~~

~~a. Declaration of public use space for parks, schools, recreation areas, etc.~~

~~b. Coordination of street layout with existing or planned streets.~~

~~c. Preservation of natural features, such as trees, hilltops, water courses, and archaeological sites.~~

~~d. Architectural plans of building design in addition to a final development plan for the PAD.~~

~~e. Proof of adequate sanitary sewage and water system.~~

~~f. Adequate fire protection.~~

~~g. Schedule of plan implementation.~~

~~h. Additional issues of public interest.~~

~~6. Amendments. The following procedure shall be followed for any amendment to a PAD including amendments to the development phasing schedule.~~

~~a. Major Amendments.~~

~~1. A PAD applicant or his successors in interest may file a request for a major amendment with the Community Development Department.~~

~~2. The change will be deemed major if it involves any one of the following:~~

~~I. An increase in the approved totals of dwelling units or gross leaseable area for the PAD.~~

~~II. A significant change in land use boundaries from those approved for the PAD as determined by the Community Development Director.~~

~~III. Any change which could have significant impact on areas adjoining the PAD as determined by the Community Development Director.~~

~~IV. Any change which could have a significant traffic impact on roadways adjacent or external to the PAD as determined by the Community Development Director.~~

~~3. The Community Development Department will bring the major amendment before the Planning Commission and Town Council and will submit background material and recommendations.~~

~~b. Minor Amendments.~~

~~1. A PAD applicant or his successors in interest may file a request for a minor amendment with the Community Development Department.~~

~~2. The request will be routed for comment to any affected Town departments or other agencies for comment.~~

~~3. Upon receipt of comments, the Community Development Director will determine whether the requested change is minor or major.~~

~~4. If the requested change is determined to be minor, an amended plan shall be submitted for public record.~~

~~c. Interpretations. In the event that it becomes necessary to interpret stipulations within the PAD, the Board of Adjustment shall hold a hearing and make such interpretations.~~

~~7. Application & Development Plan.~~

~~a. Application. An application to establish a PAD shall be submitted and processed in the same manner as that for re-zoning amendments. Every application shall be accompanied by a fee as required, except when filed by the Commission.~~

~~An application to establish a PAD shall be filed by either:~~

- ~~1. The owner or owners having title to all of the property in the area proposed for the PAD.~~
- ~~2. The Clarkdale Planning Commission~~

~~b. Development Plans Required.~~

~~1. Preliminary Development Plan. An application for a PAD shall be accompanied by a preliminary development plan including the following information:~~

- ~~I. A legal description of the parcel;~~
- ~~II. An area map showing existing zoning & land uses surrounding the site;~~
- ~~III. The location and type of land uses, and their area in acres; The proposed residential density of each residential area, and a calculation of the average overall density;~~
- ~~IV. The proposed intensity (in floor area ratio or square footage) for non-residential uses;~~
- ~~V. The proposed site development standards for each area of use;~~
- ~~VI. The proposed circulation system;~~
- ~~VII. The proposed methods for water, sewer and drainage; and~~
- ~~VIII. The proposed phasing plan, indicating development units if appropriate.~~

~~2. Final Development Plan. Prior to development, a final development plan must be approved by the Town Council. The final development plan (s) shall adhere to the development standards approved under the preliminary development plan, and shall~~

~~conform to the requirements and format of a preliminary subdivision plat, as delineated in the Subdivision Regulations for the Town of Clarkdale.~~

~~If a PAD is to be developed in phases or “development units,” a final development plan shall be required for each unit, and separate hearings shall be held to review each final development plan. An approved final development plan shall be binding upon applicants and their successors or assignees. No building permit shall be issued for any building, structures, or use not in accord with the final development plan, except that temporary construction facilities shall be permitted.~~

~~8.—*Enforceability.*~~

~~a.—The PAD Program shall continue to be implemented and maintained for the total acreage of the PAD, even though ownership may subsequently be transferred in whole or in part:~~

~~i.—It is the responsibility of the owner to notify all prospective purchasers of all or part of the property within the district of the existence of the PAD and the PAD Program contained therein.~~

~~ii.—Conformance with the PAD shall be enforced by recordations of the appropriate deed restrictions for each parcel of property within the district, prior to the issuance of building permits, for each development unit.~~

~~iii.—Notification and recordation as provided above shall be required in order to retain the unitary aspect of the district~~

~~b.—At such time that the Planning Commission shall determine that the applicant is not proceeding to develop in accordance with the PAD Program, it shall notify the applicant in writing of such deficiency and shall, simultaneously, notice a hearing to determine the cause of the delay.~~

~~i.—The hearing shall be held within thirty (30) days of the date of the written notice and shall follow Commission procedure for hearings.~~

~~ii.—The Commission may determine good cause for such deficiencies and may, in conjunction therewith, entertain an application to amend the development phasing schedule.~~

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

~~c.—At such time that the Commission shall determine that the current owner of any portion of the Planned Area Development District is not in compliance with a provision of the PAD Program or the public dedication or improvement schedules, no further approval of final development plans or subdivision plats shall occur for that portion. Such determination of noncompliance shall be at a public hearing. The applicant and current owner(s) shall receive written notice of hearing. (Revised by Ordinance #428 on 12/10/24; effective 1/20/25; prior code § 6-2)~~

~~The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.~~

~~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~~

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

~~Hosted by General Code.~~



Staff Report

Item Number: 6.C.

Agenda Item: **Chapter 12 - Subdivision Regulations**
Discuss, consider and act upon the Zoning Code update to Chapter 12 - Subdivision Regulations.

Staff Contact: Scott Ellis, Community Development Director

Meeting Date: February 18, 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.

Budget Impact: No budget impact.

Recommendation: Staff recommend that the CAC approve the Zoning Code updates to Chapter 12 - Subdivision Regulations and forward it to the Town Council with a recommendation of the same.

Suggested Motion: "I move to recommend approval of the updates to Chapter 12 - Subdivision Regulations of the Town of Clarkdale's Zoning Code to Town Council, subject to the stipulations indicated in the staff report."

CHAPTER 12 SUBDIVISION REGULATIONS

Sections:

~~12-1~~ ~~General Provisions~~ **12-1 General Provisions**

~~12-3~~ ~~Subdivision Design Principles and Standards~~ **12-2**
~~3~~ **Subdivision Design Principles and Standards**

~~12-4~~ ~~Subdivision Platting Procedures and Requirements~~ **12-3**
~~4~~ **Subdivision Platting Procedures and Requirements**

~~12-5~~ ~~Minor Subdivision~~ **12-4 5** **Minor Subdivision**

~~12-6~~ ~~Minor Land Divisions and Lot Line Adjustments~~ **12-5 6** **Minor**
Land Divisions and Lot Line Adjustments

12-6 Lot Line Adjustment

12-7 Appeals

~~12-1-010~~ ~~Title~~

~~12-1-020~~ ~~Town Development Policy~~

~~12-1-030~~ ~~Purpose and Intent~~

~~12-1-040~~ ~~Severability~~

~~12-1-050~~ ~~Saving Provision~~

~~12-1-060~~ ~~Amendments~~

~~12-1-070~~ ~~Subdivision Amendments~~

~~12-1-080~~ ~~Re-subdivision of Land~~

~~12-1-090~~ ~~Abandonment (Reversion to Acreage)~~

~~12-1-100~~ ~~Private Agreements~~

-
- ~~12-1-110 Authority and Applicability~~
 - ~~12-1-120 Jurisdiction~~
 - ~~12-1-130 Prohibition Against Circumvention of Regulations~~
 - ~~12-1-140 Violations and Penalties~~
 - ~~12-1-150 Subdivision Committee~~
 - ~~12-1-160 Adoption of Figures~~
 - ~~12-1-170 Processing Fee Schedule~~
 - ~~12-1-180 Hardship~~
 - ~~12-1-190 Waiver~~
 - ~~12-1-200 Water Adequacy~~
 - ~~12-2 Repealed by Ordinance #428.~~
 - ~~12-3 Subdivision Design Principles and Standards~~
 - ~~12-3-010 General~~
 - ~~12-3-020 Reservation of Land for Public Use~~
 - ~~12-3-030 Landscape Requirements~~
 - ~~12-3-040 Street Location and Arrangement~~
 - ~~12-3-050 Dedicated Access~~
 - ~~12-3-060 Street Classification~~
 - ~~12-3-070 Block Design~~
 - ~~12-3-080 Lot Planning~~
 - ~~12-3-090 Street Naming~~
 - ~~12-3-100 Easement Planning~~
 - ~~12-3-110 Condominium Development Air Rights Planning~~
 - ~~12-4 Subdivision Platting Procedures and Requirements~~
 - ~~12-4-010 Outline of Subdivision Procedures~~
 - ~~12-4-020 Stage I Pre Application Conference~~
-

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- ~~12-4-030 — Stage II – Preliminary Plat~~
 - ~~12-4-040 — Stage III – Subdivision Technical Review~~
 - ~~12-4-050 — Stage IV – Final Plat, Recording and Post Approval~~
 - ~~12-5 — Minor Subdivision~~
 - ~~12-5-010 — Minor Subdivision~~
 - ~~12-5-020 — Outline of Minor Subdivision Procedures~~
 - ~~12-5-030 — Minor Subdivision Preliminary Plat Review~~
 - ~~12-5-040 — Responsibilities of the Subdivision Committee~~
 - ~~12-5-050 — Appeals~~
 - ~~12-5-060 — Significance of Minor Subdivision Plat Approval~~
 - ~~12-6 — Minor Land Divisions and Lot Line Adjustments~~
 - ~~12-6-010 — Purpose of Minor Land Divisions~~
 - ~~12-6-020 — Applicability~~
 - ~~12-6-030 — General Standards~~
 - ~~12-6-040 — Application Requirements~~
 - ~~12-6-050 — Application Process~~
 - ~~12-6-060 — Conspiracy to Subdivide~~
 - ~~12-6-070 — Purpose of Lot Line Adjustment~~
 - ~~12-6-080 — General Standards~~
 - ~~12-6-090 — Application Requirements~~
 - ~~12-6-100 — Application Process~~
 - ~~12-6-110 — Roadway Standards for Minor Subdivisions~~
 - ~~12-7 — Public Improvement Standards~~
 - ~~12-7-010 — Purpose~~
 - ~~12-7-020 — Improvement Plans~~
 - ~~12-7-030 — Construction and Inspection~~
-

~~12-7-040~~ Required Improvements

SECTION 12-1 _____

GENERAL PROVISIONS

~~12-1-010~~ Title **12-1-010 Title**

~~12-1-020~~ Town Development Policy **12-1-020 Town Development Policy**

~~12-1-030~~ Purpose and Intent **12-1-030 Purpose and Intent**

~~12-1-040~~ Severability **12-1-040 Severability**

~~12-1-050~~ Saving Provision **12-1-050 Saving Provision**

~~12-1-060~~ Amendments **12-1-060 Amendments**

~~12-1-070~~ Subdivision Amendments **12-1-070 Subdivision Amendments**

~~12-1-080~~ Re-subdivision of Land **12-1-080 Re-subdivision of Land**

~~12-1-090~~ Abandonment (Reversion to Acreage) **12-1-090 Abandonment
(Reversion to Acreage)**

~~12-1-100~~ Private Agreements **12-1-100 Private Agreements**

~~12-1-110~~ Authority and Applicability

~~12-1-120~~ Jurisdiction

~~12-1-130~~ Prohibition Against Circumvention of Regulations **12-1-1130
Prohibition Against Circumvention of Regulations**

~~12-1-140~~ Violations and Penalties **12-1-1240 Violations and Penalties**

~~12-1-150~~ Subdivision Committee **12-1-1350 Subdivision Committee**

~~12-1-160~~ Adoption of Figures

~~12-1-170~~ Processing Fee Schedule **12-1-1470 Processing Fee Schedule**

~~12-1-180~~ Hardship

~~12-1-190~~ Waiver **12-1-1590 Waiver**

~~12-1-200~~ Water Adequacy **12-1-16200 Water Adequacy**

Section 12-1-010 _____ Title

This ordinance shall be known as the “Subdivision Regulations of the Town of Clarkdale.”

Section 12-1-020 — Authority, Applicability, and Jurisdiction

A. These regulations shall be governed by the Arizona Revised Statutes, Title 9, governing the division and platting of land pursuant thereto.

B. These regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale.

Section 12-1-030 Purpose and Intent

The provisions of these regulations shall be administered to ensure orderly growth and development and shall supplement and facilitate the provisions in the General Plan, Zoning Code, Official Maps and the Capital Improvement Plan.

The provisions of these regulations shall be held to be the minimum requirements for the promotion of the public’s health, safety, and general welfare.

A.—These Regulations shall be governed by the Arizona Revised Statutes, Title 9, governing the division and platting of land pursuant thereto.

B.—All subdivisions, minor subdivisions or minor land divisions within the Town shall comply with these Regulations.

C.—These Regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale. (Prior code § 12-1-1)

Section 12-1-030 — Purpose and Intent

The provisions of these regulations shall be administered to ensure orderly growth and development and shall supplement and facilitate the provisions in the General Plan, Zoning Code, Official Maps and the Capital Improvement Plan. The purpose of these Regulations is to provide for the orderly growth and development of the Town.

~~The provisions of these regulations shall be held to be the minimum requirements for the promotion of the public's health, safety, and general welfare.~~

~~The provisions of these regulations shall be administered to ensure orderly growth and development and shall supplement and facilitate the provisions in the General Plan, Zoning Code, Official Maps and the Capital Improvement Plan.~~

Section 12-1-040 ~~Severability~~

If any part or provision of these rRegulations or application thereof to any person or circumstances is adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which judgment shall not affect or impair the validity of the remainder of these rRegulations or the application thereof to other persons or circumstances.

Section 12-1-050 ~~Saving Provision~~

These rRegulations shall not be construed as abating any action now pending under, or by virtue of, prior existing Subdivision rRegulations, or discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm or corporation, or as waiving any right of the Town under any section or provision existing at the time of adoption of these rRegulations, or vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the Town, except as shall be expressly provided for in these rRegulations. ~~(Prior code § 12-1-5)~~

Section 12-1-0670 ~~Amendments~~

For the purpose of promoting the public's health, safety and general welfare, the Council may from time to time amend upon the recommendation of the Planning Commission the provisions imposed by these Subdivision rRegulations in the manner prescribed by law.

Section 12-1-0780 ~~Subdivision Amendments~~

Any changes, erasures, modifications or revisions made to the final plat after approval shall be processed in the same manner as the original approval by the Community Development Director or designee.

Section 12-1-0890 ——— Re-Subdivision of Land

For any change in a map of an approved or recorded subdivision plat, if such change affects any name, street layout shown on such map, or area reserved thereon for public use, or any lot line, or any improvements, such change(s) shall be approved by Community Development Director or designee in accordance with the same procedures and regulations as for a new subdivision.

The Community Development Director or designee may waive these procedures for minor revisions of lot lines between two neighboring lots in a platted subdivision when no other change of the Final Plat is involved and the two new lots conform to all Town Codes. If lots within an approved subdivision have been sold to individual property owners, the Town may require, at the Town's discretion, signatures from all property owners within the subdivision be obtained and placed on the revised plat to be recorded.

Section 12-1-09100 ——— Abandonment (Reversion to Acreage)

A. A.—If no lots in a subdivision, for which a final map has been approved and recorded, have been sold within 12 months from the date of recordation and if all of the improvements have not been made within 12 months of recordation, the Community Development Director or designee may, ~~on its own motion, hold a public hearing after notice, to~~ determine whether the approval and recording of such final map should be revoked. Such revocation shall be in accordance with the Arizona Revised Statutes.

B. B.—If no lots in a subdivision for which a final plat has been approved and recorded have been sold, the property owner(s) of all lots within a subdivision may submit an application to the Community Development Director or designee for Reversion to Acreage. This application shall include a survey and legal description presenting the property as reverted from the platted subdivision. The Community Development Director or designee shall distribute the request to the Subdivision Committee for review and comment. Upon Community Development Director or designee approval of the reversion and recording of the new property description, the Public Works Director will determine if any posted assurances ~~(see Section 12-4-050-D)~~ may be released. An application fee of an amount established by the Town Council shall be paid at the time of filing. ~~An application for revocation of all or any part of a subdivision shall be~~

~~evaluated by the Community Development Department prior to any consideration by the Community Development Director or designee.~~

~~C. 1.~~—The acreage shall be in conformance with the General Plan of the Town.

~~D. 2.~~—~~All reverted~~ The acreage shall have legal access to a public street or an approved private access easement to all remaining parcels.

~~A. C.~~—Any other actions applicable to the above process and permitted by State laws are permissible.

~~E.~~

~~D.~~—Applications to abandon streets or easements shall be made pursuant to Arizona Revised Statutes and shall be carried on separately and simultaneously with any procedure to abandon a subdivision or revert it to acreage.

~~F.~~

~~E.~~—~~Upon submittal of an application to abandon a subdivision and cause same to revert to acreage, staff shall distribute the request to the following for review and comment: Town Engineer, County Assessor, County Treasurer, County Health Department, and any utility that has facilities on the property proposed to be abandoned.~~

~~Section 12-1-1040~~ ——— ~~Private Agreements~~

The provisions of these rRegulations are not intended to abrogate any easement, covenants or other existing agreements which are more restrictive than the provisions of these rRegulations.

~~Section 12-1-120~~ ——— ~~Authority and Applicability~~

~~These Regulations shall be governed by the Arizona Revised Statutes, Title 9, governing the division and platting of land pursuant thereto.~~

~~All subdivisions, minor subdivisions or minor land divisions within the Town shall comply with these Regulations.~~

~~Section 12-1-130~~ ——— ~~Jurisdiction~~

~~These Regulations apply to all subdivisions, minor subdivisions and minor land divisions within the incorporated limits of the Town of Clarkdale.~~

Section 12-1-1~~040~~ ——— Prohibition Against Circumvention of Regulations

No person, firm, corporation, or other legal entity shall hereafter sell or offer for sale any lot, piece, or parcel of land which is within a subdivision, as defined in ~~Section 2-010~~ Chapter 2 of the Town Zoning Code, of these Regulations without first having recorded a plat thereof in accordance with the provisions of these ~~r~~Regulations.

Section 12-1-1~~250~~ ——— Violations and Penalties

A violation of this Chapter by any person, firm, corporation, or other legal entity shall be punishable under Section 1-8 of this code; any violation brought as a criminal misdemeanor offense shall be a class 1 misdemeanor.

Section 12-1-1~~360~~ ——— Subdivision Committee

~~The Subdivision Committee shall be responsible for the review of all major and minor subdivisions, including preliminary plats, final plats, and lot line adjustments.~~

~~A. Recommendations by the Subdivision Committee shall be based on the following findings:~~

- ~~1. The proposed project conforms to the adopted standards and policies of the Town.~~
- ~~2. The proposed project, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.~~
- ~~3. Environmental concerns conform to adopted standards.~~
- ~~4. The proposed project is consistent with provisions of the Zoning Code requirements applicable to the property.~~
- ~~5. The proposed project conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.~~

~~A.—~~

~~A.—The “Subdivision Committee” (as defined in Section 2-010) is hereby established and shall consist of the following members or their duly authorized representatives:~~

~~B.—~~

- ~~1. 1.—Community Development Director; and~~
- ~~2. Public Works Director; and~~
- ~~3. Town Engineer; and~~

- 4. Water Resources Manager; and
- 5. Chief of Police; and
- 6. Fire Chief; and
- 7. Building Inspector; and
- 8. Flood Control; and
- 9. Yavapai County Health Department; and
- 10. Any other agency or municipality that Town staff deems necessary.

C. Representatives from the following may be included at the discretion of the Community

Development Director:

- 1. School Districts; or
- 2. Arizona Public Service (APS); or
- 3. Unisource; or
- 4. Arizona Department of Transportation (ADOT); or
- 5. Arizona Department of Game and Fish; or
- 6. United States Forest Service; or
- 7. Yavapai County; or
- 8. Others as determined by the Community Development Director.

Director of Community Development

- ~~2.—Director of Public Works and/or Utilities Departments~~
- ~~3.—Town Engineer~~
- ~~4.—Police Department~~

~~B.—Representatives of other public agencies may be requested to participate at the request of the Community Development Director but shall not be members.~~

~~C.—It shall be the duty of the Subdivision Committee to review all Minor Subdivision Plat applications.~~

~~Section 12-1-170 ————— Adoption of Figures~~

~~All figures within these Regulations are hereby adopted and fully incorporated herein as a part of these Regulations.~~

Section 12-1-1480 ————— Processing Fee Schedule

In the event the Town Manager or designee finds it necessary to use the professional services of any person, either in their regular employ or retained outside of their regular employ, in connection with their examination, approval, inspection or acceptance of any subdivision; said services shall be paid for by the applicant.

A late fee of 1.5% per month will be charged on all past due fees. The Final Plat will not be recorded until all fees are paid.

~~Section 12-1-190~~ ——— ~~Hardship~~

~~The Community Development Director or designee may authorize variances in terms of these Regulations, where an exceptional or extraordinary situation or condition of a tract of land causes the strict application of any regulation enacted herein to result in peculiar and exceptional practical difficulties to, or undue hardship upon the applicant. Such variance may be given, provided such relief may be granted without detriment to the public good and without impairing intent and purposes of these Regulations.~~

~~Section 12-1-200150~~ ——— ~~Waiver for Public Purpose~~

The Community Development Director or designee may waive, any provision of these ~~r~~Regulations insofar as they affect a public use or purpose. No waiver may be granted unless the Community Development Director or designee finds that it is in the best interest of the public, without impairing the intent and purpose of these ~~r~~Regulations. The ~~details extent and duration~~ of the waiver, ~~including but not limited to the extent and duration~~, shall be ~~stated documented in writing and filed with the original application submittal at the time of the waiver.~~

~~Section 12-1-210160~~ ——— ~~Water Adequacy~~

- ~~A. The Community Development Director or designee shall not approve a final plat for a subdivision, as defined in A.R.S. § 32-2101, unless one of the following applies:~~
- ~~1. The Director of the Arizona Department of Water Resources has determined that there is an adequate water supply for the subdivision pursuant to A.R.S. § 45-108, and the applicant has included the report with the plat.~~
 - ~~2. The applicant has obtained a written commitment of water service for the subdivision from a city, town, or private water company designated as having an adequate water supply by the Director of the Arizona Department Water Resources pursuant to A.R.S. § 45-108.~~

B. The requirements of Subsection 12-1-160 (A) do not apply to:

1. A proposed subdivision that the Director of the Arizona Department of Water Resources has determined will have an inadequate water supply pursuant to A.R.S. § 45-108, if the Director grants an exemption for the subdivision pursuant to A.R.S. § 45-108.2 and the exemption has not expired, or the Director of the Arizona Department of Water Resources grants an exemption pursuant to A.R.S. § 45-108.3.
2. A proposed subdivisions that received final plat approval from the Town before the requirement for an adequate water supply became effective in the Town, if the plat has not been materially changed since it received the final plat approval.
 - a. If changes were made to the plat after the plat received the final plat approval, the Director of the Arizona Department of Water Resources shall determine whether the changes are material.

D. If the Community Development Director or designee approves a final plat for a subdivision pursuant to 12-1-160 (A), the Community Development Director or designee shall note on the face of the plat that the Director of the Arizona Department of Water Resources has reported the subdivision has an adequate water supply, or the applicant has obtained a commitment of water services for the proposed subdivision from a city, town or private water company designated as having an adequate water supply pursuant to A.R.S. § 45-108.

- E. If the Community Development Director or designee approves a final plat for a subdivision pursuant to an exemption authorized by 12-1-160 (B) (2) or granted by the Director of the Arizona Department of Water Resources pursuant to A.R.S. § 45-108.2 or to A.R.S. § 45-108.3, the Community Development Director or designee shall:
1. Give written notice of approval to the Director of the Arizona Department of Water Resources and the Director of Environmental Quality.
 2. Include on the face of the plat a statement describing the exemption under which the plat was approved, including a statement that the Community Development Director or designee or the Director of the Arizona Department of Water Resources, whichever applies, has determined that the specific conditions of the exemption were met.
 3. If the Director of the Arizona Department of Water Resources subsequently informs the Community Development Director or designee that the subdivision is being served by a water provider that has been designated by the Director as having an adequate water supply pursuant to A.R.S. to A.R.S. § 45-108, the Community Development Director or designee shall record in the Yavapai County Recorder's office a statement disclosing the fact.

~~A.—The Community Development Director or designee shall not approve a final plat for a subdivision, as defined in A.R.S. § 32-2101, unless one of the following applies:~~

~~1.—1.— The Director of the Arizona Department of Water Resources has determined that there is an adequate water supply for the subdivision pursuant to A.R.S. § 45-108, and the applicant has included the report with the plat.~~

~~A.—2.— The applicant has obtained a written commitment of water service for the subdivision from a city, town, or private water company designated as having an adequate water supply by the Director of the Arizona Department Water Resources pursuant to A.R.S. § 45-108.~~

~~B.—B.— The requirements of Subsection 12-1-200 (A) do not apply to:~~

~~C.—1.— A proposed subdivision that the Director of the Arizona Department of Water Resources has determined will have an inadequate water supply pursuant to A.R.S. § 45-108, if the Director grants an exemption for the subdivision pursuant to A.R.S. § 45-108.2 and the exemption has not expired, or the Director of the Arizona Department of Water Resources grants an exemption pursuant to A.R.S. § 45-108.3.~~

~~D.—2.— A proposed subdivisions that received final plat approval from the Town before the requirement for an adequate water supply became effective in the Town, if the plat has not been materially changed since it received the final plat approval.~~

~~E.—a.— If changes were made to the plat after the plat received the final plat approval, the Director of the Arizona Department of Water Resources shall determine whether the changes are material.~~

~~C.—If the Community Development Director or designee approves a final plat for a subdivision pursuant to 12-1-21 (A), the Community Development Director or Designee shall note on the face of the plat that the Director of the Arizona Department of Water Resources has reported the subdivision has an adequate water supply, or the applicant has obtained a commitment of water services for the proposed subdivision from a city, town or private water company designated as having an adequate water supply pursuant to A.R.S. § 45-108.~~

~~F.—D.— If the Community Development Director or designee approves a final plat for a subdivision pursuant to an exemption authorized by 12-1-21 (B) (2) or granted by the Director of the Arizona Department of Water Resources pursuant to A.R.S. § 45-108.2 or to A.R.S. § 45-108.3, the Community Development Director or designee shall;~~

~~G.—1.— Give written notice of approval to the Director of the Arizona Department of Water Resources and the Director of Environmental Quality.~~

~~H. 2. Include on the face of the plat a statement describing the exemption under which the plat was approved, including a statement that the Community Development Director or designee or the Director of the Arizona Department of Water Resources, whichever applies, has determined that the specific conditions of the exemption were met.~~

~~3. If the Director of the Arizona Department of Water Resources subsequently informs the Community Development Director or designee that the subdivision is being served by a water provider that has been designated by the Director as having an adequate water supply pursuant to A.R.S. to A.R.S. § 45-108, the Community Development Director or designee shall record in the County Recorder's office a statement disclosing the fact.~~

SECTION 12-23

SUBDIVISION DESIGN PRINCIPLES AND STANDARDS

~~12-3-010 General~~ **12-23-010 General**

~~12-3-020 Reservation of Land for Public Use~~ **12-23-020 Reservation of Land for Public Use**

~~12-3-030 Landscape Requirements~~ **12-23-030 Landscape Requirements**

~~12-3-040 Street Location and Arrangement~~ **12-23-040 Street Location and Arrangement**

~~12-3-050 Dedicated Access~~ **12-23-050 Dedicated Access**

~~12-3-060 Street Classification~~ **12-23-060 Street Classification**

~~12-3-070 Block Design~~ **12-23-070 Block Design**

~~12-3-080 Lot Planning~~ **12-23-080 Lot Planning**

~~12-3-090 Street Naming~~ **12-23-090 Street Naming**

~~12-3-100 Easement Planning~~ **12-23-100 Easement Planning**

~~12-3-110 Condominium Development-Air Rights Planning~~ **12-23-110 Condominium Development-Air Rights Planning**

Section 12-23-010 General

The provisions of this Section shall apply to all subdivisions which are located wholly or partially within the Town of Clarkdale. Every subdivision shall conform to the General Plan, the Zoning Code, the Town Code, the Arizona Revised Statutes, and the following goals:

- A. Ensure traffic circulation in conformance with adopted transportation plans.
- B. Incorporate multimodal transportation options.
- C. Secure adequate provisions for water supply, drainage, sanitary sewers, that conform to adopted engineering and sanitation standards.
- D. Incorporate renewable energy sources, including but not limited to, solar, geothermal and wind.
- E. Provide appropriate sites for schools, recreation areas, and other public facilities.
- F. Require conveyance of land by accurate legal description.
- G. Preserve existing wildlife habitat.
- H. Encourage the substitution of effluent for potable water when possible.

~~A.—Ensure traffic circulation in conformance with adopted transportation plans.—~~

~~A.—B.—Incorporate multimodal transportation options.—~~

~~B.—C.—Secure adequate provisions for water supply, drainage, sanitary sewers, that conform to adopted engineering and sanitation standards.—~~

~~D.—Incorporate renewable energy sources, including but not limited to, solar, geothermal and wind.—~~

~~E.—Provide appropriate sites for schools, recreation areas, and other public facilities.—~~

~~F.—Require conveyance of land by accurate legal description.—~~

~~G.—Preserve existing wildlife habitat.—~~

~~H.—Encourage the substitution of effluent for potable water when possible.—~~

All construction and repair of public facilities and private roads shall be accomplished in accordance with the standards adopted by the Town of Clarkdale. Additionally, all traffic control devices shall be placed in accordance with the latest edition of the Manual of Uniform Traffic Control Devices as adopted by the Arizona Department of Transportation.

Section 12-~~23~~-020 ———Reservation of Land for Public Use

Where the tract of land to be subdivided contains all or any part of the site of a park, school, flood control facility, or other public area as shown on the General Plan, or as recommended by the Community Development Director or designee, such site shall be

dedicated to the public or reserved for acquisition by the public within one year after recording the Final Plat unless a different timeline is agreed upon in the subdivision or development agreement. An agreement shall be reached between the applicant and the appropriate public agency regarding time, method and cost of such acquisition. If the public agency for whose benefit, an area has been reserved does not exercise the reservation agreement set forth in this Section by agreeing to a timetable for development and dedication of the reserved land within such one year period or such extended period as may be mutually agreed upon by such public agency and the applicant, the reservation of such area shall terminate.

Section 12-~~23~~-030 ———Landscape Requirements

Subdivision landscaping shall meet the requirements of Chapter 9 - Landscape Design Standards of the Town of Clarkdale Zoning Code.

Section 12-~~23~~-040 ———Street Location and Arrangement

- A. ~~A.~~**—Whenever a tract to be subdivided embraces any part of a street designated in the adopted Town General Plan, Street Plan, Trail Plan, or Circulation Plan, such streets, bicycle ways, pedestrian ways and trails shall be platted in conformance therewith.
- A. ~~B.~~**—Street layout shall provide for the continuation of such streets as the Subdivision Committee and/or the Community Development Director or designee may designate.
- B. ~~C.~~**
- A. ~~C.~~**—The street patterns in the land development shall not landlock adjacent property nor prevent access to public land.
- C. ~~D.~~**
- D. ~~D.~~**—Whenever a tract to be subdivided is located within an area for which a Neighborhood Plan has been approved, the street arrangement shall conform substantially to said plan.
- E. ~~E.~~**—Proposed collector streets shall be extended to the tract boundary to provide future connection with adjoining un-platted lands, or existing collector streets.
- F. ~~F.~~**—Residential streets, other than designated collector streets, shall be so arranged as to discourage through traffic.
- G. ~~G.~~**—Where a subdivision abuts or contains the right-of-way of a drainage way, an irrigation ditch, a railroad right-of-way, or abuts a commercial or industrial land use, the Community Development Director or designee may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable

for appropriate use of intervening land. Such distance shall be determined in conformance with regulations governing approach grades, drainage, bridges or future grade separations.

- H. H.**—Streets shall be so arranged in relation to existing topography as to facilitate adequate drainage.
- I. I.**—Alleys shall be required in all commercial and industrial subdivisions unless the Subdivision Committee and the Community Development Director or designee recommend waiving this requirement. Alleys may be required in residential subdivisions if the Subdivision Committee and the Community Development Director or designee recommend that alleys be required to complete an existing pattern or to provide secondary access to adjacent properties or service.
- J. J.**—Half-streets shall be discouraged, except where necessary, to provide right-of-way required by the adopted Town Circulation Plan, to complete a street pattern already begun, or to ensure reasonable development of several adjoining parcels. Where there exists, a platted half-street abutting the tract to be subdivided, the remaining half shall be platted within the tract.
- K. K.**—Street patterns that provide multiple accesses to the subdivision are encouraged and may be required by the Committee, Community Development Director or Designee and/or the Community Development Director or ~~d~~Designee.

Section 12-23-050 ———Dedicated Access

- A. A.**—Each subdivision shall provide for adequate traffic circulation using the Average Daily Traffic (ADT) and classification system in Section ~~12-3-060~~12-3-060 of these ~~r~~Regulations.
- B. B.**—Where private streets are approved, the plat, the deed restrictions and the Homeowner's Association by-laws shall contain statements declaring these streets to be private and remaining the permanent responsibility of the Homeowner's Association. Such private streets are subject to an easement authorizing use by emergency and public service vehicles.
- C. C.**—Cul-de-sac streets shall not be any longer than 600 feet. The ~~r~~Community Development Director or designee may recommend approval of a longer cul-de-sac if the topography, adjacent platting or other unusual conditions justify the exception.
- D. D.**—Cul-de-sac streets shall terminate in a circular right-of-way, 50 feet in radius, with an improved traffic turning circle of a minimum 40 feet in radius.
- E. E.**—Acute angle intersections and intersections on the inside of a horizontal curve are prohibited, unless otherwise approved by the Town Engineer.

- F. F.**—Street designs shall meet the criteria of Chapter ~~1212~~, Figure 2 - Street Classification and Minimum Design Standards and Figure 3 - Street Curve and Design Data.
- G. G.**—Dead-end streets will not be approved except in locations designated by the Subdivision Committee and Community Development Director or designee as necessary to future extension in development of adjacent lands. In any case, a dead-end street serving more than four lots shall provide, by easement, a temporary turning circle with a 40 foot radius or other acceptable design to accomplish adequate access.
- H. H.**—At street intersections, property line corner shall be rounded by circular arc, said arc to be the corner cut-off minimum from figure 4.
- I. I.**—At the intersection of two streets of different classification, the corner cut-off dimension and curb return radius of the wider street shall be used.
- J. J.**—Vertical curbs shall be required on the downhill side of streets having grades of 6% or greater.
- K. K.**—The maximum street grade is not to exceed 12%.
- L. L.**—No subdivision shall be approved without dedicated legal access to a collector street.

Section 12-~~23~~-060 ———**Street Classification**

- A. A.**—The street hierarchy system shall be defined by use and Average Daily Traffic (ADT) rates calculated by average trip generation rates prepared by the Institute of Transportation Engineers, as indicated in Chapter ~~12~~, Figure 1. The applicant may use another approved method if it can be demonstrated to better reflect local conditions.
- B. B.**—The applicant will demonstrate to the Community Development Director or designee that no street shall exceed the maximum ADT's of Figure 2.
- C.**—Rural street designs may be used only in residential areas developed with a minimum lot size of 20,000 square feet.
- C.**—

Section 12-~~23~~-070 ———**Block Design**

- A. A.**—Maximum length of blocks measured along the centerline of the street, and between intersecting street center lines, is 1200 feet, except in a development with lot areas averaging 1.5 acres or more, this maximum may be exceeded by 500 feet. Block length shall be designed to meet the above maximums and adopted engineering standards.—

~~A. B.~~—Pedestrian or bicycle ways with right-of-way widths a minimum of 8 feet may be required where essential for circulation or access to schools, playgrounds, shopping centers, public land, transportation and other community facilities. Pedestrian or bicycle ways may also be used for utility and drainage purposes if so noted on the plat and approved by the Community Development Director or designee and the Town Engineer.

~~B.~~

Section 12-23-080 — Lot Planning

~~A. A.~~—Lot width, depth, frontage, area, lot coverage, floor area ratio and building setbacks shall comply with the minimum requirements of the Zoning Code. The type and extent of street and utility improvements being installed shall comply with the minimum requirements of the Zoning Code. Where steep topography, unusual soil conditions, or drainage problems exist or prevail, variances to adopted development standards may be considered.

~~B. B.~~—Lands that are subject to periodic inundation, subsidence of the earth's surface, high water table, adverse topography, adverse soils, or other natural or manmade hazards to life or property shall be excluded from subdivision unless it can be substantiated by the applicant that proposed lot configurations and sizes, grading and drainage techniques, or other special development approaches necessary to protect the public health, safety, or general welfare on any lands to be subdivided affected by such characteristics, are satisfactory.

~~C. C.~~—The Community Development Director or designee may approve subdivision of such land upon receipt of written evidence from the Town Engineer, the [Yavapai](#) County Flood Control District and State and [Yavapai](#) County Health Authorities that the construction of specific improvements will —render the land suitable; thereafter, construction upon such land shall be prohibited until specified improvements have been planned and the construction guaranteed.

~~D. D.~~—Side lot lines shall be substantially at right angles or radial to street lines, except where special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the use of said lot lines will deprive the property of privileges enjoyed by other property of the same classification in the same zoning district.

~~E. E.~~—All lots shall have frontage as required by the appropriate zoning district on a fully dedicated public or private street.

F. F.—Single-family lots on curvilinear streets shall have rear lot lines consisting of a series of straight lines with points of deflection occurring only at the junction of side or rear lot lines unless otherwise approved.

G. G.—Corner lots may be wider than interior lots to provide for setback requirements.

H. H.—Single-family residential lots extending through the block and having frontage on two parallel local streets is prohibited.

I. I.—Residential lots shall not be accessible from collector or arterial streets.

Section 12-23-090 ———**Street Naming**

New street names shall not be duplicated or be similar to those already in existence in or within 3 miles of the Town. Where streets are continuations of existing streets, the name of the existing street shall be used. Proposed street names will be reviewed and approved by the Community Development Director or designee and Yavapai County Addressing Division.

Section 12-23-100 **Easement Planning**

A. A.—Easements for utilities shall be provided to ensure the provision of services to each lot.

1. 1.—The developer will provide the **Community Development** Director written documentation of approval by the utilities with respect to easements.

B. B.—Drainage easements shall be provided to the satisfaction of the Town Engineer and the **Yavapai** County Flood Control District. In no case shall drainage easements be less than 20 feet in width.

C. C.—Easements necessary to assure non-motorized access to adjacent public lands are required. Such easement shall not exceed 10 feet in width.

D. D.—Where alleys are provided, an easement sized to the refuse container may be required as determined by the Community Development Director or designee.

E. E.—Based on adopted engineering standards, increased right-of-way widths and slope easements may be required by the Town Engineer.

Section 12-23-110 ———**Condominium Development**~~**Air Rights Planning**~~

A. The processing of subdivision plats for condominium developments shall follow procedures set forth in ~~this chapter and these Regulations for the processing of land-subdivision plats~~**Section 33-1201-33-1270 of the Arizona State Statute.**

~~B. In addition to the requirements of the above, all plats for condominium subdivisions shall include:~~

~~1. All building locations.~~

~~2. All private access ways, driveways and parking areas.~~

~~3. Designation of all commonly-owned property, including that within buildings.~~

~~C. Final Plats for condominiums shall be recorded prior to the issuance of a building permit.~~

~~D. Preliminary Plats for the conversion of conventional apartments to condominiums shall show:~~

~~1. Firewall construction as required by adopted building and fire codes.~~

~~2. Additional parking, if required by Chapter 4 – General Provisions.~~

~~3. Additional open space as required by the development standards of the applicable zoning district.~~

~~4. Location of individual utilities lines and meters.~~

~~SECTION 12-34~~

~~SUBDIVISION PLATTING PROCEDURES AND REQUIREMENTS~~

~~12-4-010 Outline of Subdivision Procedures 12-3-010 Subdivision Procedures~~

~~12-4-020 Stage I – Pre-Application Conference 12-3-020 Pre-Application Meeting~~

~~12-4-030 Stage II – Preliminary Plat 12-3-030 Preliminary Plat~~

~~12-4-040 Stage III – Subdivision Technical Review 12-3-040 Subdivision Technical Review~~

~~12-4-050 Stage IV – Final Plat, Recording and Post Approval 12-3-050 Final Plat, Recording and Post Approval~~

Section 12-34-010 ~~Outline of Subdivision Procedures~~

The preparation, submittal, review and approval of all subdivision plats located within the Town limits shall conform to the following requirements and processes. A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Section ~~3-53-5~~ of the Town Code.

~~A.—Stage I Pre-Application Conference~~

~~B.—Stage II Preliminary Plat~~

~~C.—Stage III Technical Review~~

~~D.—Stage IV Final Plat, Recording and Post Approval~~

~~The process for completing these stages varies depending on the type of subdivision, determined by the number of new parcels being created.~~

| Type | Subdivision 10 lots or more | Minor Subdivision 4—10 lots | Minor Land- Division 2—3 lots |
|--------------------------------------|---|---|---|
| Stage I Preapplication Conference | Required Section 12-4-020 | Required Section 12-5-020 | Required Section 12-6-050 |

| Type | Subdivision 10 lots or more | Minor-Subdivision 4—10 lots | Minor-Land- Division 2-3 lots |
|--|---|--|--|
| Stage II Preliminary Plat | Required Community- Development- Director or Designee Section- <u>12-4-030</u> | Required Reviewed by Subdivision- Committee, Approved by Community- Development Director or designee. Section <u>12-5-030</u> | Survey from a State of Arizona- registered land- surveyor. Section <u>12-6-040</u> |
| Stage III Technical Review | Required Section <u>12-4-040</u> | Required Section <u>12-5-040</u> | Not required |
| Stage IV Final Plat, Recording and Post Approval | Required Section <u>12-4-050</u> | Required Section <u>12-4-050</u> | Required within- 60 days of approval. Section <u>12-6-050-E</u> |

Section 12-3-020

Section 12-4-020 — **Stage I – Pre-Application Conference Meeting**

A. 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 of Chapter 11 – Design Review, Section 11-040 Submission Requirements. In addition, information regarding legal problems which are associated with the property, if any, as well as tentative proposals regarding water supply, sewage disposal, surface drainage, and street improvements shall be supplied.
- B. Persons applying for a Subdivision will be required to submit a Pre-application meeting request, including the site plan, the development plan, and supporting documentation. 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.
1. If the application is determined to be incomplete, the Community Development Director or designee shall notify the applicant by electronic communication 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. Subdivision Committee:
 - I. Community Development Director; and
 - II. Public Works Director; and
 - III. Town Engineer; and
 - IV. Water Resources Manager; and
 - V. Chief of Police (or designee); and
 - VI. Fire Chief (or designee); and
 - VII. Building Inspector; and
 - VIII. Flood Control; and
 - IX. Yavapai County Health Department; and
 - X. Any other agency or municipality that Town staff deems necessary; and
 - b. Representatives from the following may be included at the discretion of the Community Development Director:
 - I. School Districts; or
 - II. Arizona Public Service (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.

C. 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.

D. 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.

E. The applicant shall prepare a Memorandum of Understanding. It shall be formally acknowledged in writing by all parties. The Memorandum of Understanding shall include all items discussed.

A.—~~The “Pre-Application Conference” comprises an investigatory period which precedes actual preparation of preliminary plans by the applicant. During this stage the applicant makes intentions know to the Town and is advised of specific requirements related to the subject tract and other details regarding platting procedures and requirements.~~

B.—Actions by the Applicant

~~The applicant shall meet informally with the Community Development Department to present a general outline of the proposal, including but not limited to:~~

~~1.—Two paper copies and one electronic copy of the sketch plans that includes: the name of the development, location by Section, Township and Range with reference to section corners and quarter corners, land use, street and lot arrangement, tentative lot sizes, existing improvements, major washes and drainage ways, known flood hazards, generalized land use in the vicinity, documented historical or archeological resources, and proposed bikeways, trails, open space, parks, and recreation facilities.~~

~~2.—Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.~~

~~3.—Information regarding legal problems which are associated with the property, if any.~~

C.—Actions by Community Development Department (CDD)

~~The CDD will discuss the proposal with the applicant and advise him or her on procedural steps, design and improvement standards, and general plat requirements. Then, depending on the scope of the proposed development, the CDD will proceed with the following investigations:~~

~~1.— Check existing zoning of the tract and make recommendations if a zoning change is necessary or desirable.~~

~~2.— Determine the adequacy of existing or proposed schools, parks and other public places.~~

~~3.— Inspect the site or otherwise determine the relationship to major streets, utility systems, and adjacent land uses and determine any unusual problems such as topography, utilities, flooding, etc.~~

~~D.— Upon the conclusion of Stage I activities, the applicant shall prepare a Memorandum of Understanding. It shall be formally acknowledged in writing by all parties. The Memorandum of Understanding shall include all items discussed.~~

Section 12-34-030 ——— Stage II — Preliminary Plat

The Preliminary Plat stage of a subdivision includes detailed subdivision planning, submittal, review and approval of the Preliminary Plat. To avoid delay in processing this application, the applicant shall provide the Town with all information required to determine conformance with adopted codes and regulations.

Any furtherance of pre-development activity engaged in, by, or on behalf of the applicant while an application for zoning amendment or variance is pending, shall in no instance be construed as having been undertaken in reliance of a favorable determination of such application, notwithstanding the nature of the recommendation on the matter of the Director of Community Development.

A. **Zoning.** The subdivision shall be designed to meet the specific requirements of the zoning district within which it is located. However, in the event that rezoning is deemed necessary, such as in the case of a Planned Area Development (PAD), the rezoning shall be initiated by the property owner or an authorized agent, and be heard and considered by the Planning Commission and Town Council. Any change in zoning or site plan approval required in relation to approval of the Preliminary Plat shall have been approved by Town Council.

B. **Sanitary Sewage, Refuse Disposal and Water Supply.** As a prerequisite to Preliminary Plat review, the applicant shall have informed all pertinent regulatory agencies of the

tentative plans and the applicant shall become informed of the general requirements for sewage disposal, water supply and refuse disposal which may apply to the property.

C. Owner's Authorization. If the applicant is not the legal owner of the property to be subdivided, said applicant shall, before filing the plat, obtain and submit notarized written consent to act on behalf of the legal owner(s) as the applicant.

D. Preliminary Plat Submission.

1. The submittal shall be reviewed by the Community Development Director or designee for completeness. If incomplete, the applicant will be notified within one week of receipt and given the opportunity to comply. Upon determination that the application is complete, a case number will be assigned and the applicant will be notified.
2. The Preliminary Plat and required supporting data, prepared in accordance with requirements set forth in this chapter shall be filed with the Community Development Department. Review of the Preliminary Plat by the Community Development Director or designee, the Subdivision Committee, and other agencies having jurisdiction shall be dependent upon adequacy of data presented and completion of processing. The review shall occur within 30 days of the submission date. 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 for correction via electronic communication.
3. A Preliminary Plat fee, as adopted by the Council, shall be paid by the applicant prior to the acceptance of the Preliminary Plat. The filing fee shall also cover filing of an amended or revised Preliminary Plat handled as the same case. If preliminary approval expires prior to application for final approval, the plat shall be re-submitted for preliminary approval as a new case and the applicant shall pay the required fees.

E. Form of Presentation for Preliminary Plat. The information hereafter required as part of the Preliminary Plat submittal shall be shown graphically, or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale. The scale shall not be smaller than one inch equals 100 feet.

All Preliminary Plat submittals shall include the following:

1. Letter of intent from the applicant describing the subdivision and proposed name of subdivision and its location by Section, Township and Range, reference by dimension and bearing to an acceptable government section or quarter-section

- corner. The proposed subdivision name shall not duplicate any other recorded plat in Clarkdale or adjacent communities.
2. Name, address, email address and telephone number of the owner of record of the property, and of the applicant, if not the owner of record.
 3. A copy of the title paperwork for the property.
 4. Name, title, address, email address and telephone number of engineering, land planning, surveying, architectural firm, or individual preparing the plat.
 5. Name, book and page number of any recorded subdivision adjacent to or having common boundaries with this plat.
 6. Scale (written and bar graph), north point and date of preparation including dates of any subsequent revision.
 7. Total subdivision acreage and dimensions. Do not include previously dedicated rights-of-way in this figure.
 8. Fully dimensioned boundary lines.
 9. A vicinity map which shows the relationship of the proposed subdivision to dedicated rights-of-way and any other facilities and developments which locate the subdivision. This map may be on the Preliminary Plat, but, if it is not practical, then a separate map showing title, scale, north point and date shall be provided.
 10. Names, locations and widths of adjacent streets, highways, ways, railroads and utility easements including streets and rights-of-way providing legal dedicated right-of-way access to the property.
 11. Location, names, areas, width, proposed grade curve, super elevations, sight distances, and radii for all streets, highways and ways in the proposed subdivision and off-site, if required, to provide adequate access to the subdivision. Include connections to adjoining platted tracts, public lands and streets contained therein.
 12. The width and approximate locations of all existing or proposed public or private easements or rights-of-way for streets, ways, trails, drainage, sewers, public utilities, flood control purposes, access to adjacent public land, or other community facilities.
 13. Typical lot dimensions (scaled); dimensions of all corner lots which should be 10% bigger, all lots of more than four sides and lots of curvilinear sections of streets; each lot numbered individually and consecutively; total number of lots or dwelling units.
 14. Designations of all land to be dedicated or reserved for public use with use indicated, including land reserved for parks, recreational facilities, school sites, and fires stations pursuant to A.R.S. 9.463.01.D.

15. Area of all lots and parcels not for single-family residential use, in acres. The area of all single-family residential lots in square feet if under or equal to one acre in size, or in acres, if the lots are over one acre in size.
16. A report by a sanitary engineer describing proposed wastewater disposal.
17. Locations, elevations, and sizes of culverts, storm drains and detention facilities. This information shall be accompanied by a hydrologic and hydraulic analysis, which meets the criteria set forth in the most recent Yavapai County Flood Control District Storm Water Detention Material and Drainage Criteria Manual.
18. The locations of floodway and floodplain boundaries and base flood elevations as determined by Federal Emergency Management Agency (FEMA) Flood Maps and the location of other water courses and land subject to inundation or flood hazard.
19. Engineer's calculations and estimated values for each tributary of storm runoff for a 25 year and 100 year frequency storm as specified in the Yavapai County Flood Control District Ordinance. The values shall be indicated along the boundary of the plat for all points of drainage entering and leaving the property.
20. Proposed cut and fill areas showing original and proposed grade levels with elevations and contours.
21. Proposed use of all lots, tracts or parcels within the subdivision.
22. Location and dimensions of all existing or proposed structures, walls, fences, irrigation ditches, water wells, pipelines, utilities, and other physical features. Plat shall indicate which improvements are to remain, be altered or removed.
23. Letters of serviceability for all utilities proposed to service the subdivision.
24. Contour intervals shall be such as to adequately reflect the character and drainage of the land.
25. School or park sites that may be required.
26. The zoning of all adjacent land.
27. Any deed restrictions or covenants and property owners association agreements to be or presently imposed upon the plat or any part thereof.
28. A Yavapai County Flood Control Report.

F. **Preliminary Plat Review.** The Community Development Director shall distribute copies of the plat to the Subdivision Committee. Following receipt of the written comments from the various departments and agencies, the Community Development Director or designee shall forward one complete copy to the applicant via electronic communication.

G. **Responsibilities of the Community Development Director or Designee.** Approval by the Community Development Director or designee shall be based on the following findings:

1. The proposed subdivision conforms to the adopted General Plan goals, objectives and policies of the Town.
2. The proposed subdivision, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.
3. Environmental concerns conform to adopted standards.
4. The design of the proposed subdivision conforms to adopted engineering standards.
5. The proposed subdivision is consistent with the Zoning Code requirements applicable to the property.
6. The proposed subdivision conforms to the improvement standards and design standards set forth in these regulations and other applicable Town, County, State and Federal regulations.

H. Community Development Director or Designee Decision. The Community Development Director or designee shall approve, conditionally approve or deny the Preliminary Plat as proposed after considering the recommendations and findings of the Subdivision Committee, and all other agencies having jurisdiction. The Community Development Director or designee's action shall be based on its findings of fact and conclusion.

I. Community Development Director or Designee Rejection. If the Preliminary Plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee.

J. Significance of Preliminary Plat Approval. Approval of the Preliminary Plat constitutes authorization for the applicant to proceed with preparation of the engineering plans and specifications for public improvements and is based upon the following terms:

1. The basic considerations under which approval of the Preliminary Plat is granted will not be changed prior to the expiration date of Preliminary Plat approval.
2. Approval is valid for a period of two years from the date of the Community Development Director or designee's approval. Requests can be made for one year extensions up to a total of not more than three years from the original date of approval. Extensions of the Preliminary Plat approval may be granted by the Community Development Director or designee upon receipt of a letter from the applicant before the expiration date.
3. Preliminary Plat approval does not assure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat.

A.— Zoning

~~A.—The subdivision shall be designed to meet the specific requirements of the zoning district within which it is located. However, in the event that rezoning is deemed necessary, such as in the case of a Planned Area Development (PAD), the rezoning shall be initiated by the property owner or an authorized agent, and be heard and considered by the Commission and Council (see the Town of Clarkdale Zoning Code, Chapter 13, Section 13-020, for procedures regarding zoning changes). Any change in zoning or site plan approval required in relation to approval of the Preliminary Plat shall have been approved by the Council before the recommendation of approval of the Preliminary Plat by the Community Development Director or designee.~~

~~B.— Sanitary Sewage, Refuse Disposal and Water Supply~~

~~As a prerequisite to Preliminary Plat review, the applicant shall have informed all pertinent regulatory agencies of the tentative plans and the applicant shall become informed of the general requirements for sewage disposal, water supply and refuse disposal which may apply to the property.~~

~~C.— Owner's Authorization~~

~~If the applicant is not the legal owner of the property to be subdivided, said applicant shall, before filing the plat, obtain and submit notarized written consent to act on behalf of the legal owner(s) as the applicant.~~

~~D.— Preliminary Plat Submission~~

~~3.— The submittal shall be reviewed by the Community Development Director or designee and all other departments and agencies having jurisdiction to determine conformance with requirements set forth in Section 12-4-040-E of these Regulations. If incomplete, the applicant will be notified within one week of receipt and given the opportunity to comply. Upon determination that the application is complete, a case number will be assigned and the applicant will be notified in writing of the acceptance.~~

~~1.— Two 24 inch by 36 inch copies of the Preliminary Plat and required supporting data, prepared in accordance with requirements set forth in Section 12-4-040-E of these Regulations, and one digital copy of all materials shall be filed with the Community Development Director or designee. Review of the Preliminary Plan by Community Development Director or designee and other departments and agencies having jurisdiction shall be dependent upon adequacy of data presented and completion of processing. The review shall occur within 60 days of date of submission.~~

~~2.— A Preliminary Plat fee, as adopted by the Council, shall be paid by the applicant prior to the acceptance of the Preliminary Plat. The filing fee shall also cover filing of~~

~~an amended or revised Preliminary Plat handled as the same case. If preliminary approval expires prior to application for final approval, the plat shall be re-submitted for preliminary approval as a new case and the applicant shall pay the required fees.~~

~~3. The submittal shall be reviewed by the Community Development Director or designee and all other departments and agencies having jurisdiction to determine conformance with requirements set forth in Section 12-4-040-E of these Regulations. If incomplete, the applicant will be notified within one week of receipt and given the opportunity to comply. Upon determination that the application is complete, a case number will be assigned and the applicant will be notified in writing of the acceptance.~~

~~4. The Subdivision Committee shall meet within 15 business days of the approval of the complete application and provide review comments to the Community Development Director or designee. Written comments shall be provided to the applicant for correction.—~~

E.— Form of Presentation for Preliminary Plat

The information hereafter required as part of the Preliminary Plat submittal shall be shown graphically, or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale. The scale shall not be smaller than one inch equals 100 feet.

All Preliminary Plat submittals shall include the following:

- ~~1. 1.— Letter of intent from the applicant describing the subdivision and proposed name of subdivision and its location by Section, Township and Range, reference by dimension and bearing to an acceptable government section or quarter-section corner. The proposed subdivision name shall not duplicate any other recorded plat in Clarkdale or adjacent communities.~~
- ~~2. 2.— Name, address, email address and telephone number of the owner of record of the property, and of the applicant, if not the owner of record.~~
- ~~3. 3.— A copy of the title paperwork for the property.~~
- ~~4. 4.— Name, title, address, email address and telephone number of engineering, land planning, surveying, architectural firm, or individual preparing the plat.~~
- ~~5. 5.— Name, book and page number of any recorded subdivision adjacent to or having common boundaries with this plat.~~
- ~~6. 6.— Scale (written and bar graph), north point and date of preparation including dates of any subsequent revision.~~

- ~~7. 7.— Total subdivision acreage and dimensions. Do not include previously dedicated rights-of-way in this figure.~~
- ~~8. 8.— Fully dimensioned boundary lines.~~
- ~~9. 9.— A vicinity map which shows the relationship of the proposed subdivision to dedicated rights-of-way and any other facilities and developments which locate the subdivision. This map may be on the Preliminary Plat, but, if it is not practical, then a separate map showing title, scale, north point and date shall be provided.~~
- ~~10. 10.— Names, locations and widths of adjacent streets, highways, ways, railroads and utility easements including streets and rights-of-way providing legal dedicated right-of-way access to the property.~~
- ~~11. 11.— Location, names, areas, width, proposed grade curve, super elevations, sight distances, and radii for all streets, highways and ways in the proposed subdivision and off-site, if required, to provide adequate access to the subdivision. Include connections to adjoining platted tracts, public lands and streets contained therein.~~
- ~~12. 12.— The width and approximate locations of all existing or proposed public or private easements or rights-of-way for streets, ways, trails, drainage, sewers, public utilities, flood control purposes, access to adjacent public land, or other community facilities.~~
- ~~13. 13.— Typical lot dimensions (scaled); dimensions of all corner lots, all lots of more than four sides and lots of curvilinear sections of streets; each lot numbered individually and consecutively; total number of lots or dwelling units.~~
- ~~14. 14.— Designations of all land to be dedicated or reserved for public use with use indicated, including land reserved for parks, recreational facilities, school sites, and fires stations pursuant to A.R.S. 9.463.01.0.~~
- ~~15. 15.— Area of all lots and parcels not for single-family residential use, in acres. The area of all single-family residential lots in square feet if under or equal to one acre in size, or in acres, if the lots are over one acre in size.~~
- ~~16. 16.— A report by a sanitary engineer describing proposed wastewater disposal.~~
- ~~17. 17.— Locations, elevations, and sizes of culverts, storm drains and detention facilities. This information shall be accompanied by a hydrologic and hydraulic analysis, which meets the criteria set forth in the most recent Yavapai County Flood Control District Storm Water Detention Material and Drainage Criteria Manual.~~
- ~~18. 18.— The locations of floodway and floodplain boundaries and base flood elevations as determined by Federal Emergency Management Agency (FEMA) Flood Maps and the location of other water courses and land subject to inundation or flood hazard.~~
- ~~19. 19.— Engineer's calculations and estimated values for each tributary of storm runoff for a 25-year and 100-year frequency storm as specified in the Yavapai County~~

~~Flood Control District Ordinance. The values shall be indicated along the boundary of the plat for all points of drainage entering and leaving the property.~~

~~20.20.— Proposed cut and fill areas showing original and proposed grade levels with elevations and contours.~~

~~21.21.— Proposed use of all lots, tracts or parcels within the subdivision.~~

~~22.22.— Location and dimensions of all existing or proposed structures, walls, fences, irrigation ditches, water wells, pipelines, utilities, and other physical features. Plat shall indicate which improvements are to remain, be altered or removed.~~

~~23.23.— Letters of serviceability for all utilities proposed to service the subdivision.~~

~~24.24.— Contour intervals shall be such as to adequately reflect the character and drainage of the land.~~

~~25.25.— School or park sites that may be required.~~

~~26.26.— The zoning of all adjacent land.~~

~~27.27.— Any deed restrictions or covenants and property owners association agreements to be or presently imposed upon the plat or any part thereof.~~

~~28.28.— A Phase II County Flood Control Report.~~

F.— Preliminary Plat Review

~~1.— The Community Development Director shall distribute copies of the plat to the following:~~

~~2.— The reviewers may transmit their recommendations to the Director in writing or verbally. The Community Development Director will then summarize the recommendations, prepare a report and present it to the Subdivision Committee.~~

~~a.— The Town Manager, Town Engineer, Police Chief, Director of Public Works and/or Utilities Departments, Fire District Chief and Building Official for overall review and recommendations.~~

~~b.— The Yavapai County Flood Control District for review of flood control and drainage measures.~~

~~c.— The Yavapai County Environmental Services Department for review of sewage disposal proposal.~~

~~d.— Representatives of local utilities for review.~~

~~e.— When the land abuts a state highway, to the Arizona Department of Transportation for recommendations regarding right-of-way and intersection design.~~

~~2.—The reviewers may transmit their recommendations to the Director in writing or verbally. The Community Development Director will then summarize the recommendations, prepare a report and present it to the Subdivision Committee.—~~

~~G.—Responsibilities of the Community Development Director or Designee~~

~~The Community Development Director or designee shall recommend for approval, conditional approval or denial of the Preliminary Plat as proposed after considering the recommendations and findings of the Subdivision Committee and all other agencies having jurisdiction.—~~

~~B.—1.—Approval by the Community Development Director or designee shall be based on the following findings:~~

~~a.—The proposed subdivision conforms to the adopted General Plan goals, objectives and policies of the Town.~~

~~b.—The proposed subdivision, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.~~

~~c.—Environmental concerns conform to adopted standards.~~

~~d.—The design of the proposed subdivision conforms to adopted engineering standards.—~~

~~e.—The proposed subdivision is consistent with the Zoning Code requirements applicable to the property.~~

~~f.—The proposed subdivision conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.~~

~~H.—Appeals~~

~~If the Community Development Director or designee finds that the Preliminary Plat does not meet the requirements of these Subdivision Regulations, the applicant may appeal this decision to the Board of Adjustment with the following stipulations:~~

~~1.—All appeals shall be made in writing and filed with the Town Clerk, setting forth the particulars and the reasons for the appeal.~~

~~2.—Appeals must be made within 30 days from the date of the findings of the Community Development Director or designee.~~

~~3.—The Board of Adjustment shall render a decision no later than 30 days after the appeal is taken.~~

~~4.—The Board of Adjustment shall decide appeals wherein it is alleged by the applicant that there is error in any order, requirement, decision, grant or refusal made by the Community Development Director or designee, Subdivision Committee or any official in the administration of these Regulations.~~

~~5.—The Board of Adjustment shall approve, disapprove or approve with modifications the appeal.~~

~~J.—Responsibilities of the Community Development Director or Designee~~

~~C.—The Community Development Director or designee shall approve, conditionally approve or deny the Preliminary Plat as proposed after considering the recommendations and findings of the Subdivision Committee, and all other agencies having jurisdiction. The Community Development Director or designee's action shall be based on its findings of fact and conclusion.~~

~~K.—Community Development Director or Designee Rejection~~

~~D.—If the Preliminary Plat is rejected, the new filing of a plat for the same tract, or any part thereof, shall follow the aforementioned procedure and be subject to the required fee.~~

~~L.—Significance of Preliminary Plat Approval~~

~~Approval of the Preliminary Plat constitutes authorization for the applicant to proceed with preparation of the engineering plans and specifications for public improvements and is based upon the following terms:~~

- ~~1.—The basic considerations under which approval of the Preliminary Plat is granted will not be changed prior to the expiration date of Preliminary Plat approval.~~
- ~~2.—Approval is valid for a period of two years from the date of the Community Development Director or designee's approval. Requests can be made for one year extensions up to a total of not more than three years from the original date of approval. Extensions of the Preliminary Plat approval may be granted by the Community Development Director or designee upon receipt of a letter from the applicant before the expiration date.~~
- ~~3.—Preliminary Plat approval does not assure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat.~~

Section 12-34-040

Stage III—Subdivision Technical Review

The Technical Review ~~stage~~ is designed for the Town Engineer to approve all details of the engineering plans and specifications for public improvements before recommending the applicant proceed with Final Plat procedures.

~~A. A.~~— Submittal for Technical Review shall be made to the ~~Town Engineer with one copy to the Director of~~ Community Development ~~Department with their Preliminary Plat submittal~~. The submittal shall be checked by the Town Engineer for content in accordance with requirements set forth in ~~Section 12-4-050-B of these r~~Regulations and for substantial conformity with the ~~approved~~ Preliminary Plat. ~~Whether complete, incomplete or non-conforming with the approved Preliminary Plat the applicant will be notified within 15 days of receipt of submittal and given the opportunity to comply.~~

~~B. B.~~— Submittal requirements: The following information is required for Technical Review submittal and shall be shown graphically, by note, or by letter, and may consist of several sheets showing various elements of the required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, ~~adjusted to produce an overall drawing of 24 inches by 36 inches~~. The applicant may use more than one sheet if necessary, using one of the standard engineering scales. The scale shall not be less than one inch equals one hundred feet providing sufficient detail to illustrate the applicant's intent.

~~1. 1.~~— ~~Two sets of the approved Preliminary Plat:~~ Planned Area Developments (PADs) shall submit ~~two copies of~~ typical floor plans and elevations. ~~A digital copy of all submitted materials is required.~~

~~2. 2.~~— Identification and descriptive data:

~~a. a.~~— All information required for the Preliminary Plat.

~~b. b.~~— Building setbacks for a typical lot. Where there are lots with more than four sides or whose shape may be considered atypical, show all setbacks.

~~c. e.~~— Construction plans of all improvements required by these ~~r~~Regulations, on-site and off-site, including but not limited to sewers, all utilities, roads, parks, sidewalks, drains, culverts, and grading.

~~d. A~~ ~~Phase III~~ ~~Yavapai~~ County Flood Control Report.

~~3. 3.~~— Review Fee: At the time of filing of the plat for Technical Review, the applicant shall pay a fee as fixed by the Council. If revisions are made and further review is required, additional fees may be required.

~~C. C.~~— The Town Engineer will review the technical details of the plat and note any changes necessary for the plat to be in compliance with all Town, County, State and Federal Engineering Standards. The Town Engineer will approve ~~and~~, sign ~~and stamp the plat~~, or reject the plat, and notify the Community Development Director or designee in writing of findings. The Community Development Director or designee will notify the

applicant of the findings in writing. If the plat is approved, the Director will advise the applicant to proceed with final platting procedures. If the plat is rejected, the Director or Town Engineer will review with the applicant the changes needed to receive approval.

Section 12-34-050 ~~Stage IV~~—Final Plat, Recording and Post Approval

~~This stage includes the approval of the final design of the subdivision, and the approval of the public improvement plans, including the submittal of the Final Plat for review and action by the Community Development Director or Designee. Also, this stage includes assurances that shall be required and approved by the Community Development Director or Designee before recording of the plat and the terms for the release of assurances and acceptance of improvements.~~

~~A.—A.—Filing of Final Plat.~~

~~A.~~

- ~~1. To initiate Final Plat procedures, the applicant shall file the Final Plat, and an application with the Community Development Department.~~
 - ~~2. At the time of filing for Final Plat approval, the applicant shall pay a fee as established by Town Council. If revisions are made and further review is required, additional fees may be required.~~
 - ~~3. The Final Plat shall be presented in accordance with the requirements set forth below and shall conform to the approved Preliminary Plat or the Revised Preliminary Plat and the approved Technical Review.~~
- ~~1.—To initiate Final Plat procedures, the applicant shall file two copies, and one digital copy of the Final Plat, and an application with the Community Development Director or designee. A digital copy of all submitted materials is required.~~
 - ~~2.— Filing Fee: At the time of filing for Final Plat approval, the applicant shall pay a fee as fixed by the Council. If revisions are made and further review is required, additional fees may be required.~~
 - ~~3.— The Final Plat shall be presented in accordance with the requirements set forth below and shall conform to the approved Preliminary Plat or the Revised Preliminary Plat and the approved Technical Review.~~

~~B.—Form of Presentation for the Final Plat.~~

- ~~B.—The following information is required as part of the Final Plat submittal. All mapped data for the same plat shall be drawn at the same standard engineering scale of at least one inch equals 100 feet. A digital copy of the Final Plat and all supporting documents is required.~~

B.

1. The Final Plat shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black ink, that when filed, results in legible prints and negatives produced from the original.
2. Sheet size shall be 24 inches by 36 inches with a border line drawn completely around each sheet leaving an entirely blank margin of 1.5 inches except that the binding edge shall be two inches.
3. Certificates, affidavits, and acknowledgments shall be legibly stamped or printed upon the plat with black opaque ink. All signatures shall be in black waterproof ink, with the ink surface coated with a suitable substance when used on polyester film to assure permanent legibility. Names and titles of signers shall be lettered legibly under their signatures.
4. Scale shall be shown with a bar scale and a written scale.
5. The exterior boundary of the subdivision shall be indicated by a heavy line.
6. Each sheet shall be numbered, the relation of one sheet to another clearly shown, and the total number of sheets shown on each sheet.
7. The case number, subdivision name, date, scale and north point shall be shown on each sheet.
8. Every Final Plat shall have a title sheet either as a separate page or where the size of the subdivision permits as part of the Final Plat. Said title shall contain the following:
 - a. The subdivision name shall comprise the title.
 - b. Below the title shall be a sub-title consisting of a general description of all the property being subdivided, by reference to subdivisions or to sectional surveys.
 - c. References to adjacent subdivisions shall be worded identically with original records, with references to the books and pages of the subdivision.
 - d. Name, address, registration number, and signature included with the seal of the registered civil engineer and/or registered land surveyor preparing the plat.
 - e. Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notary seals required by law and by these regulations shall appear on the title sheet.
 - f. The title sheet shall show the basis of bearings.
 - g. A vicinity map showing the proposed subdivision and the surrounding subdivisions, dedicated right-of-way access to the subdivision, and parcels and streets located within a 300 foot radius of the boundaries of the proposed subdivision.
9. The following survey data shall be required as a part of Final Plat submittal:

- a. The corners of the subdivision shall be located on the monument lines of abutting streets; boundaries of the tract to be subdivided shall be fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. All distances shall be shown in feet and decimals.
- b. Any excluded parcels within or surrounded by the plat boundaries shall be noted as “not a part of this subdivision” and shall show all bearings and distances of the expected parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.
- c. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision transverse shall be tied by course and distances to separate section corners or quarter-section corners.
- d. Location of all physical encroachments upon the boundaries of the tract.
- e. Ties to any Federal, State, County and Town boundary lines, section corners and quarter corners involved.
- f. Name, right-of-way lines, courses, lengths, and widths of all public streets, alleys, pedestrian or bicycle ways and utility easements; radii, points of tangency, curve lengths, and central angles of all curvilinear streets, alleys and intersection corners.
- g. All drainage ways shall be shown on the plat. The rights-of-way of all major drainage ways shall be dedicated drainage ways or right-of-way as determined by the Town Engineer or Yavapai County Flood Control District.
- h. All easements for right-of-way provided for public services or utilities and any limitations of the easements. The following notations shall be placed on all Final Plats: “Construction within easements, except by public agencies and utility companies, shall be limited to utilities, and wood, wire, or removable section type fencing.”
- i. Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the Town with the use clearly indicated.
- j. The limits of any 100 year flood plain identified using the standards set forth by the Director of the Arizona Department of Water Resources, together with the base flood elevation, shall be illustrated on the Final Plat. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the flood plain. A note shall also be placed on the plat indicating that “Flood Plain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Yavapai County Flood Control District.”

10. The following description data shall be required as a part of Final Plat submittal:

- a. All residential lots shall be numbered by consecutive numbers throughout the plat.
 - b. Dimensions and square footage of all lots.
 - c. “Tracts”, “parcels”, “exceptions” and “common open space” shall be so designated, lettered, or named, and clearly dimensioned.
 - d. Location of all adjoining subdivisions and developments with date, name, book and page number of recordation noted. If adjoining land is unrecorded or undivided, so shall it be marked on the plat.
 - e. Any existing or proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the Town, shall be noted on the plat.
 - f. Limitations on rights of access to and from streets, lots and other parcels of land.
 - g. Locations and names of streets and pedestrian or bicycle ways adjacent to the proposed subdivision.
 - h. Provisions for the perpetual maintenance of private roads, recreation facilities, and/or open spaces that are part of the subdivision shall be provided for in the Property Owners Association (or other legal entities) organizational Sections of Incorporation and must be acceptable to the Town.
 - i. Letters from each utility company indicating serviceability of the subdivision.
11. The following dedication and acknowledgment information is required for Final Plat submittal:
- a. Dedication: There shall be required as part of the Final Plat submittal an irrevocable offer of dedication of any streets, crosswalks, drainage ways, pedestrian or bicycle ways, trails, and other easements for public use by the parties holding title of record, by parties holding titles as vendees under land contract, by spouse of said parties, lienholders and all other parties having an interest in the property. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication of drainage easements shall be required. Dedication shall include a written location by Section, Township and Range of the tract. If the plat contains private access ways, the right to install and maintain utilities, including refuse collection, in these access ways, shall be reserved.
 - b. Acknowledgment of Dedication: Acknowledgment of the offer of dedication shall be certified by a notary public. All parties having any record title or interest in the land being subdivided shall be included in such acknowledgments.
 - c. An offer of dedication to the Town or County Flood Control District for any streets, pedestrian or bicycle ways, trails, areas, drainage ways, easements and

other rights-of-way for public use either immediate or in the future shall not constitute public ownership or responsibility, until the Council formally accepts said offer of a dedication by separate instrument.

12. The following certifications shall be required as a part of the Final Plat submittal:

- a. Certification by the civil engineer or land surveyor preparing the plat, that the plat is correct and accurate and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a civil engineer or land surveyor, whichever is applicable. Closure calculations may be required if deemed necessary by the Town Engineer.
- b. A certificate signed and acknowledged by all parties having any record of title or interest in the land being subdivided offering for dedication rights of access to and from prescribed streets, lots and parcels of land.
- c. A statement of adequate water supply from the Arizona Department of Water Resources, or, if served by a water company, a statement of water serviceability from the serving water company (private or public).

13. A cost estimate for constructing the required public or private improvements signed and sealed by a professional engineer who is registered to practice in the State of Arizona. The cost estimate and method/type of assurance shall be approved by the Town Engineer and/or Town Attorney prior to approval of the Final Plat.

~~1.—The Final Plat shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black ink on polyester film (“mylar”), that when filed, results in legible prints and negatives produced from the original.~~

~~2.— Sheet size shall be 24 inches by 36 inches with a border line drawn completely around each sheet leaving an entirely blank margin of 1.5 inches except that the binding edge shall be two inches.~~

~~3.— Certificates, affidavits, and acknowledgments shall be legibly stamped or printed upon the plat with black opaque ink. All signatures shall be in black waterproof ink, with the ink surface coated with a suitable substance when used on polyester film to assure permanent legibility. Names and titles of signers shall be lettered legibly under their signatures.~~

~~4.— Scale shall be shown with a bar scale and a written scale.~~

~~5.— The exterior boundary of the subdivision shall be indicated by a heavy line.~~

~~6.— Each sheet shall be numbered, the relation of one sheet to another clearly shown, and the total number of sheets shown on each sheet.~~

~~7.— The case number, subdivision name, date, scale and north point shall be shown on each sheet.~~

- ~~8.— Every Final Plat shall have a title sheet either as a separate page or where the size of the subdivision permits as part of the Final Plat. Said title shall contain the following:~~
- ~~a.— The subdivision name shall comprise the title.~~
 - ~~b.— Below the title shall be a sub-title consisting of a general description of all the property being subdivided, by reference to subdivisions or to sectional surveys.~~
 - ~~c.— References to adjacent subdivisions shall be worded identically with original records, with references to the books and pages of the subdivision.~~
 - ~~d.— Name, address, registration number, and signature included with the seal of the registered civil engineer and/or registered land surveyor preparing the plat.~~
 - ~~e.— Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notary seals required by law and by these Regulations shall appear on the title sheet.~~
 - ~~f.— The title sheet shall show the basis of bearings.~~
 - ~~g.— A vicinity map showing the proposed subdivision and the surrounding subdivisions, dedicated right-of-way access to the subdivision, and parcels and streets located within a 300 foot radius of the boundaries of the proposed subdivision.~~
- ~~9.— The following survey data shall be required as a part of Final Plat submittal:~~
- ~~a.— The corners of the subdivision shall be located on the monument lines of abutting streets; boundaries of the tract to be subdivided shall be fully balanced and closed, showing all bearings and distances, determined by an accurate survey in the field. All distances shall be shown in feet and one hundredth of feet.~~
 - ~~b.— Any excluded parcels within or surrounded by the plat boundaries shall be noted as “not a part of this subdivision” and shall show all bearings and distances of the expected parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.~~
 - ~~c.— Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision transverse shall be tied by course and distances to separate section corners or quarter-section corners.~~
 - ~~d.— Location of all physical encroachments upon the boundaries of the tract.~~
 - ~~e.— Ties to any Federal, State, County and Town boundary lines, section corners and quarter corners involved.~~
 - ~~f.— Name, right-of-way lines, courses, lengths, and widths of all public streets, alleys, pedestrian or bicycle ways and utility easements; radii, points of tangency, curve lengths, and central angles of all curvilinear streets, alleys and intersection corners.~~

~~g.— All drainage ways shall be shown on the plat. The rights-of-way of all major drainage ways shall be dedicated drainage ways or right-of-way as determined by the Town Engineer or County Flood Control District.~~

~~h.— All easements for right-of-way provided for public services or utilities and any limitations of the easements. The following notations shall be placed on all Final Plats: “Construction within easements, except by public agencies and utility companies, shall be limited to utilities, and wood, wire, or removable section type fencing.”~~

~~i.— Location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the Town with the use clearly indicated.~~

~~j.— The limits of any 100 year flood plain identified using the standards set forth by the Director of the Arizona Department of Water Resources, together with the base flood elevation, shall be illustrated on the Final Plat. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the flood plain. A note shall also be placed on the plat indicating that “Flood Plain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Yavapai County Flood Control District.”~~

~~10.— The following description data shall be required as a part of Final Plat submittal:~~

~~a.— All residential lots shall be numbered by consecutive numbers throughout the plat.~~

~~b.— Dimensions and square footage of all lots.~~

~~c.— “Tracts”, “parcels”, “exceptions” and “common open space” shall be so designated, lettered, or named, and clearly dimensioned.~~

~~d.— Location of all adjoining subdivisions and developments with date, name, book and page number of recordation noted. If adjoining land is unrecorded or undivided, so shall it be marked on the plat.~~

~~e.— Any existing or proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land, and to be recognized by the Town, shall be noted on the plat.~~

~~f.— Limitations on rights of access to and from streets, lots and other parcels of land.~~

~~g.— Locations and names of streets and pedestrian or bicycle ways adjacent to the proposed subdivision.~~

~~h.— Typical section of proposed roadways to indicate thickness and type of surfacing, thickness of base courses as determined by soil analysis; design shall be by a Soils Engineer.~~

~~i.—Detailed construction plans of all improvements on-site and off-site, prepared in accordance with all State, County and Town standards in effect at the time.~~

~~j.—Locations and types of all traffic control devices in accordance with the latest manual of uniform traffic control devices by Arizona Department of Transportation (ADOT).~~

~~k.—Provisions for the perpetual maintenance of private roads, recreation facilities, and/or open spaces that are part of the subdivision shall be provided for in the Property Owners Association (or other legal entities) organizational Sections of Incorporation and must be acceptable to the Town.~~

~~l.—Letters from each utility company indicating serviceability of the subdivision.~~

~~11.—The following dedication and acknowledgment information is required for Final Plat submittal:~~

~~a.—Dedication: There shall be required as part of the Final Plat submittal an irrevocable offer of dedication of any streets, crosswalks, drainage ways, pedestrian or bicycle ways, trails, and other easements for public use by the parties holding title of record, by parties holding titles as vendees under land contract, by spouse of said parties, lienholders and all other parties having an interest in the property. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication of drainage easements shall be required. Dedication shall include a written location by Section, Township and Range of the tract. If the plat contains private access ways, the right to install and maintain utilities, including refuse collection, in these access ways, shall be reserved.~~

~~b.—Acknowledgment of Dedication: Acknowledgment of the offer of dedication shall be certified by a notary public. All parties having any record title or interest in the land being subdivided shall be included in such acknowledgments.~~

~~c.—An offer of dedication to the Town or County Flood Control District for any streets, pedestrian or bicycle ways, trails, areas, drainage ways, easements and other rights-of-way for public use either immediate or in the future shall not constitute public ownership or responsibility, until the Council formally accepts said offer of a dedication by separate instrument.~~

~~12.—The following certifications shall be required as a part of the Final Plat submittal:~~

~~a.—Certification by the civil engineer or land surveyor preparing the plat, that the plat is correct and accurate and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a civil engineer or land surveyor, whichever is applicable. Closure calculations may be required if deemed necessary by the Town Engineer.~~

~~b.—Certification of plat approval by the Yavapai County Health Department.~~

~~c.— A certificate signed and acknowledged by all parties having any record of title or interest in the land being subdivided offering for dedication rights of access to and from prescribed streets, lots and parcels of land.~~

~~d.— A statement of adequate water supply from the Arizona Department of Water Resources, or, if served by a water company, a statement of water serviceability from the serving water company (private or public).~~

~~13.— A cost estimate for constructing the required public or private improvements signed and sealed by a professional engineer who is registered to practice in the State of Arizona. The cost estimate and method/type of assurance shall be approved by the Town Engineer and/or Town Attorney prior to approval of the Final Plat.~~

C. C.— Final Plat Review.

~~1. 1.—~~ The Director, upon receipt of the Final Plat submittal, shall immediately record receipt and date of filing, and check it for completeness. If complete, the Director shall review the plat for substantial conformity to the approved Preliminary Plat, or revised Preliminary Plat, and forward copies of the submittal to the ~~following~~ Subdivision Committee.

~~2. The reviewers shall transmit their recommendations to the Director in writing. The Community Development Director will then summarize the recommendations, prepare a report and present it to the Subdivision Committee.~~

~~3. 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. reviewing parties who shall make known their recommendations in writing: the Yavapai County Flood Control District, Yavapai County Health Department, the Arizona Department of Transportation, if plat abuts a State Highway, the Clarkdale Fire District and the Town of Clarkdale Public Works/Utilities Department.~~

~~2.— The Director shall assemble the recommendations of the various reviewers, prepare a concise summary of their recommendations and submit, together with the reviewer's recommendations, to the applicant. If the Director finds that the Final Plat does not conform to the Preliminary Plat, as approved by the Community Development Director or designee or the approved Technical Review, as approved by the Town Engineer, the Final Plat shall be submitted to the Community Development Director or designee for review and recommendation prior to submittal to final approval.~~

D. D.— Final Plat Approval, Recording and Post Approval

1. ~~1.~~ ~~After~~When the certificate of approval by the Community Development Director or designee has been transcribed on the plat, ~~the Town Clerk~~it shall ~~be retained~~~~ed the~~ ~~plat~~ until the following is met:
 - a. ~~a.~~—The Town Engineer certifies that the subdivision has been staked and that the engineering plans, for the subdivision improvements, have been approved.
 - b. ~~b.~~—The required letters of assurance of improvements from each serving utility company are attached.
 - c. ~~c.~~—An agreement executed by the applicant, in a form acceptable to the Town and approved by the Town Manager, covering the following:
 - i. ~~1)~~—The subdivision improvements in a recorded development unit may be constructed in practical increments of lots, as specified by the applicant, subject to provisions for drainage, traffic movements, and other services as determined by the Town Engineer.
 - ii. ~~2)~~—The improvements, except those utility facilities not directly governed by the Town, shall be constructed in accordance with plans approved by the Town Engineer and the appropriate Town department for water and public sanitary sewer facilities, and by the Town Engineer for all other improvements. If the location of the development is so required, water and sanitary sewer facilities shall also be constructed in accordance with plans approved by the appropriate State and County departments.
 - iii. ~~3)~~—The improvements, except those utility facilities specified in this Chapter, shall be completed within a specified time period, for each increment, as determined by the Town. An extension of time may be granted under conditions specified in the agreement.
 - iv. ~~4)~~—The applicant shall give adequate assurance of the construction of each increment in accordance with this Chapter.
 - v. ~~5)~~—Progress payments may be made to the applicant on order from any cash deposit made. Such payments shall be made in accordance with standards established by the Town Engineer.
 - vi. ~~6)~~—Any work abandoned or not completed by the applicant may be completed by the Town, and the Town shall be entitled to recover the construction costs from the applicant's financial assurances posted with the Town, and if insufficient, from the applicant.
 - vii. ~~7)~~—Construction of all improvements within streets and easements, except those utility facilities specified in this Chapter, shall be subject to inspection by the Town Engineer.

~~viii. 8)~~—No lots shall be released from the approved increment of lots until either the agreement or an assurance of construction has been posted and accepted by the Town Engineer.

~~ix. 9)~~—With regard to on-site and off-site street and utility improvements accepted for maintenance by the Town of Clarkdale, the applicant shall warrant all workmanship and materials involved in such improvements for a period of one calendar year after the date of written acceptance.

~~2. 2.~~—Assurance of Construction.:

~~a. a.~~—To ensure construction of the required improvements as set forth above in this Section, except those utility facilities specified in this Chapter, the applicant shall deposit with the Town an amount in cash or a letter of credit equal to the amount of the cost of the work of each recorded increment, as determined by the Town Engineer, guaranteeing that the work will be completed in accordance with Town ~~details-Engineering Standards~~ and specifications. ~~The letter of credit shall be executed by the applicant, as principal, with a corporation duly authorized to transact business in the State of Arizona, as surety. The letter of credit or cash shall be released upon satisfactory performance of the work and its acceptance by the Town Engineer. The letter of credit may be canceled or the cash withdrawn by the applicant, provided that other security satisfactory to the Town has been deposited which will cover the remaining obligations of the applicant. The Town shall provide written acceptance of the other security prior to the applicant canceling the letter or requesting release of security held as an assurance of construction.~~

~~a. b.~~—Any alternative forms of assurance, such as a surety bond, must be approved by ~~—~~Town Manager during the final plat approval process.

~~b. _~~

~~b. c.~~—The duration of financial assurances shall be for ~~_one year~~~~12 months~~, from the date of recording. Extension of time in one year increments may be granted by the Community Development Director or ~~d~~Designee upon good cause. The assurance shall remain in force and effect until it is released by the Community Development Director or ~~d~~Designee or has been authorized for partial release as provided herein.

~~c. _~~

~~e. d.~~—The Town Engineer, upon receipt of a certification from the Engineer of Record, may authorize a reduction of the financial assurance for the work completed in accordance with the approved cost estimate and construction plans. Ten percent of the estimated cost of completed improvements shall be

- retained to insure sufficient funds remain to insure completion of the improvements, final inspections and preparation of final “as-built” plans.
- ~~d.~~
- ~~d. e.~~—In the event the applicant defaults or fails or neglects to satisfactorily install the required improvements within three years from the date of recording, the Town Manager may declare the assurance forfeited, and the Town may make or cause the required improvements to be made, using the funds from the financial assurance to pay the full expense thereof. In addition, the Director shall notify the State Real Estate Commissioner of the default.
- ~~e.~~
- ~~f. f.~~—If good cause is shown by the applicant, the Community Development Director or ~~d~~Designee may extend the term of the assurance and the time limit for completion of subdivision improvements.
- ~~3. 3.~~—~~Upon receiving certification from the Town Engineer and the assurances required by these Regulations, the Town Clerk shall cause the~~The applicant shall be responsible for taking the Final Plat to be recorded in the Office of the Yavapai County Recorder.
- ~~4. 4.~~—~~Inspection:~~The applicant, using the services of an Arizona registered Professional Engineer and plans as approved by the Town Engineer, shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than 30 days prior to the release date of the assurance, the Engineer of Record shall make an inspection of the improvements and shall submit a set of “as-built” construction plans, if complete, or a report on the status of improvements, if only partially complete, to the Town Engineer.
- ~~5. 5.~~—A fee may be imposed by the Council for the inspection by the Town Engineer.
- ~~6. 6.~~—Report to Community Development Director or ~~d~~Designee: The Town Engineer will review the “as-built” plans and/or report, with the applicant’s Engineer of Record and notify the applicant of any noncompliance with the approved construction plans or with these ~~r~~Regulations. If the Town Engineer determines that compliance has been made, he will then submit a report to the Community Development Director or ~~d~~Designee, setting forth the conditions of such facilities.
- ~~7. 7.~~—~~Release:~~A certificate sealed by the Engineer of Record on the “as-built” plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein, must be approved by the Town Engineer and presented to the Community Development Director or ~~d~~Designee prior to the final release of assurances, who shall forward said plans to the Public Work Director or ~~Desgineedesiginee~~. If all ~~of the~~ improvements comply with Town Standards, the Town Manager shall release the guarantee. If the

condition of materials or workmanship show unusual depreciation or does not comply with Town Standards, the Town Engineer may present this information to the Community Development Director or ~~d~~Designee who may declare the applicant in default.

~~8.~~ **8.**—Once the improvements are approved and the assurances are released, the Public Works Director or designee shall review the improvements for acceptance into the Town system for maintenance.

~~9.—If the Public Works Director or designee approves the plat, the Town Clerk shall transcribe a certificate of approval upon the plat, first making certain that the other certifications required by these Regulations have been duly signed.~~

SECTION 12-~~45~~

MINOR SUBDIVISION

~~12-5-010~~ ~~Minor Subdivision~~ **12-4-010** ~~Minor Subdivision~~

~~12-5-020~~ ~~Outline of Minor Subdivision Procedures~~ **12-45-020** ~~Outline of Minor Subdivision Procedures~~

~~12-5-030~~ ~~Minor Subdivision Preliminary Plat Review~~

~~12-5-040~~ ~~Responsibilities of the Subdivision Committee~~

~~12-5-050~~ ~~Appeals~~

~~12-5-060~~ ~~Significance of Minor Subdivision Plat Approval~~

Section 12-~~45~~-010 ~~Minor Subdivision~~

The Minor Subdivision is a process developed to respond to the needs of property owners who are proposing subdivisions of 10 lots or fewer. ~~The The Preliminary Plat process is replaced by an administrative review by the Subdivision Committee. The Final Plat approval process shall is still required for Minor Subdivisions, as is compliance with all requirements of this chapter and of Arizona Revised Statutes. and compliance with all requirements of the Arizona Department of Real Estate.~~

Section 12-~~45~~-020 ~~Outline of Minor Subdivision Procedures~~

The preparation, submittal, review, and approval of all Minor Subdivision Plats located in the Town limits shall proceed through the following ~~progressive stages~~:

- ~~A. A. Stage I—Pre-Application Conference meeting.~~ Refer to Section ~~12-4-02012-34-020~~ of these regulations for submittal requirements and process.
- ~~B. B. Stage II—Minor Subdivision Plat.~~ Refer to Section ~~12-4-03012-34-030~~ of this regulation for submittal requirements and process. ~~The Minor Subdivision Plat shall be reviewed by the Subdivision Committee.~~
- ~~C. C. Stage III—Technical Review.~~ Review to Section ~~12-4-04012-34-040~~ of these regulations for submittal requirements and process.
- ~~D. D. Stage IV—Final Plat, Recording and Post Approval.~~ Refer to Section ~~12-4-05012-34-050~~ of these regulations for submittal requirements and process.

~~Section 12-5-030—Minor Subdivision Preliminary Plat Review~~

~~A.—The Community Development Director or designee shall distribute copies of the plat to the following:~~

- ~~1.—Subdivision Committee:~~
 - ~~a.—Community Development Director or designee~~
 - ~~b.—Public Works and/or Utilities Director~~
 - ~~c.—Town Engineer~~
 - ~~d.—Police Department~~
 - ~~e.—Committee Chair or designee~~
- ~~2.—The Yavapai County Flood Control District~~
- ~~3.—The Yavapai County Environmental Services~~
- ~~4.—Representatives of local utilities~~
- ~~5.—Arizona Department of Transportation for recommendations regarding right-of-way and intersection design when the land abuts a state highway~~
- ~~6.—Clarkdale Fire District~~

~~B.— The reviewers may be requested to transmit their recommendations to the Community Development Director in writing. The Director will then summarize the recommendations, prepare a report and present it to the Committee.~~

~~Section 12-5-040 — Responsibilities of the Subdivision Committee~~

~~The Subdivision Committee shall recommend for approval, conditional approval, or denial of the proposed Minor Subdivision Plat, as proposed, after considering the recommendations and findings of the Director and all other appropriate agencies.~~

~~A.— Recommendation for approval by the Subdivision Committee shall be based on the following findings:~~

~~1.— The proposed subdivision conforms to the adopted standards and policies of the Town.~~

~~2.— The proposed subdivision, as reviewed and approved, will not be detrimental to the public's health, safety, and general welfare.~~

~~3.— Environmental concerns conform to adopted standards.~~

~~4.— The proposed subdivision is consistent with provisions of Zoning Code requirements applicable to the property.~~

~~6.— The proposed subdivision conforms to the improvement standards and design standards set forth in these Regulations and other applicable Town, County, State and Federal regulations.~~

~~B.— If satisfied all objectives of these Regulations have been met, the Subdivision Committee shall recommend approval of the Minor Subdivision Plat. The Community Development Director or Designee Chair or designee shall sign one copy of the Minor Subdivision Plat as recognition of approval and return to the applicant.~~

~~C.— If the Minor Subdivision Plat is generally acceptable but requires minor revision(s), the Subdivision Committee shall recommend for conditional~~

~~approval, with the required revisions being noted in the meeting minutes. The staff will forward a copy of the minutes with the copies of the Minor Subdivision Plat to the Community Development Director or Designee.~~

~~D.— If the Subdivision Committee finds the Minor Subdivision Plat is not in conformance with five or more requirements, the plat shall be held for revision, re-submittal, processing and rescheduled for review.~~

~~Section 12-5-050 — Appeals~~

~~If the Subdivision Committee finds that the Minor Subdivision Plat does not meet the requirements of these Subdivision Regulations, the applicant may appeal this decision to the Board of Adjustment with the following stipulations:~~

~~A.— All appeals shall be made in writing setting forth the particulars and the reasons for the appeal and filed with the Town Clerk; a copy shall also be filed with the Community Development Director.~~

~~B.— Appeals must be made within 30 days from the date of the findings of the Subdivision Committee.~~

~~C.— The Board of Adjustment will hear and decide such cases for appeal no later than 30 days after appeal is taken.~~

~~D.— The Board of Adjustment shall decide on appeals wherein it is alleged by the applicant that there is error in any order, requirement, decision, grant or refusal made by the Subdivision Committee or any official in the administration of these Regulations.~~

~~E.— The Board of Adjustment may approve, disapprove or approve with modifications, upon appeal or recommendation of the Subdivision Committee in specific cases, such variations as will not be contrary to the public interest, where, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance will deprive the property of~~

~~privileges enjoyed by other property of the same classification in the same zoning district.~~

~~Section 12-5-060 — Significance of Minor Subdivision Plat Approval~~

~~Minor Subdivision Plat approval constitutes authorization for the applicant to proceed with preparation of the engineering plans and specifications for public improvements. Minor Subdivision approval is subject to the following:~~

~~A.— The basic considerations under which approval of the Minor Subdivision Plat is granted will not be changed prior to the expiration date of Minor Subdivision Plat approval.~~

~~B.— Approval is valid for a period of three years from the date of Community Development Director or Designee action. Requests can be made for two, one-year extensions up to a total of not more than five years from the original date of approval. Extensions of the Minor Subdivision Plat approval may be granted by the Community Development Director or Designee upon receipt of a letter from the applicant before the expiration date.~~

~~C.— Minor Subdivision Plat approval, in and of itself, does not ensure final acceptance of streets for dedication or continuation of existing zoning requirements for the tract or its environs. It does not constitute authorization to record the plat.~~

~~D.— Compliance with all requirements of the Arizona Revised Statutes and compliance with all requirements of the Arizona Department of Real Estate.~~

~~SECTION 12-56~~

~~MINOR LAND DIVISIONS AND LOT LINE ADJUSTMENTS~~

~~12-6-010 — Purpose of Minor Land Divisions 12-56-010 Purpose of Minor Land Divisions~~

~~12-6-020 — Applicability 12-56-020 Applicability~~

~~12-6-030 — General Standards 12-56-030 General Standards~~

~~12-6-040 — Application Requirements~~

~~12-6-050~~ ~~Application Process~~ **12-56-040 Application Process**

~~12-6-060~~ ~~Conspiracy to Subdivide~~ **12-56-0560 Conspiracy to Subdivide**

~~12-6-070~~ ~~Purpose of Lot Line Adjustment~~

~~12-6-080~~ ~~General Standards~~

~~12-6-090~~ ~~Application Requirements~~

~~12-6-100~~ ~~Application Process~~

~~12-6-110~~ ~~Roadway Standards for Minor Subdivisions~~

Section 12-56-010 Purpose of Minor Land Divisions

- ~~A. A.~~ Provide for the division of land into parcels or lots of two or three parts through a process that is more expeditious than the subdivision process.
- ~~B. B.~~ Maintain accurate records of surveys created to divide existing parcels or lots.
- ~~C. C.~~ Assure the proposed land division conforms to the standards established by the Town of Clarkdale.
- ~~D. D.~~ Ensure adequate legal access to lots or parcels.
- ~~E. E.~~ Ensure adequate emergency vehicle access to lots or parcels.
- ~~F. F.~~ Ensure that Minor Land Division does not constitute a subdivision as defined in Zoning Code Section ~~12-212-2~~ or Arizona Revised Statutes Title ~~99~~.

Section 12-56-020 Applicability

- ~~A. A.~~ The regulations contained in this Section shall apply to all divisions of land made within the corporate limits of the Town of Clarkdale since December 12, 1986, the effective date of revisions to the Town Code, whereby the division of any property into four or more parcels shall proceed through the subdivision process and be subject to all of the provisions of Chapter ~~1212~~ - Subdivision Regulations of the Zoning Code of the Town of Clarkdale.

1. ~~1.~~—The division of improved or unimproved land or lands, totaling 2.5 acres or more, into two or three lots, tracts, or parcels, and which does not involve a new street, shall be subject to the provisions of this Section.
2. ~~2.~~—All other divisions or changes shall proceed through the Subdivision process.

Section 12-~~56~~-030 ——— General Standards

- ~~A. A.~~—All Minor Land Divisions shall be developed to comply with all requirements for the specific zoning district in which the divisions are located. At a minimum, these will include meeting the following, if applicable:
1. ~~1.~~—Minimum lot size
 2. ~~2.~~—Minimum lot width
 3. ~~3.~~—Minimum setbacks
 4. ~~4.~~—Minimum yard or frontage requirements
 5. ~~5.~~—Lot coverage and floor area ratio
- ~~B. B.~~—No lot or parcel shall be divided so that any division of the lot contains more dwelling units than are permitted by the zoning district for which the lot or parcel is located.
- ~~C. C.~~—No lot or parcel shall be divided so that any division of the lot results in a split zoning classification on a single lot or parcel.
- ~~D. D.~~—No lot or parcel shall be divided so that any division of the lot or parcel results in the creation of a non-conforming structure or use.
- ~~E. E.~~—No lot or parcel shall be divided so that any division of the lot results in a lack of legal access to any lots or parcels created by the division.

Section 12-~~6~~-040 ——— Application Requirements

~~This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Minor Land Divisions. Unless exempted by the Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than 1 inch equals 100 feet. Unless otherwise directed, the map data will be drawn on a sheet not to exceed 24 inches by 36 inches.~~

~~A. Minor Land Divisions~~

1. ~~Completed Minor Land Divisions Application~~
2. ~~Two paper copies and one digital copy of a Minor Land Divisions Survey from a land surveyor registered in the State of Arizona containing the following information:~~
 - a. ~~Title, which shall read “Minor Land Division Map for (name of applicant)”.~~

- b.— ~~Location by section, township, and range.~~
 - c.— ~~Legal description of land involved.~~
 - d.— ~~Name, address, email address and phone number of applicant and/or owner.~~
 - e.— ~~Scale, north point, and dates of preparation and revisions.~~
 - f.— ~~Existing streets (public or private), utility easements, and lot or parcel lines.~~
 - g.— ~~Name, address, registration number, and seal of the registered land surveyor preparing the map.~~
 - h.— ~~Boundaries of the tract to be divided fully balanced and closed showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be shown in feet and decimals.~~
 - i.— ~~Location and dimensions of all lots within the Minor Land Division Map. All sides of the proposed lots shall be identified by bearing and distances.~~
 - j.— ~~All lots shall be identified by number or letter.~~
 - k.— ~~Proposed street dedications or private access easements, as well as public utility easements, shall be identified by course, length and width.~~
 - l.— ~~If questions pertaining to property boundaries develop, the Community Development Department may require location of all existing physical and natural features, including, but not limited to, buildings, structures, bridges, culverts, within the Minor Land Division boundaries. The applicant shall also identify any of those features which are to be removed.~~
 - m.— ~~The map shall include provisions for signatures—the Director and the Town Engineer and the date of approval.~~
 - n.— ~~Identify any public utility extensions or upgrades, when required, to serve proposed land division.~~
 - o.— ~~Any ingress or street improvements necessary to ensure compliance with emergency vehicle access, dust abatement, and drainage improvements necessary to mitigate any negative effects on current public infrastructure adjacent to and/or fronting the proposed land division.~~
 - p.— ~~Other information as deemed applicable by the Director to enable the Town to determine the compliance of the Minor Land Division with applicable ordinances and regulations.~~
- 3.— ~~Payment of a fee for review of the application.~~
 - 4.— ~~Documentation of the land division history of the parcel proposed to be divided in the form of a chain of title or a history of the ownership of the parcel proposed to be split, dating back to December 12, 1986, the effective date of the Code; the chain of title or history of ownership shall be provided so as to determine whether or not the proposed land split constitutes a subdivision. Such documentation shall be presented by a recognized title company doing business in the state of Arizona in~~

~~the form of a title history search, copies of deeds, or County Assessor's records and maps.~~

Section 12-6-0450 ——— Application Process

A. Pre-application meeting. 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. Persons applying will be required to submit a Pre-application meeting request, including the site plan and supporting documentation. These materials shall be submitted to the Community Development Department, who shall determine if the application is complete. If the application is complete, the Community Development Director or designee will notify the applicant. 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.
 - a. If the application is determined to be incomplete, the Community Development Director or designee shall notify the applicant by electronic communication and specify the additional materials required to make the application complete.
 - b. After the application has been accepted as complete the Community Development Department will distribute copies of the submittal to the Subdivision Committee.
6. 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.
7. 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.

~~A. — Pre-Application Process~~

~~The applicant shall meet with the Director to discuss the proposed Minor Land Division. The Director shall advise the applicant of the specific objectives of this Section and the~~

~~specific procedures, standards, and approval process regarding the review of the application.~~

~~**B. B.—Submittal of Application, to the Community Development Department**~~

~~This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Minor Land Divisions. Unless exempted by the Community Development Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than 1 inch equals 100 feet. Application requirements:~~

- ~~1. Completed Minor Land Divisions Application~~
- ~~2. A Minor Land Divisions Survey from a land surveyor registered in the State of Arizona containing the following information:~~
 - ~~a. Title, which shall read “Minor Land Division Map for (name of applicant)”.~~
 - ~~b. Location by section, township, and range.~~
 - ~~c. Legal description of land involved.~~
 - ~~d. APN of parcel.~~
 - ~~e. Name, address, email address and phone number of applicant and/or owner.~~
 - ~~f. Scale, north point, and dates of preparation and revisions.~~
 - ~~g. Existing streets (public or private), utility easements, and lot or parcel lines.~~
 - ~~h. Name, address, registration number, and seal of the registered land surveyor preparing the map.~~
 - ~~i. Boundaries of the tract to be divided fully balanced and closed showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be shown in feet and decimals.~~
 - ~~j. Location and dimensions of all lots within the Minor Land Division Map. All sides of the proposed lots shall be identified by bearing and distances.~~
 - ~~k. All lots shall be identified by number or letter.~~
 - ~~l. Proposed street dedications or private access easements, as well as public utility easements, shall be identified by course, length and width.~~
 - ~~m. If questions pertaining to property boundaries develop, the Community Development Department may require location of all existing physical and natural features, including, but not limited to, buildings, structures, bridges, culverts, within the Minor Land Division boundaries. The applicant shall also identify any of those features which are to be removed.~~
 - ~~n. The map shall include signature blocks for the Community Development Director and the Public Works Director, including the date of approval.~~

- ~~1. 1. The Director or designee, shall check all submittals to ensure the application is in compliance with the objectives and standards of this Ordinance and the General Plan. It shall be the responsibility of the Community Development Department to ensure all relevant departments, utilities, and other agencies receive copies for review. The following information is required at the time of application:

 - a. Completed application form.
 - b. Application fee.
 - c. Completed land division survey as noted in Section 12-5-040-4-A.2 above.
 - d. The chain of title or history of the ownership of the parcel proposed to be split.~~
- ~~C. Decision of Director~~
- ~~2. 1. Upon receipt of a completed application, the Director, or their designee, shall approve or deny the Permit within 30 days. A denial may be based only upon one or more, of the following findings:

 - a. Parcels resulting from the division do not conform to applicable zoning regulations.
 - b. The division of land results in a subdivision as defined in the Subdivision Regulations.~~
- ~~3. c. One or more of the resulting parcels are landlocked.~~

~~D. Appeals~~

~~An appeal may be taken to the Board of Adjustments by any taxpayer who owns or leases property adjacent to, or within three hundred foot 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.~~

~~E. Actions after Approval~~

~~If approved, the applicant shall submit the following:~~

- ~~1. Two copies, plus one digital copy, of a final, recordable, reproducible, mylar map 24 inches by 36 inches consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal description of the site and of each lot, track or parcel, and signature block for the Community Development Director.~~
- ~~2. Upon written approval by the Director, applicant shall record the Minor Land Division map with the Yavapai County Recorder's Office. Said recording shall occur within 60 days of approval, or the Minor Land Division shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded.~~

Section 12-~~56-0560~~ _____ Conspiracy to Subdivide

Any Minor Land Division or sequence of divisions which are the result of two or more individuals, firms, partnerships or corporations conspiring together to create four or more parcels of land shall be deemed a subdivision and subject to all provisions of the Town of Clarkdale Subdivision Ordinance.

SECTION 12-6 LOT LINE ADJUSTMENTS**12-6-010 Purpose of Lot Line Adjustment****12-6-020 General Standards****12-6-030 Application Process and Requirements****Section 12-6-0~~170~~ _____ Purpose of Lot Line Adjustment**

The Lot Line Adjustment is an agreement between adjoining property owners to adjust a common boundary line. No new lots or parcels are created. For purposes of this Section, a Lot Line Adjustment shall include the following acts:

~~A. A.~~—The Lot Line Adjustment between owners of adjoining properties solely for the purpose of revisions to common boundary lines; and

~~A.~~

~~B.~~—Additional lots are not being created. ~~;~~ and

~~B. C.~~—Any lot remaining after the Lot Line Adjustment shall contain at least the minimum lot size, setback, frontage as required by the Zoning Code, and shall meet all other lot standards of the Town of Clarkdale's Zoning Code.

Section 12-6-0~~280~~ _____ General Standards

~~A. A.~~—All Lot Line Adjustments shall be developed to comply with all requirements for the specific zoning district in which the divisions are located. At a minimum, these will include meeting the following, if applicable:

- ~~1. 1.~~—Minimum lot size.
- ~~2. 2.~~—Minimum lot width.
- ~~3. 3.~~—Minimum setbacks.
- ~~4. 4.~~—Minimum yard or frontage requirements.
- ~~5. 5.~~—Lot coverage and floor area ratio.

- ~~B. B.~~—No Lot Line Adjustment shall result in more dwelling units than are permitted by the zoning district for which the lot or parcel is located.
- ~~C. C.~~—No Lot Line Adjustment shall result in a split zoning classification on a single lot or parcel.
- ~~D. D.~~—No Lot Line Adjustment shall result in the creation of a non-conforming structure or use.
- ~~E. E.~~—No Lot Line Adjustment shall result in a lack of legal access to any lots or parcels created by the division.

~~Section 12-6-090~~ — ~~Application Requirements~~

~~This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Lot Line Adjustments. Unless exempted by the Community Development Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than one inch equals one hundred feet. Unless otherwise directed, the map data will be drawn on a sheet not to exceed 24 inches by 36 inches.~~

~~a. A. Lot Line Adjustments~~

- ~~1. Completed Lot Line Adjustment Application.~~
- ~~2. Lot Line Adjustment Survey, two paper copies plus one digital copy, completed by a registered land surveyor in the State of Arizona.~~
- ~~3. Payment of the Application Fee.~~

~~Section 12-66-03100~~ — ~~Application Process~~

An application for a Lot Line Adjustment shall be submitted to the Community Development Department. ~~—with the required copies of the lot line adjustment survey and the application fee.~~ The Community Development Director ~~or designee~~ shall have 30 working days to approve or reject the application. ~~If approved by the Director, the land survey shall be recorded by the applicant in the office of the Yavapai County Recorder within 10 calendar days. A copy of the recorded Lot Line Adjustment shall be provided to the Community Development Department after recording. If rejected, written notice shall be provided to the applicant via first class mail, postmarked within 10 days after the expiration of the 30 day review period. The written notice shall specify the reasons for denial.~~

A. Submittal of Application.

This section outlines the minimum information needed to enable the Town to make informed and expeditious decisions regarding applications for Lot Line Adjustments. Unless exempted by the Community Development Director, the information contained in this Section shall be provided by each applicant. All mapped data shall be drawn to a scale of not greater than one inch equals one hundred feet.

B. Application Requirements.

- a. Completed Lot Line Adjustment Application.
- b. Lot Line Adjustment Survey completed by a registered land surveyor in the State of Arizona.
- c. Payment of the Application Fee.

D. Actions after Approval.

If approved, the applicant shall submit the following:

1. A final, recordable, reproducible map consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal description of the site and of each lot, track or parcel, and signature block for the Community Development Director and the Public Works Director.
2. Upon written approval by the Director, applicant shall record the Minor Land Division map with the Yavapai County Recorder's Office. Said recording shall occur within 60 days of approval, or the Minor Land Division shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded.

~~A. Appeals~~

~~An appeal 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.~~

~~B. Actions after Approval~~

~~If application is approved the applicant shall submit the following:~~

- ~~1. A final, recordable, reproducible, mylar map 24 inches by 36 inches consistent with the approved plan showing all lot, tract or parcel corners, dimensions, a complete legal~~

~~description of the site and of each lot, track, or parcel, and signature block for the Community Development Director.~~

~~2.— Upon written approval by the Director, the applicant shall record the Lot Line Adjustment map with the Yavapai County Recorder's Office. Said recording shall occur within 60 days of approval or the Lot Line Adjustment shall automatically become null and void. A copy of the recorded land division shall be provided to the Community Development Department after being recorded.~~

~~Section 12-6-110 ————— Roadway Standards for Minor Subdivisions~~

~~A.— The following roadway standards shall be used in the consideration of Minor Subdivisions. In all other respects the Design Principles will be the same as for any other roadway within a subdivision.~~

~~1.— Between 2 and 3 lots: Private Street Standard expanded to include a 25 foot right-of-way.~~

~~2.— From 4 to 6 lots: Rural Lane Standard.~~

~~3.— From 7 to 10 lots: Rural Local Standard.~~

~~B.— Roadways required as outlined above shall be provided along the entire frontage of the lots being created and must be provided with required rights-of-way that are dedicated and constructed in accordance with the provisions of the Subdivision Regulations following the approval of the Community Development Director or designee of the Final Plat and prior to the issuance of any building permits for the lots. Each of the deeds created for the resulting lots must carry a notation pointing out the responsibility of the property owner to improve the roadway to the required standard prior to issuance of building permits. All new roadways to be dedicated to the Town must be constructed to the minimum requirements as approved by the Town Engineer and the Public Works and/or Utilities Director.~~

~~C.— Any lots created that would have their frontage on what is indicated in the General Plan of the Town of Clarkdale (as it may be amended) as existing or proposed collector or arterial streets shall provide the minimum right-of-way for that street type.~~

~~D.— All street rights-of-way shall also include an adjacent minimum 8 foot Public Utility Easement, on one side for the entire length of the street segment.~~

~~Section 12-7~~

~~PUBLIC IMPROVEMENT STANDARDS~~

~~12-7-010 ————— Purpose~~

~~12-7-020 — Improvement Plans~~~~12-7-030 — Construction and Inspection~~~~12-7-040 — Required Improvements~~~~Section 12-7-010 — Purpose~~

~~A.— It is the purpose of this Section to establish in outline the minimum acceptable standards for improvement of streets and utilities, to define the responsibility of the applicant in planning, constructing and financing improvements and to establish procedures for review and approval of engineering plans.~~

~~B.— All improvements in streets or easements which are required as a condition to plat approval shall be the responsibility of the applicant.~~

~~Section 12-7-020 — Improvement Plans~~

~~A.— A complete set of engineering plans for construction of all required improvements shall be prepared by an engineer registered in Arizona. Such plans shall be based on those approved during the Preliminary Plat and the Technical Review stages.~~

~~B.— Final construction plans for all improvements shall be approved and signed by the Town Engineer prior to the approval of the Final Plat.~~

~~Section 12-7-030 — Construction and Inspection~~

~~A.— All improvements, whether public or private, shall be constructed to the latest standards and specifications adopted by the Town.~~

~~B.— All improvements in a public right-of-way shall be constructed under the inspection and approval of the Town Engineer and/or the Public Works and/or Utilities Director. Construction shall not commence until a permit has been issued for such construction. Work shall not be discontinued or suspended unless first approved by the Town and work shall not resume prior to notification and approval of the Town.~~

~~C.— All underground utilities to be installed in the street shall be constructed prior to the surfacing of such street.~~

~~D.— All relocations and reconstruction of irrigation facilities shall be done to standards of the owning utility and the Town Engineer.~~

~~E.— Improvements proposed or required on County or State highway right-of-way shall be included in the improvement plans and designed to the applicable County or State standards. Prior to approval by the Town Engineer, the applicant shall acquire the approval~~

~~of such improvements by the applicable County or State authorities, as directed by the Town Engineer.~~

~~F. Underground utilities may be extended and easements shall be required to the boundaries of the plat to provide service connections to abutting unsubdivided land. (Prior code § 12-7-3)~~

~~Section 12-7-040 Required Improvements~~

~~A. Streets~~

~~1. All streets and alleys, both public and private, within the subdivision, including perimeter streets or half-streets, shall be improved in accordance with Section 12-3 of these Regulations.~~

~~2. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of existing streets.~~

~~3. Dead-end streets serving more than four (4) lots shall be provided with an improved temporary turning circle.~~

~~4. When a major collector or arterial street is included, or is a perimeter street, the Town may pay for such extra width paving as deemed appropriate by the Town.~~

~~5. Where curbs and/or sidewalks are required, they shall be paved with Portland cement to the latest MAG standards or the latest standards and specifications of the Town Code, if the Town Code is more restrictive.~~

~~C. Water~~

~~1. All lots will be supplied with public or private piped water unless the lots are larger than seventy thousand (70,000) square feet in area. Supplied water shall be of sufficient volume and at a minimum pressure of twenty pounds per square inch (20 PSI) for domestic use and fire protection. All lines shall be designed to the standards of Arizona Department of Environmental Quality (ADEQ).~~

~~2. If water is supplied by a public or private water company, the minimum service connection shall be three-quarter inch to each lot.~~

~~3. If water is supplied by a public or private water company, then fire hydrants shall be installed in the subdivision at locations and to grades approved by the Water Company, Town Engineer and the Fire District, and in conformance with Town and Uniform Fire Code Standards.~~

~~4.— If water service is not available from a public or private water company then a statement of water adequacy from the Arizona Department of Water Resources will be required.~~

~~D.— Sewers~~

~~1.— If the subdivision is within 25 feet per lot (i.e. 250 feet for 10 lots, 1,250 feet for 50 lots) of an available sanitary sewer then, each lot shall be supplied with connection to such sewer with lines designed to Town, County, and State standards.~~

~~2.— If connection to a public sewer system is not required, the Town shall require the installation of capped sewer mains, if the average subdivision lot is less than two acres in area.~~

~~3.— When connection to a sanitary sewer system is not available, septic tanks or other disposal systems may be permitted provided a statement is submitted from the County Health Department certifying that field investigation has determined ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as depicted on the subdivision plan.~~

~~E.— Gas service may be furnished according to current supplies as determined by the franchise supplier.~~

~~F.— Utilities~~

~~1.— New utilities including, but not limited to electric, internet fiber optics, communication and television cable shall be installed underground.~~

~~2.— When overhead utility lines exist within the property being platted, including boundary easements, said existing overhead utility lines and the new installations within the platted area shall be placed underground.~~

~~3.— When overhead utility lines exist on the boundary of the property being platted, said existing overhead utility lines, and any additions or replacements needed to increase capacity or improve service reliability, may remain overhead, provided however, that any service drops into the platted area from said peripheral overhead lines shall be underground.~~

~~4.— Electric lines greater than three thousand Kilovolt Amps (3,000 KVA) capacity shall be exempt from being placed underground.~~

~~5.— Exception may be granted if the Community Development Director or designee recommends that due to soil or other natural features is impractical to place the utility underground.~~

~~6.— Design of all underground utilities shall be coordinated to prevent conflicts. All utilities shall be installed in a manner consistent with separations required by local county and state agencies.~~

~~7.— The applicant shall make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities. Letters from each utility company indicating such arrangements have been made shall be submitted to the Director prior to submittal of the Final Plat.~~

~~G.— Storm Drainage and Detention~~

~~1.— The applicant shall make provisions for the disposal of storm water entering, as well as initiated in the subdivision, in accordance with plans approved by the Yavapai County Flood Control District and the Town Engineer.~~

~~2.— The hydrologic function of existing major water courses shall be protected.~~

~~3.— Complete hydrology and hydrological design computations and a Phase III County Flood Control Report shall accompany the plans and shall be approved by the Town Engineer before recordation of the Final Plat.~~

~~4.— Increases in on-site storm runoff due to development shall be addressed in the hydrologic/hydrological analysis and shall meet the criteria set forth in the most recent Yavapai County Flood Control District Reference Storm Water Detention Material.~~

~~5.— Once constructed and approved by the Town, the drainage and detention facilities shall not be modified unless such modification is approved by the Town Engineer.~~

~~H.— Streetlights shall be required and installed in accordance with Town Standards. Installation, or partial installation in residential and industrial subdivisions, may be waived by the Community Development Director or designee.~~

~~I.— Street Name and Traffic Control Signs~~

~~1.— All streets in a subdivision shall be named and identified by signs installed at every street intersection.~~

~~2.— Traffic control devices shall be installed as recommended by the Town Police Department and Public Works Department.~~

~~3.— All signs and devices shall be standard as indicated by Town policy and as approved by the Public Works and/or Utilities Director.~~

~~J.— Monuments~~

1.— ~~Permanent monuments shall be installed as approved by the Town Engineer, at all corners, angle points, points of curve and at all street intersections for streets within and around the perimeter of the subdivision and at such other locations as determined by the Town Engineer.~~

2.— ~~A permanent marker acceptable to the Town Engineer shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recording of the plat.~~

3.— ~~After all monuments have been installed, a registered land surveyor shall check the location of the monuments and certify their accuracy.~~

K.— ~~Buffering requirements set forth in Chapter 9—Landscape Design Standards, shall be implemented to separate residential lots from arterial and collector streets if said residential lots back to such streets.~~

L.— ~~Landscaping or retaining walls may be required by the Town Engineer to prevent erosion on areas of cut or fill.~~

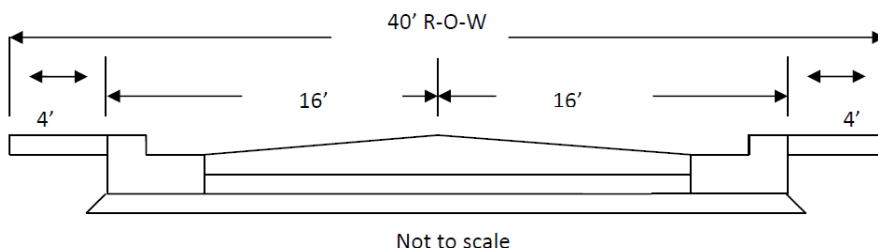
M.— ~~As a condition of Final Plat approval, the Community Development Director or designee may require an applicant to pay a pro rata share of the cost, or agree to install the necessary street, sewerage, drainage and other improvements, including land and easements, located off-site of the property limits of the subdivision but necessitated or required by the development. “Necessary” improvements are those for which there is nexus related to the proposed subdivision. The Community Development Director or designee and shall provide in its Preliminary Plat approval the basis of the required improvements. The capacity and design of proposed improvements shall be based upon the recommendations of the Town Engineer, the Yavapai County Flood Control District, the Arizona Department of Transportation (ADOT), and the adopted Town Circulation Plan, Sewer Plan, Drainage Plan, General Plan or other adopted improvement plans. At the discretion of the Community Development Director or designee, pro rata funds may be deposited into an escrow account for future construction if it is deemed by the Community Development Director or designee that it is in the interest of the Town to delay construction of said improvements. In no case shall the delay be more than six years and in the case that the Town elects to not construct the improvements within six years, the funds will be returned to the applicant with interest paid at the same rate of interest that the Town received on the funds.~~

N.— ~~Upon completion of development, the applicant’s Engineer of Record shall provide and certify a set of “as-built” construction plans to the Town Engineer, stating that all~~

~~required improvements have been completed in substantial conformance to the specifications and standards contained in or referred to herein.~~

~~Exhibit A—~~

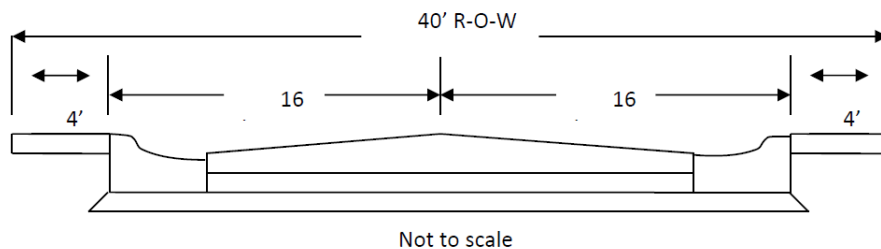
~~Residential Collector~~



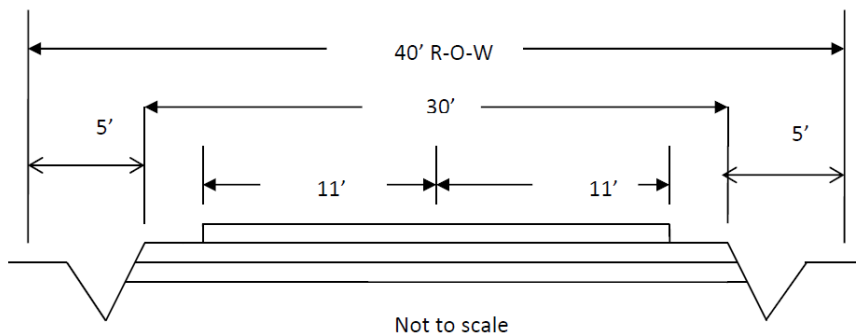
| | |
|-----------------------------|--|
| R-O-W Width | 40 feet |
| Improved Roadway | 28 feet Back of Curb/Back of Curb |
| Surface | 2 inches asphalt with 6 inches Base |
| | or |
| | 3 inches asphalt with 4 inches Base |
| Base | ABC (Aggregate Base Course) |
| Subgrade | 6 inches minimum |
| Curb/gutter | 6 inches vertical—2 foot horizontal |
| Shoulders | None |
| Ditches | None |
| Maximum ADT | 3,000 |
| Sidewalk | 4 feet Minimum |
| Crown | 2% Minimum |
| Grade | 7% Maximum |

~~Exhibit B—~~

~~Residential Local~~

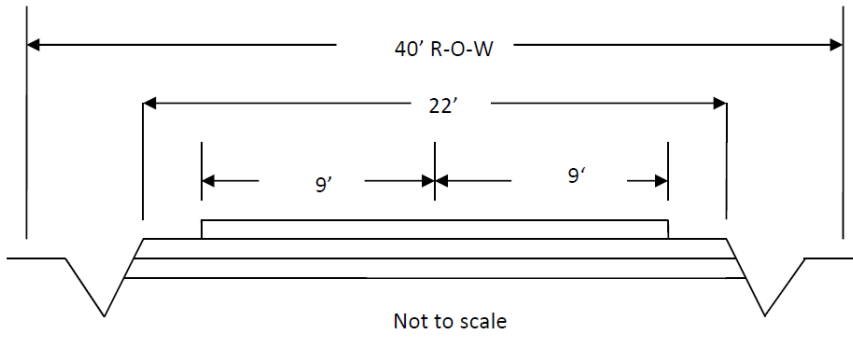


| | |
|-----------------------------|--|
| R-O-W Width | 40 feet |
| Improved Roadway | 28 feet Back of Curb/Back of Curb |
| Surface | 2 inches asphalt with 6 inches Base |
| | or |
| | 3 inches asphalt with 4 inches Base |
| Base | ABC |
| Subgrade | 6 inches minimum |
| Curb/gutter | Rolled Curb |
| Shoulders | None |
| Ditches | None |
| Maximum ADT | 500 |
| Sidewalk | 4 feet Minimum |
| Crown | 2% Minimum |
| Grade | 10% Maximum |
| | |
| Exhibit C-- | |
| Rural Collector | |



| | |
|-------------------------|--|
| R-O-W Width | 40 feet |
| Improved Roadway | 22 feet from edge of pavement to edge of pavement |
| Surface | 2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base |
| Base | ABC |
| Subgrade | 6 inches minimum |
| Curb/gutter | None |
| Shoulders | 4 inches graded |
| Ditches | 1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer |
| Maximum ADT | 3,000 |
| Sidewalk | None |
| Crown | 2% Minimum (not indicated on example) |
| Grade | 7% Maximum |

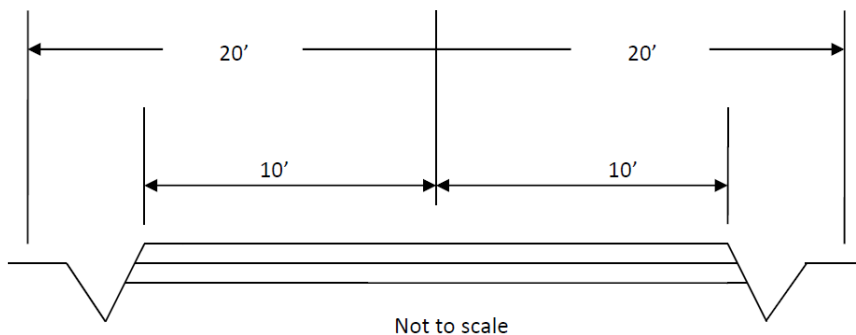
Exhibit D—
Rural Local



| | |
|-------------------------|--|
| R-O-W Width | 40 feet |
| Improved Roadway | 18 feet Edge of pavement/Edge of pavement |
| Surface | 2 inches asphalt with 6 inches Base or 3 inches asphalt with 4 inches Base |
| Base | ABC |
| Subgrade | 6 inches minimum |
| Curb/gutter | No |
| Shoulders | 2 feet graded |
| Ditches | 1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer |
| Maximum ADT | 500 |
| Sidewalk | No |
| Crown | 2% Minimum (not indicated on example) |
| Grade | 10% Maximum |

Exhibit E--

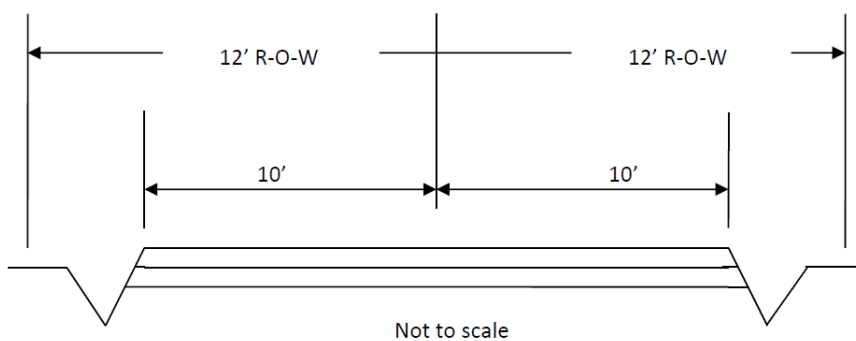
Rural Lane



| | |
|-------------------------|--|
| R-O-W Width | 40 feet |
| Improved Roadway | 20 feet from edge of ABC to edge of ABC |
| Surface | 4 inches ABC |
| Subgrade | 6 inches minimum |
| Curb/gutter | No |
| Shoulders | None |
| Ditches | Yes—1.5:1 Maximum Slope, Minimum depth to be determined by grading plan and approved by the Town Engineer |
| Maximum ADT | 250 |
| Sidewalk | None |
| Crown | 2% Minimum (not indicated on example) |
| Grade | 12% Maximum |

Exhibit F—

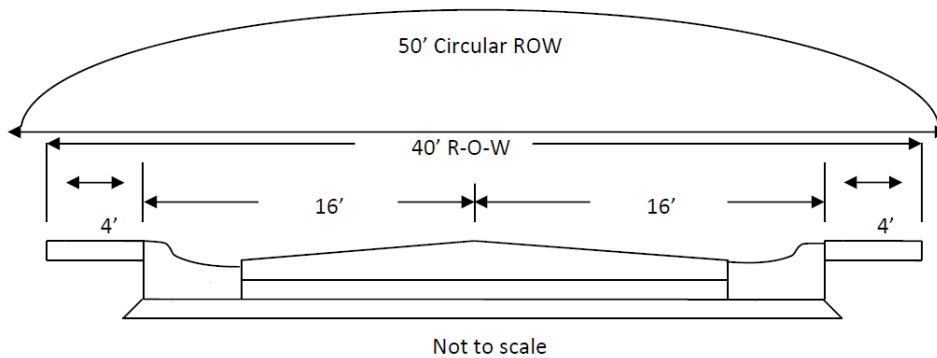
Private Street



| | |
|------------------|--|
| Easement Width | 24 feet unless the street is designated on the general plan as requiring additional width |
| Improved Roadway | 20 feet minimum between ditches |
| Surface | 4 inches compacted ABC |
| Subgrade | 6 inches.—Town Engineer may amend the requirement for new subgrade if the grading report substantiates that adequate subgrade currently exists |
| Curb/gutter | No |
| Shoulders | None |
| Ditches | Yes—1.5:1 Maximum slope, minimum depth to be determined by grading plan and approved by the Town Engineer |
| Maximum ADT | N/A |
| Sidewalk | None |
| Crown | 2% Minimum (not indicated on example) |
| Grade | 12% Maximum |
| Utility Easement | 8 feet minimum on at least one side unless 8 feet on both sides is required by utility companies |

Exhibit G—

Cul-de-sac



| | |
|-------------|---------|
| R-O-W Width | 50 feet |
|-------------|---------|

| | |
|------------------|---|
| Improved Roadway | 40 foot, with a 40-foot radius turning circle at termination |
| Surface | 2 inches asphalt with 6 inches base/ or 3 inches asphalt with 4 inches base |
| Base | ABC |
| Subgrade | 6 inches minimum |
| Curb/gutter | Rolled Curb |
| Shoulders | None |
| Ditches | None |
| Maximum ADT | 500 |
| Sidewalk | 4 feet Minimum |
| Crown | 2% Minimum |
| Grade | 10% Maximum |
| Maximum Length | 600 feet |

Figure 1-
Trip Generation Rates by Land Use Categories

| Land Use Type | Average Weekday Trip Generation Rates |
|--------------------------|---------------------------------------|
| Residential | Per dwelling unit |
| Single-Family Detached | 10.1 |
| Condominium | 5.9 |
| Apartment | 6.6 |
| Mobile Home Park | 4.8 |
| Office Building | Per 1,000 square foot of Building |
| General Office Building: | |
| 10-M square feet | 24.4 |
| 50-M square feet | 16.3 |

| | | |
|--|-------------------------|-----------------------------------|
| | 100 M-square feet | 13.7 |
| | 200 M-square feet | 11.5 |
| | 500 M-square feet | 9.2 |
| | Medical Office Building | 34.2 |
| | Office Park | 11.4 |
| | Research Center | 6.1 |
| | Retail | Per 1,000 square foot of Building |
| | Specialty Retail | 40.7 |
| | Discount Store | 71.2 |
| | Shopping Center: | |
| | 10 M-square feet | 166.4 |
| | 50 M-square feet | 94.7 |
| | 100 M-square feet | 74.3 |
| | 200 M-square feet | 58.9 |
| | 500 M-square feet | 39.9 |
| | 1000 M-square feet | 33.4 |
| | Industrial- | Per 1,000 square feet of Building |
| | Light Industrial | 7.0 |
| | Heavy Industrial | 1.5 |
| | Industrial Park | 7.0 |
| | Manufacturing | 3.9 |
| | Warehouse | 4.9 |
| | Mini-Warehouse | 2.6 |
| | Lodging | Per Room |
| | Motel | 10.2 |

~~Trip rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.~~

~~Figure 2-~~

~~Street Classification and Minimum Design Standards~~

| Street Class | Street-Category | Travel-Lane-Width | Parking-Lane-Width | Total-Improved-Width | Curb-or-Shoulder | Graded-Areas-or-Sidewalk | Surface | ROW/Easement-Width | Maximum-Avg.-Daily-Traffic-(ADT) | Design-Speed-MPH |
|--------------|-----------------------|-------------------|--------------------|----------------------|-----------------------|--------------------------|------------------------------|--------------------|----------------------------------|------------------|
| I | Arterial | 12' | None | 60' | Vertical | Sidewalk | | 76' | 3,000+ | 55 |
| II | Industrial | 12' | 12' | 48' | Rolled | Graded | | 64' | 3,000 | 40 |
| III | Commercial | 12' | 8' | 40' | Vertical | Sidewalk | | 60' | 3,000 | 40 |
| IV | Residential-Collector | 16' | None | 28' | Vertical | Sidewalk | 2" w/6" base or 3" w/4" base | 40' | 3,000 | 40 |
| V | Residential-Local | 16' | One side only | 28' | Rolled | Sidewalk | 2" w/6" base or 3" w/4" base | 40' | 500 | 25 |
| VI | Rural-Collector* | 11' | None | 22' | 4' Shoulder-Ditch**** | Graded | 2" w/6" base or 3" w/4" base | 40' | 3,000 | 40 |
| VII | Rural-Local* | 9' | None | 18' | 2' Shoulder-Ditch**** | Graded | 2" w/6" base or 3" w/4" base | 40' | 500 | 25 |
| VIII | Rural-Lane | 10' | None | 20' | None/Ditch*** * | Graded | 4" ABC w/6" Subgrade | 40' | 250 | 25 |
| IX | Alley | 10' | None | 20' | None | None | 4" ABC | 20' | 500 | 10 |

| Street Class | Street Category | Travel Lane Width | Parking Lane Width | Total Improved Width | Curb or Shoulder | Graded Areas or Sidewalk | Surface | ROW/Easement Width | Maximum Avg. Daily Traffic (ADT) | Design Speed MPH |
|--------------|-----------------|-------------------|--------------------|----------------------|--------------------|--------------------------|------------------------|--------------------|----------------------------------|------------------|
| X | Private Street | 12' | None | 20' | None/Ditch*** * | None | 4" ABC w/6" Subgrade** | 24'*** | | |

* Rural street standards may be used only in residential areas developed with minimum lot sizes of 20,000 square feet.

** Town Engineer may waive the requirement for improved subgrade if adequate subgrade exists

*** A minimum 8' utility easement is required along only one side of a private street unless the utility companies request an 8' easement along both sides

**** Depth of the required ditch shall be determined by the Town Engineer upon review and approval of the required grading plans.

Figure 3-

Street Curve and Design Data

| Street Class | Improved Surface | R-OW | Radius | Length | Reverse-Curb-Tangent* | Intersection-Tangent** | Minimum-Corner-Radius | Maximum-Grade | Minimum-Sight-Distance |
|--------------|------------------|---------|------------|----------|-----------------------|------------------------|-----------------------|---------------|------------------------|
| I | 60 feet | 76 feet | 1,400 feet | 500 feet | 500 feet | 475 feet | 30 feet | *** | 770 feet |
| II | 48 feet | 64 feet | 800 feet | 300 feet | 200 feet | 300 feet | 25 feet | 7% | 560 feet |
| III | 40 feet | 60 feet | 800 feet | 300 feet | 200 feet | 300 feet | 25 feet | 7% | 560 feet |
| IV | 24 feet | 40 feet | 800 feet | 300 feet | 200 feet | 300 feet | 25 feet | 7% | 560 feet |
| V | 24 feet | 40 feet | 300 feet | 100 feet | 0 feet | 200 feet | 25 feet | 10% | 420 feet |
| VI | 22 feet | 40 feet | 800 feet | 300 feet | 200 feet | 300 feet | 25 feet | 7% | 560 feet |
| VII | 18 feet | 40 feet | 300 feet | 100 feet | 0 feet | 200 feet | 25 feet | 10% | 420 feet |

| Street Class | Improved Surface | Right-Of-Way | Radius | Length | Reverse-Curb-Tangent [±] | Intersection-Tangent ^{**} | Minimum Corner Radius | Maximum Grade | Minimum Sight Distance |
|--------------|------------------|--------------|----------|----------|-----------------------------------|------------------------------------|-----------------------|---------------|------------------------|
| VIII | 20 feet | 40 feet | 300 feet | 100 feet | 0 feet | 200 feet | 25 feet | 12% | 350 feet |

* Minimum length of tangent between curves in opposite directions (reverse curves). Reverse curves without tangent sections between curves are not permitted, except on local streets.

** Minimum length of tangent at intersections is measured from the Right-Of-Way line of the intersecting street. Tangents approaching an intersection may vary in length with increased design speed.

*** As determined by the Town Engineer.

Figure 4 ROADWAY STANDARDS FOR MINOR SUBDIVISIONS

Figure 5 SIGNATURE BLOCKS FOR MYLARS

Figure 4-

Roadway Standards For Minor Subdivisions

| # of lots in subdivision | Required Road Standard | Required Surface | Minimum ROW |
|--------------------------|--|------------------|-------------|
| 2-3 lots | Private Street Standard expanded to include a twenty-five (25) foot right-of-way | 2" w/6" base | 25' |
| 4-6 lots | Rural Lane Standard | 2" w/6" base | 40' |
| 7-10 lots | Rural Local Standard | 2" w/6" base | 40' |

Roadways required as outlined above shall be provided along the entire frontage of the lots being created and must be provided with required rights-of-way that are dedicated and constructed in accordance with the provisions of the Subdivision Regulations following the approval of Community Development Director or designee of the Final Plan and prior to the issuance of any building permits for the lots.

~~All roadways dedicated to the Town must meet adopted Town standards and be approved by the Public Works Director.~~

~~Each of the deeds created for the resulting lots must carry a notation pointing out the responsibility of the property owner to improve the roadway to the required standard prior to issuance of building permit.~~


~~Any lots created that would have their frontage on what is indicated in the General Plan of the Town of Clarkdale as existing or proposed Collector or Arterial streets shall provide the minimum right-of-way for that street type.~~

~~All street right-of-ways shall also include an adjacent minimum eight (8) foot Public Utility Easement, on one side, the entire length of the street segment.~~

Figure 5-

~~Signature Blocks for Mylars~~

| Documents that need Signature Blocks | When they will need to be signed | Titles for Signature Blocks |
|--|--|---|
| Planned Area Development (PAD) ■ Preliminary Development Plan | After Preliminary Plat approval by Town Council | Mayor ■ Town Clerk |
| Planned Area Development (PAD) ■ Final Development Plan | After Final Development Plan approval by Town Council | ■ Mayor ■ Town Clerk |
| Subdivision ■ Preliminary Plat | After Preliminary Plat approval by Community Development Director or designee | |
| Subdivision ■ Final Plat | After Final Plat approval by Community Development Director or designee | Community Development Director Town Engineer/Public Works Director |
| Minor Subdivision ■ Minor Subdivision Plat | After Minor Subdivision Plat approval by Community Development Director or designee | ■ Community Development Director or designee |

| Documents that need Signature Blocks | When they will need to be signed | Titles for Signature Blocks |
|--------------------------------------|--|---|
| Minor Subdivision ■ Final Plat | After Final Plat approval by Community Development Director or designee. | ■ Mayor ■ Town Clerk |
| Minor Land Division | After approval by Director of Community Development | ■ Community Development Director |
| Lot Line Adjustment | After approval by Director of Community Development | ■ Community Development Director  |

The Clarkdale Zoning Code is current through Ordinance #438, passed December 10, 2024.

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

Town Telephone: (928) 639-2400

Hosted by General Code.

SECTION 12-7 APPEALS

A. Appeals

Any order, requirement, decision, determination, interpretation, or administrative action made pursuant to, or in the administration or enforcement of, any provision of this chapter may be appealed to the Board of Adjustment, except as expressly provided herein.

A. Persons aggrieved. An appeal may be filed by:

1. the applicant or permittee; or
2. any taxpayer who owns or leases real property that is directly adjacent to, or located within 300 feet of the exterior boundary of the subject property at the time the decision is rendered; or
3. any officer, board, commission, or department of the Town that is directly affected by the decision.

B. Procedure. All appeals shall be processed, noticed, and heard in accordance with Chapter 17, Article 17-2 Board of Adjustment of the Town Code of Clarkdale, as amended.

C. Finality; Exception. Decisions rendered by the Town Council shall be final and conclusive and shall not be subject to appeal under this chapter, as the Town Council serves as the Board of Adjustment for such matters. However, any person aggrieved, as defined above, by any order, requirement, decision, determination, interpretation, or administrative action of Town Council, may follow the process as outlined in Section 17-2-5 of the Town Code.

~~An appeal 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.~~

D. Appeals

~~An appeal 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.~~





Staff Report

Item Number: 6.D.

-
- Agenda Item:** **Prohibited Plant List**
Discuss, consider and act upon the Zoning Code of Chapter 9 - Landscape Design Standards, with the addition of Section 9-130, Prohibited Plant List.
- Staff Contact:** Scott Ellis, Community Development Director
- Meeting Date:** February 18, 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 section listed above.
- Budget Impact:** No budget impact.
- Recommendation:** Staff recommend that the CAC approve the Zoning Code updates to Chapter 9 - Landscape Design Standards, with the addition of Section 9-130, Prohibited Plant List and forward it to the Town Council with a recommendation of the same.
- Suggested Motion:** "I move to recommend approval of the updates to Chapter 9 - Landscape Design Standards, with the addition of Section 9-130, Prohibited Plant List of the Town of Clarkdale’s Zoning Code to Town Council, subject to the stipulations indicated in the staff report."

Section 9-130 Prohibited Plant List

Any plant species not explicitly listed in this section that is designated as prohibited or regulated under applicable state statutes or administrative rules shall also be prohibited for use in required landscape plans.

A. Prohibited High-Water-Use, Invasive and High-Pollen Species. The following plant species are prohibited in all required landscape plans:

1. Red brome (Bromus rubens). Non-native invasive winter grass.
2. Fountain grass (Pennisetum setaceum), including all varieties. Self-seeding invasive perennial.
3. Mulberry tree (male) (Morus spp., male varieties only). High pollen producer.
4. Olive tree (Olea europaea). High-pollen producer.
 - a. Exception: Nonflowering, fruitless varieties such as “Swan Hill,” “Wilson Hill” or similar cultivars that do not produce pollen may be considered for approval.
5. Pampas grass (Cortaderia selloana, Cortaderia jubata). High-water-use clumping grass.
6. Paradise tree (Ailanthus altissima). Also known as tree of heaven; non-native and highly invasive.
7. Giant reed (Arundo donax). Large, fast-growing invasive non-native grass.
8. Russian thistle (Salsola tragus, Salsola kali). Also known as tumbleweed; highly invasive.
9. Tamarisk (Tamarix spp.). Also known as saltcedar; aggressive invasive tree or shrub.

B. State-Designated Noxious Weeds. The Class A, B and C species as listed by the Arizona Department of Agriculture pursuant to A.A.C. R3-4-245 are designated as prohibited or regulated noxious weeds and shall not be approved for use in required landscape plans.

C. Plants Unsuitable for Low-Water or Drought-Tolerant Landscaping. The following plants are considered unsuitable for low-water or drought-tolerant landscapes and may be limited or prohibited at the discretion of the Community Development Director or designee to ensure compliance with water-use standards:

1. Large eucalyptus species (highly combustible)
2. Non-native citrus trees requiring high irrigation
3. Certain palm species with excessive water demands
4. Plants with aggressive or invasive root systems
5. Any plant species not listed on the Town of Clarkdale Approved Plant List

Property owners may request approval for plants listed in this subsection by demonstrating compliance with adopted water-use limitations or by providing adequate mitigation measures, subject to administrative approval.

D. Additional Species of Concern. The Town highly recommends that the species listed below be avoided in required landscape plans due to their highly invasive qualities:

1. Dwarf Fountain Grass (Pennisetum alopecuroides (most cultivars) and P. setaceum)
2. Osage Orange (Maclura pomifera) – Not a citrus
3. Japanese Honeysuckle (Lonicera japonica)
4. Vinca (Vinca major and V. minor)
5. Catalpa (Catalpa spp.)
6. English Ivy (Hedera helix)
7. Trumpet Vine (Campsis radicans)
8. Ornamental Brooms – Including Scotch broom (Cytisus scoparius), French broom (Genista monspessulana), Portuguese broom (Cytisus striatus), and related species.
9. Yellow Bird of Paradise (Caesalpinia gilliesii)
10. Mexican Palo Verde (Parkinsonia aculeata) – Prolific seed producer.
11. Weeping Lovegrass (Eragrostis curvula)
12. Tall Fescue (Festuca arundinacea)
13. Reed Canary Grass (Phalaris arundinacea) – Highly problematic in riparian areas.

14. Common Reed (*Phragmites australis* ssp. *australis*)

15. Evening-Scented Stock (*Matthiola longipetala*)

16. Callery Pear (*Pyrus calleryana*)

17. Princess Tree (*Paulownia tomentosa*)