



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

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

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

Town of Clarkdale Vision

The Town of Clarkdale connects our unique history, proximity to the Verde River, and small-town charm to a future with a vibrant economy.

We cultivate an environment where residents and businesses can thrive; providing services and jobs for our residents and capitalizing upon tourism.

We sustainably enhance our infrastructure, support the arts and education, and develop recreational opportunities to create a bright future for our entire community.

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN that the Zoning Code Update Citizen Advisory Committee will hold a Regular Meeting open to the public on Thursday, March 5, 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. 18, 2026.

5. NEW BUSINESS

A. Chapter 2 - Definitions

Discuss, consider and act upon the Zoning Code update to Chapter 2 - Definitions.

B. Chapter 3 - Zoning Districts

Discuss, consider and act upon the Zoning Code update to Chapter 3 Zoning Districts.

C. Chapter 10 - Historic Preservation District

Discuss, consider and act upon the Zoning Code addition of Chapter 10 - Historic Preservation District.

D. Chapter 1 - Zoning Code of the Town of Clarkdale

Discuss, consider and act upon the Zoning Code update to Chapter 1 - Zoning Code of the Town of Clarkdale.

E. Chapter 4 - General Provisions

Discuss, review, and act upon the Zoning Code update to Chapter 4 - General Provisions.

6. 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.

<u>Agenda Item:</u>	Approval of Minutes Discuss, consider and act upon the draft minutes from the regular meeting on Feb. 18, 2026.
<u>Staff Contact:</u>	Scott Ellis, Community Development Director
<u>Meeting Date:</u>	March 5, 2026
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review of the draft minutes from the regular meeting on Feb. 18, 2026.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommends that the Citizens Advisory Committee approve the draft minutes from the regular meeting on Feb. 18, 2026. Recommended Motion with NO edits: "I motion to approve the draft minutes from the CAC regular meeting on Feb. 18, 2026, as presented." Recommended Motion with edits: "I motion to approve the draft minutes from the CAC regular meeting on Feb. 18, 2026, with the following edits....."



**SUMMARIZED MINUTES REGULAR MEETING OF THE ZONING CODE UPDATE CITIZEN
ADVISORY COMMITTEE
OF THE TOWN OF CLARKDALE
WEDNESDAY, FEBRUARY 18, 2026 AT 4:30 PM**

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

Members Present: *Allen Spence, Joe Conk, Robyn Prud'homme-Bauer, Virginia Smith, Laura Jones.*

Members Absent: *Craig Backus, Ray Selna, Kerrie Snyder, Selena Pao.*

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

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

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

1. CALL TO ORDER

Chair Allen Spence called the meeting to order at 4:30 p.m.

2. ROLL CALL

See above.

3. PUBLIC COMMENT

No comment.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting on Feb. 5, 2026.

Motion: *Approve the draft minutes from the regular meeting on Feb. 5, 2026.*

First: *Robyn Prud'homme-Bauer*

Second: *Joe Conk*

Approved: *5-0*

Board Member

Chair Spence
Vice Chair Conk
Commissioner Prud'homme-Bauer
Commissioner Smith
Commissioner Jones

Ayes/Nays

Aye
Aye
Aye
Aye
Aye

Commissioner Backus	<i>Absent</i>
Commissioner Selna	<i>Absent</i>
Commissioner Snyder	<i>Absent</i>
Commissioner Pao	<i>Absent</i>

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.

Motion: *To approve the Zoning Code update to Chapter 5 - Conditional Use Permit, as presented.*

First: *Robyn Prud'homme-Bauer*

Second: *Joe Conk*

Approved: *5-0*

Board Member	Ayes/Nays
Chair Spence	<i>Aye</i>
Vice Chair Conk	<i>Aye</i>
Commissioner Prud'homme-Bauer	<i>Aye</i>
Commissioner Smith	<i>Aye</i>
Commissioner Jones	<i>Aye</i>
Commissioner Backus	<i>Absent</i>
Commissioner Selna	<i>Absent</i>
Commissioner Snyder	<i>Absent</i>
Commissioner Pao	<i>Absent</i>

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.

Motion: *To approve the update to Chapter 6 - Standards for Planned Unit Development and Planned Area Development, to the Town Council subject to the stipulations indicated in the staff report.*

First: *Robyn Prud'homme-Bauer*

Second: *Joe Conk*

Approved: *4-1*

Board Member	Ayes/Nays
Chair Spence	<i>Aye</i>
Vice Chair Conk	<i>Aye</i>
Commissioner Prud'homme-Bauer	<i>Aye</i>
Commissioner Smith	<i>Aye</i>
Commissioner Jones	<i>Abstain</i>

Commissioner Backus	<i>Absent</i>
Commissioner Selna	<i>Absent</i>
Commissioner Snyder	<i>Absent</i>
Commissioner Pao	<i>Absent</i>

c. Chapter 12 - Subdivision Regulations

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

Motion: *To approve Chapter 12.*

First: *Joe Conk*

Second: *Robyn Prud'homme-Bauer*

Approved: *5-0*

Board Member	Ayes/Nays
Chair Spence	<i>Aye</i>
Vice Chair Conk	<i>Aye</i>
Commissioner Prud'homme-Bauer	<i>Aye</i>
Commissioner Smith	<i>Aye</i>
Commissioner Jones	<i>Aye</i>
Commissioner Backus	<i>Absent</i>
Commissioner Selna	<i>Absent</i>
Commissioner Snyder	<i>Absent</i>
Commissioner Pao	<i>Absent</i>

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.

Motion: *To approve the updates to the Zoning Code of Chapter 9 - Landscape Design Standards, with the addition of Section 9-130, Prohibited Plant List to the Town Council subject to the stipulations indicated in the staff report.*

First: *Virginia Smith*

Second: *Laura Jones*

Approved: *5-0*

Board Member	Ayes/Nays
Chair Spence	<i>Aye</i>
Vice Chair Conk	<i>Aye</i>
Commissioner Prud'homme-Bauer	<i>Aye</i>
Commissioner Smith	<i>Aye</i>
Commissioner Jones	<i>Aye</i>
Commissioner Backus	<i>Absent</i>
Commissioner Selna	<i>Absent</i>
Commissioner Snyder	<i>Absent</i>
Commissioner Pao	<i>Absent</i>

7. FUTURE AGENDA ITEMS

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

8. ADJOURNMENT

Motion: *I motion to adjourn.*

First: *Robyn Prud'homme-Bauer*

Second: *Virginia Smith*

Approved: *5-0*

Board Member

Chair Spence

Vice Chair Conk

Commissioner Prud'homme-Bauer

Commissioner Smith

Commissioner Jones

Commissioner Backus

Commissioner Selna

Commissioner Snyder

Commissioner Pao

Ayes/Nays

Aye

Aye

Aye

Aye

Aye

Absent

Absent

Absent

Absent

Chair Allen Spence adjourned the meeting without objection at *6:51 p.m.*

Allen Spence, Chair

Scott Ellis, Community Development Director



Staff Report

Item Number: 5.A.

<u>Agenda Item:</u>	Chapter 2 - Definitions Discuss, consider and act upon the Zoning Code update to Chapter 2 - Definitions.
<u>Staff Contact:</u>	Scott Ellis, Community Development Director
<u>Meeting Date:</u>	March 5, 2026
<u>Strategic Goal:</u>	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.
<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 finalize and recommend approval to Town Council for the chapter listed above. Stipulations: None.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommend that the CAC approve the Zoning Code updates to Chapter 2 - Definitions and forward it to the Town Council with a recommendation of the same. Recommended motion: "I motion to recommend approval to Town Council of the updates to Chapter 2 - Definitions, with the stipulations as stated in the staff report." Recommended motion with additional stipulations: "I motion to recommend approval to Town Council of the updates to Chapter 2 - Definitions, with the stipulations as stated in the staff report and the following edits..... "

CHAPTER 2 DEFINITIONS

Articles:

~~2-010~~ Definitions

Section 2-010 Definitions

Access: The area within a site serving as a travel lane or the area providing access to a property. The place, means, or ways by which pedestrians, vehicles, or both shall have adequate and usable ingress/egress to a property or use.

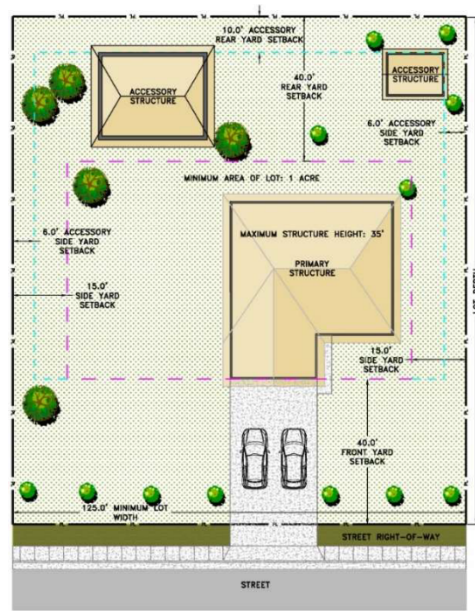
Accessory Dwelling Unit: A dwelling that exists as part of a principal dwelling or on the same lot as the principal dwelling and is subordinate in size to the principal dwelling that may or may not contain a secondary kitchen.

Commented [RM1]: Do we need to add complete plumbing fixtures?

Commented [PL2]: Add.



Accessory Structure or Use: A subordinate structure or use customarily incidental to and located on the same lot as the principal use. A use or structure that exists on the same lot with the principal use or structure and is subordinate in size and purpose to the principal use and does not contain living quarters.



Acre: A measure of 43,560 square feet.

Adjacent: Property abutting directly on the boundary of, touching, or sharing a common point.

Commented [PL3]: Add.

Adult Establishment: Classifies establishments or activities that provide entertainment and/or goods depicting, describing, or relating to Specified Sexual Activities or characterized by emphasis on depiction, description, or relation to Specified Anatomical Areas.

Commented [PL4]: Add.

Affordable Housing Dwelling Unit: A dwelling unit committed for a minimum 30-year term as affordable, through covenants or restrictions, to households with incomes at 60% or less of the area median income for a family, as defined by the United States Department of Housing and Urban Development, for the jurisdiction; and where housing costs (rents, mortgages, utilities and condo, homeowners or other association fees) do not exceed 30% of a family's income as verified on an annual basis.

Commented [JS5]: Based on federal definition

Agricultural Use: The practice of growing soil crops in the customary manner on at least ~~ten (10)~~ 10 contiguous acres, continuous areas, including such customary companion activities as the raising of farm poultry and livestock, farm animals, the storage and processing of soil crops, the production of eggs and dairy products, and the slaughter and processing of poultry and animals raised on the premises for use on the premises.

Commented [RM6]: I have concerns about slaughtering livestock...

Agricultural Tourism. The act of visiting croplands, horticulture activity for the purpose of enjoyment, education or active involvement in the croplands or horticulture that also adds to the economic viability of the Croplands. Agricultural tourism may include tasting rooms, hotels, and restaurants associated with the primary agricultural use. Revised by Resolution #1543, Ordinance #384, approved 5-9-17, effective 6-9-17.

Commented [RM7]: Bed and Breakfasts?

Agritourism Enterprise: An enterprise on croplands, conducted for the enjoyment of visitors that generates income for the owner of the crops, including on-site sales of crops. Revised by Resolution #1543, Ordinance #384, approved 5-9-17, effective 6-9-17.

Commented [RM8]: I think we add in livestock, etc.

Airport: A place where aircraft can take off and land, be repaired, take on or discharge passengers or cargo, be stored or refueled.

Alley: A public or private roadway which provides a secondary means of access to abutting property and is not intended for general traffic circulation.

Amusement and Recreation Services: Establishments engaged in providing amusement or entertainment for fee or admission charge and including such activities as dance halls, studios, theatrical productions, bands, orchestras, and other musical entertainment, bowling alleys, and billiard and pool establishments.

Animal (Veterinary) Hospital: The place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the hospital use.

Animal Kennel: Any structure or premises where animals are kept, barded, bred, trained or sold for commercial gain.

Apartment: See “Dwelling Unit.” One or more rooms with a private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing three or more than four (4) dwelling units.

Commented [JS9]: Or keep? Your preference.

Commented [RM10R9]: Ditch DU.

Assurance: A legally binding and enforceable instrument ensuring the construction of all required ~~aAssurable~~ Infrastructure by a subdivider or developer. Assurances may be in the form of third-party land trusts, or monetary sureties such as performance bonds, escrow funds, letters of credit, or such other security as are acceptable to the Town.

As-Built Plans: Construction/engineering plans prepared after the completion of construction, by the engineer of record, in such a manner as to accurately identify and depict the location of all on-site improvements which includes, but is not limited to, all structures, parking facilities, detention/retention areas, curbs, gutters, sidewalks.

Automatic Car Wash: A structure containing facilities for washing automobiles using a chain conveyor or other method of moving the cars along and in an automatic or semi—automatic application of cleaner, brushes, rinse water and heat for drying.

Automobile Sales: The use of any building, land area, or other premises for the display and sale of new or used automobiles, panel trucks or vans, trailers, or recreation vehicles and including any warranty repair work and other repair service conducted as an accessory use.

Automobile Fueling/ Service Station: Any building, land area, or other premises or portion thereof used, or intended to be used, for the retail dispensing or sales of vehicular fuels, including as an accessory use, the sale and installation of lubricants, batteries, tires and similar accessories.

Automobile Repair Services and Garages: Establishments primarily engaged in furnishing automotive repair, rental, leasing, and parking services to the general public.

Bar: An establishment including, but not limited to, a cocktail lounge, night club or tavern, the main use of which is to serve spirituous liquors for on-site consumption. Such a facility may serve food, provide dancing and entertainment.

Basement: The lowest level or story which has its floor sub-grade on at least three sides with a minimum of 5 feet below grade.

Commented [JS11]: Want this added or left out? Not sure how many already have basements in the historic areas.

Commented [RM12R11]: Leave in - we have hillside construction with walkout basements.

Bed and Breakfast, Country Inn: A lodging establishment located in a rural or low-density setting that provides overnight accommodations and breakfast service for transient guests, containing multiple guest rooms and/or detached lodging units, and offering a greater scale of operations and amenities than a traditional owner-occupied bed and breakfast.

Bed and Breakfast, Owner-Occupied: A small lodging establishment operated within a dwelling, in which overnight accommodations and breakfast are provided to transient guests for compensation. A bed and breakfast is typically owner-occupied, contains a limited number of guest rooms, and retains the residential character of the structure. Food service is generally limited to breakfast for registered guests and does not operate as a restaurant open to the public.

Bedrock: The solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of gravel sand, or soil.

Bed & Breakfast Guest Unit: One or more rooms intended for overnight occupancy by persons other than those who permanently reside at the premises.

Bed & Breakfast Homestay: An owner-occupied residence which has a maximum of three (3) guest units within a single family dwelling, the owners of which serve breakfast to guests.

Bed & Breakfast Inn: An owner-occupied residence which has a maximum of five (5) guest units within a single family dwelling, the owners of which serve breakfast to guests.

Bed & Breakfast Country Inn: A residence or building which has six (6) or more guest units which exhibits a character of use consistent with a motel or hotel and which may have a restaurant open to the general public as well as the guests.

Bed and Breakfast: An owner-occupied residence which has a minimum of One two or more rooms intended for overnight occupancy by persons other than those who permanently reside at the premises, the owners of which serve breakfast to the guests.

Bedroom: A private room planned and intended for sleeping, separable from other rooms by a door and accessible to a bathroom without crossing another bedroom or living room.

Commented [RM13]: Do we need to add closet?

Bicycle Parking: Parking area that is reserved for bicycles that is publicly and readily accessible, and visible, with the intention to be used for short periods of time.

Block: A usually rectangular space enclosed by streets and occupied by or intended for buildings. Parcels on opposite sides of an alley shall be considered along the same Block frontage.

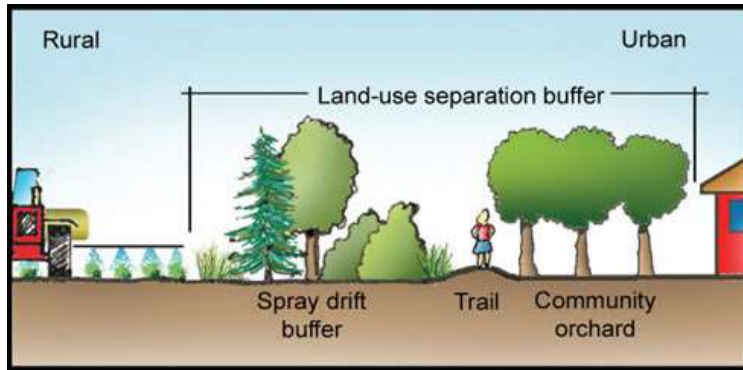
Boutique Business: A small-scale, specialty retail or service establishment that offers unique, artisanal or high-end goods or services, typically with an emphasis on personalized customer experience. Boutique businesses are characterized by limited floor area, low-intensity operations and a curated product or service line, and are often designed to be compatible with pedestrian-oriented commercial districts or mixed-use areas. ~~A Designating a small exclusive producer or business providing consumable products.~~

Brewery: A facility used for the commercial manufacture and packaging of beer or malt beverages for distribution and sale. A brewery may include brewing, fermenting, bottling, kegging, storage and related administrative functions. Accessory uses such as tasting rooms, retail sales or food service may be permitted where allowed by zoning, but the principal use is the large-scale production of beer for off-site distribution. ~~A place where beer brew or hard cider produces 15,000 or more barrels (460,000 US gallons) per year.~~

Brewery, Micro: A facility that produces beer in relatively small quantities, primarily for on-site sale and consumption, with limited distribution to off-site locations. A microbrewery may include accessory uses such as a tasting room, taproom, restaurant or retail sales area, provided the principal use remains the brewing of beer at a scale smaller than that of a regional or national brewery.

Broadcast Antennae, TV/HDTV/AM/FM Broadcast Facility: Broadcast antenna-supporting structures and/or towers, including replacements, which contain antennae/towers that transmit signals for television and radio communications.

Buffer: Open spaces, landscaped areas, fences, walls, berms or any combination thereof used to physically and visually separate one use or property from another in order to mitigate the impacts of noise, light or other nuisance.



Buildable Area/ Envelope: The area of a Lot or Parcel where a Building can be placed after Setback from Property Lines, Streets, Buildings, or any other point identified and areas identified or dedicated for non-building purposes, such as open space or driveways, are deducted.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

Building Code: The ~~most~~ current **Clarkdale** Building Code adopted by the Town of Clarkdale.

Commented [RM14]: WE use ICC

Building Elevation: One of the exterior vertical faces of a building.

Building Front: The side of the building closest to and most nearly parallel with the street which provided access to the lot. In the case of a corner lot or through lot, either side abutting a street may be considered to be the front.

Commented [JS15]: Or sometimes we use the shortage width distance to determine.

Building Height: The vertical distance of a building measured from the finished grade to the highest point of the roof, fascia, or parapet or average of the roof between a pitch and the eve.

Building Line: The primary edge of a building closest to the street, side, and rear property lines, and extending from the physical edge of the building to the property lines.

Building Permit: A permit issued by the Town in conformance with the adopted Building Code.

Building, Principal Use: A building in which is conducted the primary or predominant use of the lot on which it is located.

Building Coverage: The ratio of the horizontal area measured from the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

Building Frontage: The maximum width of a building measured in a straight line parallel with the abutting street.

Building Height: The vertical distance from the main level of the side yards immediately contiguous to the side of the building or structure to the top of the highest roof beams of a flat or shed roof, the deck on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip and gambrel roofs. Provided that the measurement shall be made from not more than 3 feet below nor more than 6 feet above the mean curb level, or in absence of curb level from the mean street level along the center line of improved road-way.

Building Line: A line parallel to the street touching a building at it's closes point to the street.

Building Separation: The required separation between any two buildings, located on the same lot or parcel of land.

Bulk Standards: Controls which establish the maximum size of buildings and structures on a lot or parcel and the build able area within which the structure may be places including lot coverage, height, floor area ratio, setbacks and yard area.

Bulk Storage: Storage of material in containers or tanks in large quantities. The storage of chemicals, petroleum products, steel, wood, and other materials and above ground containers, and other materials and for subsequent resale or distributors or retail dealers or outlets.

Caliper: The diameter of a tree measure 4 feet above finished grade.

Canopy: A roof-like cover extending over an outdoor area for the purpose of sheltering individuals or equipment from the weather.

Canopy Tree: A woody plant, other than a palm tree, with a mature crown diameter of at least 15 feet and having a trunk that, at maturity, is kept clear of leaves and branches at least six feet above grade.

Campground: Any lot, parcel, or tract of land used, designed, maintained, and intended for rent of one (1) or more plots, sites, or areas to accommodate temporary camping by the traveling public, with or without sanitary facilities and water, whether or not a charge is made for use of the park and its facilities.

Capital Improvement: When pertaining to government, an acquisition of real property, major construction projects or acquisition of expensive equipment expected to last a long time.

Capital Improvement Program: A timetable or schedule of all future capital improvements to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project.

Carport: A roofed structure providing space for the parking of motor vehicles and full open on not less than two sides.

Car Wash: The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Cellar: That part of a building having less than one-half its floor to ceiling height above the average finished grade of the adjoining ground.

Cemetery: A place used or to be used and dedicated or designated for interment of human remains or pet animal remains.

Chemical Storage Facility: Means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

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

Chimney: A structure containing one or more flues for drawing off emissions from stationary sources of combustion.

Church: A permanently located building or group of buildings or structure wherein people regularly assemble for religious worship and which is maintained and controlled by a religious body to sustain public worship and church related uses.

Clinic: An establishment where patients are admitted, for examination and treatment on an out-patient basis by one, or more, physicians, dentists or other medical personnel where patients are not lodged overnight.

Club: Buildings and facilities operated by a corporation, association, or persons for social, educational or recreational purposes characterized by certain membership qualifications, payment of dues and fees, regular meeting and organized by a constitution and bylaws rendering a service not customarily carried on as a business.

Cluster Development: A development design technique that concentrates buildings on a portion of the site to allow the remaining land to be used for recreation, open space or preservation of sensitive land areas.

Code: Refers to the Town of Clarkdale Zoning Code.

Commercial Property: Any property designated for commercial use within the jurisdiction. (Created by Ordinance #427 on 8/12/24; Effective 9/14/2024)

Community Supported Agriculture (CSA): An agricultural operation or program in which consumers purchase shares or subscriptions in advance and receive periodic distributions of farm products directly from the producer, either on-site or at designated distribution locations. **Community Supported Agriculture (CSA):** A food distribution network consisting of growers and shareholders. (Created by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

Compatibility: The design, arrangement and location of buildings and structures or other created or natural elements of the urban environment which are sufficiently consistent in scale, character, sitting, coloring or materials with other buildings or elements in the area, so as to avoid abrupt or severe differences.

Conditional Use: A use permitted in a particular zoning district, after a public hearing, and upon a showing that such use, in a specified location will be compatible with surrounding uses provided all required conditions of approval are met.

Condominium: A form of property ownership whereby the owner gains ownership of an interior space within a building. The building structure, the land under the building, and all of the surrounding land is commonly owned by a single owner or all the inhabitants on a proportional basis for continued maintenance and improvement.

Conformance: Generally, to comply or act in accordance or harmony with.

Consolidation, Lot: The removal of lot lines between contiguous parcels.

Consumable Products: Perishable products made, produced and/or assembled for consumption.

(Created by Ordinance #358 on 3/11/14; Effective 4/11/14)

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

(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Consumer: An individual who is at least twenty-one (21) years of age and who purchases marijuana or marijuana products.

(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Convenience Store: A small retail store with a floor area of less than 5,000 square feet that sells groceries and may also sell gasoline but does not include vehicle service stations (limited or full).

Court: Open space unobstructed from the ground to the sky which is bound on two (2) or more sides by the walls of a building, or buildings, on the same lot.

Commented [JS16]: Lot combo?

Commented [RM17R16]: Should we move this back to the lot section so people don't miss it - list it as lot combination rather than combination, lot?

Commented [JS18]: Can we revise to not be specific to MMJ?

Commented [RM19R18]: Let's move this to MMJ and then remove marijuana from here

Commented [JS20]: Again can we make not specific to MMJ?

Commented [RM21R20]: Ditto

Croplands: Land devoted primarily to the production of crops, tilling, raising of crops, horticulture, farm, winery, wine production, gardening and agritourism enterprises or as agricultural tourism use. ~~Revised by Resolution #1543, Ordinance #384, approved 5-9-17, effective 6-9-17.~~

Crops: Vegetables, nuts, seeds, herbs, hay and alfalfa, and fruits, including vineyards, grown as food or drink for human consumption. ~~Revised by Resolution #1543, Ordinance #384, approved 5-9-17, effective 6-9-17.~~

Cul-de-sac: A street having only one end open to traffic and the other being permanently terminated with a vehicular turn-around provided.

Commented [PL22]: Add.

Cultivate, cultivation: To propagate, breed, grow, prepare and package marijuana.
(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Commented [JS23]: Can we make this not just for MMJ?

Commented [RM24R23]: Same as above

Curb: A stone or concrete boundary usually marking the edge of a roadway or paved area.

Cut: A portion of land surface from which earth has been removed or will be removed by excavation; the depth below the original ground surface.

Data Center: A facility or group of facilities primarily used to house computer systems, servers, networking equipment and associated infrastructure for the storage, processing or distribution of electronic data. This term includes supporting equipment such as backup power systems, cooling systems and security features, but does not include facilities primarily used for telecommunications towers or personal data storage.

Day Care Facility, Adult: A home in which more than three but fewer than seven clients over the age of 18 receive care, maintenance and supervision by other than their relative or guardian for less than 24 hours per day within a dwelling unit.

Day Care Center: An establishment providing for the care, supervision, and protection of its clients. Any facility or building which day care is provided for more than eight (8) hours per week for compensation for five (5) or more children not related to the proprietor or caretaker. Even though some instruction may be offered in connection with such care, the use shall not be considered with such care, the use shall not be considered a "school" within the meaning of this Code.

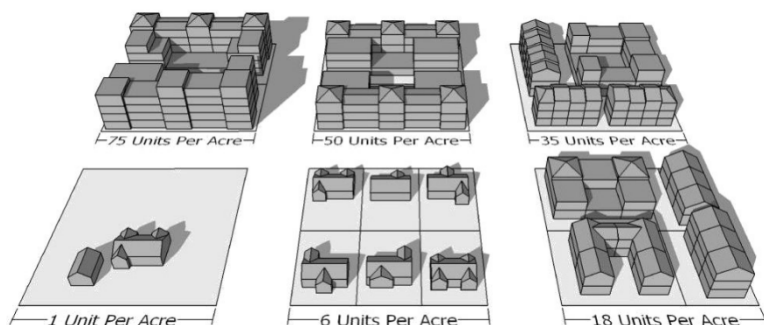
Day Care Center, Commercial: A building or structure within which the care, maintenance and supervision of clients is provided for more than 12 persons for less than 24 hours per day.

Day Care Home: A dwelling in which a permanent occupant provides for the care of no more than five preschool age children (including the caregiver's children) those receiving care and not dependents of the occupant, do not reside on the site. For the purpose of this Ordinance, such activities shall meet all requirements for home occupations.

Dedication: The transfer without payment of ownership or other interest in real property from a private entity to a public agency.

Deliver, delivery: The transportation, transfer or provision of marijuana or marijuana products to a consumer at a location other than the designated retail location of a marijuana establishment. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Density: The number of dwelling units per gross acre of land, measured in gross area.



Density Transfer: The trading of all or part of the permitted density on a parcel to another parcel or other locations on in the same parcel.

Department: An administrative unit of a municipal, county, state or federal government established to carry out specific governmental functions related to planning, zoning, development review, code enforcement or related regulatory activities. A department is typically headed by a director, manager or similar official authorized to administer and enforce adopted plans, ordinances and regulations within their assigned area of

Commented [PL25]: Add.

Commented [PL26]: Add.

Commented [JS27]: Make not just mmj?
Make not just mmj?

Commented [RM28]: We allow this in all subdivisions, not just PADs- that's another mess.

~~responsibility. The state of Arizona Department of Health Services or its successor agency.~~
(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Commented [JS29]: Make not just MMJ?

Commented [RM30R29]: Yes - but which AZ dept should it be, or should we just eliminate this here and move it to mmj?

Design: The physical aspects of a development, road improvement, or other construction project. Design included but is not limited to such items as street alignment, grading, landscaping, site layout, building elevations, and signing

Design Grade: An elevation or series of elevations that provide the minimum modification of natural or Existing Grade that allows safe and appropriate access, drainage, and Buildable Areas.

Developer: The person, firm, corporation or legal entity that has financial or operational control over the land-disturbing activity

Detention Pond: A pond or pool used for the temporary storage of water runoff and which provides for the controlled release of such waters.

Development: Any change to improved or unimproved real estate that requires a permit or approval from any agency of the Town.

District: Any area or areas of the town of Clarkdale, whether contiguous or not, wherein the same zoning or development standards apply.

Drainage: The outflow of water or other fluid from a site, whether by natural or artificial means.

Drainage Analysis: A review/ report of a project's pattern of waterflow either before or after the proposed development.

Commented [PL31]: Add.

Drip/Micro-Irrigation: A system of crop irrigation involving the controlled delivery of water directly to individual plants through a network of tubes or pipes, for the purpose of water conservation. Revised by Resolution #1543, Ordinance #384, approved 5-9-17, effective 6-9-17.

Drive-Through Facility: An establishment that dispenses products or services to patrons who remain in vehicles. Fuel sales are not included. Does not include pick up windows or Drive-Up ATMs.

Driveway: A private roadway located on a parcel or lot used for vehicle access.

Commented [PL32]: Add.

Dual licensee: ~~An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Commented [JS33]: Keep for just mmj?

Commented [RM34R33]: Yes -

Duplex: A building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from the ground to the roof.



Dwelling: ~~A structure or portion thereof which is used exclusively for human habitation.~~

Dwelling Unit: ~~A Building or portion of a Building that is designed, occupied, or intended for occupancy as living quarters exclusively for a single Household, which includes one or more rooms, with sleeping and sanitary facilities and one enclosed kitchen. One accessory Cooking Facility per dwelling unit is permitted.~~

Dwelling, Attached: A single-family dwelling attached in groups of two or more single-family dwellings by common vertical walls.

Dwelling, Detached: A single-family dwelling that is not attached to any other dwelling by any means.

Dwelling, Four-Plex: A building containing four dwelling units.

Dwelling, Multi-Family: A building containing five or more dwelling units.

Dwelling, Single-Family: A building containing one single-family dwelling unit.

Dwelling, Tri-Plex: ~~A building containing three dwelling units.~~

Commented [RM35]: Shouldn't we leave this in?

Dwelling Unit: One or more rooms designed or occupied as separate living quarters for the exclusive use of a single family maintaining a household.

Dwelling, Townhouse: A single-family dwelling in a row of at least two (2) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common walls.

Dwelling Unit: A Building or portion of a Building that is designed, occupied, or intended for occupancy as living quarters exclusively for a single Household, which includes one or more rooms, with sleeping and sanitary facilities and one enclosed kitchen. One accessory Cooking Facility per dwelling unit is permitted.

Easement: A legal interest in land, granted by the owner to another person, which allows that person (s) the use of all or a portion of the ~~owners~~owner's land, generally for a stated purpose including, but not limited to, access or placement of utilities.

Effective Date: The date of full adoption of the Code.

Commented [PL36]: Added.

Efficiency Unit: A dwelling unit having not more than one (1) room in addition to kitchen and bath.

Commented [PL37]: Added

Elevation, Architectural: A flat scale drawing of the front, rear, or side of a building.

Commented [PL38]: Added.

Enclosed area: A building, greenhouse, or other structure that has:

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

Commented [RM39]: Move this to MMJ but let's keep a definition of Enclosed Area - maybe just strike 4.

a lock or other security device that prevents access by minors. ~~(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Commented [JS40]: Can we make it less MMJ specific?

Existing Conditions: Conditions that exist at time of plan or plat submittal.

Commented [PL41]: Added.

Existing Use: The use of a lot or structure at the time of the enactment of this Code.

Commented [PL42]: Added.

Extraction: ~~The process of extracting or separating resin from marijuana to produce or process any form of marijuana concentrates using water, lipids, gases, solvents, or other chemicals or chemical processes. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Commented [JS43]: Again only MMJ?

Commented [RM44R43]: Move it. We should probably have some sort of definition of Extraction but based more on gravel mining than mmj.

Extraction: ~~The removal or taking of natural resources from the land, including but not limited to minerals, rock, sand, gravel, soil or other geologic materials, for commercial, industrial or public use. Extraction activities may include excavation, quarrying, mining, dredging and related processing conducted on-site or in conjunction with the extraction operation.~~

Factory-Built Building: A dwelling unit (or a non-residential structure which includes a dwelling unit or habitable area), other than a mobile home, manufactured home or recreational vehicle as defined herein, which is wholly or substantially manufactured at an off-site location to be assembled ~~on-site~~on-site, and which has been constructed pursuant to standards for factory-built buildings as certified by a regulatory agency of the State of ~~Arizona~~.

Commented [RM45]: I'm going to discuss this one with our CBO. It seems to me that this is an old definition- manufactured homes =HUD tag; Prefabricated homes = IBC.

Family: Any number of persons living together as a single housekeeping unit under a common housekeeping management plan.

Commented [RM46R45]: Also I see you have modular below. We can delete this one I think.....

~~**Family Day-Care Home:** A home in which more than three but fewer than seven clients receive care, maintenance and supervision by other than their relative or guardian for less than 24 hours per day within a dwelling unit.~~

Family, Immediate: Husband, wife, child, stepchild, brother, sister, stepbrother, stepsister, parent, stepparent, grandchild, grandparent, mother-in-law, father-in-law.

Farmers Market: An outdoor, periodic event, where farmers or producers gather to sell agricultural products directly to consumers. ~~(Created by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)~~

Fence: An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Commented [PL47]: Added.

Fill: Sand, gravel, earth or other materials of any composition placed or deposited by humans.

Final Plat: A final plat is a survey document suitable for recordation of all or part of a subdivision substantially conforming to an approved tentative plat, if a tentative plat is required, prepared in accordance with all local applicable regulation, and state statute.

Commented [PL48]: Added.

Financial Assurance: A performance bond, escrow, cash, certificate of deposit, irrevocable letter of credit, corporate guarantee, or other equivalent security, or any combination thereof, to the Town of Clarkdale that is sufficient to pay for completion of improvement plans for utilities, streets, roads, curbs, gutters, sidewalks, structures, buildings and other appurtenances as set forth in either a development agreement or approved site plan or both.

Findings: A written statement of facts, conclusions and determination based on the evidence presented in relation to the approval criteria and prepared by the approval authority in support of a decision.

Commented [PL49]: Added.

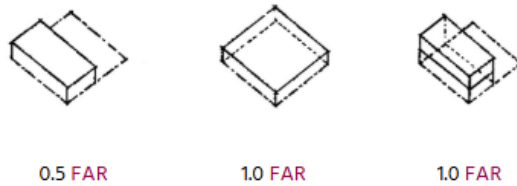
Firing Range: A property prepared, equipped, and delineated for the purpose of shooting at targets by rifles [excluding air rifles], pistols, shot guns or archery.

Commented [PL50]: Added.

Flagpole: A vertical structure specifically designed for displaying flags. ~~(Created by Ordinance #427 on 8/12/24; Effective 9/14/2024)~~

Floor Area: The sum of the square footage of ~~all of all~~ the floors of a structure or building as measured by the exterior walls.

Floor Area Ratio: The relationship of the floor area to the lot area computed by dividing the floor area by the lot area.



Frontage: That portion of a parcel of property which abuts a public street.

Commented [PL51]: Added.

Frontage, Building: The linear width of a building measured along the facade that faces and is generally parallel to a street, public right-of-way, or primary access way, as measured at ground level from the outermost edges of the building.

Front Lot Line: For interior lots, the lot line abutting on a Street; for corner lots, the shorter lot line abutting on a street. When corner lot or double frontage lot has nearly equal frontage lot line shall be at the discretion of the lot owner.

Commented [PL52]: Added.

Garage: A building or parking structure used for the parking and storage of vehicles.

Garage, Private: An accessory structure used primarily for the parking and storage of vehicles operated by the customers, employees or visitors of a principal building and which is not available for use by the general public.

Garage, Private Residential: An accessory structure, or use, to a residential building used for the parking and storage of vehicles and other items operated by the residents of the building and which is not available to the general public.

Garage, Public: A primary structure of or building, other than a private garage or repair garage, used primarily for the parking and storage of vehicles which is available to the general public.

Garage, Repair: Any building or structure in which a business, service or industry involving the maintenance, repair, servicing or painting of vehicles is conducted or rendered.

Grade:

- 1) The average of the finished ground level at the center of all walls of a building.
- 2) The percent of rise or descent of a sloping surface.

Grading: Any stripping, cutting, filling or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

Ground Cover: Grasses, other plant materials or inorganic materials grown or placed to keep soil from being blown or washed away.

Group Home: A dwelling that provides room and board for more than six, but less than 10 individuals, who as a result of age, illness, handicap or some specialized program, require personalized services or a supervised living arrangement in order to assure their safety and comfort.

Guest Quarters ~~(Servant Quarters)~~: One or more rooms designed, occupied or intended as a separate living area for the use of ~~short term~~short-term guests or immediate family members with sleeping, sanitary facilities and with, or without, separate cooking facilities. Said use shall be clearly secondary and accessory to the principal use, shall not exceed a maximum size of 700 square feet and may be attached to or detached from the principal structure.

Group Day Care Home: A home in which at least seven but not more than twelve clients receive care, maintenance and supervision by other than their relative or guardian for less than 24 hours per day within a dwelling unit.

Hardship: A restriction on property so unreasonable that it results in an arbitrary and capricious interference with basic property rights. Hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.

Home Occupation: Any activity carried out for economic gain by a resident and conducted as a customary, incidental and secondary use to the principal residential use.

Horticulture: The growing of crops for human consumption. ~~Revised by Resolution #1543, Ordinance #384, approved 5-9-17, effective 6-9-17.~~

Hospital: An institution providing human health services primarily for in-patient medical and surgical care of the physically or mentally sick and injured and including related

support facilities which may include: laboratories, out-patient department, staff offices, food services, and/or a gift shop.

Commented [PL53]: Added.

Hotel: A facility offering transient lodging accommodations to the general public in which access to individual rooms is provided through an inside lobby and which may offer additional services including, but not limited to, restaurants, meeting rooms, entertainment or recreational facilities.

Household: A family living together in a single dwelling unit with common access to and use of all living and eating areas within the dwelling unit.

Incentive Zoning: The granting by the approving authority of additional development capacity in exchange for a public benefit or amenity. ~~A quid pro quo -- more development for a benefit, the need for which may not necessarily be created by the development itself.~~

Infrastructure: Facilities and services needed to sustain development and land use activities including, but not limited to utility lines, streets, fire stations, parks schools and other public facilities.

Junk: Any scrap, waste, worn out, discarded material or debris collected or stored for destruction, disposal or some other use.

Junk Vehicle: A vehicle which is partially dismantled or wrecked, or cannot operate under its own power.

Commented [PL54]: Added.

Junkyard: Any lot or parcel, building or structure, used in whole or in part for the storage, collection, processing or disposal of junk.

~~**Kenel:** A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold, all for a fee or compensation.~~

Commented [JS55]: moved

Kitchen: A room within a building containing facilities for the storage, cooking, and preparation of food, specifically a sink, refrigerator, stove and an oven.

Commented [PL56]: Added.

Land Area: The total area of a parcel.

Land Split: The division of improved or unimproved land into two but not ~~or~~ ~~three~~ more than three tracts or parcels of land for the purpose of sales, rent or lease.

Commented [PL57]: Added.

Land Use: The General Plan category for which a building, structure, or area of land may be arranged or occupied, or the activity conducted or proposed in a building, structure, or on an area of land, including the principal use and accessory uses.

Commented [PL58]: Added.

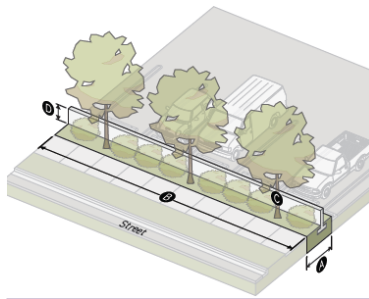
Landscaping: An expanse of scenery including lawns, trees, plants and other organic or inorganic materials used to soften or mitigate the impacts of development.

Landscape Border: An area along a Site's boundary containing landscape materials and/or open space, the purpose of which is to enhance the visual appearance of the Site from the streetscape or adjacent property.

Commented [PL59]: Added.

Landscape Buffer / Screen: An area along a Site's boundary which may contain landscaping, berming, screens and/or walls for the purpose of reducing the visual impact of the Site from the streetscape or adjacent property. This area may also be located within the landscape border.

Commented [PL60]: Added.



Legal Nonconforming: A Use, Structure, or Lot that was legally in compliance before the Ordinance's adoption, but which would be prohibited, regulated, or restricted differently under this Ordinance or future amendments to the Ordinance or Zoning Map.

Commented [PL61]: Added.

Lighting, Fully shielded: Any outdoor light fixture shielded in such a manner that all light emitted by the fixture is projected below the horizontal as determined by a photometric test or certified by the manufacturer.

Lighting, Partially Shielded: Any light fixture shielded in such a manner that more than zero but less than 10 percent of the light emitted from the fixture is projected above the horizontal as determined by a photometric test or certified by the manufacturer.

Livestock: Meat animal, cattle, sheep, swine, horses, ponies, or goats or any mutations or hybrids thereof.

Loading Area: A space used to transfer good and material between vehicles and a building.

Commented [PL62]: Added.

Lot: A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, adequate for occupancy by a use herein permitted, meeting the minimum bulk requirements of the Zoning Code and having legal access.

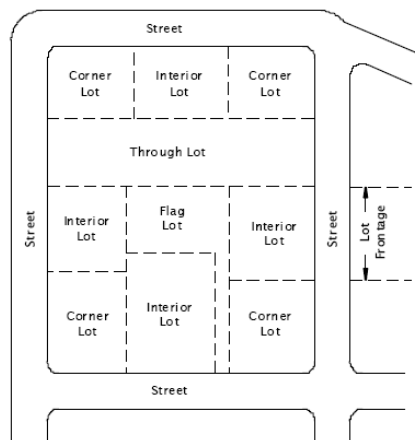
Lot Area: The total area within the lot lines of a platted lot.

Commented [PL63]: Added.

Lot Combination: The removal of lot lines between contiguous parcels.

Commented [JS64]: Lot combo?

Commented [RM65R64]: Should we move this back to the lot section so people don't miss it - list it as lot combination rather than combination, lot?



Lot, Corner: A lot abutting upon two, or more, streets at their point of intersection.

Lot Coverage: The percentage of a lot or parcel that is covered by buildings or structures, typically measured by the total horizontal area of all principal and accessory structures.

projected to the ground, divided by the gross lot area. Typically used to regulate site intensity and may exclude specified features such as eaves, unenclosed decks or other minor projections where provided by ordinance.

Lot Depth: The average distance measured from the front to the rear lot line.

Lot, Corner: A lot abutting upon two, or more, streets at their point of intersection.

Lot Coverage: The total area covered by buildings, storage areas, and vehicular use areas.

Lot, Flag: A large lot not meeting minimum lot frontage requirements and where access to a public or private street is provided by means of a long, narrow driveway between abutting lots.

Lot Frontage: The length of the front lot line measured at the street right-of-way. On corner lots each side abutting a street is considered a frontage.

Lot, Irregular: A lot with nonstandard shape and dimensions.

Lot, Reverse Corner: A corner lot having its side street line a continuation of the front lot line of the first lot to its rear.

Lot, Through: An interior lot having frontage on two streets.

Lot Area: The total square footage within the lot, excluding any public street rights-of-way.

Lot Coverage: That portion of a lot improved with covered structures.

Lot Depth: The average distance measured from the front to the rear lot line.

Lot Frontage: The length of the front lot line measured at the street right-of-way. On corner lots each side abutting a street is considered a frontage.

Lot Line: A line of record bounding a lot which divided on lot from another or from a public or private street right-of-way.

Lot Line, Front: The property line dividing a lot from a public or private street and from which the required front setback is measured. The front lot line of an interior lot shall be the line adjacent to the street frontage. The front line of a corner lot shall be the shorter of

Commented [RM66]: We only count area under roof - not vehicular use.

Commented [PL67]: Added.

Commented [PL68]: Added.

Commented [JS69]: ??

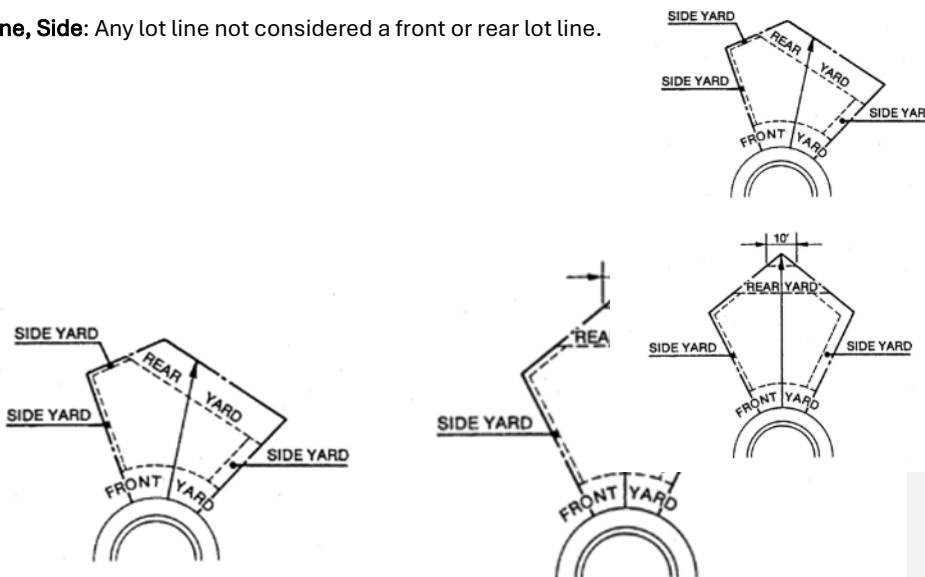
Commented [RM70R69]: Right? IDK what this is supposed to be.

Commented [RM71]: This conflicts with the one above.

the two lines adjacent to the streets. Where lines are equal, the front lines shall be that line which is obviously the front by reason of the prevailing frontage of the other lots on the block. If such front is not evident, then either may be considered the front of the lot but not both.

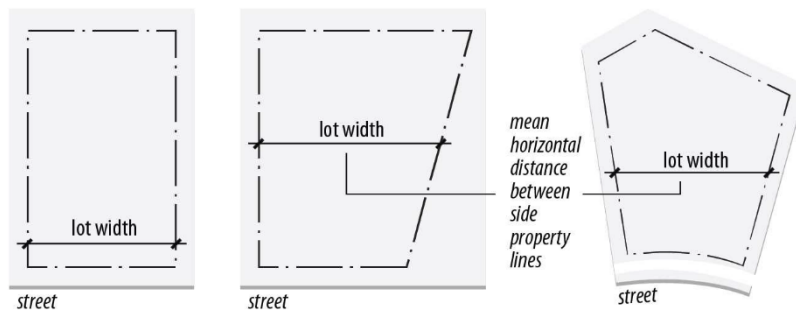
Lot Line, Rear: The lot line(s) opposite and most distant from the front lot line. In the case of a corner lot, the Community Development Director shall determine the rear lot line. In the case of an irregular or triangular shaped lot, a lot line ten (10') feet in length within the lot parallel to and at maximum distance from the front lot line. On triangular lots a line a minimum of ten feet in length located entirely within the lot, parallel with and at a maximum distance from the front lot line.

Lot Line, Side: Any lot line not considered a front or rear lot line.



Lot, Through: An interior lot having frontage on two streets.

Lot Width: The average horizontal distance between the side lot lines measured parallel with the front lot line.



Mailed Notice: Either surface mail or e-mail, unless one is explicitly directed.

Commented [PL72]: Added.

Manufactured / Mobile Home: a residential structure built prior to June 15, 1976, on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a single-family dwelling unit when connected to on-site utilities, excluding recreational vehicles and factory-built buildings and A residential structure built in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974, as amended, excluding mobile homesrecreational vehicles and factory-built buildings and certified by a regulatory agency of the State of Arizona.

Manufacturing: The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including, but not limited to, oils, plastics, resins, etc.

Modular Home: a prefabricated house built in sections or modules in a factory, then transported to the building site and assembled on a permanent foundation, adhering to local, state, and regional building codes.

Manufacture, manufacturing (marijuana): To compound, blend, extract, infuse or otherwise make or prepare a marijuana product. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Manufacturing: ~~The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials including, but not limited to, oils, plastics, resins, etc.~~
(Created Ordinance #331 – Effective 04/08/11)

Marijuana:

1. All parts of the plant of the genus Cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.
2. Includes cannabis as defined in A.R.S. § [13-3401](#).
3. Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus Cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products. (~~Created by Ordinance #409 on 11/10/20; Effective 12/10/20~~)

Marijuana concentrate:

1. Resin extracted from any part of a plant of the genus Cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that resin or tetrahydrocannabinol.
2. Does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other products.
(~~Created by Ordinance #409 on 11/10/20; Effective 12/10/20~~)

Marijuana establishment: An entity licensed by the [Arizona Department of Health Services](#) to operate all of the following:

1. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.

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

3. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

~~(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Marijuana products: Marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures. ~~(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Marijuana testing facility: ~~An The Department or another~~ entity that is licensed by the ~~Arizona Department of Health Services Department~~ to analyze the potency of marijuana and test marijuana for harmful contaminants. ~~(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Medical Marijuana: All parts of marijuana as defined by A.R.S. § [36-2801\(8\)](#), used pursuant to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency. ~~(Created Ordinance #331—Effective 04/08/11)~~

Medical Marijuana Caregiver Facility: A facility assisting with the use of medical marijuana and operated by an individual or entity registered by the State of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures. ~~(Created Ordinance #331—Effective 04/08/11)~~

Medical Marijuana Cultivation: The growing of medical marijuana plants, as authorized by the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures. ~~(Created Ordinance #331—Effective 04/08/11)~~

Medical Marijuana Processing Facility: A facility that: (i) engages in the growing of medical marijuana and/or incorporates medical marijuana into consumable or edible goods by the means of cooking, or blending; (ii) is operated by an individual or entity registered by the State of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures; and, (iii) is associated with a Medical Marijuana Dispensary. ~~(Created Ordinance #331 – Effective 04/08/11)~~

Medical Marijuana Dispensary: A non-profit entity as defined in A.R.S. § [36-2801\(11\)](#), and operated by an individual or entity registered by the State of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures.-
~~(Created Ordinance #331 – Effective 04/08/11)~~

Medical Marijuana Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. § [36-2801.13](#) and is registered with the State of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency. ~~(Created Ordinance #331 – Effective 04/08/11)~~

~~**Mini-Warehouse, Mini-Storage:**~~ A facility providing small, enclosed bays of varying sizes for the storage of a customer's goods or wares without the provision of utilities (other than lighting) or the use or operation of the items stored. All units shall be completely separated from other units and shall have separate and independent outside entrances. ~~These storage units may be within a building with a common hallway or accessed individually from the outside.~~

~~**Mixed Use (MU):** A development that included both residential and nonresidential uses as principal uses on the same development site.~~

Commented [PL73]: Added.



Mobile Home: A structure built prior to June 15, 1976, on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a single family dwelling unit when connected to on-site utilities, excluding recreational vehicles, manufactured homes and factory-built buildings. **Motel:** An establishment providing sleeping accommodations with a majority of the rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

Commented [JS74]: Revised with manufactured housing definitions.

Multifamily: A building or group of buildings consisting of at least two residential dwelling units attached or detached on one lot. Housing types may include but are not limited to: townhouse, multiplex or apartment.

Commented [PL75]: Added.

Mural: Any picture, scene or diagram painted on any exterior wall or fence not interpreted by the Zoning Administrator/Community Development Director to be advertising. Murals determined to be advertising shall be considered a sign and shall be included in the calculations of allowable sign area.

Commented [JS76]: Or keep as is?

Natural Open Space: Any area of land, essentially unimproved and not occupied by structures or man-made impervious surfaces

Neighborhood: An area of a community with characteristics which distinguish it from others including distinct ethnic or economic bases, housing types, schools or boundaries defined by distinct physical barriers such as railroads, arterial streets, rivers or major drainage channels.

Nonconforming, Legal: A use, lot, development standard, sign, structure or of similar which was lawful prior to the adoption, revision or amendment of the zoning code which no longer conforms to the zoning code because of said revision or amendment.

Nonconforming, Illegal: A use, lot, development standard, sign, structure or of similar which was not legally permitted and which does not conform to the zoning code and is in violation of the code.

Nonconforming Lot, legal: A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning ordinance which no longer conforms to the zoning standards because of said revision or amendment.

Nonconforming Lot, illegal: A lot, the area, dimensions, or location of which was not legally subdivided and does not conform to the development standards of the zoning district in which it is located.

Nonconforming Sign: A sign lawfully existing at the time of adoption, revision or amendment of the zoning ordinance which no longer conforms to the zoning standards because of said revision or amendment.

Nonconforming Structure/Building: A structure or building, the size, dimensions or locations of which was lawfully existing at the time of adoption, revision or amendment of the zoning ordinance which no longer conforms to the zoning standards because of said revision or amendment.

Nonconforming Use, legal: A use which was lawfully existing at the time of adoptions, revision or amendment of the Zoning ordinance which no longer conforms to the zoning standards because of said revision or amendment.

Nonconforming Use, illegal: A use that was not legally conducted in a structure or on a lot or parcel on the effective date of the Zoning Code, or the effective date of amendments to the Zoning Codes and does not conform with the current regulations for the district in which it is located.

Nonprofit medical marijuana dispensary: A nonprofit entity as defined in A.R.S. § [36-2801\(12\)](#). (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Commented [PL77]: Added.

Commented [JS78]: Keep these or just use the two above?

Commented [PL79]: Added.

Commented [JS80]: Moved up

Office Park: A development which contains a number of separate office buildings, accessory and supporting uses, and open space all designed, planned, constructed and maintained on a coordinated basis.

Off-Site: Located outside the lot or parcel lines of the principal use.

Off-Site Improvement: Improvements required to be made off-site as a result of an application for development including, but not limited to, streets, water, drainage or sewer line improvements.

Off-Site Parking: Parking provided on a site other than the one on which the principal use is located.

Open Space: An area or portion of land, either landscaped or essentially unimproved and which is used to meet human recreational or spatial needs, or to protect water, air or plant areas.

Open Space, Common: Open space areas within a development which are designed or intended for the use and enjoyment of the residents and their guests.

~~**Natural Open Space, Natural:** Any area of land, essentially unimproved and not occupied by structures or man-made impervious surfaces~~

Open Space, Private: Open space, the use of which is normally limited to the occupants of a single dwelling unit or building; yard areas for detached single family dwelling units or private patios or courtyards for attached housing units.

Open Space, Public: Open space owned and maintained by a public agency for the use and benefit of the ~~general public~~**public**, i.e., a public park, public sidewalk, public walkway or public pedestrian thoroughfare. ~~(Created by Ordinance #409 on 11/10/20; Effective 12/10/20)~~

Open Space, Recreational: Open space with active amenities for engagement such as but not limited ~~to~~**to** basketball courts, playgrounds, soccer fields, baseball fields, skate parks and tennis courts.

Commented [PL81]: Added.

Open Space, Useable: Open space that is accessible and functional for active or passive recreational use by occupants of a development. Usable open space is typically free of buildings, parking areas, driveways and other vehicular use areas, and is of sufficient size, shape, location and physical condition to serve its intended purpose. It may include landscaped areas, plazas, courtyards, recreation areas and similar outdoor spaces designed for human use and enjoyment.

On-Site Parking: Parking that occurs within the boundaries of a sSite, as required by this Code.

Commented [PL82]: Added.

On-Site Retention: The retention of storm water volume that falls on the site for a given design frequency storm, said site being exclusive of public streets, alleys or other land dedicated for public use.

Commented [PL83]: Added.

On-Street Parking Space: Parking provided within the street right-of-way for public use that does not impede the flow of traffic.

Commented [PL84]: Added.

Outdoor Sales: The display and sales of products or services primarily outside a building structure and is limited to those items generally stored, used or inspected outdoors.

Outdoor Storage: The keeping in an unenclosed area of goods, materials or merchandise for a period of longer than 24 hours in an unenclosed area.

Overlay Zone: A zoning district encompassing one or more underlying zone districts which imposes additional standards on the underlying zone districts.

Owner: The legal owner of the residential or commercial property. (Created by Ordinance #427 on 8/12/24; Effective 9/14/2024) as indicated by the Yavapai County Assessor.

Parcel: See Lot.

Park and Ride Facilities: Vehicle parking facilities with a connection to a public transportation system. (Created by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

Park Model Trailer: A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, and manufactured

to comply with ANSI A119.5 standards, except that it does not include travel trailers, campers, or fifth wheel trailers as defined herein.

Parking Lot: An off-street, ground level area improved for the temporary storage of motor vehicles.

Parking Space: A space for the parking of a motor vehicle within a public or private parking area.

Commented [PL85]: Added.

Parking, Shared: Joint use of a parking area by more than one primary use.

Party (Shared) Driveway: A single access way providing access to more than one property.

Permitted Use: A use allowed by right in a zoning district without a public hearing and subject to the restrictions applicable to that zone district.

Person: An individual, partnership, corporation, association, or any other entity of whatever kind or nature. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Place of Worship: A building primarily used by a non-profit organization for organized religious services and supporting uses, similar to a church.

Commented [PL86]: Added.

Plat: A map, chart or plan of a tract or parcel of land which is to be or which has been, subdivided.

Primary or Main Entrance: An ingress/egress of a building designed to accommodate the predominant amount of foot traffic for the building.

Commented [PL87]: Added.

Principal Use: The primary or predominant use of any lot or parcel of land.

Process, processing: To harvest, dry, cure, trim or separate parts of the marijuana plant. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Commented [JS88]: Make not just MMJ?

Commented [RM89R88]: Move and yep.

Prohibited Use: A use which is not permitted in a zone district.

Property: A lot or parcel of land together with all structures located thereon.

Public Facility: A building or area owned or used by a department or branch of the Town.

Commented [PL90]: Added.

Public Hearing: A meeting announced and advertised in conformance with the requirements set forth in A.R.S. 9-462.04 advance and open the general public wherein the public has an opportunity to comment and participate.

Public Place: Has the same meaning prescribed in the Smoke-Free Arizona Act, A.R.S. § 36-601.0136-601.01 and further regulated in Chapter 1010, Offenses, Article 12-212-2, Smoking, of the Town Code. (Created by Ordinance #409 on 11/10/20; Effective 12/10/20)

Commented [JS91]: Keep for all?

Commented [RM92R91]: I'm thinking no.

Rational Nexus: The clear, direct and substantial relationship between a particular development and the public improvement needs generated by the development.

Recreational Vehicle or RV: A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use; which either has its own motive power or is mounted on or drawn by another vehicle, including the following types of vehicles:

1. A portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping;
2. A motor home designed to provide temporary living quarters for recreational, camping, or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle;
3. A park model trailer or tiny house built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, except that it does not include fifth wheel trailers;
4. A travel trailer or tiny house mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle, and has a trailer area of less than three hundred twenty (320) square feet. This includes fifth wheel trailers. If a unit requires a size or weight permit, it must be manufactured to the standards for park trailers in the American National Standards Institute Code; or

Commented [JS93]: Keep here?

Commented [JS94]: Keep as rv or name a tiny house definition?

Commented [RM95R94]: TH & THOW definition is below.

5. A portable truck camper constructed to provide temporary living quarters for recreational, travel, or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck.

Recreational Vehicle Park or RV Park: Any lot, parcel, or tract of land used, designed, maintained, and intended for the parking of recreational vehicles and temporary occupancy or use of such as living quarters, except that it does not include a mobile or manufactured home park as defined herein.

Recycling Facility: A building or an area where the primary activity is the separation of recyclable materials prior to shipment for processing. This shall not include junkyards or wrecking yards.

Recycling Drop-Off Site: A site providing containers for the collection of recyclable materials, typically, an accessory use.

Rental Unit: Any housing unit, which is occupied pursuant to a lawful rental agreement, oral or written, express or implied, which was not owned as a condominium unit or cooperative unit on the effective date of the Code.

Residential Density: The number of dwelling units per gross acre of land.

Residential Property: Any property designated for residential use within the jurisdiction. (Created by Ordinance #427 on 8/12/24; Effective 9/14/2024)

Responsible Party: Any person, firm, entity or corporation who owns and/or is in possession of any property or Site

Restaurant: An establishment where food or beverages are prepared and served and where consumption takes place primarily within the principal structure.

Restaurant, Fast Food: An establishment where food and beverages are sold in a form ready for consumption, and where consumption or a significant portion of consumption takes place off the premises, or where ordering and pickup of food typically takes place from within an automobile.

Retail Sales: The selling of goods or merchandise to the general public for personal or household use and rendering services incidental to the sale of such goods.

Commented [PL96]: Added.

Commented [JS97]: Do you want gross or net? I don't see the determination in the GP.

Commented [RM98R97]: GROSS.

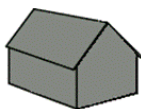
Retention Basin: A pond or pool used for the permanent storage of water runoff.

Right-of-Way: An area of land dedicated or conveyed to the Town of Clarkdale in fee simple and used primarily for roadway, circulation or utility purposes.

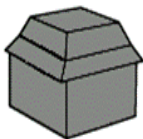
Roof: The outside covering of a building or structure.

ROOF TYPES:

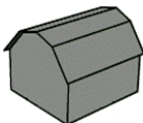
Gable Roof



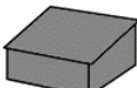
Mansard Roof



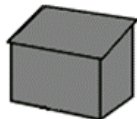
Gambrel Roof



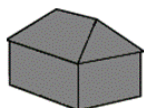
Shed Roof



Flat Roof



Simple Hip Roof



Row House: A series of dwelling units, attached in a row, separated from each other by an unpierced wall extending from basement to roof.

Salvage Yard: A lot or parcel of land used for the collection, keeping or abandonment of discarded or waste materials.

Scale of Development: The relationship of a particular project in terms of size, height, bulk, intensity of use and aesthetics to its surroundings.

Scenic Easement: An easement which limits development in order to preserve a view or scenic area.

School: Any building or part thereof used or constructed for education or instruction in any branch of knowledge including, private, public or vocational schools; School does not include daycare or nurseries.

School; Public, Charter or Private: Facilities for educational and/or classroom purposes operated by public, private, or charter educational institutions offering a general course of study at primary, middle, or high school levels, including seminaries, study centers, athletic facilities, vocational and trade programs, and boarding that are incidental to the operation of such schools.

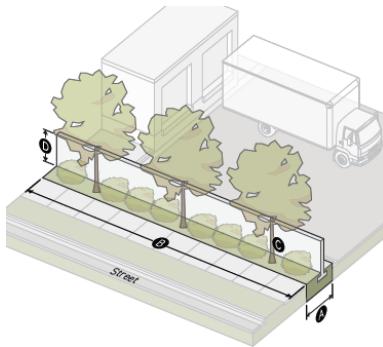
School; Trade or Business: An institution offering instruction beyond high school level with a course of study in vocational, technical or other special subjects.

Scrapping: The removal of any vegetation from the existing grade of the land for purposes of land development.

Commented [RM99]: 1 P too many!

Commented [PL100]: Added.

Screening: A method of visually shielding or obscuring an abutting or nearby use or structure from another by fencing, walls, berms or densely planted vegetation.



Seating Place: In churches or other assembly areas where benches or pews are used in place of seats, each 24 inches of bench or pew shall be counted as one seat.

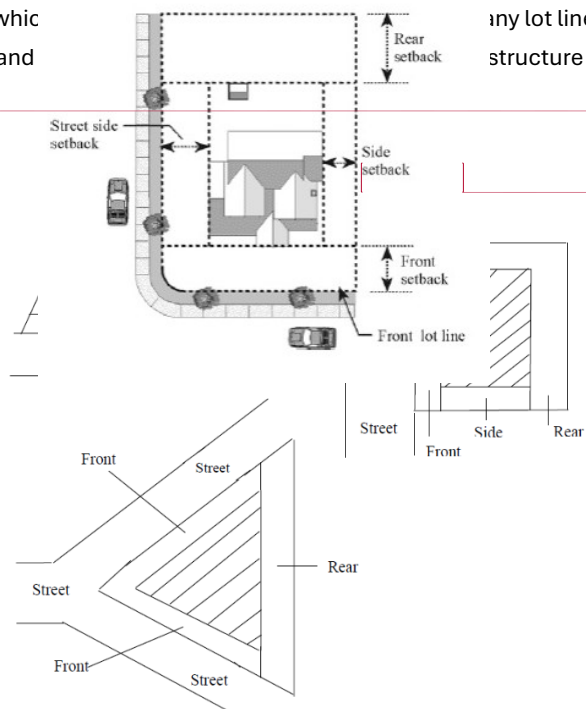
Self-Storage: (See Mini-Warehouse)

Self-Storage, Outdoor: A commercial storage facility in which items, primarily, boats, RVs and trailers or similar, may be stored under canopies or out in the open for a fee

Sensitive Land Area: Any land area containing (as an example) one, or more, of the following: 1) steep slopes; 2) flood plain; 3) soils having high water tables; 4) highly erodible soils; 5) lands incapable of meeting minimum percolation standards; 6) former landfill or industrial waste areas; 7) stream corridors; 8) aquifer recharge or discharge areas; 9) wetlands; 10) scenic view corridors and 11) architectural areas of significant consequence.

Service Station: A commercial establishment conducted primarily for the purpose of retailing lubrication oils, gasoline or other motor vehicle fuels for internal combustion engines from storage tanks located below the ground.

Setback: The line which principal building and or erected.



any lot line to a permitted structure may be placed

Commented [JS101]: Who determines?

Commented [JS102]: Moved under automotive

Commented [RM103]: Visuals are jumping around...

Commented [JS104]: Which one or do you want something else as an exhibit?

Setback, Front: The minimum distance from the front lot line to the nearest point of the allowable principal building measure perpendicular to the front lot line.

Setback, Rear: The minimum distance from the rear lot line(s) to the nearest point of the allowable principal building measured perpendicular to the rear lot line(s).

Setback, Side: The minimum distance from the side lot lines to the nearest point of the allowable principal building measured perpendicular to the side lot lines.

Sight Visibility Triangle: An area of land at the intersection of streets, or a street and a driveway, within which nothing may be erected, planted, places or allowed to grow in a manner which will obstruct vision of motorists entering or leaving the intersection.

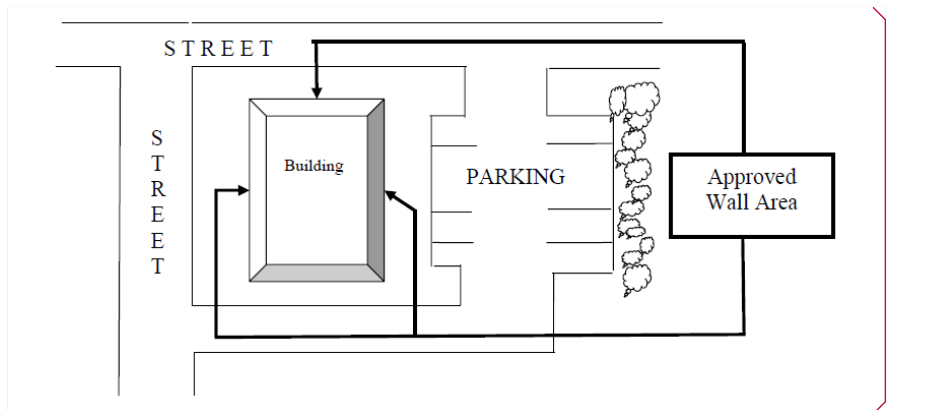
Sign: Any object, device, display or structure, or part thereof, which is situated outdoors or visible outdoors, and is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

Sign, A-frame: Any portable upright, rigid, self-supporting frame sign in the form of a triangle of the letter A.

Sign, Animated: Any sign or part of a sign which changes physical position or light intensity by any movement or rotation or that gives the appearance of such movement or rotation.

Sign, Approved Wall Area: Any exterior wall facing a publicly dedicated street, or containing a primary public entrance/exit to the building, or facing the parking lot of the building.

Commented [RM105]: Do we want to say “or visible from outdoors” i.e., the giant WALGREENS they put inside the building with the giant window so it can be seen from miles away....

Approved-wall-area-example

Commented [JS106]: ???

Commented [RM107R106]: Another prize winning definition.....

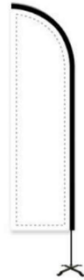
Sign, Canopy: Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service are.

Sign, Construction: A temporary sign placed by a licensed contractor to advertise the work done on that property.

Sign, On-Site Information Directional: Signs limited to directional messages, principally to direct and aid the flow of pedestrian or vehicular traffic, such as “one-way”, “entrance”, and “exit”, building address, and etc.; as well as providing directional information relating to points of interest, institutions, facilities, and districts. Signs limited to providing directions necessary or convenient for visitors or clients coming onto a premises including signs marking entrances and exits, parking areas, loading zones or circulation direction.

Sign, Face: The area used for the message.

Sign, Feather: A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand.



Sign, Flashing: Any directly, or indirectly, illuminated sign which exhibits changing natural or artificial light or color effects by any means.

Sign Freestanding: Any non-movable sign not attached to a building.

Sign, Garage Sale: A temporary sign advertising a short-term private sale of personal property characterized as being a “Yard Sale”, “Garage Sale”, “Rummage Sale”, or similar event.

Sign, Ground Mounted: Any freestanding sign, other than a pole sign, placed upon or supported by the ground, independent of any other structure, except footings.

Sign, Home Occupation: A sign listing only the name or occupation of a permitted home occupation.

Sign, illuminated: A sign lighted by or exposed to artificial lighting either by lights on or inside the sign or directed towards the sign.

Sign, Ideological: Any sign announcing or supporting the personal views of the property owner or tenant of the lot on which the sign is located.

Sign, Illegal: A sign which is in violation of the requirements of this Ordinance, except for those signs qualifying as non-conforming.

Sign, Off-Site: Any sign which directs attention to any business, commodity, service, or entertainment/event conducted, sold, or offered at a location other than the premises on which the sign is located.

Sign, Pole: A sign that is mounted on a free-standing pole or other support so that the bottom bottom edge of the sign face is six feet or more above grade.

Sign, Political: A temporary sign announcing or supporting candidates or issues in connection with any national, state or local election.

Sign, Projecting: A sign attached to a building or structure and which extends more than 18 inches from said building or structure.

Sign, Real Estate: A sign pertaining to the sale or lease of the premises on which the sign is located.

Sign, Roof: A sign which is mounted on the roof of a ~~building~~building, or which extends above the top edge of the wall of a flat roofed building, above the eave line of a building with a hip, gambrel or gable roof or the deck line of a building with a mansard roof.

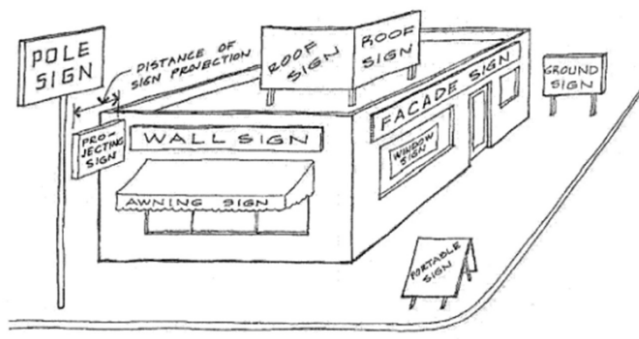
Sign, Temporary: Any sign constructed of cloth, canvas, fabric, plywood or other light materials and intended for display for a short period of time and is not permanently mounted.

Sign, Vehicle: Signs attached to a vehicle primarily for the purposes of advertising, with such vehicle placed adjacent to a roadway and not used for the typical conduct of the business so advertised. Magnetic signs, and signs painted or wrapped on a vehicle which are used for the daily conduct of business, are not considered as vehicle signs under this provision.

Sign, Walker: A living individual who carries, holds, or displays a temporary sign intended to identify a business.

Sign, Wall: Any sign attached to or painted on a wall of a building or structure so that the wall forms the supporting structure or becomes the background of the sign and which does not project more than 18 inches from the wall.

Sign, Window: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the ~~window panes~~~~windowpanes~~, or glass and is visible from the exterior of the window.



Site Plan (Plot Plan): A development plan for one or more lots showing existing and proposed conditions of the lot including, but not limited to: topography, vegetation, drainage, landscaping and open space, access and circulation, parking, utility services, buildings and signs, lighting and other information pertinent to the review of the proposal.

Smoke: To inhale, exhale, burn, carry or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic. (~~Created by Ordinance #409 on 11/10/20; Effective 12/10/20~~)

Commented [JS108]: Add any others?

Commented [RM109R108]: These are funny now - remember the uproar over mmj?

Steep Slope: Land areas where the slope exceeds 20 percent.

Storefront Location: A permanent building on an established foundation adhering to Town Building Codes and shall not include any temporary, portable or self-powered mobile facilities, or trailer, cargo container or motor vehicle. (~~Created by Ordinance #409 on 11/10/20; Effective 12/10/20~~)

Story: That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it then the space between such floor and the ceiling next above it.

Story, Half: A space under a sloping roof which has the line of intersection of roof decking and wall face not more than 3 feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. A half story containing living quarters shall be counted as a full story.

Street, Arterial: A street with signalized or controlled intersections which channels traffic to and from collector streets and whose primary function is to provide for crosstown or regional traffic movements.

Street, Collector: A street with controlled intersections whose main function is to carry traffic between arterial and local streets, but, which may also provide primary access to abutting properties.

Street, Local: A street with, or without, controlled intersections whose main function is to provide primary access to abutting properties.

Street, Private: An easement providing the principal means of access to a lot or parcel, owned and maintained by an individual or group of individuals, exempt from management, maintenance and liability on the part of the Town.

Street, Public: An existing state, county or municipal roadway; or a street or way shown on a plat heretofore approved pursuant to law or approved by official action; or a street on a plat filed and recorded in the County Recorder's Office which affords the principal means of access to a lot or parcel.

Streetscape: The appearance or view of an entire street or street network in general, including sidewalks, utilities, landscaping, street furniture, and the structures that make up the street wall.

Commented [PL110]: Added.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground including, but not limited to; buildings, shade structures, fences, signs, kiosks or similar uses.

Structural Alterations: Any change in the supporting member of a building such as bare walls, columns, beams, floor joists, roof joists, girders, rafters or changes in roof or exterior building lines.

Subdivision: Improved or unimproved land or lands divided for the purpose of sale or lease, whether immediate or future, into four ~~six~~ or more lots, parcels, or fractional interest:

Commented [RM111]: 6 is county

Subdivision does not include the following:

- The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- The partitioning of land in accordance with other statutes regulation the portioning of land held in common ownership.
- The leasing of apartments, offices, stores, or similar space within a building or trailer park, nor to mineral, oil, or gas leases.
- The division or proposed division of land located in this state into lots or parcels each of which is or will be thirty-six acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel.

Subdivision Abandonment: The process by which subdivided lands may be returned to large blocks or areas of non-divided lands.

Commented [PL112]: Added.

Temporary Structure: A building or other structure intended to be placed on a property for a pre-defined, limited duration.

Temporary Use: A land use intended for a pre-defined, limited duration.

Temporary Use Permit: A permit to allow for a temporary use or structure on a property.

Tiny House: A dwelling unit that is four hundred (400) square feet (thirty-seven (37) m²) or less in floor area excluding any loft area, that has been constructed on site or on skids, and not on wheels.

Tiny House on Wheels: A dwelling unit that is four hundred (400) square feet (thirty-seven (37) m²) or less in floor area excluding any loft area, tiny house that has been built on a chassis, trailer, or wheels and not licensed as a trailer, travel trailer, camper/tent trailer, recreational vehicle RV, or similar.

Tiny House Recreational Vehicle: A dwelling unit that is four hundred (400) square feet (thirty-seven (37) m²) or less in floor area excluding any loft area, tiny house that has been

built on a chassis, trailer, or wheels and is licensed as a trailer, travel trailer, camper/tent trailer, ~~recreational vehicle~~RV, or similar.

Transfer of Development Rights (TDR): The removal of the right to develop or build, expressed in units per acre or floor area ratio, from one lot or parcel to another, or from a portion of a lot to another part of the same lot.

Transitional Use: A permitted land use or structure of an intermediate level of intensity or scale placed between a higher and lower intensity use.

Use: The purpose for which land or a structure is arranged or intended, or for which either land or a building is occupied or maintained.

Use, Accessory: a use customarily incidental and subordinate to the principal use of a lot or building located upon the same lot or building site, which accessory use does not alter the principal use of such lot or building.

Use, Principal: The main or primary purpose for which land or a structure is designed, arranged or intended or for which it is occupied or maintained.

Utility, Private: A utility system, facility or service that is owned, operated and maintained by a private individual, business, cooperative or nonpublic entity, rather than by a governmental agency or public utility provider. Private utilities may include water systems, wastewater systems, electrical distribution, gas service, telecommunications or similar infrastructure intended primarily to serve a specific development, property or limited service area.

~~**Use, Accessory:** a use customarily incidental and subordinate to the principal use of a lot or building located upon the same lot or building site, which accessory use does not alter the principal use of such lot or building.~~

~~**Utility, Private or Public:** A system, facility or service used to provide electricity, natural gas, water, wastewater disposal, stormwater management, telecommunications or similar services to the public, and which is owned, operated or regulated by a governmental agency or a franchised or certificated public utility provider. Public utilities include associated infrastructure such as transmission lines, substations, pipelines, treatment~~

Commented [PL113]: Added.

plants, lift stations and similar service facilities necessary to deliver utility services communitywide. Services and facilities provided by public agencies such as electrical and gas service, water, sewage disposal, drainage systems, and solid waste disposal.

Variance: Permission to deviate from the ~~literal~~ standards of the Zoning Ordinance.

Variance, Bulk: Departure from any zoning standard except use.

Variance, Use: A variance granted to allow a use not permitted by the Zoning Ordinance. Use variances are prohibited by State Statute.

Wall: The vertical exterior surface of a building or structure.

Wall, Retaining: A wall which supports or retains earth higher on one side than the other side. A retaining portion of a wall does not count towards maximum wall height.

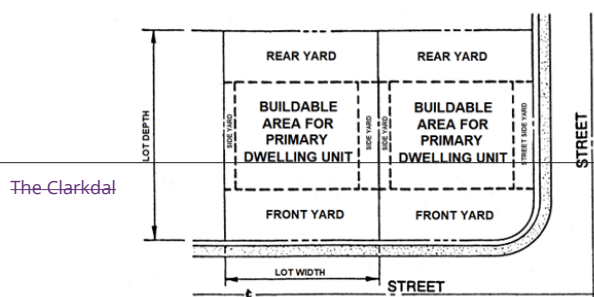
Commented [PL114]: Added.

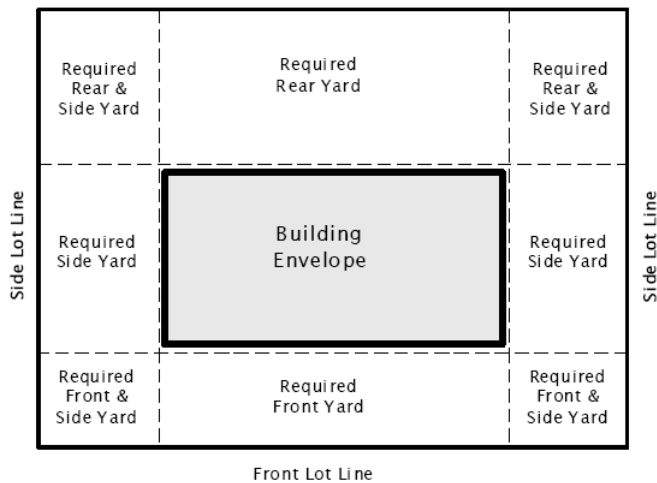
Warehouse: An establishment offering indoor or open-air storage, distribution, handling of materials and equipment, such as stone yards, grain elevators, or open storage yards.

Wireless Communication Tower: Any structure built or attached to a building for the sole or primary purpose of supporting antennas used to provide services licensed by the Federal Communications Commission or for other transmission of information through the air. "Wireless Communication Tower" also includes the supporting facilities, buildings, or enclosures associated with the structure, including power supplies, electronic equipment housed in cabinets and antennas. (Created 7/9/13 by Ordinance #352; Effective 8/10/13)

Wholesale: Establishments engaged primarily in selling merchandise to retailers or other industrial, commercial, institutional or professional businesses.

Yard: An open area that lies between the principal building (s) and the lot lines. The minimum required yard area as set forth in the Zoning Ordinance shall remain unoccupied and unobstructed from the ground up except as may be specifically provided for in this Code.





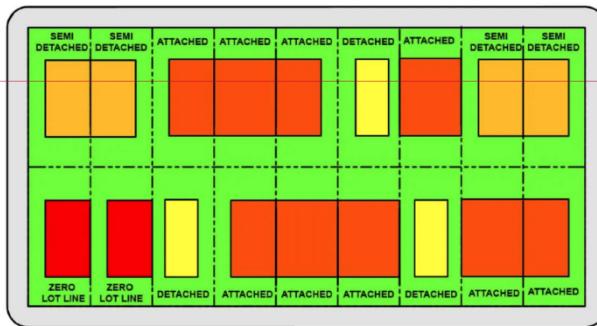
Yard, Front: The required front yard includes the area constituting the front setback — the minimum distance between the front lot line and the nearest point of an allowable principal building, as established by the zoning district in which the parcel is located. An open area extending the full width of the lot or parcel between the front lot line and any building, measured perpendicular to the lot line and the closest point of the building.

Yard, Rear: An open area extending the full width of the lot or parcel between the rear lot line and any building, measured perpendicular to the lot line and the closest point of the building.

Yard, Side: An open area extending from the front yard to the rear yard between the principal building and the nearest side lot line measured ~~perpendicular~~perpendicularly from the side lot line to the nearest point of the principal building.

Zero Lot Line: The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a side lot line.

DETACHED, SEMI-DETACHED, ATTACHED & ZERO LOT LINE BUILDINGS



Commented [RM115]: Love this.

Zone: A specifically delineated area or district within which uniform development standards govern the use, placement, spacing and size of land and buildings. ~~(Revised by Ordinance #427 on 8/13/24; effective 9/14/24; Revised by Ordinance #411 on 6/8/21; effective 7/9/21; Added by Ordinance #410 on 2/9/21; effective 3/11/21; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; Added by Resolution #1605 on 7/9/19; effective 8/8/19; Added by Ordinance #397 on 7/9/19; effective 8/8/19; prior code § 2-1)~~

The Clarkdale Zoning Code is current through Ordinance #430, passed August 13, 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.

The Clarkdale Zoning Code is current through Ordinance #430, passed August 13, 2024.



Staff Report

Item Number: 5.B.

<u>Agenda Item:</u>	Chapter 3 - Zoning Districts Discuss, consider and act upon the Zoning Code update to Chapter 3 Zoning Districts.
<u>Staff Contact:</u>	Scott Ellis, Community Development Director
<u>Meeting Date:</u>	March 5, 2026
<u>Strategic Goal:</u>	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.
<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 finalize and recommend approval to Town Council for the chapter listed above.
	Stipulations: None.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommend that the CAC approve the Zoning Code updates to Chapter 3 - Zoning Districts and forward it to the Town Council with a recommendation of the same. Recommended motion: "I motion to recommend approval to Town Council of the updates to Chapter 3 - Zoning Districts, with the stipulations as stated in the staff report." Recommended motion with additional stipulations: "I motion to recommend approval to Town Council of the updates to Chapter 3 - Zoning Districts, with the stipulations as stated in the staff report and the following edits..... "

CHAPTER 3 ZONING DISTRICTS

Sections:

~~3-010~~ — ~~3-010~~ Single-Family Residential (R1)

3-0~~20~~20 Single-Family Residential Alternate (R1A)

3-0~~3~~3 Single-Family Residential Limited (R1L)

3-0~~4~~4 Single-Family and Limited Multiple Family Residential (R2)

3-0~~5~~5 Multiple Family Residential (R3)

3-0~~6~~6 Manufactured Home Residential (R4)

3-0~~7~~7 Manufactured Home Residential Alternate (R4A)

3-0~~8~~8 Suburban Residential (RS3)

3-0~~9~~9 Central Business ~~District~~ (CB)

3-1~~0~~0 Commercial (C)

~~3-110~~ — ~~Neighborhood Commercial District (NC)~~

~~3-120~~ — ~~Highway Commercial District (HC)~~

~~3-130~~ — ~~Repealed by Ordinance #430.~~

3-1~~1~~1 Industrial ~~District~~ (I)

3-1~~2~~2 Open Space ~~District~~ (OS)

3-1~~3~~3 Arts ~~and~~ Entertainment Overlay (AE) ~~District~~

~~3-160-010~~ — ~~Purpose~~

~~3-160-020~~ — ~~District Boundaries~~

~~3-160-030~~ — ~~Design Guidelines~~

~~3-160-040~~ — ~~Exemptions~~

~~Section 3-010 Single-Family Residential (R1) 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~~

A. 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. —

A.B. Permitted Uses

~~1. A. Principal Use Permitted: (Not requiring a use permit).~~

~~2.1. 1. One~~ Single-family dwellings, excluding mobile or manufactured homes.

~~3.2. 2.~~ Publicly owned or operated park, playground or community building.

~~4.3. 3.~~ Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.

~~5.4. 4.~~ Family Day Care Homes located on a public street.

~~6.5. 5.~~ Bed and Breakfast establishments in conformance with Section 4-150.

~~7.6. Keeping of fowl, subject to the standards in Chapter 4.~~

7. Public and private schools.

8.—Public safety facilities.8. _9. 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.~~B. 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)~~

C. Accessory Uses Permitted:

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.

D. Conditional Uses

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.~~
4. Medical Marijuana Caregiver Facility.
 - a. ~~a.~~ Applicant is required to obtain a Home Occupation License.
5. 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.

6.—Hospitals?

7.6. 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.

E. Development Standards

1. ~~D.~~ Building Height Limitation: 2 ½ stories, not to exceed 35 feet.
2. ~~E.~~ Maximum Lot Coverage Ratio: ~~30%~~0.3 change to percentage (30%)
3. ~~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.~~
4. ~~G.~~ Minimum Lot Frontage: 60 feet.
5. ~~H.~~ Minimum Average Lot Width: 80 feet.
6. ~~I.~~ Minimum Yard Area Standards:

a. Front - 20 feet

b. Interior Side - 10 feet

b-c. Exterior Side (street side) ~~-setback~~ 15 feet

c-d. Rear - 20 feet

6.7. 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 **Alternate** (R1A)

A. 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.

B. Permitted Uses

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.
6. Keeping of fowl subject to standards in Chapter 4.
7. Public and private schools.
8. Public safety facilities.

C. Accessory Uses Permitted

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**.

D. Conditional Uses

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.
4. Medical Marijuana Caregiver Facility.
 - a. Applicant is required to obtain a Home Occupation License.
5. Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public's health, safety, and general welfare.

E. Development Standards

1. Building Height Limitation: 2 ½ stories, not to exceed 35 feet
2. Maximum Lot Coverage Ratio: 40%
3. Minimum Lot Size: 5,000 square feet
4. Minimum Lot Frontage: 50 feet
5. Minimum Average Lot Width: 50 feet
6. Minimum Yard Area Standards:
 - a. Front - 15 feet
 - b. Interior Side - 5 feet
 - c. Exterior Side (street side) - 10 feet
 - d. Rear - 15 feet
7. 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 – Signage
 - d. Chapter 8 – Outdoor Lighting Code

~~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 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 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:~~

~~Chapter 4—General Provisions~~

~~Chapter 5—Conditional Use Permit~~

~~Chapter 7—Signs~~

~~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)

A. 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.

B. Permitted Uses

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

~~2.1. 1.~~ One Single-family dwellings, excluding mobile or manufactured homes.

~~3.2. 2.~~ Publicly owned or operated park, playground or community building.

~~4.3. 3.~~ Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.

~~5.4. 4.~~ Family Day Care Homes located on a public street.

~~6.5. 5.~~ Bed and Breakfast establishments in conformance with Section 4-150.

~~7.6. Keeping of fowl subject to standards in Chapter 4.~~

~~7. Public and private schools.~~

~~8. Public Safety or unoccupied Utilities facilities.~~

~~8.~~

~~9. 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)~~

~~9.~~

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

~~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.

D. Conditional Uses

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

~~2.1.~~ ~~1.~~ Home Occupations which do not adhere to the provisions of Section 4-110.

~~3.2.~~ ~~2.~~ Group Day Care Homes located on a public street.

~~4.3.~~ ~~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.~~

~~5.4.~~ ~~4.~~ Golf Courses, Country Clubs including social and dining activities.

~~6. 5. Cemeteries.~~

~~7.5.~~ ~~6.~~ Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331—Effective 04/08/11)~~

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

~~8.6.~~ ~~Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public's health, safety, public health, safety and general welfare.~~

E. DEVELOPMENT STANDARDS

1. ~~D.~~ Building Height Limitation: 2 ½ stories, not to exceed 35 feet.

2. ~~E.~~ Maximum Lot Coverage Ratio: ~~20%0.2 Percentage~~

3. ~~F.~~ Minimum Lot Size: ~~43,560 square feet (1 acre)One acre~~ per single-family dwelling unit.

4. ~~G.~~ Minimum Lot Frontage: 100 feet.
5. ~~H.~~ Minimum Average Lot Width: 140 feet.
6. ~~I.~~ Minimum Yard Area Standards:
 - a. Front - 30 feet
 - b. ~~Interior~~ Side - 10 feet
 - ~~b-c.~~ Exterior Side (street side) - ~~setback~~ 15 feet
 - ~~e-d.~~ Rear - 30 feet
- ~~6-7.~~ 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 – Signages
 - 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)

A. 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.

B. Permitted Uses

~~1. A. Principal Uses Permitted: (Not requiring a use permit).~~

~~2.1. 1. One~~ Single-family dwellings, excluding mobile or manufactured homes.

~~3.2. 2. Two (2), three, (3) and four (4)~~ family dwelling units, excluding mobile homes.

~~4.3. 3.~~ Publicly owned or operated park, playground or community building.

~~5.4. 4.~~ Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.

~~6.5. 5.~~ Family Day Care Homes and Group Day Care Homes.

~~7.6. 6.~~ Bed and Breakfast establishments in conformance with Section 4-150.

~~8.7. Keeping of fowl subject to standards in Chapter 4.~~

~~8. Public and private schools.~~

~~9. Public Safety or unoccupied Utilities facilities.~~

~~10. Churches and similar places of worship~~

~~11.7.~~ 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)~~

~~10.~~

C. ~~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.

~~D.~~ Conditional Uses~~D.~~

~~1. C. Conditional Uses Permitted: (Requires a use permit).~~

~~2.1. 1.~~ Home Occupations which do not adhere to the provisions of Section 4-110.

~~3.2. 2.~~ Apartment buildings exceeding four ~~(4) five (5)~~ units per building.

~~4.3. 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.~~

~~5.4. 4.~~ Hospitals, ~~public schools or private schools located on collector or arterial streets.~~

~~6.5. 5.~~ Day Care Centers.

~~7. 6. Cemeteries.~~

~~8.6. 7.~~ Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331—Effective 04/08/11)~~

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

~~9.7. Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public's health, safety, public health, safety and general welfare.~~

E. DEVELOPMENT STANDARDS

1. ~~D.~~ Building Height Limitations: 2 ½ stories, not to exceed 35 feet.

2. ~~E.~~ Maximum Lot Coverage Ratio: ~~40%0.4 Percentage~~

3. ~~F.~~ Minimum Lot Size:

a. ~~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.~~

- b. ~~2.~~ 4,000 square feet per dwelling unit for structures exceeding detached single-family homes.
- 4. ~~G.~~ Minimum Lot Frontage: 30 feet ~~for all~~
- 5. ~~1.~~ 60 feet for a single-family dwelling unit.
- 6. ~~2.~~ 90 feet for two (2), three (3) or four (4) unit structures.
- 7. ~~3.~~ 120 feet for apartment complexes.
- 8.5. ~~H.~~ Minimum Average Lot Width: 60 feet.
- 9.6. ~~I.~~ Minimum Yard Area Standards:
 - a. ~~Front - 20 feet~~
 - a. ~~Front - 20 feet~~
 - b. ~~Rear - 20 feet 10 feet~~
 - b. ~~Interior Side - 108 feet~~
 - c. ~~Exterior Side (street side) - 15 feet for single-family dwelling unit and single-story multi-unit structures, 10 feet for multi-unit structures exceeding one-story.~~
 - e.d. ~~Rear - 20 feet~~
- 10.7. ~~J.~~ All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:
 - 1.a. ~~Chapter 4 – General Provisions~~
 - 2.b. ~~Chapter 5 – Conditional Use Permit~~
 - 3.c. ~~Chapter 7 – Signs~~
 - 4.d. ~~Chapter 8 – Outdoor Lighting Code~~
 - 5.e. ~~Chapter 9 – Landscape Design Standards~~
 - 6.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)

A. 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.

B. Permitted Uses

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

- ~~1. 1. Any use permitted by right in the R2 zone district.~~
- ~~2. 2. Multiple family dwelling structures.~~
- ~~3. 3. Churches, synagogues or other places of worship Churches, hospitals, schools and cemeteries.~~
- ~~4. 4. Convalescent homes and retirement centers.~~
- ~~5. 5. Bed and breakfast establishments, boarding and rooming houses.~~
- ~~1. 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)~~
- ~~6.~~

~~C. 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 ~~64 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).~~

D.

1. ~~1.~~ Home occupations which do not adhere to the provisions of Section 4-110.
2. ~~2.~~ Day Care Centers.
- ~~3. Golf Courses and Country Clubs including social and dining activities.~~
3. ~~Cemeteries.~~
4. ~~Hospitals.~~
5. ~~4.~~ Private clubs, fraternities, sororities and lodges, excepting those whose chief activity is a service customarily carried on as a business.
6. ~~5.~~ Medical Marijuana Caregiver Facility. ~~(Created Ordinance #331--Effective 04/08/11)~~
 - a. ~~a.~~ Applicant is required to obtain a Home Occupation License.
7. ~~Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public's health, safety, and general welfare.~~

E. Development Standards

1. ~~D.~~ Maximum Building Height: 3 stories, not to exceed 45 feet.
2. ~~E.~~ Minimum Lot Size:
 - a. ~~1.~~ 8,000 square feet for single-family use.
 - b. ~~2.~~ 4,000 square feet per unit for two ~~(2)~~, three ~~(3)~~ or four ~~(4)~~ family structures.
 - c. ~~3.~~ 3,000 square feet per unit for apartment structures, with a minimum of 18,000 square feet.
 - d. ~~4.~~ 20,000 square feet for non-residential uses.
3. ~~O~~ 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.~~

~~4. F. Maximum Lot Coverage Ratio: 0.4 Percent~~40%

~~5. G. Minimum Lot Frontage: 30 feet~~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.~~

~~6. H. Minimum Average Lot Width: 60 feet.~~

~~7. I. Minimum Yard Area Standards: Match R2~~

~~a. Front - 20 feet~~

~~b. Interior Side - 10 feet~~

~~c. Exterior Side (street side) - 15 feet~~

~~d. Rear – 20 feet~~

~~e. All non-residential uses shall maintain a setback of 25 feet for all sides.~~

~~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~~

~~8. J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:~~

~~1.a. Chapter 4 – General Provisions~~

~~2.b. Chapter 5 – Conditional Use Permit~~

~~3.c. Chapter 7 – Signs~~

~~4.d. Chapter 8 – Outdoor Lighting Code~~

~~5.e. Chapter 9 – Landscape Design Standards~~

~~6.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)

A. ~~Purpose a~~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.-~~

B. Permitted Uses

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

- ~~1. 1.—Manufactured Home Rental Parks.~~
- ~~2. 2.—Manufactured Home Subdivisions.~~
- ~~3. 3.—Recreational Vehicle Parks.~~
- ~~4. Public Safety or unoccupied Utilities facilities.~~
- ~~5. 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)~~

~~C. 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.~~

D. Conditional Use Permit

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

1. ~~1.~~ Home occupations which do not adhere to the provisions in Section 4-110.
2. ~~2.~~ All uses other than principal uses require a Conditional Use Permit.
3. ~~3.~~ Medical Marijuana Caregiver Facility. (Created Ordinance #331 – Effective 04/08/11)
 - a. ~~a.~~ Applicant is required to obtain a Home Occupation License.
4. Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public's health, safety, and general welfare.

E. Development Standards For Manufactured Home Subdivisions

1. Site Area Required:

- a. Five acres
- b. 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 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 25 feet to any other Manufactured Home or part thereof if face to face, and if end to end, 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 feet to any other Manufactured Home or occupy or encroach upon any portions of any required yard or driveway.

~~D.~~ Maximum Building Height:

3. ~~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~~

~~4. 8,000 square feet 2. Manufactured Home Subdivision 8,000 square feet~~

~~5. F. Maximum Floor Area Lot Coverage Ratio: 40%. 4 Percent~~

~~6. G. Minimum Lot Frontage: 30 feet.~~

~~7. 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.~~

~~8. K.~~ Use of Manufactured Homes in Manufactured Home Subdivisions and Lots:

- ~~a. 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)~~ 12 feet minimum width, ~~50 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.

- b. ~~2.~~ All Manufactured Homes located in the Town for a duration of ~~30 thirty~~ ~~(30)~~ days or more shall be skirted within said ~~30 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. ~~3.~~ Manufactured Homes shall, within ~~30 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 ~~30thirty~~ days after installation, secure an inspection of tie-downs and anchors from the Town's Building Official.
- d. ~~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.~~

F. General Requirements ~~f~~For Recreational Vehicle Parks ~~a~~And Manufactured Home Parks

~~1. 3. Streets:~~ Driveways, Interior Streets and Access-Ways:

- ~~a.~~** 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.
- ~~b.~~** A two-way interior street or access-way shall have a minimum width of 24 ~~feet~~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.
- ~~c.~~** All driveways and interior streets shall be surfaced in accordance with Town Standards.
- ~~d.~~** All plans and traffic engineering shall be subject to approval by the Town Engineer.
- ~~e.~~** Parking requirements subject to Town Standards shall apply. Tandem parking is allowed for required parking in individual spaces.
- ~~f.~~** 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.~~

2. ~~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.
3. 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.
4. All spaces shall be connected to electricity, water, and an approved sewage disposal facility.
5. 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.
6. Landscaping provisions of Chapter 9 of the Zoning Ordinance shall apply.
7. 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.
- ~~1.~~ Any open fire pits and barbecues shall be constructed according to currently adopted fire codes.

8.

~~Requirements-Development Standards f~~For Manufactured Home Parks:

9.

a. Site Area Requirements:

i. 5 Acres minimum

~~3000 Minimum Lot Size: 5 acres~~

ii. ~~: 3,000 square feet of gross site Sq. Ft. Minimum~~ area per
Manufactured Home Park Space: ~~3,000 Sq. Ft.~~

b. Minimum Average Width of Space: 40 feet

c. Minimum Depth of Space: 60 feet

d. Minimum Manufactured Home Size: 320 ~~square feet~~Sq. Ft.

e. Minimum ~~Yards Required For Manufactured Home Parks:~~Yard Setbacks:

i. ~~Front~~ - 15 feet

ii. ~~Interior~~ Side - 10 feet

iii. ~~Exterior Side~~ (street side) - ~~setback~~ 15 feet

Rear - 10 feet

iv.

f. 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.

g. 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~~side yard setback as long as ~~10 (ten)~~ten feet of separation is maintained to the nearest structure.

h. Uses of Manufactured Homes in Manufactured Home Parks & Lots:

i. 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.

ii. All Manufactured Homes located in the Town for a duration of 30 days or more shall be skirted within said 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.

iii. Manufactured Homes shall within 30 days after installation, be provided with anchors and tie-downs adequate to secure stability

and prevent shifting. Owners of Manufactured Homes shall, within 30 days after installation, secure an inspection tie-down and anchors from the Town's Building Official.

iv. 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.

10. Requirements fFor Recreational Vehicle Parks:

a.—Site Area Requirements:

a. —

i.—Three Minimum Recreational Vehicle Size: 3 Acres minimum

i. —

ii. Minimum area per Recreational Vehicle Park Space: 1,800 square feetSq. Ft. of gross site area per Recreational Vehicle Park Space

iii. Minimum Setbacks:

1) Front - 15 feet

2) Interior Side - 10 feet

3) Exterior Side (street side) - 15 feet

4) Rear - 10 feet

b.—Minimum Average Width of Space: 30 feet

b. —

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

c. —

Minimum Yards Required For Recreational Vehicle Parks:

Front—15 feet

Side—10 feet street side setback 15 feet

Rear—10 feet

- d. 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:

Chapter 4—General Provisions

Chapter 5—Conditional Use Permit

Chapter 7—Signs

Chapter 8—Outdoor Lighting Code

Chapter 9—Landscape Design Standards

Chapter 11—Design Review

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

No ~~C~~ertificate of ~~O~~ccupancy or ~~B~~usiness ~~L~~icense shall be issued ~~unless and~~ until the following requirements have been met:

1. a.—Thirty ~~(30)~~ percent of the Manufactured Home spaces planned in any part, or 10 ~~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 ~~P~~ark'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.
2. b.—A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of ~~c~~ertificate or ~~L~~icense.

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)~~

H. 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

~~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:~~

- ~~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 3-070 Manufactured Home Residential Alternate (R4A)

A. 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.-

B. Permitted Uses

1. Manufactured Home Parks subject to the development standards listed in Section 3-060 Manufactured Home Residential (R4).

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. 2. Manufactured Hhomes and manufactured home subdivisions subject to the development standards listed in Section 3-060 Manufactured Home Residential (R4).

3. Manufactured Home Subdivisions subject to the development standards listed in Section 3-060 Manufactured Home Residential (R4).

4. 3. One Single-family homes subject to R1 development standards.

5. Public Safety or unoccupied Utilities facilities.

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.

C. 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.

D. Conditional Uses

1. Home occupations which do not adhere to the provisions in Section 4-110.

2. Medical marijuana caregiver facility.

a. Applicant is required to obtain a home occupation license.

3. 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.

E. 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

~~G. 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~~A. Purpose ~~a~~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.

B. Permitted Uses

1. One Single-family home, excluding mobile or manufactured homes.

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

1. One Single-family dwellings, excluding mobile or manufactured homes.

2. 2. Agricultural uses, such as crop production, orchards and vineyards???

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

4. Keeping of fowl subject to standards in Cehapter 4.

5. Public and private schools.

6. 3. Publicly owned or operated park, playground or community building.

7. 4. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.

1. 5. Family Day Care Homes, located on a public street.?

8.

Churches, Synagogues, or other places of worship. 6. Church and incidental facilities located on a public street.?

9.

10. 7. Bed and Breakfast Establishment in conformance with Section 4-150.

11. Public Safety or unoccupied Utilities facilities.

12. 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.

C. Accessory Uses Permitted

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.

~~Churches and similar places of worship~~

D. Conditional Uses

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.

4. Cemeteries.

5. Medical Marijuana Caregiver Facility.

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

6. 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.

~~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.~~

E. Development Standards

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

a. Front and Rear:

- i. ~~Minimum Combined Depth. The sum of the required front yard setback and required rear yard setback shall not be less than 130 feet.~~
- ii. ~~Minimum Individual Setback. In no case shall the required front yard setback or the required rear yard setback be less than 30 feet.~~

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

b. ~~Interior Side - 25 feet~~

c. ~~Exterior Side (street side) - 25 feet~~

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

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

1-a. ~~Chapter 4 – General Provisions~~

2-b. ~~Chapter 5 – Conditional Use Permit~~

3-c. ~~Chapter 7 – Signs~~

4-d. ~~Chapter 8 – Outdoor Lighting Code~~

~~5-e.~~ Chapter 9 – Landscape Design Standards~~6-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; prior code § 3-8)~~

Section 3-090 Central Business District (CB)A. Purpose and Intent

~~The Central Business (CB) District is intended~~ intent of this district is 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.

B. 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~~

~~1. 2.~~ Artist Studios – art production on site is subject to the performance standards of the Commercial District.

~~2. 3.~~ Assisted living facilities including convalescent homes, hospice care and retirement centers.

~~3. 4.~~ Bed and Breakfast Country Inn.

~~4. 5.~~ Commercial, trade and vocational schools.

-
- ~~5. 6.~~ Community Supported Agriculture (CSA) disbursement locations, ~~such as pre-sold agricultural product distribution to subscribing members~~. No on-site crop production is permitted.
- ~~6. 7.~~ Farmers ~~m~~Markets, ~~swap meets, and flea markets with property owners' permission and a special event permit~~.
- ~~7. 8.~~ Funeral ~~p~~Parlors without a crematorium.
- ~~8. 9.~~ Hotels and motels.
- ~~9. 10.~~ Indoor recreational or amusement establishments such as bowling alleys, arcades, billiards parlors, and similar establishments.
- ~~10. 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)~~
- ~~11. 12.~~ Marijuana establishments.
- ~~12. 13.~~ Medical ~~m~~Marijuana ~~d~~Dispensary in a storefront location. ~~(Created Ordinance #331—Effective 04/08/11)~~
- ~~13. 14.~~ Museums ~~and galleries~~.
- ~~14. 15.~~ Parking lots, ~~subject to town standards. Parking structures are prohibited~~.
- ~~15. 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.
- ~~16. 17.~~ Professional and business offices, including clinics, banks and financial institutions and medical/dental offices.
- ~~17. 18.~~ Public garage, including storage and repair in accordance with Subsection 1: Performance Standards #3: Storage facilities-
- ~~18. 19.~~ Marijuana establishments
- ~~19. 20.~~ Religious institutions.
- ~~20. 21.~~ Repair shops for household small appliances, bicycles, and personal items.
-

~~19.20.—Residential uses including single-family and multi-family.~~

~~20.21.—Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-160. (Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)~~

~~21.22.—Retail sales including florist shops and greenhouses in connection with such shops. No outdoor display or outdoor storage is permitted.~~

~~22.23.—Self-service laundry and cleaning establishments.~~

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

~~4Accessory 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.—
Accessory dwelling units (ADUs), private garages and private workshops.~~

D. Conditional Uses

1. Agriculture Tourism.

2. Agritourism Enterprise.

3. Convenience stores/filling stations provided bulk storage of liquids is underground.
No repair shop or vehicle storage shall be permitted.

4. Croplands.

5. Child or adult day care center.

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. Wholesale establishments and warehouses, including the packaging of
consumable products for retail sales distribution.

10. 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.

E. Development Standards

1. Maximum Building Height: 50 feet
2. Minimum Lot Size: None
3. Minimum Lot Frontage: 25 feet
4. Maximum Floor Area Ratio: None
5. Minimum Yards Required: None

Conditional Uses

~~G. 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 inflammable 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 GB 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
75	to	150
150	to	300
300	to	600
600	to	1200
1200	to	2400
2400	to	4800
	Above	4800

~~6. Frontage Road: In those areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct at their own expense, a frontage road providing access to said highway. The frontage road shall be constructed according to Town standards.~~

~~7. Screening: An owner 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 shall be a fence of solid construction.~~

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

~~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 his 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)

A. 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.

B. Permitted Uses

1. All permitted uses allowed in the Central Business District (CB).
2. Automobile, trailer, boat, or farm implement display, sales or rentals.
3. Medical facilities, licensed inpatient and outpatient.
4. Park and ride facilities.
5. Parking lots, subject to town standards. Parking structures are allowed.
6. Public garages including storage and repair.
7. Publicly owned or operated park, playground or building including public garages and storage yards in conformance with the performance standards in Chapter 4.
8. Storage facilities in accordance with the performance standards in Chapter 4.
9. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution.

~~(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~~

~~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 1.3~~

~~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.~~

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

~~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 4-110.1. 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)~~

~~D. Conditional Uses Permitted~~

~~(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~~

~~1. 2. Agriculture tourism.~~

~~2. Agritourism eEnterprise.~~

~~3. 3. Automatic or self-service car wash.~~

~~4. 4. Campsites and recreational vehicle parks.~~

~~5. 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. 6. Infusion of marijuana into food products with a valid food establishment license in a storefront location.~~

~~7. 7. Croplands.~~

~~8. 8. Child or adult dDay cCare cCenter. (child or adult)~~

~~9. 9. Outside display of goods and merchandise, outside storage.~~

~~10. 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~~

~~11. Any other uses as determined by the Community Development Director to be similar to those uses listed above and not detrimental to the public's health, safety, and general welfare.~~

~~E. Development Standards~~

~~1. Maximum Building Height: 50 feet~~

~~D. Development Standards for Commercial:~~~~1. Maximum Building Height: 50 feet~~~~2. 2. Minimum Lot Size: 24,000 square feet~~~~3. 3. Minimum Lot Frontage: 200 feet~~~~4. 4. Minimum Lot Width: 100 feet~~~~5. 5. Minimum Yard Setbacks:~~~~a. a. Front - 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater.~~~~b. b. Side - — None, e-xcept wWhere 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 30-15 foot side yard.~~~~c. c. Rear - 20 feet~~~~d. 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. 1. Traffic and curbs:- No CCommercial development ~~will be permitted which permitshall permit~~ 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.~~~~6.~~ ~~7. 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 weatherall-weather~~ surface is an alternative.~~~~8. 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.~~

~~9. 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 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.~~

~~10. 12.~~ In any Commercial area, access from any state of federal highway shall be 400 ~~four hundred (400)~~ feet minimum between driveways and shall be approved by the Building Official of the Town of Clarkdale.

~~2.—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 shall be a fence of solid construction.~~

~~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

~~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. Religious 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 3-13089A Corridor Commercial Overlay District~~

~~(Repealed by Ordinance #430)~~

~~Section 3-140 Industrial District (I)~~

~~A. 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.

B. 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.~~
- ~~1. 2. Wholesale establishments, warehouses and self-storage units. 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. 3. Laboratories, research, design and testing when testing conducted completely within an enclosed building.~~
- ~~4. Industrial and manufacturing establishments.~~
- ~~5. Outdoor storage yards.-~~
- ~~6. 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.~~

~~7. 10.~~ Truck stop, transfer terminal or freight warehouse.

~~8. 11.~~ Lumber yards and mill work plants.

~~9. 12.~~ Sexually ~~o~~Oriented ~~b~~Businesses.

~~10. 13.~~ Medical or ~~r~~Recreation ~~m~~Marijuana ~~p~~Processing ~~f~~Facility. ~~(Created Ordinance #409-11-10-20—Effective 12-10-20)~~

~~11. 14.~~ Marijuana ~~t~~Testing ~~f~~Facility.

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

~~Accessory uses, buildings or structures customarily incidental to any use permitted by this section. 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)~~

D. Conditional Uses Permitted

~~1. 1.~~ Agriculture ~~t~~Tourism.

~~2. 2.~~ Agritourism ~~e~~Enterprise.

~~3. 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. 4.~~ Croplands.

~~5. Data Centers subject to the provisions of Chapter 4.~~

~~6. 5.~~ Quarrying, extracting, grinding or crushing of earth or minerals.

~~7. 6.~~ Reduction, refining, smelting, or alloying of metal and metal ores.

~~8. 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)~~

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

E. Development Standards

1. ~~D.~~ Maximum Building Height: 50 feet.

2. ~~E.~~ Minimum Lot Size: 35,000 square feet.

3. ~~F.~~ Minimum Lot Frontage: 200 feet.

4. ~~G.~~ Minimum Lot Width: 150 feet.

5. ~~H.~~ Minimum Yard ~~Setbackss Required:~~

a. Front - ~~30 feet, if a~~ Any property or parcel ~~is~~ abutting any State or U.S. Highway ~~the property owner~~ must fulfill the state and federal requirements for all structures.

b. Side - None, unless residential use or adjacent to residential use, then 20 feet.

c. 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.

F. I.—Performance Standards for Industrial Districts:

1. 1.—Traffic and Curbs:—No Industrial development ~~will be permitted which permit~~shall permit 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. 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. 3.—Storage Facilities:—Outside storage and display shall be permitted provided:

a. 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. b.—Display or storage areas are kept free of litter and debris.

c. c.—Goods, merchandise and materials are properly secured against theft, vandalism or ~~lost~~loss.

d. d.—Display or storage areas are established and maintained in conformance with fire access standards of the 2003 International Fire Code.

4. 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 bands show 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 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.~~

~~5.~~ 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.

~~6.~~ 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 shall be~~ 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.~~

~~7.~~ J. All provisions from the following chapters in the Town of Clarkdale Zoning Code, including but not limited to, shall apply:

~~1.a.~~ _____ Chapter 4 – General Provisions

~~2.b.~~ _____ Chapter 5 – Conditional Use Permit

~~3.c.~~ _____ Chapter 7 – Signs

~~4.d.~~ _____ Chapter 8 – Outdoor Lighting Code

~~5.e.~~ _____ Chapter 9 – Landscape Design Standards

~~f.~~ _____ Chapter 11 – Design Review

~~6.~~

~~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. 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.

B. ~~A.~~ Principal Uses Permitted: Permitted Uses

- ~~1.~~ 1. Outdoor public uses, including open space and parking areas.
- ~~2.~~ 2. Ranching, farming, keeping of animals.
- ~~3.~~ 3. Historic and archaeological sites.
- ~~4.~~ 4. Water treatment, wastewater treatment facilities, and flood control structures.
5. Municipal facilities, including public buildings, fire stations, visitor centers, and cemeteries.

C. ~~B.~~ Accessory Uses Permitted:

- ~~1.~~ 1. Accessory dwelling units (ADUs) and caretaker's residence where clearly incidental, subordinate and secondary to the principal permitted use of the property.
- ~~2.~~ 2. Restrooms, storage buildings, and barns, as per Section 2-0102-010, Definitions, and Section 4-0104-010, General Provisions, Accessory Structures Standards.

D. ~~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.~~

E. ~~D.~~ Development Standards:

1. ~~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. ~~2.~~ Landscaping: Subject to ~~Section Chapter 99~~, 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. ~~3.~~ Parking: Subject to ~~Section 4-120~~the provisions of Chapter 4.
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)~~

ArticleSection 3-160**Arts and Entertainment Overlay (AE) District****A. Purpose and Intent**

The purpose of this overlay district is threefold:

1. To promote economic development in the Clarkdale central commercial area;
2. To preserve the historic look of the Central Business District;
3. 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.

B. 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.

C. Design Guidelines

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:

1. Establishment of a relationship to adjoining spaces
2. Continuity of street scape along Main Street through inclusion of benches and appropriate landscaping
3. Brick façades and/or partial brick inlays
4. Clerestory windows
5. A strong pedestrian connection to existing sidewalks or extension of the sidewalk system
6. A main entrance from a public sidewalk

7. Rounded arches8. Large storefront windows9. Varied roof lines

New development in the Arts & Entertainment District shall conform to the following standards:

1. Place public parking behind buildings or participate in the development of new central public parking areas.
2. The front yard setback shall be reduced to zero if the main building abuts a public sidewalk.
3. 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.

D. 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 utility 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.

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)



**Article 3-170 TO BE MOVED TO ITS OWN CHAPTER
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 3-170-010 — 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~~

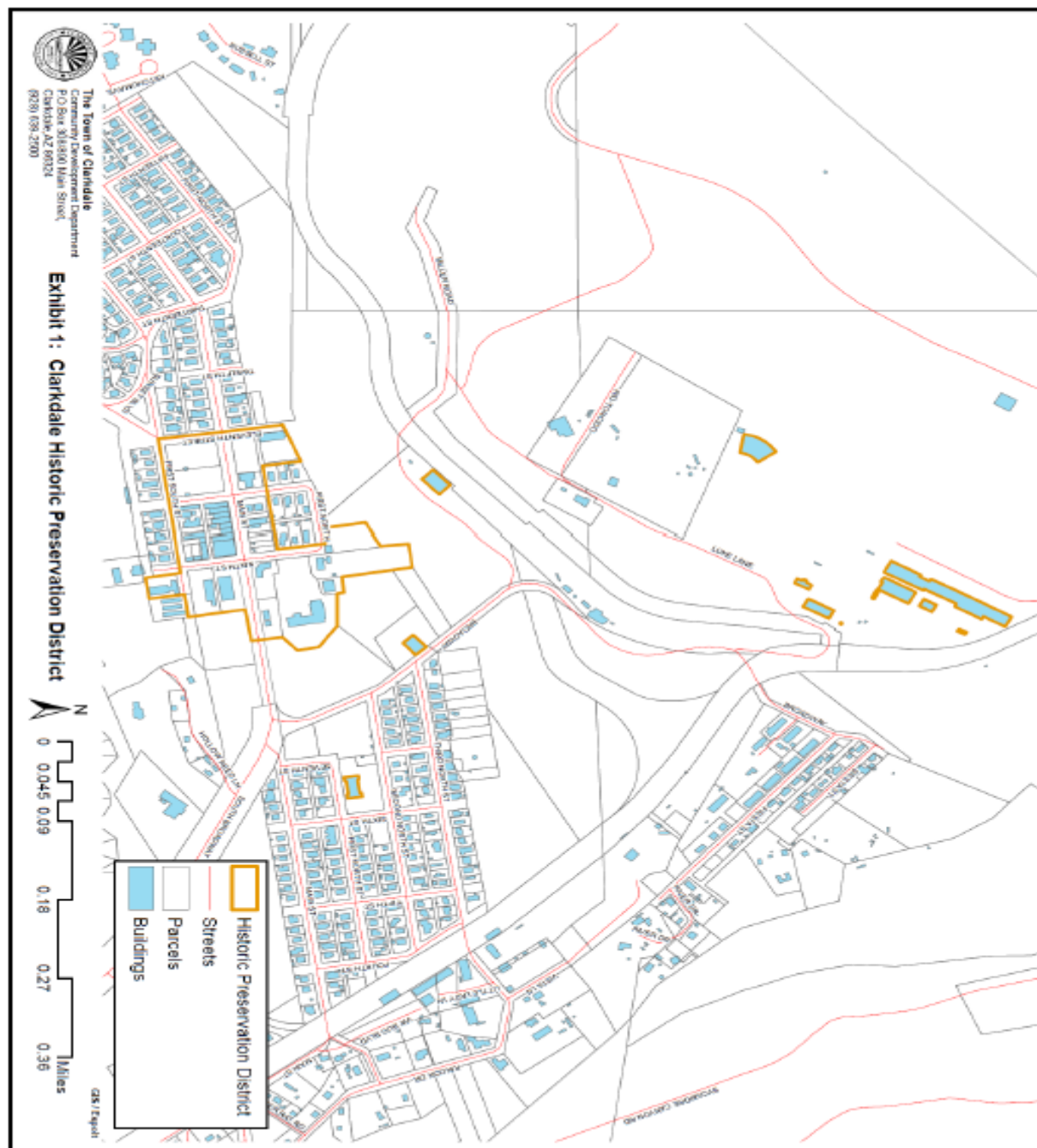
~~The Historic Preservation District is an overlay zone. Overlay zones supplement the existing zoning by establishing additional requirements that are applied to the underlying zoning district. Participation by property owners in the Historic District is voluntary. To participate and obtain the benefits 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

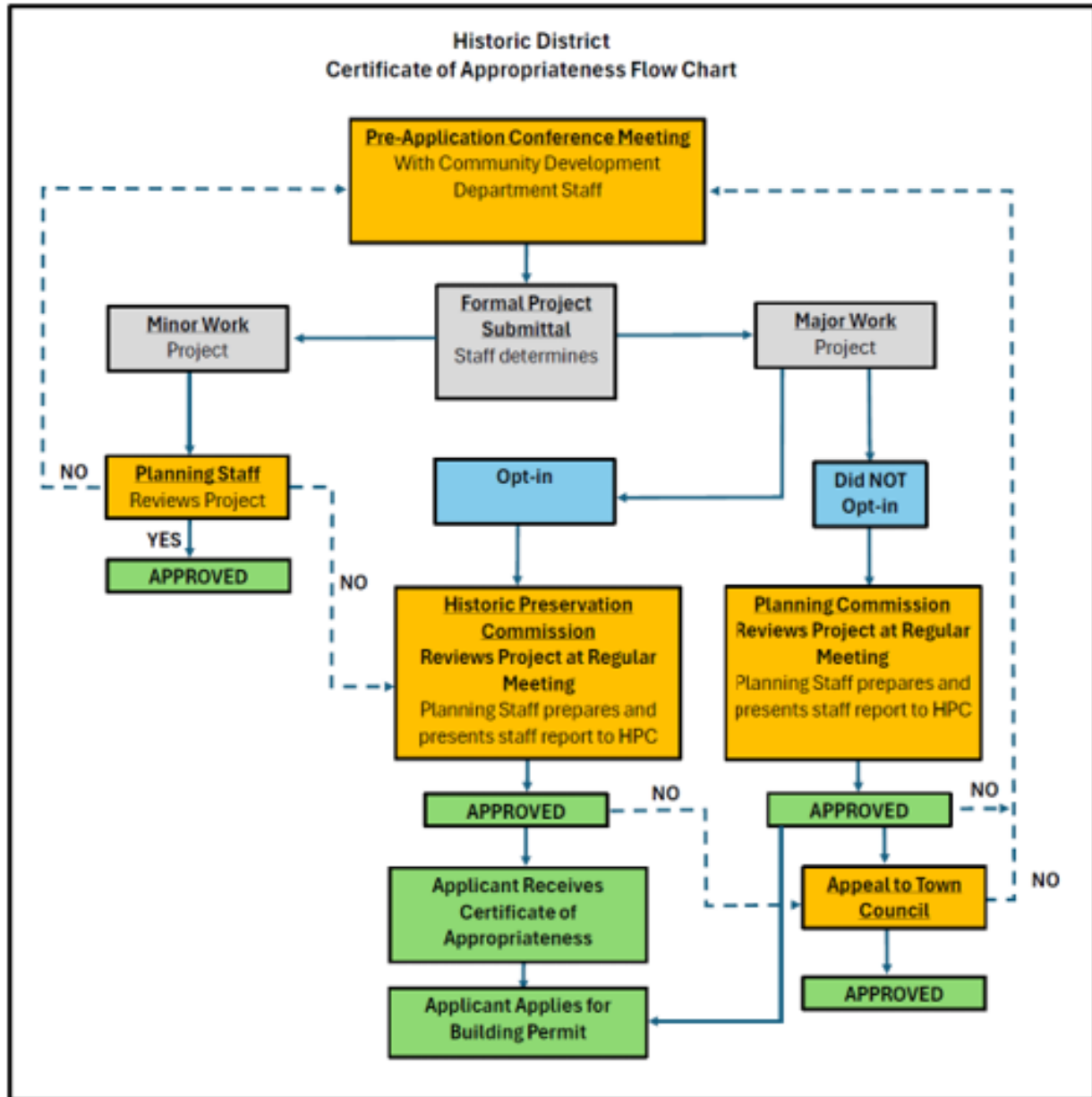
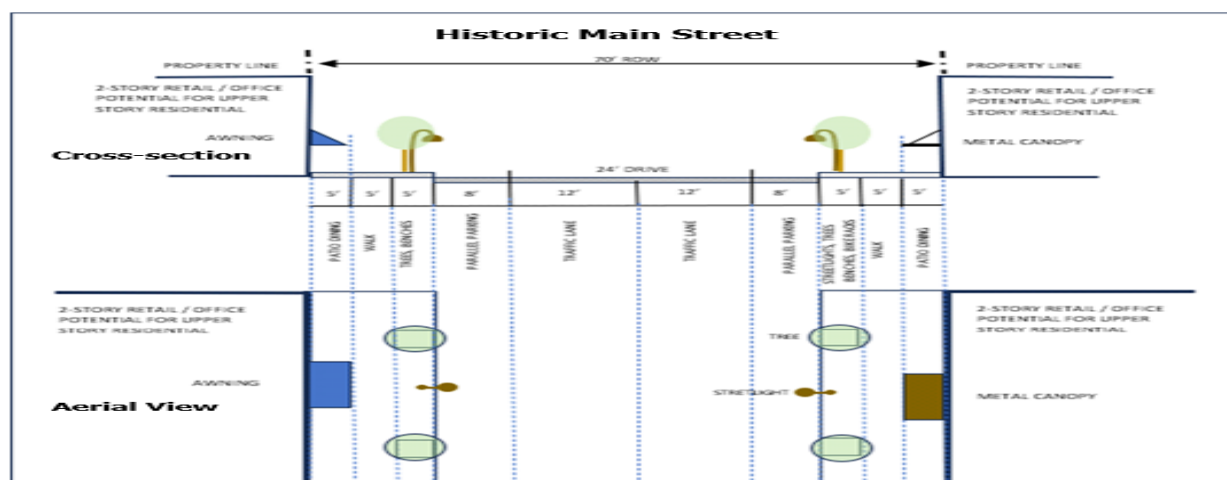


Exhibit 7: Historic Main Street Configuration



~~(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: 5.C.

Agenda Item: **Chapter 10 - Historic Preservation District**
Discuss, consider and act upon the Zoning Code addition of Chapter 10 - Historic Preservation District.

Staff Contact: Scott Ellis, Community Development Director

Meeting Date: March 5, 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 recommend approval to Town Council for the chapter listed above.

Stipulations: None.

Budget Impact: No budget impact.

Recommendation: Staff recommend that the CAC approve the Zoning Code addition of Chapter 10 - Historic Preservation District and forward it to the Town Council with a recommendation of the same.

Recommended motion: "I motion to recommend approval to Town Council of the addition of Chapter 10 - Historic Preservation District, with the stipulations as stated in the staff report."

Recommended motion with additional stipulations: "I motion to recommend approval to Town Council of the addition of Chapter 10 - Historic Preservation District, with the stipulations as stated in the staff report and the following edits..... "

CHAPTER 10~~Article 3-170~~**HISTORIC PRESERVATION DISTRICT (HPD)****Sections:**

<u>3-17010-010</u>	Purpose
<u>3-17010-020</u>	Historic Preservation Overlay District Designation
<u>3-17010-030</u>	Development Standards
<u>3-17010-040</u>	Application Process
<u>3-17010-050</u>	Certificate of Appropriateness
<u>3-170110-060</u>	Demolition and Moving of Buildings and Structures

Section 3-17010-010 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~~10-020 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. The 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. If a property desires to participate, 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.

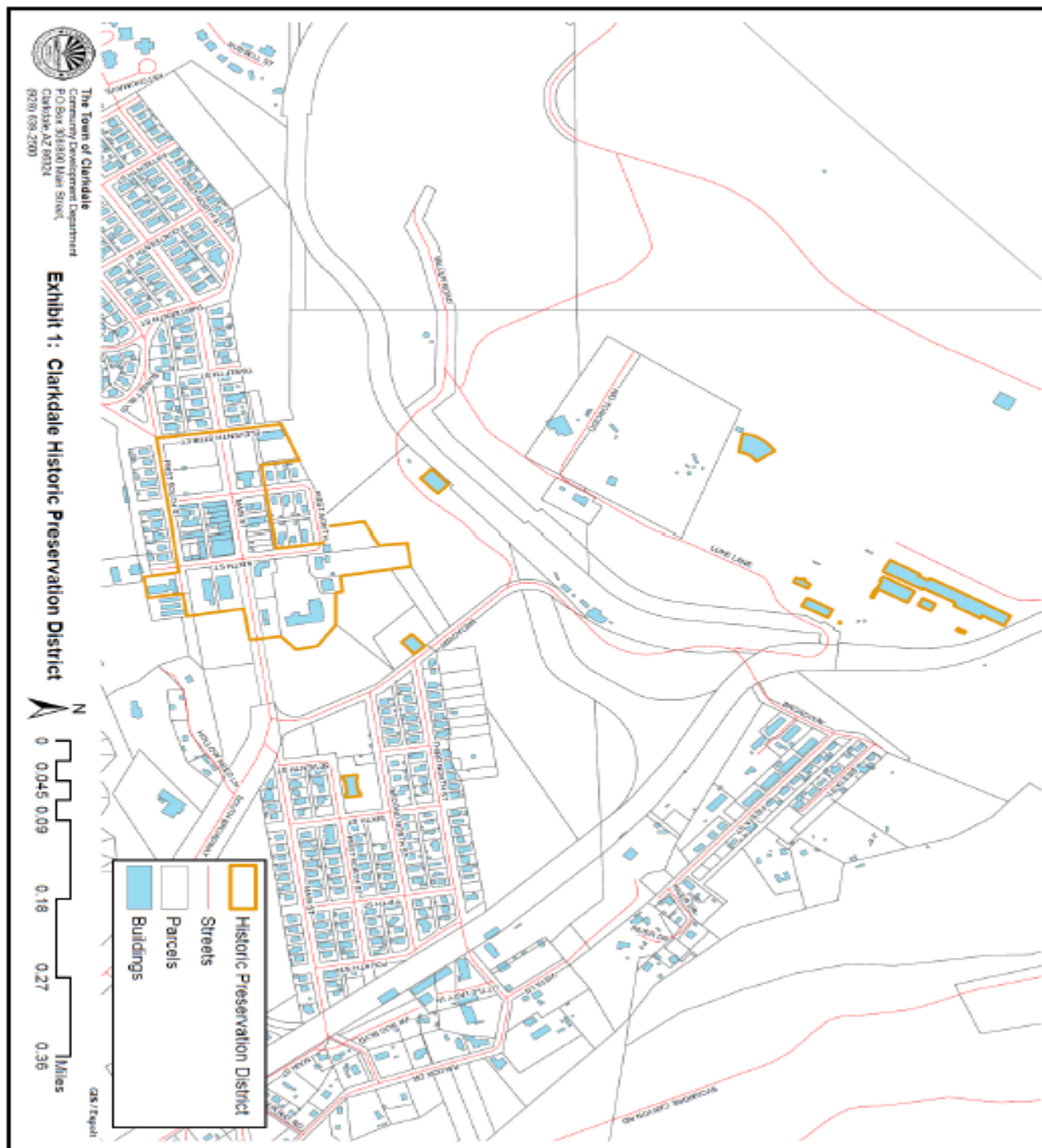
2. Those property owners that do not opt in are subject to the development standards for the underlying zoning classification.

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. Provided an Opt-in form is signed by the property owner, 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 conduct Design Review for properties and structures located in the Historic Preservation District that have opted in to the Historic Preservation District. (Created by Ordinance #424 on-1/14/25; effective 2/13/25)

Section ~~3-170~~10-030 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, a copy of which is on file at the Community Development Department of the Town of Clarkdale.

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 8-0708-070.
- 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 4-1604-160. The application can be submitted concurrent with the review process set forth in Section 3-170-03010-030.

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 3-17010-040 Application Process

A. Prior to submitting a building permit application in the Historic Preservation District, the applicants opting into the Historic Preservation Overlay District 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 3-170-05010-050.

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~~10-050 Certificate of Appropriateness

A. Applications for certificates of appropriateness shall be submitted to the Town of Clarkdale Community Development Department and follow the process identified in Exhibit 6: Certificate of Appropriateness Process. 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 [99](#), 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~~10-060 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 ~~3-170-05~~10-050.

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~~10-050.

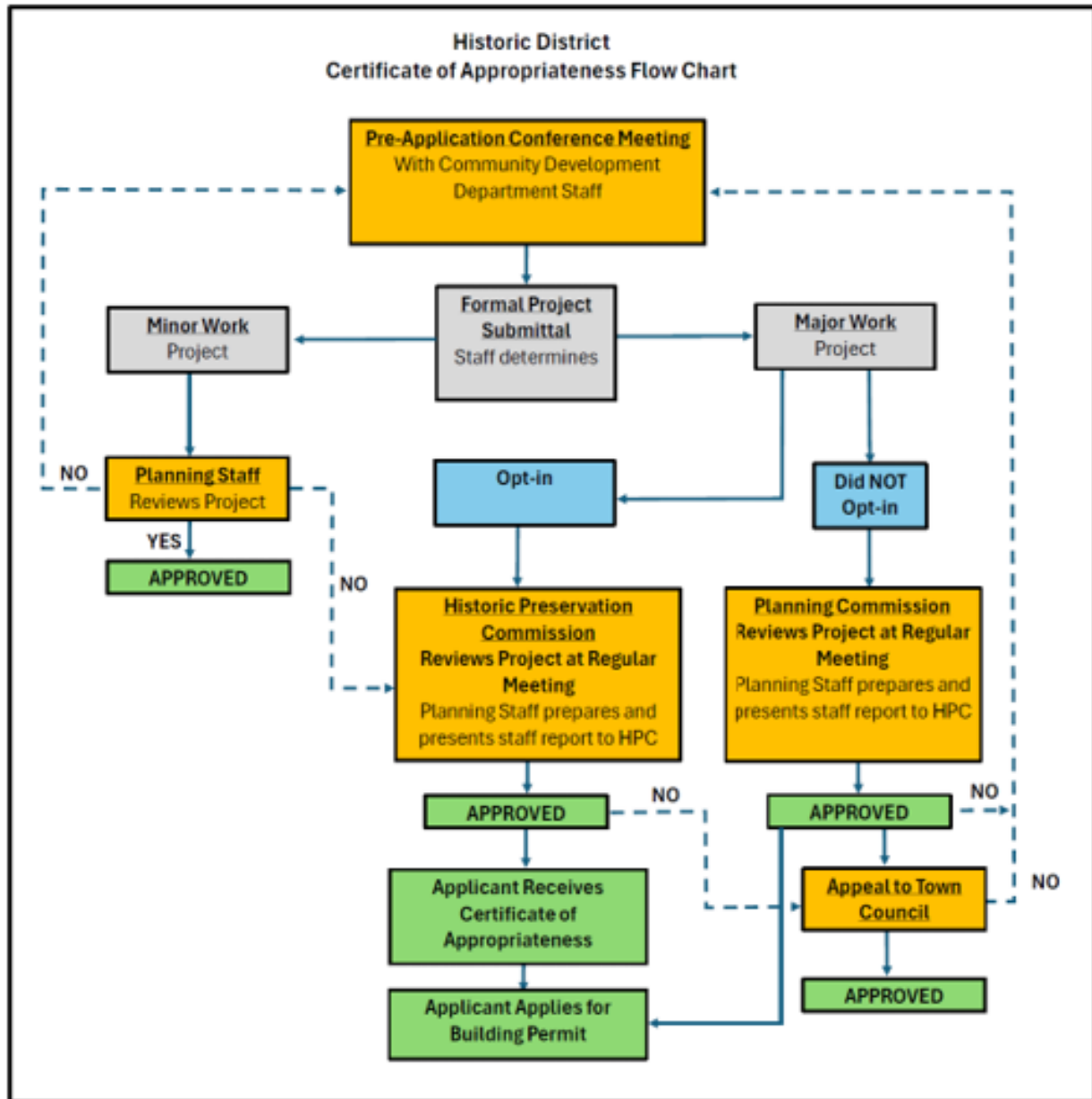
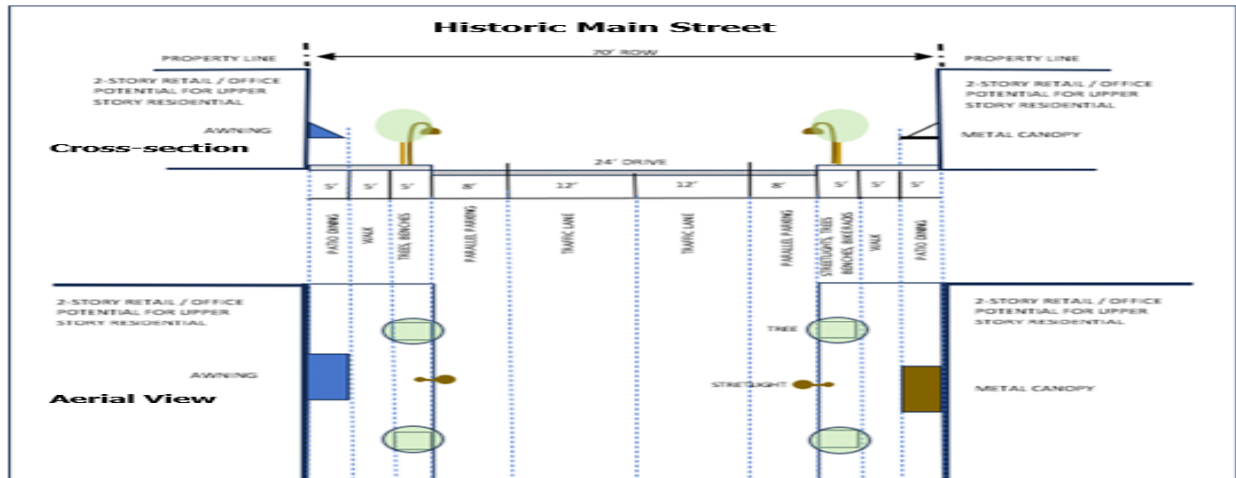
Exhibit 6: Certificate of Appropriateness Process

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: 5.D.

<u>Agenda Item:</u>	Chapter 1 - Zoning Code of the Town of Clarkdale Discuss, consider and act upon the Zoning Code update to Chapter 1 - Zoning Code of the Town of Clarkdale.
<u>Staff Contact:</u>	Scott Ellis, Community Development Director
<u>Meeting Date:</u>	March 5, 2026
<u>Strategic Goal:</u>	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.
<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 finalize and recommend approval to Town Council for the chapter listed above.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommend that the CAC approve the Zoning Code updates to Chapter 1 - Zoning Code of the Town of Clarkdale and forward it to the Town Council with a recommendation of the same. Recommended motion: "I motion to recommend approval to Town Council of the updates to Chapter 1 - Zoning Code of the Town of Clarkdale, with the stipulations as stated in the staff report." Recommended motion with additional stipulations: "I motion to recommend approval to Town Council of the updates to Chapter 1 - Zoning Code of the Town of Clarkdale, with the stipulations as stated in the staff report and the following edits..... "

CHAPTER 1

ZONING CODE OF THE TOWN OF CLARKDALE

ArticlesSections:

~~1-010 Identity~~ 1-010 Identity

~~1-020 Purpose and Interpretation~~ 1-020 Purpose and Intent

~~1-030 Scope~~ 1-030 Scope

1-040 Zoning Map 1-040 Zoning Map

~~1-050 Zoning Districts~~ 1-050 Zoning Districts

~~1-060 General Provisions of Building and uses~~ 1-060 General Provisions of Building and Uses

Section 1-010Identity

This Ordinance shall be known as and may be cited as: “The Zoning Code of the Town of Clarkdale.” ~~(Prior code § 1-1)~~

Section 1-020Purpose and ~~Interpretation~~Intent

~~A. A.~~ This ordinance is adopted and enacted under the authority and power of Article 6, Chapter 4, Title ~~99~~, Arizona Revised Statutes, for every purpose permissible under such statutes, but is not intended to be contradictory thereto or in violation thereof, and every reasonable construction is intended which may be required to avoid any such contradiction or violation.

~~B. B.~~ The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public’s health, safety, morals, and welfare. Such provisions are intended to provide for adequate light, pure air, safety from fire and other danger, ample parking facilities and prevent undue concentration of population. ~~Provide ample parking facilities, and to protect and enhance aesthetic appeal and general betterment of the Town of Clarkdale now and in the future. (Prior code § 1-2)~~

Section 1-030Scope

This Ordinance shall not repeal, abrogate, annul, impair, or interfere with existing provisions of other laws or ordinances unless specifically repealed by or in irreconcilable conflict with this Ordinance; ~~or~~ with private restrictions placed upon property by covenant, deed or other private agreement; ~~or~~ with restrictive covenants running with the land. Where this Ordinance imposes greater restrictions upon the use of land, buildings, or structures than is imposed or required by such existing provisions of law, ordinance, contract, covenant or deed, the provisions of this Ordinance shall control. ~~(Prior code § 1-3)~~

Section 1-040 Zoning Map

The map attached hereto, dated herewith and entitled “~~Zoning Map of the Town of Clarkdale~~ Zoning Map of the Town of Clarkdale” is hereby adopted and made part of this Code and all information thereon is made a part hereof. ~~(Prior code § 1-4)~~

Section 1-050 Zoning Districts

~~A.~~ A. ~~Classifications:~~ For the purpose of this Ordinance, the Town of Clarkdale is hereby divided into districts as follows:

- ~~1. 1. Single Family Residential (R1) District~~ Single Family Residential (R1)
- ~~2. 2. Single Family Residential (R-1A) District~~ Single Family Residential Alternate (R-1A)
- ~~3. 3. Single Family Residential Limited (R-1L) District~~ Single Family Residential Limited (R-1L)
- ~~4. Suburban Residential (RS3) District~~
- ~~4. 5. Single Family Residential and Multiple Dwelling Units (R-2) District~~ Single Family Residential and Multiple Dwelling Units (R-2)
- ~~5. 6. Multiple Family Residential (R-3) District~~ Multiple Family Residential (R-3)
- ~~6. 7. Manufactured Home Residential (R-4) District~~ Manufactured Home Residential (R-4)
- ~~7. 8. Manufactured Home Residential Alternate (R-4A) District~~ Manufactured Home Residential Alternate (R-4A)
8. Suburban Residential (RS3)

9. Central Business (CB)10. ~~9. Commercial (C) District~~ Commercial (C)10. ~~Central Business (CB) District~~11. ~~11. Industrial (I) Districts~~ Industrial (I)12. Open Space (OS)13. Arts and Entertainment Overlay (AE)B. ~~B.~~ Boundaries and areas:

1. ~~1.~~ The boundaries and areas of these districts are hereby established as indicated by means of lines, symbols, figures expressing distance in feet otherwise on the Zoning Map adopted in Section ~~44 hereof, and~~ hereof and declared to be part of this Ordinance.

2. ~~2.~~ The indicated boundary lines are intended generally to follow existing property lines or street lines or as may be otherwise indicated on the Zoning Map.

3. ~~3.~~ Determination of doubtful lines: In case of doubt or disagreement concerning the exact location of a district boundary line, the determination shall be made by the Board of Adjustment, ~~created by Ordinance No. 39, adopted October 6, 1975.~~

4. ~~4.~~ Interpretation of district boundaries: Where uncertainty exists with respect to the boundaries of any of the districts as shown on the Zoning map, the Board of Adjustment shall adopt the following rules in resolving the issue:

a. ~~a.~~ Where boundaries approximately follow streets, alleys or highways. Where district boundaries are indicated as approximately following the center line or street line of streets, the center line or alley line of alleys, or the center line or right-of-way line of highways, such lines shall be construed to be such district boundaries.

b. ~~b.~~ Where boundaries parallel street lines, alley lines, or highway right-of-way lines. Where district boundaries are so indicated that they are approximately parallel to center lines or street lines of street, the center lines or alley lines of alleys, or the center lines of right-of-way lines of highways,

such district boundaries shall be construed as being the center lines of said streets, alleys or highways at the time of the adoption of this Zoning Code. If no distance is given, such dimension shall be determined by the use of the scale shown on said Zoning Map.

- c. ~~e.~~ Where boundaries approximately follow lot lines. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries.
- d. ~~d.~~ Where the boundary follows a railroad line. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located at the middle of the ~~right-of-way~~~~R-O-W~~.
- e. ~~e.~~ Where the boundary follows a body of water. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be construed to be at the limit of the jurisdiction of the Town of Clarkdale, unless otherwise indicated.
- f. ~~f.~~ Submerged areas not included in district. All areas within the corporate limits of the Town which are under water and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water districts, the boundaries of each district shall be construed to extend into the water area in a straight line until they meet the other district.
- g. ~~g.~~ District regulations apply to schools, parks, etc. Any areas shown on the Zoning Map as park, playground, school, cemetery, water, streets, or right-of-way, shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulation of the most restricted adjoining district shall govern.
- h. ~~h.~~ Where property has not been included in a district. Where property has not been specifically within a district, or where territory has become a part of the Town by annexation, the same shall be classed as lying and being in a district until such classifications shall have been changed by an amendment to the Zoning Code, as provided by law.
- i. ~~i.~~ Vacation of public ways. Whenever any street, alley or other public way is vacated, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacated area and that area shall then be subject to all regulations of the extended districts.

(Prior code § 1-5)

Section 1-060 General Provisions of Building and ~~U~~ses

- ~~A.~~ ~~A.~~—Future changes: Zoning affects every structure and use. No building, structure, or premises shall be used or occupied, and no building or part thereof of other structures shall be erected, raised, moved, placed, maintained, reconstructed, extended, enlarged, or altered except in conformity with the regulations specified for the district, as shown on the official map, in which it is located.
- ~~B.~~ ~~B.~~—Conformity of ~~b~~B~~B~~uildings: No building, structure or premises shall be erected, maintained, altered or used so as to produce greater heights, smaller yards or less unoccupied area, and no building shall be occupied by more families than prescribed for such building, structure or premises for the district in which it is located.
- ~~C.~~ ~~C.~~—Conformity of ~~o~~Open ~~s~~S~~S~~paces: No yard or open space, or part thereof, shall be included as part of the yard or open space similarly required for any other building, structure or dwelling under this Code.
- ~~D.~~ ~~D.~~—Ordinance ~~n~~Not ~~r~~R~~R~~etroactive: If at the time of the enactment of this Ordinance any lot, building or structure is being used in the manner or for a purpose which does not conform to the provisions of this Ordinance and which is not prohibited by some other Ordinance, such manner or use or purpose may be continued as provided in ARS ~~9-4629-462~~ (B). Except that any person or corporation who has notice of this Ordinance during the time it is being considered, process thereafter at his own peril if he thereafter proceeds contrary to this Ordinance
- ~~E.~~ ~~E.~~—Extending ~~e~~Existing ~~u~~U~~U~~ses: Any existing, legal, nonconforming use may be extended throughout any part of a building which is arranged or designed for such use at the time of the enactment of this Ordinance.
- ~~F.~~ ~~F.~~—Conditions ~~a~~Affecting ~~n~~Non-~~c~~C~~C~~onforming ~~u~~U~~U~~ses: The lawful use of any ~~structure,structure~~ or land existing at the time a provision of this Code becomes effective which provision makes the use or structure unlawful may be continued, although such use or structure does not conform with said provisions provided the following conditions are met:
- ~~1.~~ ~~1.~~—Unsafe structures: Nothing in this Code shall prevent requiring the strengthening or restoring to a safe condition of any portions of a structure declared unsafe by a proper authority.

2. ~~2.~~ Alterations: A structure devoted to a non-conforming use may be altered, improved or reconstructed, provided such work **does not exceed in aggregate cost 50% fifty percent (50%)** of the appraised value of the structure.
3. ~~3.~~ Changes: A nonconforming use may be changed to a no less restrictive nonconforming use ~~d~~ provided all other zoning standards are met, including number of parking spaces, sign size, paved parking area, etc.
4. ~~4.~~ Restoration: Nothing in this Code shall prevent the reconstruction, repairing, rebuilding and continued use of any non-conforming structure damaged by fire, collapse, explosion, or ~~a~~ Acts of God, wherein **the expense of such work does not exceed 60% of the value of the structure** immediately prior to the occurrence of such damage, provided such reconstruction, or rebuilding is started within six ~~(6)~~ months after damage is diligently pursued to completion.
5. ~~5.~~ Abandonment: A non-conforming use of a structure or premises which has been abandoned shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned:
 - a. ~~a.~~ When the intent of the owner to discontinue the use is apparent or non-use has continued for ~~six~~12 months, or;
 - b. ~~b.~~ When the characteristic equipment and the furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment within ~~sevensix (7)~~ months unless other facts show intention to resume the non-conforming use, or;
 - c. ~~c.~~ When it has been replaced by a conforming use, **or when it has been replaced by another non-conforming use of a more restrictive zoning district.**
6. ~~6.~~ Certificate of Non-Conforming Use:
 - a. ~~a.~~ When a provision of this Article makes a legal use non-conforming and when a written application by the property owner is made to the ~~Building Official~~**Community Development Department** within one ~~(1)~~ year after non-compliance, the ~~Building Official~~**Community Development Director or designee** shall issue a certificate of non-conforming use to the property owner.
 - b. ~~b.~~ No use of land, or structures, shall be made other than that specified on the "Certificate of Non-Conforming Use."

- ~~c. e.~~ A copy of each “Certificate of Non-Conforming Use” shall be filed with the ~~office of the Town Clerk~~ **Community Development Department**. No building occupation permit or license shall be issued to any property for which a “Certificate of Non-Conforming Use” has been issued until the certificate is filed and the permit or license has been approved ~~by the~~ **Building Official**.
- ~~7.~~ District ~~c~~**G**Change: Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provision shall also apply to any use and structures made non-conforming by such change. ~~(Prior code § 1-6)~~
- ~~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~~
- ~~7. Hosted by General Code.~~



Staff Report

Item Number: 5.E.

<u>Agenda Item:</u>	Chapter 4 - General Provisions Discuss, review, and act upon the Zoning Code update to Chapter 4 - General Provisions.
<u>Staff Contact:</u>	Scott Ellis, Community Development Director
<u>Meeting Date:</u>	March 5, 2026
<u>Strategic Goal:</u>	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.
<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 finalize and recommend approval to Town Council for the chapter listed above. Stipulations: None.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommend that the CAC approve the Zoning Code updates to Chapter 4 - General Provisions and forward it to the Town Council with a recommendation of the same. Recommended motion: "I motion to recommend approval to Town Council of the updates to Chapter 4 - General Provisions, with the stipulations as stated in the staff report." Recommended motion with additional stipulations: "I motion to recommend approval to Town Council of the updates to Chapter 4 - General Provisions, with the stipulations as stated in the staff report and the following edits..... "

CHAPTER 4

GENERAL PROVISIONS

Articles:

- 4-010 Accessory Structures**
- 4-020 Campgrounds and Recreational Vehicle Parks**
- 4-030 Lots in Two Districts**
- 4-040 Corner Lots**
- 4-050 Reducing Lot Areas**
- 4-060 Swimming Pools**
- 4-070 Payment By Owner Of Professional Services Deemed Necessary By Town Council**
- 4-080 Fence Height**
- 4-090 Miscellaneous Projections of an Architectural Member**
- 4-100 Yard Encroachments**
- 4-110 Home Occupation Standards**
- 4-120 Off-Street Parking and Loading**
- 4-121 Traffic and Pedestrian Access**
- 4-130 Parking Lots and Driveways Abutting Residence District**
- 4-140 Rear Yards In Business and Commercial Zones-Loading and Unloading**
- 4-150 Bed and Breakfast Establishments**
- 4-160 Sidewalk Café Permit**
- 4-170-010 Standards for Golf Course Developments**
- 4-170-020 Design and Construction Standards**
- 4-170-030 Construction Documents**
- 4-170-040 Water Balance Study**
- 4-180 Wireless Communication Tower**
- 4-190 Temporary Uses and Temporary Structures**
- 4-200 Noise**
- 4-210 Hazardous, Special, and Radioactive Materials**
- 4-220 Storage of Materials**
- 4-230 Recreational and Medical Marijuana (Created by Ordinance #409 11-10-20 – Effective 12-10-20)**
- 4-240 Tiny Houses; Tiny Houses on Wheels; Tiny House Recreational Vehicles**
- 4-250 Commercial and Residential Flagpoles**
 - 4-250-010 Purpose and Intent**
 - 4-250-020 Permissible Locations**

4-250-030	Construction Standards
4-250-040	Permit Requirements
4-250-050	Preexisting Nonconforming Flagpoles
4-260	Accessory Dwelling Units (ADUs)
4-260-010	Accessory Dwelling Units (ADUs)
<u>4-270</u>	<u>Required Conditions for Agriculture Tourism, Agritourism Enterprise and Cropland Uses</u>

APPLICABILITY.

Except as expressly provided herein, no land, building, structure, or portion thereof shall be used, constructed, reconstructed, erected, altered, enlarged, relocated, demolished, or otherwise modified except in compliance with the provisions of this Ordinance; the standards applicable to the zoning district in which it is located; and all adopted building, fire, and related technical codes of the Town.

Uses not expressly identified as permitted or conditionally permitted within a zoning district are prohibited.

USE RESTRICTIONS.

1. Permitted Uses: Those uses listed as "Permitted Uses" shall be allowed to be established within any zoning district in which they are listed, subject to the specific requirements of this Ordinance. All other uses shall be prohibited except as otherwise provided in this Ordinance.
2. Conditional Uses: Uses identified as "Conditional" within a zoning district may be allowed only upon approval of a Conditional Use Permit.
 - a. Approval shall be granted in accordance with the procedures established in this Ordinance.
 - b. The Planning and Zoning Commission and/or Town Council may impose conditions necessary to protect the public health, safety, and welfare and to ensure compatibility with surrounding uses.
 - c. The use shall be developed and operated in accordance with the approved conditions.

3. Accessory Uses: Accessory uses and structures are permitted in any zoning district where a principal use is lawfully established, provided such accessory use is incidental and subordinate to the principal use; is located on the same lot as the principal use; and does not alter the character of the principal use.
 - a. No accessory structure shall be constructed on a lot prior to the establishment of the principal structure or use.
 - b. A lot shall not contain an accessory structure or use without a lawful principal use.
4. Unspecified Uses: If a proposed use is not specifically identified within a zoning district, the Planning and Zoning Commission shall determine the most appropriate classification based on similarity in character, intensity, and impact to listed uses. Such determination shall be made through minute action. In making its decision, the Commission shall consider the purpose and intent of the zoning district and comparable listed uses.

NONCONFORMING LOTS OF RECORD.

1. A lot lawfully created and recorded prior to the effective date of this Ordinance may be developed with a permitted use within its zoning district, even if the lot does not meet current minimum lot area or width requirements.
2. Development on such lot shall comply with all applicable setback, lot coverage, height, and other dimensional standards unless otherwise authorized.
3. Where two or more contiguous lots under common ownership are proposed to be developed with a building that would cross lot lines, the lots shall be legally combined prior to submittal of development or building permit applications.
4. Lots proposed for combination shall have the same zoning designation prior to approval of the lot combination.
5. Any lot that has more than one zoning designation, shall be rezoned to the appropriate zoning district prior to any other project related approvals.

REDIVIDING OF RECORDED LOTS.

1. No lot shall be divided in a manner that results in a parcel that fails to comply with the standards of this Ordinance.
2. Lots may be divided or combined only in accordance with the procedures established in Chapter 12 (Subdivision Regulations) or other applicable Town procedures.

3. Lots shall not be combined and re-divided by the same owner.

ACCESS AND STREET REQUIREMENTS.

1. All newly created lots shall:
 - a. Abut a public street connected to the Town's street system; or
 - b. Be served by a recorded permanent, nonexclusive access easement of sufficient width and design to accommodate an access way constructed to Town and Fire District standards.
 - c. Clearly assign maintenance responsibility for any private access easements to the benefiting property owners.
2. No building permit shall be issued for a lot that does not have direct frontage on a dedicated public street unless:
 - a. The lot is served by a compliant access way;
 - b. The access way is contained within a recorded permanent nonexclusive easement; and
 - c. The access way is constructed to Town standards and provides adequate emergency access.
3. As a condition of rezoning or development approval, the Town Council may require dedication of rights-of-way, utility easements, or other public improvements reasonably necessary to serve the proposed development.

SITE SUITABILITY.

1. Land determined by the Community Development Director or Planning and Zoning Commission to be unsuitable for development due to conditions including but not limited to; flood hazards, concentrated or inadequate drainage, unstable soils or rock formations, steep or hazardous topography, low percolation rates, insufficient bearing capacity, erosion potential, or other physical conditions that may endanger public health, safety, or welfare shall not be developed until such conditions are adequately addressed.
 - a. The applicant shall submit technical studies and proposed mitigation measures demonstrating that identified hazards can be corrected or mitigated.

2. Approval of development may be conditioned upon implementation of corrective measures, construction standards, or ongoing maintenance requirements necessary to ensure site stability and public safety.

YARD, LOT, AND AREA REQUIREMENTS.

1. No building or structure shall be erected, constructed, reconstructed, enlarged, relocated, or structurally altered except in compliance with the yard, lot, area, height, and building placement standards applicable to the zoning district in which the property is located, unless expressly authorized elsewhere in this Ordinance. Required open space and yard areas shall not be reduced below the minimum standards established for the zoning district.
- ~~1. Required No building shall be erected, nor shall any existing building be altered, enlarged, moved or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity with the yard, lot, area and building location regulations hereinafter designated for the zoning district in which such building or open space is located, except as otherwise specifically provided.~~
2. Yards:
 - a. Except as provided in this Section, required yards shall remain open and unobstructed from the ground upward.
 - b. Landscaping, trees, shrubs, and permitted accessory structures shall not be considered obstructions when allowed by this ordinance.
 - c. A required yard or open space provided to satisfy the requirements of this Ordinance for one building shall not be used to satisfy yard or open space requirements for any other building.
 - d. Required yards shall be located on the same lot as the building they serve and shall not be credited to adjacent lots.
- ~~2. Except as provided herein, every part of a required yard shall be open to the sky and unobstructed. Trees, shrubbery, etc., and accessory structures as allowed in this Ordinance shall not be considered obstructions. No yard or other open space provided around any building, for the purpose of complying with the provisions of these restrictions, shall be considered as a yard or open space for any other building; and no yard or other open space on one lot shall be considered as a yard or open space for a building on any other lot.~~

3. **Projections Into Over Required Yards:** The following architectural features may encroach into required yards, subject to the limitations below and compliance with applicable building and fire codes:

a. The following may project up to five feet into a required side or rear yard. Such projections shall not extend closer than three feet to any lot line and shall not encroach into a required front yard:

i. Awnings

ii. Fire balconies

iii. Fire escape stairs

iv. Window-mounted mechanical units

v. Roof-mounted or suspended evaporative coolers

vi. Similar minor architectural features

a.—

b. Awnings, open fire balconies, fire escape stairs, window-type refrigeration units, suspended or roof evaporative coolers, and similar features may project not more than five feet over any required side or rear yard, however, they shall not be closer than three feet from any lot line and shall not project into any required front yard. Canopies, cornices, eaves, and similar architectural detailing may project up to three feet into any required yard, provided they remain at least three feet from any lot line.

c. Architectural details such as canopies, cornices, and eaves may project not more than three feet over any required yard, however, they shall not be closer than three feet from any lot line. Sills, belt courses, leaders, and similar decorative elements may project up to six inches into a required yard.

3. Sills, leaders, belt courses, and similar ornamental features may project not more than six inches over or into any required yard.

4. **Porches, Patios, Steps and Steps and Balconies that** Architectural features providing a transition between interior and exterior spaces are permitted, subject to the following standards: from the outside to the inside of buildings are permitted, subject to the following conditions:

- a. Uncovered porches, patios, terraces, steps, or similar features not exceeding three feet in height above adjacent grade may project into any required yard. Projections shall remain at least three feet from any lot line. Projections into a required front yard shall not extend more than ten feet from the primary building wall.
- b. Covered porches, patios, terraces, and similar features may project up to ten feet into a required front or rear yard, provided:
 - i. The structure remains at least five feet from a front lot line;
 - ii. The structure remains at least ten feet from a rear lot line;
 - iii. The feature does not encroach into a required landscape yard unless specifically permitted elsewhere in this Ordinance; and
 - ~~i.~~iv. The front and sides of the structure remain open and are not enclosed by walls, windows, or screening materials.
- c. In multi-family residential developments, covered or uncovered balconies may project into a required street frontage landscape yards, provided:
 - i. The balcony maintains a minimum vertical clearance of ten feet above grade;
 - ii. The projections does not exceed ten feet from the primary building wall;
 - iii. The projection remains at least five feet from any lot line; and
 - iv. The front and sides remain open and are not enclosed.
- ~~b. Unroofed porches, terraces, patios, steps, or similar features not over three feet in height above grade, may project into any required yard, provided the projections shall be no closer than three feet from any lot line. Projections into required front yards shall not exceed ten feet from the main wall of the building.~~
- ~~c. Unless restricted by this Ordinance, covered porches, terraces, patios, steps, or similar covered features may project up to ten feet into a required front or rear yard, provided the projection shall be no closer than five feet from any front lot line and ten feet from any rear lot line. Projections shall not encroach on a required landscape yard, unless otherwise allowed by this Ordinance, and the front and sides of the structure shall remain open; not to be enclosed with windows, walls, screens, or similar materials.~~

d. ~~For multi-family residential development, covered and uncovered balconies with a minimum height clearance of ten feet from grade, may project over required street frontage landscape yards provided the projection shall not exceed ten feet from the main wall of the building and be no closer than five feet to any lot line. The front and sides of the balcony shall remain open and shall not be enclosed with windows, walls, screens, or similar materials.~~

d. All projections permitted under this Section shall comply with applicable building and fire codes. Required safety railings shall be permitted and shall not be considered an enclosure, provided they comply with applicable height limitations. indicated in subsections XXXXX, including all similar features, shall be subject to current building and fire codes. Any railing required by building code shall be allowed and not considered an enclosure, provided the railing does not exceed height requirements.

e.

Section 4-010

Accessory Structures

A. Accessory structures and accessory uses may be permitted only when clearly incidental and subordinate to a lawful principal use on the same lot, and shall comply with this Ordinance as well as all adopted Town Codes and Fire District requirements.

~~A. Accessory Structures Standards.~~

B. General Requirements for detached accessory structures in residential zones (not including Accessory Dwelling Units):

1. Accessory structures shall not be located in a required front yard. On corner lots, accessory structures shall not be placed within a required yard that abuts a street frontage.

2. Unless required in a specific zoning district for approved development plan requiring greater setbacks, detached accessory structures ten feet or less in height shall be setback at least:

a. Five feet from interior side lot lines

b. Five feet from the rear lot line

1. Within the R1A Zoning District, a rear setback of

c. Five feet from the main structure

d. Accessory structures over ten feet in height must meet all front, side, and rear yard requirements for the principal building in that zoning district.

e. In the XXXXXXXXXXXXXXX zoning districts, no accessory building or aggregate of accessory buildings shall exceed 2,000 sq.ft. except by approval of a conditional use permit.

f. In the XXXXXXXX zoning districts, no accessory building or aggregate of accessory buildings shall exceed 3,000 sq.ft. except by approval of a conditional use permit.

g. In the MH, XXXXX, zoning districts, no single accessory building or aggregate of accessory buildings shall exceed 750 sq.ft. except by approval of a conditional use permit.

h. Accessory structures constructed of reflective or unfinished metal (including galvanized zinc-coated finishes) shall be painted or otherwise finished to reduce glare.

i. Accessory structures and uses may not be established prior to the principal structure or use being completed.

C. Accessory structures in Commercial and Industrial zoning districts:

a. Any detached accessory structure in a commercial or industrial zone shall not be located in the required front yard, shall be at least ten feet from the main structure, and shall be at least five feet from the rear and interior side lot lines. Street side setbacks shall be as required for the main structure in that zoning district.

b. Detached accessory structures may be located a minimum of five feet from the main structure, if the following criteria are met:

1. The aggregate area of the detached accessory structures, within a proximity of five feet of each other, is less than 200 sq.ft.

2. The accessory structure must be constructed with noncombustible or fire rated walls, subject to the approval of the Building Official and Fire District; and

3. There is no impact to site circulation or other required development standards.

c. Accessory structures and uses may not be established prior to the principal structure or use being completed.

D. Attached Accessory Structures:

a. A private automobile garage, carport, or accessory structure having any part of a wall in common with a dwelling shall be considered an integral part of the main building in determining yard, lot, and area requirements.

b. An attached accessory dwelling unit may encroach on a side or rear yard if permitted by the zoning district's development standards.

c. The determination of yard requirements shall not include covered front porches, patios, and decks permitted to project into a front yard setback area, where allowed by this Ordinance.

~~1. Accessory structures, if permitted in a district, are approved, provided:~~

~~a. They are not in a front yard.~~

~~b. They shall be distant at least three (3) feet from all alley lines.~~

~~c. They shall be distant at least three (3) feet from adjoining lot lines with exception of zone R1A, where they may be distant at zero (0) feet from all alley lines.~~

~~d. They are not erected more than six (6) months prior to the erection of the principal building.~~

~~e. They are located as specified in a Conditional Use Permit.~~

~~f. They do not exceed fifteen (15) feet in height.~~

~~g. For specifications regarding fowl, coops, maintenance and setbacks see Section 6-3-1, Permit for Livestock, Poultry, and Fowl – Limitations, of the Town Code.~~

2. Multiple dwelling units are required to have storage facilities as follows:

a. Minimum of twenty-four (24) square feet per unit.

b. One (1) side must be at least four (4) lineal feet.

c. Minimum of one (1) exterior entrance.

d. Conform to all other requirements of codes in effect. (Revised by Ordinance #433 on 12/10/24; effective 12/10/24; prior code § 4-1)

Section 4-020

Campgrounds and Recreational Vehicle Parks

A. *Purpose and Intent.* The purpose of this section is to provide regulations and standards for development of campgrounds ~~and recreational vehicle parks~~, and accessory uses such as recreational and community sanitary facilities. For the purposes of this section, the words “space,” “stall,” or “site” shall indicate the individual area used by ~~a single RV or as~~ a single campsite and shall be used interchangeably.

B. No recreational vehicle shall by any definition be deemed a residence, and use of such as a residence is prohibited in all zoning districts except in accordance with Section [10-1-20](#) of the Town Code.

C. Recreational vehicles may be used as temporary residences during construction and only so long as a valid building permit for construction remains in force, and not to extend beyond the date of the issuance of a certificate of occupancy. Power for the recreational vehicle shall be provided through the establishment of a temporary power connection of adequate amperage, on a freestanding pole of adequate construction.

D. *General Requirements.*

~~1. Campgrounds and recreational vehicle parks shall be developed in accordance with Chapter 6, Standards for Planned Unit Development and Planned Area Development, Section 6-020, Standards for Planned Area Development.~~

2. No certificate of occupancy shall be issued until the developer can demonstrate compliance with all health laws and regulations of the State of Arizona and Yavapai County.

3. Each lot, parcel, or tract of land used for a campground ~~or RV park~~ shall have a minimum of three (3) acres.

4. Service buildings associated with the campground ~~or RV park~~, including utilities, management office, repair shop, equipment storage, sanitary facilities, laundry facilities, and recreational facilities are permitted accessory uses. Maximum building height shall not exceed two (2) stories or 35 feet, regardless of zoning district.
5. Campgrounds shall provide plumbed sanitary facilities in a permanent structure and shall provide one (1) men's and one (1) women's, or two (2) all-gender (separately locking) toilets, lavatories, and showers for each fifteen (15) spaces, subject to the requirements of the adopted building and plumbing codes.
6. No campground ~~or RV park space~~, site, or plot shall be occupied unless and until thirty percent (30%) of the total planned area or ten (10) spaces, sites, or plots are completely prepared and equipped for use in all respects, as well as all driveways, on-site circulation features, laundry facilities, and bath, wash, and toilet facilities.
7. A financial assurance may be required at the discretion of the Community Development Director.

E. *Development Standards.*

- ~~1. Each RV space shall have an area of not less than 1,800 square feet, and a width of no less than 25 lineal feet.~~
2. Each camping space shall have an area of not less than 1,000 square feet, and a width of no less than 25 lineal feet.
3. Maximum lot coverage, including all buildings, ~~RV spaces and~~ campsites, and paved areas shall not exceed the greater of sixty percent (60%) of the lot area or the maximum allowable lot coverage of the lot's zoning designation.
4. The maximum density shall be twelve (12) sites per acre.
5. All utility lines, cable TV and electric transmission lines under 12,000 volts shall be placed underground within a campground ~~or park~~.
6. On-site circulation and parking shall be as follows:
 - a. A minimum of two (2) off-street parking spaces will be provided on each camping ~~or RV~~ site. The parking spaces and the drive shall be dust-proofed and surfaced with crushed rock or similar material and may be configured in a tandem design.
 - b. Guest parking shall be provided at a minimum ratio of one (1) parking space for each five (5) camping ~~or RV~~ spaces and surfaced with dust-free materials.

c. Interior drives or roadways within a campground ~~or RV park~~ shall be paved to a minimum width of ~~22~~ 24 feet.

d. A minimum of two (2) vehicular entrances shall be provided; one (1) entrance may be used as an emergency access and closed to the public.

e. Street lighting shall be provided along park streets for the safety of pedestrians and shall comply with the outdoor lighting provisions of Chapter 8, Outdoor Lighting Code.

7. The minimum distance from any portion of the camping ~~or RV~~ space from lot lines shall be as follows:

a. From front space line: 5 feet from the nearest edge of an interior drive or roadway.

b. From the rear space line: 5 feet.

c. From other space boundaries not in common with the edge of an interior drive or roadway: 5 feet.

d. From an exterior boundary of the park abutting public streets: 20 feet; from all other exterior park boundaries: 10 feet.

e. From another recreational vehicle on an adjoining space: 10 feet.

8. Landscaping and signage requirements are as follows:

a. Landscaping shall be installed in accordance with Chapter 9, Landscape Design Standards.

i. Refuse collection areas shall be central to the campground ~~or RV park~~ and screened from public view.

ii. Campgrounds ~~and RV parks~~ shall be screened in an attractive manner from surrounding lots by a solid wall, fence, or suitable ~~planting~~ as follows:

A. Front yards and street facing yards: not less than 4 feet in height nor greater than 6 feet in height;

B. Any other yard: 6 feet in height;

C. A 20-foot landscaping strip shall be maintained as a landscaped area on the perimeter of all campgrounds ~~or RV parks~~; and

D. When adjacent to any single-family residential district, the finished side of the fence or wall shall face the residential use and be set back from the property

boundary by a 20-foot buffer area. The buffer area shall be landscaped in accordance with the requirements of Chapter 9, Landscape Design Standards.

- b. Signage shall be in compliance with Chapter 7, Signs. ~~(Revised by Ordinance #411 on 6/8/21; effective 7/9/21; prior code § 4-2)~~

Section 4-030

Lots in Two Districts

~~A. Where a district boundary line divides a lot which was in single ownership and of record at the time a district boundary line becomes effective thereon, the other district requirements applying to the most restricted portion of such lot shall be considered as extending to the entire lot. (Prior code § 4-3)~~

A. Any existing lot that has been developed prior to adoption of this Ordinance where a district boundary divides the lot, the more restrictive district requirements shall apply to future development.

B. Any existing, undeveloped lot where a district boundary divides the lot is required to be rezoned to a single district prior to development.

Section 4-040

Corner Lots

~~A. On every corner lot there shall be provided, along the side street adjacent to the side containing the front entry door, a side yard equal in depth permitted in the R4A Zoning District.~~

~~B. Corner Visibility: On any corner lot in a "Residence" District, no building, fence, structure, shrubbery or planting, such as will obstruct street traffic visibility, within a radius of twenty (20) feet of the intersection of any two (2) street lines shall be permitted higher than four (4) feet. (Prior code § 4-4)~~

A. On any corner lot, a visibility triangle shall be maintained at the intersection of two streets.

B. The visibility triangle shall be formed by:

1. The street frontage property line;

2. The intersecting side street property line; and

3. A straight line connecting points measured 25 feet along each property line from their point of intersection.

C. No fence, wall hedge, shrubbery, landscaping, berm, sign, or other structure that exceeds 2 feet in height above the elevation of the adjacent street at the intersection shall be placed within the visibility triangle.

Section 4-050

Reducing Lot Areas

~~A. No lot shall hereafter be so reduced in area after a building permit is granted as to cause any open space required by this Ordinance to be less in any dimension that is herein required for the District and lot in question. (Prior code § 4-5)~~

A. No lot shall be reduced in area after issuance of a building permit in a manner that causes any required yard, setback, or open space to be less than the minimum required by the applicable zoning district.

Section 4-060

Swimming Pools

A swimming pool in any zoning district shall not be located in the required front yard.

Swimming pools shall be at least five feet away from the main structured, rear lot lines, and interior side lot lines. Street side ~~set backs~~setbacks shall be maintained the same as that for the main structure in that zoning district.

To prevent uninvited or uncontrolled access, all swimming pools shall be enclosed by a solid wall, wood or chain link fence, not less than five feet nor more than six feet in height.

All swimming pools shall adhere to adopted Building and Fire Codes.

~~A. In a Residential District:~~

- ~~1. Shall be owned and operated by a public agency, or~~
- ~~2. Shall be an accessory to a residential use, or~~
- ~~3. Shall be an accessory to a non-residential use which is permitted in such a district,~~
- ~~4. Shall be located no nearer than ten (10) feet to any property line~~
- ~~5. Shall be so walled or fenced as to prevent uncontrolled access by children from the street or any adjacent property.~~

~~B. In a Commercial or Business District:~~

- ~~1. Shall comply with the regulations set forth in Section 4-060A above if the pool is for residential use.~~
- ~~2. If the pool is for commercial use, it shall be enclosed by a solid wall, fence, or chain link fence a minimum of six (6) feet in height. (Prior code § 4-6)~~

Section 4-070

~~Payment By Owner Of Professional Services Deemed Necessary By Town Council~~

~~A. In the event the Building Official or the Town Council 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 approval and acceptance of any lot, structure, or performance standard, said services shall be paid for by the owner of the property under consideration. (Prior code § 4-7)~~

The above already exists in Town Code

Section 4-080

~~Fence Height~~ Walls and Fences

A. Permits:

1. A fence permit shall be required before a fence or wall may be constructed, reconstructed, or altered within the Town of Clarkdale.
2. A legible drawing shall be submitted showing all fence dimensions, gates, lot lines, setbacks and buildings on the property and all adjacent streets and alleys. The drawing shall also indicate the height of the fence and the type of materials from which it is to be constructed. Block or concrete wall may be subject to additional requirements per adopted Building Codes.
3. Fences intended for the keeping of livestock within agricultural zoning districts shall be exempt from permit requirements, however, shall comply with all applicable height, location, and safety requirements of this Section.
4. Existing fences, with a previously approved permit, may be reconstructed, repaired, or replaced if done in the same manner, and with the same materials as indicated on the previously approved permit.

B. Height:

1. The height limitations of subsection 4-040 shall apply to all fences located on corner lots.
2. Fences located in front yards:
 - a. Fences shall not exceed four feet in height within required front yard areas adjacent to streets.
 - b. Fences exceeding four feet in height may be permitted within required front yard areas adjacent to streets provided:
 1. The fence is a minimum of 80% open;

2. A sight distance triangle is maintained at the intersection of two streets, or a street and alley, measured 35 feet along the edges of the easement or right-of-way, the third side being a diagonal connection of the first two.

3. A sight distance triangle is maintained at the intersection of a street and a driveway measured 20 feet along the edge of the right-of-way or easement and driveway, the third side being a diagonal connecting the two; and

4. The property is developed such that access to streets may be taken in a forward manner.

3. Fences may not exceed four feet in height within required front yard areas adjacent to streets if they:

a. Are less than 80 percent open; or

b. Are located within the sight distance triangles described in this Section.

c. A fence up to six feet in height may be located nearer to the street line than the required front yard setback line only if the upper two feet of the fence is not opaque or solid, and shall require approval of a conditional use permit.

3. Fences located along street side yards (corner lots) and exterior side yards (reverse corner lots):

a. Fences within a required street side yard of a corner lot shall not exceed four feet in height unless otherwise allowed by this Section or approved through a conditional use permit or design review as applicable.

b. Fences along the exterior side yard of a reverse corner lot shall not exceed four feet in height.

4. No fence shall exceed six feet in height in any rear or interior side yard.

5. Fences exceeding the above heights may be built around schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants thereof.

6. Fences within industrial areas may exceed the above heights with Design Review approval.

7. The height limitations shall not apply when fences of greater height are approved through Design Review to provide adequate screening.

C. No Person shall place a fence near any fire hydrant, fire department connection, or fire protection system valve that would prevent such equipment or hydrant from being immediately discernable or in any other manner that would deter or hinder the fire department from gaining immediate access to said equipment or hydrant. A minimum of three feet of clear space shall be maintained around the circumference of the fire hydrant except as otherwise required and approved by the Fire Code Official.

D. Hazardous Materials: No fence shall contain barbed wire, electrical current or charge of electricity, broken glass, or similarly hazardous materials or devices, except that fences enclosing storage areas in industrial or commercial zoning districts by contain barbed wire so long as such wire is located not less than six feet above grade, and angled inward toward the property or remains vertical. Fences containing electrical current or barbed wire may be allowed within agricultural zones with conditional use permit approval.

E. Materials and Design: Fences in all zoning districts shall be constructed of wood, chain-link, or masonry materials in good condition. The Community Development Director may approve fences made of comparable or superior materials on an individual basis.

A. Fence height in the R1L and RS3 zone districts shall be as follows:

1. Fences exceeding four (4) feet in height may be permitted in required front yard areas adjacent to streets provided:

a. They are a minimum 80% open (chain link, split rail, pipe, wrought iron and stock fences are examples);

b. A sight distance triangle is maintained at the intersection of two (2) street, or a street and alley, measured thirty-five (35) feet along the edges of easement or right-of-way, the third side being a diagonal connection the first two (2);

c. A sight distance triangle is maintained at the intersection of a street and a driveway measured twenty (20) feet along the edge of the right of way or easement, and driveway, the third side being a diagonal connecting the two (2); and

d. The property is developed such that access to streets may be taken in a forward manner.

2. Fences may not exceed four (4) feet in height in required front yard areas adjacent to streets or exterior side yards of a reverse corner lot, if they:

a. Are less than 80% open; or

b. They are located within a sight distance triangle as defined in Section 4-080 A 1. b or c are maintained.

B. Fence height in residential districts other than the R1L or RS3 zone districts shall be as follows:

1. Fences may not exceed four (4) feet in height in required front yard areas.

2. Fences may exceed four (4) feet in height along the exterior side yard of a corner lot provided sight distance triangles as defined in Section 4-080 A 1. b or c are maintained;

3. Fences may not exceed four (4) feet in height along the exterior side yard of a reverse corner lot;

4. Fences may exceed four (4) feet in height along the rear yard of a through lot provided:

a. All adjacent through lots have their front yards facing the same street; and

b. Sight distance triangles as defined in Section 4-080 A 1.b or c are maintained.

C. Maximum fence height in residential districts may not exceed six (6) feet, except at gated entryways, where pillars or posts and a single crossbar only, may exceed such 6 foot height.

D. Fences adjacent to streets in the Commercial (C) and Industrial (I) zone districts may exceed four (4) feet provided sight distance triangles as defined in Section 4-080 A 1. b or c. are maintained.

E. All fences exceeding six (6) feet in height must meet minimum standards for wind load and design standards, as certified by a State of Arizona licensed engineer.

F. The use of barbed wire and similar materials is not allowed unless specifically approved, in writing, by the Community Development Department. The use of electric fences is strictly prohibited.

G. Height Limit Exceptions: Height limitations shall not apply to fire stations, church spires, domes, belfries, monuments, water tank towers, fire towers, observation towers, transmission towers. (Prior code § 4-8)

Section 4-090

Miscellaneous Projections of an Architectural Member

A. Any architectural member or feature otherwise permitted to project into a yard shall be distant not less than three (3) feet from any lot line. (Prior code § 4-9)

Section 4-100

Yard Encroachments

A. Cornices, canopies, eaves, or any architectural features may extend into a front yard for a distance not to exceed two (2) feet, six (6) inches.

B. A landing or uncovered porch may extend into the front yard to a distance of six (6) feet measured from the front line of the building, across one-half (½) the width of the lot.

C. Open, unroofed stairs leading from the ground to said landing or porch may project beyond the said six (6) feet. An open-work railing no higher than three (3) feet may be placed around said landing or porch. Outside stairways, unroofed and unenclosed, shall not project more than four (4) feet into any rear yard or side yard, or be closer than three (3) feet to any lot line. Terraces, steps, uncovered porches, or other similar features not over three (3) feet above the average natural grade and distant at least five (5) feet from every lot line, may project into a required side yard.

D. In the R4A zoning districts the stairs leading from the ground to the landing shall be installed to ensure pedestrian traffic be directed away from the street adjacent to the structure. Landings and stairs shall be permitted to encroach on the established ten (10) foot side yard setback a maximum of three (3) feet. (Prior code § 4-10)

Section 4-110

Home Occupation Standards

A. Home Occupations, where permitted, shall be subject to all of the following provisions:

1. HOME OCCUPATIONS: The business shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes; and not change the character of the exterior of the structure.
2. AREA: No more than twenty-five percent (25%) of the gross floor area of the dwelling and no more than twenty-five percent (25%) of the property shall be devoted to the Home Occupation.
3. EMPLOYEES: ~~There shall be no more than two (2) part-time employees, each working no more than thirty-two (32) hours per week.~~ There shall be no employees other than members of the immediate family residing on the premises.
4. DELIVERY VEHICLES: No business shall be conducted which requires delivery vehicles or other services not customary to a residence.
5. NUISANCES: there shall be no external evidence of the activity such as outdoor storage, displays, noise, dust, fumes, vibrations, or other nuisances discernable beyond the property line.
6. SIGNS: One non-illuminated sign, not to exceed two (2) square feet in area.
7. TRAFFIC: The business shall not generate traffic which unreasonably disrupts the neighborhood.
8. HOURS OF OPERATION: Noise shall not be generated before sunrise or after sunset.
9. PARKING: Off-street parking is required as set forth in the Town Zoning Code Section [4-120](#). For one (1) family and two (2) family dwellings, two (2) parking spaces per family dwelling unit. For multi-family dwellings or condominiums of three (3) or more family units, one & one-half (1 ½) parking spaces per family dwelling unit.
10. FIRE INSPECTIONS: The Town shall conduct fire safety inspections of all structures where Home Occupations will be conducted. (Prior code § 4-11)

Section 4-120

Off-Street Parking and Loading

A. In all zoning districts, there shall be provided at the time any new building or structure is erected, off-street parking spaces as set forth in the following subsections. Any existing building or use which is enlarged, altered, increased in capacity, or in which the use or occupancy is changed to the extent of increasing off-street parking requirements, additional off-street parking shall be provided as required in this section. ~~shall provide additional off-street parking space.~~

1. ~~Standards for Off-Street Parking.~~

a. ~~Residential Uses.~~

<u>Multi-Family, Efficiency and 1-Bed</u>	<u>1.5/dwelling unit</u>
<u>2 or More Bedroom Units</u>	<u>2/dwelling unit</u>
<u>Manufactured Home Units</u>	<u>2/dwelling unit</u>
<u>Fraternity, Boarding House</u>	<u>1/sleeping unit</u>
<u>Group Care Facilities</u>	<u>1/2 sleeping units + 1/employee</u>

b. ~~Office and Service Uses.~~

<u>General Offices</u>	<u>1/250 square feet</u>
<u>Medical Offices</u>	<u>4/practitioner + 1/2 employees</u>
<u>Day Care Centers</u>	<u>1/each 8 clients + 1/employee</u>
<u>Veterinary Hospitals, Clinics</u>	<u>3/practitioner</u>
<u>Hotel, Motel</u>	<u>1/sleeping unit</u>
<u>Beauty, Barber Shop</u>	<u>3/practitioner</u>

<u>Mortuary</u>	<u>1/3 seats + 1/business vehicle</u>
<u>Self-Service Laundry</u>	<u>1/4 machines</u>
<u>Restaurant, Bar, Nightclub</u>	<u>1/4 seating capacity + 5 stacking spaces per drive-through lane</u>
<u>Hospital</u>	<u>1/bed + 1/2 employees</u>
<u>c. <i>Retail Sales and Services.</i></u>	
<u>General Retail</u>	<u>1/200 square feet</u>
<u>Banks, Financial Institutions</u>	<u>1/250 square feet + 5 stacking spaces per drive-through lane</u>
<u>Motor Vehicle and Machinery Sales</u>	<u>1/200 square feet of indoor office/display area</u>
<u>Motor Vehicle Repair, Accessory Installation</u>	<u>2/service stall, min. of 6 spaces</u>
<u>Furniture, Major Appliance Stores</u>	<u>1/400 square feet</u>
<u>Car Wash</u>	<u>4/bay + 1/employee</u>
<u>d. <i>Education, Religious, Recreation, Assembly.</i></u>	
<u>Elementary and Jr. High Schools</u>	<u>2/classroom</u>
<u>High Schools</u>	<u>1/4 students</u>
<u>Colleges, Universities</u>	<u>10/classroom</u>
<u>Place of Worship</u>	<u>1/4 seats + assembly</u>

<u>Fitness Center</u>	<u>3/4 capacity</u>
<u>Golf Course</u>	<u>59/9 holes</u>
<u>Commercial Recreation Facility</u>	<u>1/4 total capacity</u>
<u>Fraternal Lodge</u>	<u>1/4 total capacity</u>
<u>Auditorium, Sports Arena, Theater,</u>	<u>1/4 seats (24"/seat)</u>
<u>Stadium</u>	
<u>Exhibition Hall, Assembly</u>	<u>1/100 sq. ft., or</u>
<u>(Nonfixed seating)</u>	<u>1/5 occ. (Fire code)</u>
<u>e. <i>Industrial Uses.</i></u>	
<u>Manufacturing, Fabrication</u>	<u>1/1,000 sq. ft., or 1.5 employees,</u> <u>whichever is greater</u>
<u>Warehouse</u>	<u>1/2,000 sq. ft. + parking for vehicles used</u> <u>on site</u>
<u>Self-Storage, Mini-Warehouse</u>	<u>24-ft.-wide aisles + caretaker parking</u>

GENERAL REGULATIONS

f. For mixed use developments: Required off-street parking spaces shall be the sum of those for individual uses, unless it is demonstrated that intended uses are compatible for shared parking facilities.

g. *Uses Not Mentioned.* The required off-street parking for any building, structure or use of land of a type not listed in this subsection shall be determined by the Zoning Administrator Community Development Director. The Zoning Administrator Community Development Director shall be guided by comparison with the parking standards for similar uses which are listed in this or other zoning codes.

h. *Exempted Areas.* Lots 1 through 10, Block 44, the westerly half of Lot 10 and Lots 11 through 16, Block 45, Clarkdale Subdivision, are exempt from the standards specified in subsection a of this section.

2. *Design Standards for Off-Street Parking.*

a. All off-street automobile parking facilities shall be designed with appropriate means of vehicular access to a street, alley or public thoroughfare, as well as necessary maneuvering areas adjacent to parking spaces shall be arranged in accordance with the diagrams contained in this section.

Ingress, egress, internal traffic circulation, off-street parking and loading facilities and pedestrian ways shall be designed so as to promote safety and convenience so that traffic visibility is not obstructed.

b. All driveways shall be of sufficient width to permit access into spaces, but in no case less than 10 feet wide for one (1) way travel and 20 feet wide for two (2) way travel.

c. Each parking space shall consist of an area of not less than nine feet in width by 20 feet in length, except that the length may be reduced to 18 feet where the front or rear of a vehicle hangs over a berm or curb. No part of the vehicle shall extend over or beyond any property line. Parking spaces shall be exclusive of driveways required to make such space accessible from a street, alley or public thoroughfare.

d. A minimum space of 10 feet in width, 35 feet in length, and 14 feet in height with access useable at all times to a street, alley, or public thoroughfare shall be deemed a loading space for one (1) vehicle.

e. *Surfacing.* All off-street parking areas, except residential dwelling units, shall be surfaced with a permanent, dust free pavement striped to requirements herein.

f. *Illumination.* All light used to illuminate parking space shall be so arranged as to reflect the light away from adjoining lots in residential districts.

g. Parking areas with more than two (2) spaces must be arranged so that it is not necessary for vehicles to back into the street.

h. Parking stalls and aisle layout must conform to the following standards:

<u>Parking Angle</u>	<u>Stall Width</u>	<u>Stall Depth</u>	<u>Lane Width</u>	<u>Direction</u>
<u>90 degree</u>	<u>9'-0"</u>	<u>20'-0"</u>	<u>24'-0"</u>	<u>two-way</u>
<u>60 degree</u>	<u>9'-0"</u>	<u>20'-0"</u>	<u>18'-0"</u>	<u>one-way only</u>
<u>45 degree</u>	<u>9'-0"</u>	<u>20'-0"</u>	<u>12'-0"</u>	<u>one-way only</u>
<u>30 degree</u>	<u>9'-0"</u>	<u>20'-0"</u>	<u>12'-0"</u>	<u>one-way only</u>

i. In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings, or other permanent indications and maintained as necessary.

j. Parking areas for nonresidential use must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack (tandem) parking may be permitted for resident parking in conjunction with residential uses if both spaces are assigned to the occupants of the same dwelling unit.

k. Provisions must be made to restrict the overhang of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways.

3. Location Standards for Off-Street Parking.

a. Off-street parking space required herein shall be located on the lot, except that required parking space for any use amounting to ten (10) such spaces or more may be located in any permissible location not farther than 300 feet distant in a direct line from the nearest part of such use. A parking agreement approved by the Town is required if parking is to be located off-site.

b. Parking lots should be located to the side or rear of the building. Parking lots should not be located between the building and the street.

c. The use of shared parking, shared driveways, and the cross-connection of parking lots is encouraged. A shared parking agreement approved by the Town is required if parking is to be shared.

d. Parking lots on adjoining lots may be connected by access ways not exceeding 24 feet in width. No parking or maneuvering will take place in the setback areas.

e. Spaces utilized for ingress and egress for a parking area shall not exceed 40 feet in width measured along the street frontage and shall not constitute more than fifty percent (50%) of the total frontage of the parking area.

f. All parking spaces, access drives, and impervious surfaces must be located at least five feet from any side or rear lot line, except where standards for buffer yards require a greater distance.

g. No parking spaces or asphalt type surface shall be located within five feet of the front property line.

h. All garages or other space allocated for the parking of vehicles, within buildings, basements or on roofs of buildings, shall be considered part of the off-street parking facilities and may be included as such in computing the parking area requirements.

Exceptions for uses located near public parking lots: The Community Development Director may administratively approve a reduction of up to 50% of required off-street parking for non-residential uses located within 300 feet of a Town of Clarkdale owned public parking lot, as measured from the building entrance to the parking lot. Appeal of the decision of the Director shall be to the Planning and Zoning Commission.

Location: Required off-street parking shall be located within three (300) feet of the building or use it is intended to serve, the distance being measured along the street line from the nearest point of the building or use to the nearest point of the parking lot.

Off-site parking: The Community Development Director may approve the location of required off street parking spaces on a separate lot from the lot on which the principal use is located subject to the following conditions:

Off-site parking spaces shall be located within three hundred (300) feet of the use served and adequate, safe and convenient pedestrian access shall be provided from the parking area to the use.

Off-site parking shall not be permitted for residential uses unless approved through a Planned Area Development rezoning. Required handicap-accessible parking spaces shall not be located off-site.

Off-site parking must be located within a zoning classification that permits the parking lot use and all other requirements of site development must be met.

Off-site Parking Agreement: The developer(s) shall submit a written agreement requiring that the off-site parking spaces shall be maintained as long as the uses requiring the parking exist or unless the required parking is provided elsewhere in accordance with the provisions of this Ordinance. Such written agreement addressing the rights and responsibilities for each property shall be submitted to the Community Development Director and approved by the Town Attorney for recordation by the Yavapai County Recorder prior to the issuance of a building permit or certificate of occupancy and prior to establishment of the use(s). A copy of the recoded agreement shall be filed in the project review file at the Community Development Department. The agreement shall, at a minimum include the following:

List the names and ownership interest of all parties to the agreement and contain the signatures of those parties;

Provide a legal description of the properties;

Include a complete site plan showing the area of the parking parcel and the relationship to all related uses;

Agree and expressly declare the intent for the covenant to run with the land and bind all parties and all successors in interest to the covenant;

Assure the continued availability of the spaces for intended use;

Describe the obligations of each party, including the maintenance responsibilities;

Describe the method by which the covenant shall, if necessary, be revised;

Include the Town of Clarkdale as either a party in the agreement or as a third-part beneficiary; and

Provide that the agreement may not be cancelled or modified without the Town's approval.

Off-Street Parking Spaces shall be situated in a manner which will not result in automobiles backing onto public street, except the Community Development Director and the Town Engineer may administratively waive this requirement under the following conditions:

The road is unlikely to be extended in the future due to geographical, legal, or other limitations.

The location is within 1,500 feet of the end of a street and the Average Daily Trips (ADT) of the street is less than 1,000.

The back out parking would not create any safety hazards such as site distance issues, etc., as determined by staff.

The speed limit of the street is 25mph or less.

Surfacing: All off-street parking areas, access ways and driveways shall be improved with compacted ABC base, not less than four (4) inches thick and surfaced with a minimum 2" asphaltic concrete in a manner satisfactory to the Town Engineer. The surfacing of the parking area shall be of sufficient grade so that there will be no impoundment of surface water and all surface drainage shall be into a public street or improved drainage channel or structure. All surfaces must be permanently marked with required and appropriate markings to designate parking stalls, drive aisles, fire lanes, etc. This performance criteria applies to all new developments requiring more than ten (10) new parking spaces. New developments requiring ten (10) or fewer parking spaces and additions or expansions to existing developments may use a chip seal treatment. New developments requiring more than ten (10) new parking spaces may request the use of chip seal treatment to the Planning and Zoning Commission. The Commission will evaluate the request based on the nature of the use, the amount of traffic generated or expected, the grading and drainage plan for the parking lot and other relevant factors.

Porous paving and surfacing options for parking, drive aisles, and sidewalks may be approved by the Town Engineer as alternatives to the above asphalt and chip seal requirements.

In reviewing appropriateness of proposed alternative materials, the Town Engineer shall consider:

The size of intended delivery vehicles;

Visibility from the public right-of-way;

Whether the proposed materials will allow for proper drainage of the site;

Whether the proposed materials are appropriate for the climate;

Whether any proposed bumpers, wheel stops and stall markings are appropriate for the use and site, and are permanent and safe.

All surfaces must be able to be permanently marked with required and appropriate markings to designate parking stalls, drive aisles, fire lanes, etc.

All alternative materials must be dust-free.

Any alternative surfaces must meet the following minimum requirements in addition to any additional requirements imposed by the Copper Canyon Fire and Medical District in the interest of fire and life safety:

All Fire Lanes are required to be at least 20 feet wide and have a 13-foot, 6-inch vertical clearance; however, there may be cases where such lanes will be required to be at least 26 feet wide, in the discretion of the Fire District.

All Fire Lanes must be capable of supporting fire apparatus weighing up to 80,000 pounds Gross Vehicular Weight (GVW).

All turning radii shall be a minimum of 28 feet.

Full submittals for any Fire Lanes require written approval from the Fire District.

Access: Access to off-street parking from a public or private street shall be from a two-way driveway with a minimum width of 24 feet and a maximum width of 32 feet, or two one-way driveways which with a minimum width of 12 feet and a maximum width of 20 feet. No access driveway shall be located closer than 150 feet from a street intersection, or closer than 20 feet from another access driveway, or closer than 10 feet from an interior property line. At locations where the minimum driveway distance is not attainable due to property size, configuration, or other factors as determined by staff, a reduced minimum driveway location may be allowed if approved by the Community Development Director and the City Engineer.

4. The Town will require engineered plans for grading, parking space and striping design, drainage retention/detention facilities, culvert location and size, etc., for off-street parking facilities within the Town of Clarkdale and must be designed by a registered professional engineer. These plans may require the need for a hydrologic study by a licensed professional in conformance with the Yavapai County Drainage Criteria Manual.

5. The Town Engineer shall review such plans for adequacy and may require additional documentation. If the submitted plan is approved by the Town Engineer, no design changes for construction will be permitted unless approved by the Town Engineer.

6. Upon completion of the development of the parking area and other required physical improvements, the developer's engineer of record shall provide and certify a set of "as-built" construction plans to the Town Engineer, stating that all the required improvements have been completed in conformance to the specifications and standards as submitted for construction. This shall include horizontal as well as vertical verification of improvements.

7. No certificate of occupancy shall be issued until the "as-built" plans have been submitted and approved by the Town Engineer. (Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; prior code § 4-12)

Compact Car Stalls: Up to ten percent (10%) of the required number of parking spaces may be used to accommodate compact cars, if specifically marked, with stall sizes of a minimum width of 7'6" and a minimum length of 15'

1. Reduction of Requirements: Requests to reduce the otherwise applicable parking requirements may be granted by the Community Development Director after the applicant shows that:

Because of the unique nature of the specific existing or proposed land use, the size, shape, or location of the property, or due to an unusually large number of pedestrian or transit trips, below-normal parking demands will be generated; and

The reduced parking supply will still accommodate the vehicular traffic without increasing traffic or on-street parking problems in adjacent areas and neighborhoods.

1. It shall be the responsibility of the applicant requesting such reduction to prove that the above conditions have satisfactorily been met.

ADD BICYCLE PARKING REQUIREMENTS????

1. Standards for Off-Street Parking.

a. Residential Uses.

<u>Multi-Family, Efficiency and 1-Bed</u>	<u>1.5/dwelling unit</u>
<u>2 or More Bedroom Units</u>	<u>2/dwelling unit</u>
<u>Manufactured Home Units</u>	<u>2/dwelling unit</u>
<u>Fraternity, Boarding House</u>	<u>1/sleeping unit</u>
<u>Group Care Facilities</u>	<u>1/2 sleeping units + 1/employee</u>

b. Office and Service Uses.

<u>General Offices</u>	<u>1/250 square feet</u>
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<u>Medical Offices</u>	<u>4/practitioner + 1/2 employees</u>
<u>Day Care Centers</u>	<u>1/each 8 clients + 1/employee</u>
<u>Veterinary Hospitals, Clinics</u>	<u>3/practitioner</u>
<u>Hotel, Motel</u>	<u>1/sleeping unit</u>
<u>Beauty, Barber Shop</u>	<u>3/practitioner</u>
<u>Mortuary</u>	<u>1/3 seats + 1/business vehicle</u>
<u>Self-Service Laundry</u>	<u>1/4 machines</u>
<u>Restaurant, Bar, Nightclub</u>	<u>1/4 seating capacity + 5 stacking spaces per drive-through lane</u>
<u>Hospital</u>	<u>1/bed + 1/2 employees</u>
<u>c. <i>Retail Sales and Services.</i></u>	
<u>General Retail</u>	<u>1/200 square feet</u>
<u>Banks, Financial Institutions</u>	<u>1/250 square feet + 5 stacking spaces per drive-through lane</u>
<u>Motor Vehicle and Machinery Sales</u>	<u>1/200 square feet of indoor office/display area</u>
<u>Motor Vehicle Repair, Accessory Installation</u>	<u>2/service stall, min. of 6 spaces</u>

Furniture, Major Appliance Stores	1/400 square feet
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Car Wash	4/bay + 1/employee
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[*d. Education, Religious, Recreation, Assembly.*](#)

Elementary and Jr. High Schools	2/classroom
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High Schools	1/4 students
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Colleges, Universities	10/classroom
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Place of Worship	1/4 seats + assembly
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Fitness Center	3/4 capacity
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Golf Course	59/9 holes
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Commercial Recreation Facility	1/4 total capacity
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Fraternal Lodge	1/4 total capacity
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Auditorium, Sports Arena, Theater,	1/4 seats (24"/seat)
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Stadium	
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Exhibition Hall, Assembly	1/100 sq. ft., or
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(Nonfixed seating)	1/5 occ. (Fire code)
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[*e. Industrial Uses.*](#)

<u>Manufacturing, Fabrication</u>	<u>1/1,000 sq. ft., or 1.5 employees, whichever is greater</u>
<u>Warehouse</u>	<u>1/2,000 sq. ft. + parking for vehicles used on site</u>
<u>Self-Storage, Mini-Warehouse</u>	<u>24-ft.-wide aisles + caretaker parking</u>

Section 4-120

Off-Street Parking and Loading

A. ~~In all zoning districts there shall be provided at the time any new building or structure is erected off-street parking spaces as set forth in the following subsections. Any existing building or use which is enlarged, altered, increased in capacity, or in which the use or occupancy is changed to the extent of increasing off-street parking requirements shall provide additional off-street parking space.~~

~~1. Standards for Off-Street Parking.~~

~~a. Residential Uses.~~

Multi-Family, Efficiency and 1-Bed	1.5/dwelling unit
2 or More Bedroom Units	2/dwelling unit
Manufactured Home Units	2/dwelling unit
Fraternity, Boarding House	1/sleeping unit
Group Care Facilities	1/2 sleeping units + 1/employee

~~b. Office and Service Uses.~~

General Offices	1/250 square feet
Medical Offices	4/practitioner + 1/2 employees
Day Care Centers	1/each 8 clients + 1/employee
Veterinary Hospitals, Clinics	3/practitioner
Hotel, Motel	1/sleeping unit
Beauty, Barber Shop	3/practitioner
Mortuary	1/3 seats + 1/business vehicle
Self-Service Laundry	1/4 machines
Restaurant, Bar, Nightclub	1/4 seating capacity + 5 stacking spaces per drive-through lane
Hospital	1/bed + 1/2 employees
c. — Retail Sales and Services.	
General Retail	1/200 square feet
Banks, Financial Institutions	1/250 square feet + 5 stacking spaces per drive-through lane
Motor Vehicle and Machinery Sales	1/200 square feet of indoor office/display area

Motor Vehicle Repair, Accessory- Installation	2/service stall, min. of 6 spaces
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Furniture, Major Appliance Stores	1/400 square feet
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Car Wash	4/bay + 1/employee
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~~d. —Education, Religious, Recreation, Assembly.~~

Elementary and Jr. High Schools	2/classroom
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High Schools	1/4 students
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Colleges, Universities	10/classroom
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Place of Worship	1/4 seats + assembly
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Fitness Center	3/4 capacity
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Golf Course	59/9 holes
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Commercial Recreation Facility	1/4 total capacity
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Fraternal Lodge	1/4 total capacity
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Auditorium, Sports Arena, Theater,	1/4 seats (24"/seat)
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Stadium	
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Exhibition Hall, Assembly	1/100 sq. ft., or
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(Nonfixed seating)	1/5 occ. (Fire code)
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~~e. Industrial Uses.~~

Manufacturing, Fabrication	1/1,000 sq. ft., or 1.5 employees, whichever is greater
Warehouse	1/2,000 sq. ft. + parking for vehicles used on-site
Self-Storage, Mini-Warehouse	24-ft.-wide aisles + caretaker parking

~~f. For mixed use developments: Required off-street parking spaces shall be the sum of those for individual uses, unless it is demonstrated that intended uses are compatible for shared parking facilities.~~

~~g. Uses Not Mentioned. The required off-street parking for any building, structure or use of land of a type not listed in this subsection shall be determined by the Zoning Administrator. The Zoning Administrator shall be guided by comparison with the parking standards for similar uses which are listed in this or other zoning codes.~~

~~h. Exempted Areas. Lots 1 through 10, Block 44, the westerly half of Lot 10 and Lots 11 through 16, Block 45, Clarkdale Subdivision, are exempt from the standards specified in subsection a of this section.~~

~~2. Design Standards for Off-Street Parking.~~

~~a. All off-street automobile parking facilities shall be designed with appropriate means of vehicular access to a street, alley or public thoroughfare, as well as necessary maneuvering areas adjacent to parking spaces shall be arranged in accordance with the diagrams contained in this section.~~

~~b. All driveways shall be of sufficient width to permit access into spaces, but in no case less than 10 feet wide for one (1) way travel and 20 feet wide for two (2) way travel.~~

~~c. Each parking space shall consist of an area of not less than nine feet in width by 20 feet in length, except that the length may be reduced to 18 feet where the front or rear of a vehicle hangs over a berm or curb. No part of the vehicle shall extend over or~~

beyond any property line. Parking spaces shall be exclusive of driveways required to make such space accessible from a street, alley or public thoroughfare.

d. A minimum space of 10 feet in width, 35 feet in length, and 14 feet in height with access useable at all times to a street, alley, or public thoroughfare shall be deemed a loading space for one (1) vehicle.

e. *Surfacing.* All off-street parking areas, except residential dwelling units, shall be surfaced with a permanent, dust free pavement striped to requirements herein.

f. *Illumination.* All light used to illuminate parking space shall be so arranged as to reflect the light away from adjoining lots in residential districts.

g. Parking areas with more than two (2) spaces must be arranged so that it is not necessary for vehicles to back into the street.

h. Parking stalls and aisle layout must conform to the following standards:

Parking Angle	Stall Width	Stall Depth	Lane Width	Direction
90 degree	9'-0"	20'-0"	24'-0"	two-way
60 degree	9'-0"	20'-0"	18'-0"	one-way only
45 degree	9'-0"	20'-0"	12'-0"	one-way only
30 degree	9'-0"	20'-0"	12'-0"	one-way only

i. In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings, or other permanent indications and maintained as necessary.

j. Parking areas for nonresidential use must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack (tandem) parking may be permitted for resident parking in conjunction with residential uses if both spaces are assigned to the occupants of the same dwelling unit.

~~k. Provisions must be made to restrict the overhang of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways.~~

~~3. Location Standards for Off-Street Parking.~~

~~a. Off-street parking space required herein shall be located on the lot, except that required parking space for any use amounting to ten (10) such spaces or more may be located in any permissible location not farther than 300 feet distant in a direct line from the nearest part of such use.~~

~~b. Parking lots should be located to the side or rear of the building. Parking lots should not be located between the building and the street.~~

~~c. The use of shared parking, shared driveways, and the cross-connection of parking lots is encouraged.~~

~~d. Parking lots on adjoining lots may be connected by access ways not exceeding 24 feet in width. No parking or maneuvering will take place in the setback areas.~~

~~e. Spaces utilized for ingress and egress for a parking area shall not exceed 40 feet in width measured along the street frontage and shall not constitute more than fifty percent (50%) of the total frontage of the parking area.~~

~~f. All parking spaces, access drives, and impervious surfaces must be located at least five feet from any side or rear lot line, except where standards for buffer yards require a greater distance.~~

~~g. No parking spaces or asphalt type surface shall be located within five feet of the front property line.~~

~~4. The Town will require engineered plans for grading, parking space and striping design, drainage retention/detention facilities, culvert location and size, etc., for off-street parking facilities within the Town of Clarkdale and must be designed by a registered professional engineer. These plans may require the need for a hydrologic study by a licensed professional in conformance with the Yavapai County Drainage Criteria Manual.~~

5. The Town Engineer shall review such plans for adequacy and may require additional documentation. If the submitted plan is approved by the Town Engineer, no design changes for construction will be permitted unless approved by the Town Engineer.

6. Upon completion of the development of the parking area and other required physical improvements, the developer's engineer of record shall provide and certify a set of "as-built" construction plans to the Town Engineer, stating that all the required improvements have been completed in conformance to the specifications and standards as submitted for construction. This shall include horizontal as well as vertical verification of improvements.

7. No certificate of occupancy shall be issued until the "as-built" plans have been submitted and approved by the Town Engineer. (Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; prior code § 4-12)

Section 4-121

Traffic and Pedestrian Access

A. *Pedestrian Circulation.* The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/exits with parking areas and with sidewalks, if they exist or are planned in the vicinity of the project.

1. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

2. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

3. *Sidewalks.* Where a proposed project driveway interrupts an existing or planned public sidewalk, the sidewalk material must continue to be maintained across the driveway, or the driveway must be painted to distinguish it as a sidewalk.

B. *Vehicular Circulation.*

1. *Adequacy of Roadway System.* Vehicular access to the site must be on roads that have adequate capacity to accommodate the additional traffic generated by the development. The developer shall be responsible for the acquisition of any private easements necessary to provide adequate access to the proposed development. Each commercial/multi-family development shall provide for adequate traffic circulation based on average daily traffic (ADT) and the classification system below.

STREET CLASSIFICATION AND MINIMUM DESIGN STANDARDS

STREET CLASS_CATEGOR Y_LANE WIDTH_PARKING LANE WIDTH_IMPROV ED_WIDTH	CURB OR SHOULDER	GRADE D- AREAS OR SIDEW ALK	SURF ACE	ROW/EASE MENT WIDTH	MAXIM UM AVG. DAILY TRAFFI C (ADT)	DESIG N SPEED MPH				
I	ARTERIAL	12'	NONE	60'	VERTIC AL	SIDEW ALK	7 6"	3,00 0+	5 5	
II	INDUSTRI AL	12'	12'	48'	ROLLED	GRADE D	6 4"	3,00 0	4 0	
III	COMMER CIAL	12'	8'	40'	VERTIC AL	SIDEW ALK	6 0"	3,00 0	4 0	
IV	RESIDENT IAL	16'	NONE	28'	VERTIC AL	SIDEW ALK	2" W/6" BAS	4 0"	3,00 0	4 0

STREET CLASS_CATEGORY Y_LANE WIDTH_PARKING LANE WIDTH_IMPROV ED-WIDTH	CURB OR SHOULDER	GRADE D- AREAS OR SIDEWALK	SURFACE	ROW/EASEMENT WIDTH	MAXIMUM AVG. DAILY TRAFFIC C (ADT)	DESIGN SPEED MPH	E-OR 3"W/ 4" BAS E			
	COLLECT OR									

a. Any streets determined to be necessary to support the new development shall be constructed, by the developer, to the street classification and minimum design standards set below herein and adopted by the Town or any other standards adopted by the Town. Upon completion of any access roads to these standards, the roadway, upon acceptance by the Town, shall be dedicated to the Town as public right-of-way.

b. Vehicular access to the site must be on roads that have adequate capacity to accommodate the additional traffic generated by the development.

c. For developments which generate one hundred (100) or more peak hour trips based on the latest edition of the Trip Generation Manual of the Institute of Traffic Engineers, intersections on major access routes to the site within one (1) mile of any entrance road which are functioning at a level of service of C or better prior to the development must function at a minimum level of service D after development.

d. If any such intersection is functioning at a level of service D or lower prior to the development, the project must not reduce the current level of service. This requirement may be waived by the Site Plan Review Committee if the Committee determines that the project will not have an unnecessary adverse impact on traffic flow or safety.

e. A development not meeting this requirement may be approved if the applicant demonstrates that:

i. A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard; or

ii. The applicant will assume financial responsibility for the improvements necessary to bring the level of service to this standard and will assure the completion of the improvements with a financial guarantee acceptable to the Town.

2. *Access into the Site.* Vehicular access to and from the development must be safe and convenient.

a. Any driveway or proposed street must be designated so as to provide the minimum sight distance according to the Town's standards, to the maximum extent possible.

b. Points of access and egress must be located to avoid conflicts with existing turning movements and traffic flows. Shared entryways are strongly encouraged.

c. The grade of any proposed drive or street must be not more than +/- three percent (3%) for a minimum of two (2) car lengths, or 40 feet, from the intersection.

d. The intersection of any access/egress drive or proposed street must function:

i. At a level of service of C following development if the project will generate one thousand (1,000) or more vehicle trips per twenty-four (24) hour period; or

ii. At a level that will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.

e. Where lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrian hazards.

f. Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets. special care to be given to ensure traffic does not directly impact adjoining residential street system.

g. Access ways must be designated and have sufficient capacity to avoid queuing of entering vehicles on any public street.

h. The following criteria must be used to limit the number of driveways serving the proposed project:

i. No use which generates less than one hundred (100) vehicle trips per day shall have more than one (1) driveway onto a single roadway. Such driveway must be no greater than 30 feet wide.

ii. No use which generates one hundred (100) or more vehicle trips per day shall have more than two (2) points of egress to a single roadway. The combined width of all access ways must not exceed 60 feet.

3. *Access Way Location and Spacing.* Access way must meet the following standards:

a. Private entrances/exits must be located at least 120 feet from the closest unsignalized intersection and 160 feet from the closest signalized intersection, as measured from the point of tangency from the corner to the point of tangency for the access way.

b. Private access ways in or out of a development must be separated by a minimum of 120 feet where possible.

4. *Internal Vehicular Circulation.* The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

a. Nonresidential projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing for a minimum of forty (40) foot wheelbase vehicles.

b. Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane – no parking).

c. The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the lot.

d. All roadways must be designed to harmonize with the topographic and natural features of the site. (Created by Resolution #1621 on 2/25/20; Created by Ordinance #403 on 2/25/20; effective 3/26/20)

Section 4-130

Parking Lots and Driveways Abutting Residence District

A. Whenever a parking lot or a driveway to a parking lot is hereafter established in other than a R1, R2, R3, R4, or R4A District so as to adjoin the side or abut the rear line of a lot in one (1) of these listed Districts, a solid masonry wall, or substantial solid fence six (6) feet high, shall be constructed and maintained along said side or rear lot line up to, but not beyond, the front setback building line. In addition, in all use districts, the lighting, including any permitted illuminated sign, on any parking lot or driveway shall be arranged so that there will be no annoying glare directed or reflected toward residence buildings of R1, R2, R3, R4, or R4A Districts. (Prior code § 4-13)

Section 4-140

Rear Yards In Business and Commercial Zones-Loading and Unloading

A. In a business and industrial district, every building erected on an interior lot, extending back to an alley or on a lot eighty (80) feet or more in depth, located at the intersection of a street with an alley shall provide on such lot, adequate space for loading and unloading of trucks and commercial vehicles serving such building. Such loading space, unless otherwise adequately provided for, shall include a rear yard space extending at least fourteen (14) feet in height above the grade of the alley and at least twenty-five (25) feet in depth back from the alley line, along fifty percent (50%) of such alley frontage of an interior lot and along twenty percent (20%) of such alley frontage of a lot eighty (80) feet or more in depth located at the intersection of a street with an alley.

B. A loading space requirement may be modified or waived by the Board of Adjustment on application in the case of a bank, theater, assembly hall or other buildings of limited loading space requirements. (Prior code § 4-14)

Section 4-150

Bed and Breakfast Establishments

A. Homestay Regulations: Bed & Breakfast Homestays, as defined in Chapter 2, Section 2-010, are permitted in the following Zones: R1, R1L, R2, R3, R4, R4A, C, I, & C-B. Said Bed & Breakfast Homestay facility shall comply with the following regulations and performance standards:

1. Facility shall be owner-occupied with no more than 50% of the floor area of the primary structure used for guest quarters or Bed and Breakfast purposes.
2. State and County Health Department approval and permits are required.
3. Building shall meet the requirements of the International Building Code.
4. When changing the use or occupancy, both zoning compliance check and building safety clearance is required prior to commencement of the use.
5. No more than three (3) guest units shall be available for rent at any time.

A guest unit consisting of more than one room shall not be constructed, converted, or modified so as to permit division into separate guest units.

6. In addition to the required parking for the owner of the Homestay, per zoning code district, one (1) parking space per guest unit shall be provided on site in accordance with the parking standards of the Ordinance.
7. One (1) sign, for identification purposes, not exceeding the size permitted per zoning code district, may be attached to the primary structure or placed in the front yard no higher than three (3) feet above grade.
8. Necessary to have a current business license.

B. Bed & Breakfast Inn Regulations: Bed and Breakfast Inns, as defined in Chapter 2, Section 2-010, are permitted in the following Zones: R1, R1L, R2, R3, R4, R4A, C, I, and C-B. Said Bed & Breakfast Inn facility shall comply with the following regulations and performance standards.

1. Facility shall be owner-occupied with no more than seventy five percent (75%) of the floor area or structural coverage to be used for guest quarters or Bed and Breakfast purposes.
2. Building shall meet the requirements of the International Building Code.
3. When changing the use of or occupancy, both zoning compliance check and building safety clearance are required prior to commencement of the use.
4. No more than five (5) guest units shall be available for rental at any time.

A guest unit consisting of more than one room shall not be constructed, converted, or modified so as to permit division into separate guest units.

5. In addition to the required parking for the owner of the Bed & Breakfast Inn, per zoning code district, one (1) parking space per guest unit shall be provided on site in accordance with the parking standards of the Ordinance
6. One (1) sign, for identification purposes, not exceeding the size permitted per zoning code district, may be attached to the primary structure or placed in the front yard no higher than three (3) feet above grade.
7. Necessary to have a current business license.

C. Country Inn Regulations: Country Inns, as defined in Chapter 2, Section 2-010, are permitted in the following Zones: C, I, & C-B. Said Country Inn facility shall comply with the following regulations and performance standards.

1. Installation of commercial kitchen facilities, as well as acquisition of necessary permits per County and State Health Department requirements.
2. Building shall meet the requirements of the International Building Code.
3. When changing the use of or occupancy, both zoning compliance check and building safety clearance required prior to commencement of the use.

4. Signage shall meet applicable sign code standards
5. In addition to the required parking for the owner of the Bed & Breakfast Country Inn, per zoning code district, one (1) parking space per guest unit and employee shall be provided on site in accordance with the parking standards of the Ordinance.
6. Necessary to have a current business license. (Prior code § 4-15)

Section 4-160

Sidewalk Café Permit

~~(Created 2/14/12 by Resolution 1388 – Ordinance 342; Effective 3/14/2012)~~

A. Purpose and intent: This section shall apply to the establishment, operation and maintenance of all sidewalk/outdoor café dining areas accessory and incidental to lawful restaurants/dining establishments within the Town's rights-of-way directly in front of and/or adjacent to the specific business to which they pertain. The purpose of this section is to promote general economic development, protect the public health, safety and general welfare and the atmosphere of the Town for the benefit of all businesses and our citizens and visitors. No rights of individuals or individual businesses are created therein.

B. Definitions:

1. Furniture means tables, umbrellas, chairs, benches or other objects used for the purpose of seating or of supporting the dining business.
2. Sidewalk cafe means a dining experience created within a portion of the public right-of-way kept, used, maintained and held out to the public as a place for sidewalk dining, where food, beverages or other refreshments are served for consumption on the premises adjacent to a business licensed to operate as an eating and/or refreshment establishment.
3. Removable barrier or barrier means a physical separator that can easily be lifted and moved immediately without the assistance of tools.

4. Sidewalk means that area of public right-of-way between the curb lines or the lateral lines of a roadway and the adjacent property lines reserved for pedestrian traffic, not including street crossings.

5. Operator means the persons or businesses permitted to operate a specific sidewalk café.

6. Applicant means persons or businesses applying for a permit to operate a specific sidewalk café.

C. Permit required and fees: An annual permit issued by the Town to operate a sidewalk café is required and may be issued only to a business that holds all current Federal, State and local licenses required to operate said business wishing to establish a sidewalk cafe on the public or private property directly adjacent to the business to be used by the general public.

1. Permit application: The application shall [follow all Design Review submittal requirements, in addition to:](#) ~~contain the following information:~~

~~a. The name, home and business address, email address, and telephone number of the applicant/operator, and the name, email address, telephone number and address of the owner/operator of the business, if other than the applicant.~~

~~b. The name, home address, email address, and telephone number of a responsible person whom the Town may notify or contact at any time concerning the applicant's permit.~~

~~c. A copy of the current business license to operate a business establishment which is the subject of the application.~~

d. A statement of how the sidewalk dining area will be supervised and maintained.

e. Proof of current liability insurance, issued by an insurance company licensed to do business in the State of Arizona, protecting the licensee and the Town from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the sidewalk dining permit. Such insurance shall name the Town as an additional insured and shall provide that the policy shall not terminate or be canceled prior to the expiration date without 30 days' advanced

written notice to the Town. The amount of coverage shall be determined at the time of application review.

~~f. Two copies and an original sketch to scale of the proposed location showing the layout and dimensions of the proposed sidewalk cafe area.~~

g. Proof of any required permit from the Arizona Department of Liquor Licenses and Controls.

~~h. Photographs, drawings, or manufacturer's brochures fully describing the appearance of all proposed dining area furniture or other objects related to the operation of the sidewalk dining area by the applicant.~~

i. Non-refundable annual fee as shown in the Town of Clarkdale fee schedule: The applicant must pay necessary water and/or sewer capacity fees for additional seats within the sidewalk dining area. In addition the applicant must pay monthly sewer fees as agreed in order for the permit to remain valid. Failure to pay sewer fees as agreed shall result in the immediate revocation of the permit.

2. Permit process: All sidewalk café applications shall be reviewed and approved by the Planning Commission for compliance with design review regulations prior to commencement of operations of the sidewalk café. DRB application fees are one (1) time unless the operator wishes to make significant changes (i.e. to the approved layout) such as increasing the number of tables or area of service or overall theme/design of the café. Appeals of the application decision by the Planning Commission may be made by the applicant to the Town Council within fifteen (15) days of the meeting at which the decision is made.

D. Furniture: Use of furniture and any other objects of such quality, design, materials, and workmanship that are approved as part of design review, including but not limited to barriers, umbrellas, chairs, and tables made of fire retardant and/or pressure treated materials and that can be properly secured/weighted to withstand strong winds. Umbrellas, chairs or tables with advertising, signage or other writing on them are prohibited ~~not allowed~~.

~~E. Signage: One temporary, single-sided sign not exceeding six square feet in area, non-illuminated and displayed at a height not exceeding four feet, shall be permitted. The wording of such temporary sign shall be limited to the name of the business operating the sidewalk cafe~~

~~and may state the items and prices of food offered for sale. The temporary sign shall be placed within the permitted area and shall not be placed on the adjacent building or on any permanent structure and shall be displayed only while the sidewalk café is open and operating. The following types of signs and decorations are prohibited: Signs painted or lettered on banner-type material; moving, fluttering and flapping pennants, flags, balloons and similar decorations.~~

F. Hours: Sidewalk cafes may operate during the regular business hours of the restaurant operating the sidewalk café, but no later than 11:00 p.m. No orders for food and/or beverages shall be taken after 10:00 p.m. for service at the sidewalk cafe.

G. Lighting: Lighting shall be that from the existing business or street lamps. For safety reasons, no extension cords or free standing temporary lighting will be permitted. Battery operated lights attached to the umbrella poles so as to minimize impact on dark skies and adjacent properties will be permitted.

H. Other restrictions:

All permitted encroachments shall maintain a minimum clear distance of sidewalk width of 5 feet.

1. No outdoor cooking of any type is permitted within the sidewalk café area.

All services to support sidewalk cafes shall be supplied from within the adjacent building. Temporary service equipment such as beverage containers or welcome stands may be used if included in the Design Review approval.

2. No amplified music is permitted within the sidewalk café area. Single acoustic instruments such as a guitar will be allowed so long as musicians have a contractual arrangement with the owner

3. *Liquor Service.* Each sidewalk cafe serving alcoholic beverages shall provide all services in compliance with relevant local, state, and federal laws, including but not limited to the compliance with State Liquor License requirements and the verification of the legal drinking age of all patrons. No alcoholic beverages shall be removed from the sidewalk café in which they were served. Food service shall be available at all times commensurate with alcohol service. The operator of the sidewalk café shall comply with all barriers as may be required with an extension of premises of the relevant liquor license.

4. *Health Codes Compliance.* Each sidewalk café shall ensure compliance with all applicable [Yavapai](#) County Health Codes and obtain any necessary extension/expansion permits required by the County.
5. *Trash removal.* The operator of the sidewalk café shall ensure all trash is removed from the sidewalk café area at the close of operating hours daily.
6. *Sidewalk Café Location Restrictions.* The café shall not block or restrict the sidewalk to less than applicable Americans with Disabilities Act (ADA) requirements or block the ingress/egress to any building. Also, no items shall be placed so as to block any doorway, driveway, crosswalk, or counter service window. Clearances should take into consideration nearest immovable object on the sidewalk. [The encroachment area shall not extend laterally beyond the business's building frontage.](#)
7. *Smoking.* The availability of smoking areas shall be in compliance with applicable federal, state and local laws.
8. Any outdoor heating devices need Fire District and Building Official review and approval.

[The Town may temporarily suspend an encroachment permit or a sidewalk café approval when construction, street repair, or utility work in the area would create a hazard.](#)

- I. **Indemnity and Liability:** As part of the permitting process set forth herein, any person or entity receiving a permit set forth herein shall execute an indemnity agreement indemnifying and releasing the Town of Clarkdale, its agents, employees and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever. The Town shall not be liable to any permittee or any license holder for any damage, loss, inconvenience, business interruption, demolition, loss of business. ~~(Revised by Ordinance #438 on 12/10/24; effective 1/10/25; prior code § 4-16)~~

Section 4-170-010

Standards for Golf Course Developments

(Created 10/9/12 by Resolution 1414 – Ordinance 344; Effective 11/9/2012)

A. Purpose: To ensure that every golf course be developed and managed with consideration for the unique conditions of the ecosystem of which it is a part, and specifically to ensure that no depletions to the aquifer occur from the irrigation of golf courses, and to encourage the use or reuse of effluent.

B. General Requirements: The following requirements shall apply to the development and processing of golf courses in conjunction with a Planned Area Development proposal or any other golf course development:

1. Applicant will be required to submit plans that demonstrate that the proposed project meets the standards set by the Arizona Department of Water Resource for golf courses in the Active Management Areas including limiting water usage to no more than five (5) irrigated acres per hole times the turf water allotment presented in the water allotment table.
2. Applicant to obtain a report of physical availability of water from the Arizona Department of Water Resources demonstrating an adequate water supply for the entire development including the golf course prior to recording the Final Plan/Final Site Plan and prior to construction of the golf course.
3. Applicant to demonstrate that the proposed development will be of an appropriate size and scale and reasonable or appropriate for a given area to generate sufficient effluent or re-use water to meet the entire irrigation needs of the golf course or demonstrate that an alternative supply of effluent or other renewable source of water will be available.
4. Applicant will be required to submit a water balance study to demonstrate that sufficient water supply other than groundwater will be available for use on the golf course. The format and standard assumptions and criteria will be used as a guide to complete the water balance study. These format and standard assumptions and criteria are attached in Section [4-170-040](#).
5. Applicant will be required to conduct a monitoring program as it pertains to surface water and groundwater quality and quantity. The monitoring program will be developed in concert with the appropriate approval authorities.

6. Applicant will be required to conduct monitoring program as it pertains to the performance of the wastewater treatment plant including effluent discharge quality and quantity for review and approval by the Community Development Department and Building staff or other appropriate agencies. (Prior code § 4-17-1)

Section 4-170-020

Design and Construction Standards

A. Applicant will be required to submit plans demonstrating that the golf course is designed, constructed and maintained in accordance with environmental practices as set out in Environmental Principles for Golf Courses in the United States or United States Golf Association guidelines or similar and which meet the following conditions:

1. Emphasis shall be placed upon the design of irrigation, drainage and retention systems that provide for the efficient use of water. Drainage and storm water retention systems should be incorporated to help provide for both the short and long term irrigation needs of the maintained turf and the un-maintained areas of the course. Storm water retention systems may require an appropriate surface water right from the Arizona Department of Water Resources.
2. The course shall be designed with sustainable maintenance in mind. The design shall incorporate resource conservation strategies that are environmentally responsible, efficient and cost effective. (Prior code § 4-17-2)

Section 4-170-030

Construction Documents

Conceptual grading, drainage, irrigation, clearing and landscaping plans will be required as part of the Final Site Plan application and in conjunction with a development plan. Plans must have sufficient detail to demonstrate that the design, construction and maintenance will incorporate environmental principles and meet the intent of the water use standards for golf courses specified in this document. (Prior code § 4-17-3)

Section 4-170-040

Water Balance Study

The applicant shall conduct a water balance study to demonstrate that the development has a sufficient supply of water other than groundwater to meet the water requirements of the golf course.

A. Water Allotments-five (5) irrigated acres per hole is the maximum acreage allotment, except when considering a previous water right allotment for surface water rights. The allotments presented in the table are for purposes of calculating the water balance for the facility and assume a seventy-five percent (75%) efficient irrigation system. If the applicant cannot meet the water requirements of a typical golf course with effluent, consideration will be given for a demonstration of reduced water use (for example, reducing the area irrigated).

Water Allotments for Turf Facilities

Type of Use	Water Allotment Facilities at 4,000 to 5,500 feet above MSL (ac-ft/acre)	Water Allotment Facilities at 3,000 and up to 4,000 feet above MSL (ac-ft/acre)
Turf	4.9	5.2
New Turf (1st year)	5.9	6.2
Artificial Lakes	5.5	5.8
Low Water Use Landscaping	1.5	1.5

B. Leaching Requirement-Turf may require the occasional leaching of salts from the root zone. Although treated effluent may not be as efficient as groundwater, even low quality water can be appropriately used for leaching. If the applicant believes that a leaching allotment is necessary, the applicant will have to demonstrate a sufficient amount of renewable water supply. The

standard equation utilizing electrical conductivity of the water shall be used to compute the leaching requirement.

1. Additional Leaching $= (1 / (1 - (EC_w / (5EC_e - EC_w)))) - 1 * CU / .75$ Allotment
2. Where: EC_w = Electrical Conductivity of the water used EC_e = Tolerance of the crop to soil salinity in electrical conductivity of the soil saturation extract (millimhos per centimeter)
 CU = Consumptive use of the crop.

C. Effective Precipitation - Precipitation that is effective in offsetting the irrigation water demands is included in the water allotments in the table above. Consideration will be given if the applicant can demonstrate an additional amount of precipitation is effective in offsetting irrigation demands.

D. Additional Precipitation Allowance - If the applicant plans to capture additional runoff or off-site precipitation for use on the golf course, the applicant shall demonstrate adequate storage capacity, probability and volume of the captured water, and legal right to conduct the capture activity.

E. Effluent Production - The standard water requirements of a new housing development shall be computed according to the standard water use rates specified in the Prescott AMA Third Management Plan. Only the interior water use requirements (interior gallons per capita-day) will be considered to be a contribution to the effluent re-use system. Outside water use will be considered lost and non-recoverable. An average value of 2.5 persons per household will be the standard housing unit occupancy level. Consideration will be given if the applicant has good evidence that the development water use and effluent capture rates are different from the values presented.

Type of Residential Unit	Interior Gallons per Capita-day	Average Persons per Housing Unit	Exterior use (Gallons per Housing Unit per Day)	Total Water Use per Housing Unit (Gallons per Day)
Single-Family Homes	57	2.5	75	217.5
Town Homes	57	2.5	58	200.5

F. Seasonal fluctuations-Typical golf course water requirements have a peak water use period during the hot-dry part of the summer that is much greater than the average annual water use. However, effluent production does not typically match this high peak. The applicant should demonstrate that available effluent is sufficient to meet the summer peak water use requirements of the golf course (approximately 1 acre-foot/acre during the one month period from June 15-July 15, or 3 acre-feet/day for a 90 acre golf course). (Prior code § 4-17-4)

Section 4-180

Wireless Communication ~~Tower~~ Structure

(Created 7/9/13 by Ordinance #352; Effective 8/9/13)

Wireless Communication Facilities

A. Purpose.

1. The purpose of this Section is to regulate the placement, construction, and modification of wireless communication facilities in order to:
 - a. Protect public health and safety;
 - b. Minimize visual and aesthetic impacts;
 - c. Encourage co-location and shared use of facilities;
 - d. Preserve neighborhood character; and
 - e. Ensure compliance with applicable federal and state law.

2. This Section shall be interpreted and applied consistent with the Telecommunications Act of 1996, the Spectrum Act, and applicable Federal Communications Commission (FCC) regulations.
3. Nothing in this Section shall be interpreted or applied in a manner that prohibits or has the effect of prohibiting the provision of personal wireless services, consistent with 47 U.S.C. § 332(c)(7).

B. Applicability.

1. This Section applies to all wireless communication towers, monopoles, antennas, small wireless facilities, and related equipment installed within the Town.
2. Amateur radio antennas and receive-only antennas used for residential purposes are exempt from this Section but shall comply with applicable height limits and building codes.
3. The Town shall not regulate the placement, construction, or modification of wireless communication facilities on the basis of radio frequency emissions where such facilities comply with FCC regulations concerning such emissions.

C. Definitions.

For purposes of this Section:

1. Wireless Communication Facility (WCF) means any facility used for transmission or reception of wireless signals.
2. Tower means any structure designed primarily to support antennas.
3. Small Wireless Facility means a facility meeting the size, height, and equipment thresholds established by federal or state law for small cell deployment.
4. Co-location means the installation of additional antennas or transmission equipment on an existing tower or structure.
5. Substantial Change shall have the meaning set forth in 47 C.F.R. § 1.6100, as amended. In the event of a conflict between this Code and federal law, federal law shall control.

D. Approval Requirements.

1. New Towers.
Construction of a new wireless communication tower shall require a Conditional Use Permit and Design Review approval.

2. Co-location.

Co-location on an existing tower or structure that does not constitute a substantial change shall be subject to administrative review.

3. Small Wireless Facilities.

Small wireless facilities shall be reviewed administratively in accordance with federal and state law.

4. Eligible Facilities Requests.

a. The Town shall approve an application for modification of an existing wireless tower or base station that qualifies as an eligible facilities request under Section 6409(a) of the Spectrum Act and 47 C.F.R. § 1.6100.

b. Such applications shall be processed administratively and shall not require a Conditional Use Permit or discretionary review.

c. The Town shall act upon eligible facilities requests within the timeframes required by federal law.

E. Location Standards.

1. Preferred Siting Hierarchy.

Applicants shall demonstrate that the following siting preferences have been evaluated:

a. Co-location on existing towers;

b. Co-location on existing buildings or structures;

c. Placement on existing utility poles;

d. Construction of new monopole towers.

2. Residential Areas.

New towers shall not be permitted within residential zoning districts unless the applicant demonstrates that no feasible alternative location exists and that visual impacts are mitigated to the greatest extent practicable.

3. Highway Corridor.

Wireless communication facilities located within five hundred (500) feet of the centerline of State Route 89A shall be subject to enhanced design review standards to minimize visual impacts; however, such facilities shall not be categorically prohibited where the applicant demonstrates a significant coverage gap or capacity need consistent with federal law.

4. Required Yards.

Towers shall not be located within required front yards.

F. Setbacks and Height.

1. Towers shall comply with the setback requirements of the underlying zoning district.

2. Unless otherwise required by federal law, a tower shall not be located closer to a residential dwelling than a distance equal to the height of the tower unless approved through Conditional Use Permit with findings of necessity and mitigation.
3. Towers shall not exceed the maximum height permitted in the zoning district unless approved through Conditional Use Permit upon demonstration of need.

G. Design Standards.

1. All wireless communication facilities shall incorporate stealth or concealment techniques to minimize visual impacts, including:
 - a. Monopole design rather than lattice towers unless structurally necessary;
 - b. Flush-mounted antennas where feasible;
 - c. Color matching to surrounding structures;
 - d. Concealment within architectural or landscape features where practicable.
2. Equipment Enclosures.
Ground-mounted equipment shall be screened by walls, fencing, or landscaping sufficient to prevent visibility from public rights-of-way and adjacent residential properties.
3. Lighting.
Towers shall not be illuminated except as required by the Federal Aviation Administration (FAA) or other governmental authority. Security lighting, if provided, shall be fully shielded.
4. Signage.
Only signage required by federal law or necessary for safety identification shall be permitted.

H. Application Requirements for Conditional Use Permit.

An application for a Conditional Use Permit for a new tower shall include:

1. An accurate site plan showing tower location, height, setbacks, and supporting facilities.
2. A coverage map demonstrating existing facilities within ten (10) miles and identifying the service gap addressed.
3. Scaled elevation drawings of the proposed tower and equipment, including concealment features.
4. Environmental review documentation as required by federal regulations.
5. Proof of FCC license or authorization.

6. A signed certification that the facility will comply with FCC radio frequency emission standards.
7. Letter of authorization from the property owner.

I. Removal of Abandoned Facilities.

1. A wireless communication facility that is not operated for a continuous period of one hundred eighty (180) days shall be considered abandoned.
2. The owner shall remove the facility within ninety (90) days after notice from the Town.
3. Failure to remove an abandoned facility shall constitute a violation of this Code, and the Town may remove the facility at the owner's expense.

~~A.—Purpose. To minimize the impacts of wireless communications facilities on surrounding areas by establishing standards for location, structural integrity, compatibility, and appearance while encouraging the availability of broadband wireless connectivity for residents and visitors.~~

~~B.—Permitted Zones. Wireless communication facilities are permitted in the Commercial and Industrial Zoning Districts with a Conditional Use Permit, but are not allowed to be placed within five hundred (500) feet on either side of the centerline of State Route 89A. Co-location of providers is encouraged. A Conditional Use Permit shall also be required for any substantial change to an existing Wireless Communication Tower; a substantial change means any change or cumulative changes over time: (1) changing the physical dimensions (height or width) of the Wireless Communication Tower or its supporting structures by more than ten percent (10%); or, (2) changing the design of the Wireless Communication Tower that would make it significantly more obtrusive.~~

~~A conditional use permit for Wireless Communication Tower shall include:~~

- ~~• An accurate site plan showing the exact location of the tower and supporting facilities with dimensions for each structure and setbacks from property boundaries.~~

- ~~A map of all locations owned, leased or operated by the applicant and their coverage located within 10 miles of the proposed site.~~
- ~~A detailed drawing, scaled to not less than one-inch equal to 100 feet, of the exterior of the proposed Wireless Communication Tower, including a cross-section detail of the tower, including height from grade, number of poles and number of arms, and features to make the tower visually unobtrusive. Aerial photographs and renderings may augment the drawing.~~
- ~~An environmental assessment of the site, per the specifications of Section 1.1307 of the rules of the Federal Communication Commission and the Federal Aviation Administration rules regarding antenna structures.~~
- ~~Exterior paint or finish samples.~~
- ~~Letter of authorization from the property owner.~~
- ~~A signed statement stating the radio frequency emissions comply with the standards of the Federal Communications Commission.~~
- ~~Proof of a license from the Federal Communications Commission to transmit/receive radio signals.~~
- ~~A summary of any planned community outreach regarding the application.~~

~~C. General Requirements and Restrictions:~~

- ~~1. Towers and accessory structures shall, as much as feasible, be designed to be visually unobtrusive with the surrounding landscape and area. Landscaping from the Town's approved plant list shall be used to screen all structures. Stealth or concealed towers may be required as a condition of the Conditional Use Permit.~~
- ~~2. Outdoor storage of equipment shall not be permitted at the site.~~
- ~~3. Lighting shall be fully shielded and used for security reasons only unless otherwise regulated by the Federal Communication Commission or the Federal Aviation Administration.~~
- ~~4. Only signage required by the Federal Communications Commission is permitted.~~

~~5. All components of a Wireless Communication Tower shall be removed, at the expense of the property owner, the entity leasing or owning the tower, or the applicant's (or the applicant's successor), if not used for 180 consecutive days. If the facility is not removed, the Town shall remove at the cost of the property owner, the entity leasing or owning the tower, or the applicant's (or the applicant's successor) after 30-days' written notice. (Revised by Ordinance #427 on 8/13/24; effective 9/14/24; prior code § 4-18)~~

Section 4-190

Temporary Uses and Temporary Structures

Purpose:

Temporary Use Permits are intended to allow short-term activities compatible with surrounding uses and do not permanently alter the character of the property.

A. *Temporary Uses and Temporary Structures.*

1. A temporary use permit (TUP) shall be required for all temporary uses and structures. Permits are provided through administrative review by the Community Development Department.
2. Permit applications shall be submitted at least thirty (30) days prior to commencement of temporary uses. The Community Development Director may waive this requirement if special circumstances are determined to apply.
3. Notices of the temporary use permit application will be sent to surrounding property owners with direction to provide comments to the Community Development Department.
4. Temporary use permits shall be issued for a maximum of 90 consecutive days ~~specific time period. Permits may be extended for an additional time period upon submittal of an additional permit application and after review and approval of the Community Development Director.~~

Temporary uses exceeding 90 days within a calendar year shall require Conditional Use Permit approval.

The Community Development Director may approve up to two extensions not exceeding 30 days each.

5. The fee for a temporary use permit shall be as established by Clarkdale Town Council.

B. Requirements for a Temporary Use or Structure.

1. Temporary uses and structures shall comply with the following general requirements, as determined by the Community Development Director:

- a. Shall not cause an unreasonable effect to surrounding properties;
- b. Shall not negatively impact public health or safety;
- c. Temporary signs associated with a temporary use are permitted and must be included in the TUP application for review and approval of the Community Development Director;
- d. Temporary uses or structures must be in conformity with the underlying zoning district, and must comply with all adopted Building and Fire Codes;
- e. At the conclusion of a temporary use or structure, all material shall be removed from the site within 72 hours and/or revegetated with plants from the Town's approved plant list;
- f. At the conclusion of a temporary use or structure, all disturbed areas shall be restored;
- g. Off-street parking shall be sufficient to accommodate the proposed use.

2. Informal activities such as garage sales, neighborhood parties and other informal, noncommercial events do not require a temporary use permit.

3. Special events do not require temporary use permits but are subject to the requirements of Town Code Article 8-4.

~~4. Violations of the terms of a temporary use permit constitutes grounds for immediate revocation.~~

The Community Development Director may revoke a Temporary Use Permit upon determination that the use violates the conditions of approval, creates a nuisance, or poses a threat to public health, safety, or welfare.

5. Decisions by the Community Development Director may be appealed to the Board of Adjustment. (Created by Resolution #1605 on 7/9/19; effective 8/8/19; Created by Ordinance #397 on 7/9/19; effective 8/8/19)

PERFORMANCE STANDARDS

Applicability: The performance standards set forth in this Section shall apply to any permitted or conditional use. All uses shall be conducted in a manner that does not create a nuisance, hazard, or adverse impact upon adjacent properties or the public health, safety, or welfare. Compliance with this Section shall be required in addition to all other applicable provisions of this Ordinance.

Noise:

Unless otherwise exempted, no person or use shall make or continue, cause to be made or continued, or allow to be made or continued any sound that exceeds the sound levels when measured at or within the real property boundary of the receiving property, based on the following table:

<u>Receiving Land Use</u>	<u>Maximum Sound Level, d(B)A</u>	
	<u>7 AM - 10 PM</u>	<u>10 PM - 7 AM</u>
<u>Residential</u>	<u>55</u>	<u>45</u>
<u>Commercial</u>	<u>65</u>	<u>55</u>
<u>Industrial</u>	<u>70</u>	<u>60</u>
<u>Entertainment</u>	<u>-</u>	<u>68</u>

Exemption for permitted construction: The operation of, or permitting of the operation of, any construction equipment may occur as follows:

In, or within 500 feet of a residential zoning district between 7 AM to 7 PM on business days from October 16 through April 30; between 5 AM to 7 PM on business days from May 1 through October 15; between 7 AM to 7 PM on Saturdays; and between 7 AM and 5 PM on Sundays and all legal holidays, or

In a non-residential zoning district, outside of the 500 foot buffer, between 6 AM and 7 PM on business days from October 16 through April 30; between 5 AM to 7 PM on business days from May 1 through October 15; between 7 AM to 7 PM on Saturdays; and between 7 AM to 5 PM on Sundays and all legal holidays.

The pouring of concrete may commence at least one hour prior to the start times indicated above.

The Community Development Director, Building Official, or Public Works Director may authorize extended hours where necessary to protect public health, safety, and welfare or to avoid substantial loss or inconvenience. Conditions may include limitations on equipment, hours, and noise levels.

Emergency work necessary to prevent injury, property damage, or interruption of essential services is exempt from time restrictions.

Measurement Criteria.

- a. Noise levels shall be measured using a sound level meter meeting ANSI Type 1 or Type 2 standards.
- b. Measurements shall be taken on the A-weighted scale with slow response, except fast response may be used for impulse noise.
- c. Calibration shall occur immediately prior to measurement.
- d. Ambient sound levels shall be documented.

Smoke.

1. No emission of smoke shall exceed Ringelmann No. 1 density.
2. Smoke equal to Ringelmann No. 2 may be permitted for a period not exceeding four (4) minutes in any thirty (30) minute period.
3. The Ringelmann Chart as published by the U.S. Bureau of Mines shall be the standard reference.

Glare and Heat.

1. Operations producing intense glare or radiant heat shall be conducted within enclosed buildings or screened to prevent glare or heat from being visible or perceptible at the property line.

2. Lighting shall comply with the Town's adopted Outdoor Lighting Code.
3. The Community Development Director may require shielding, reorientation, screening, or material modification to eliminate nuisance glare.

Vibration.

1. No vibration shall be permitted that is discernible without instruments beyond the property line.
2. For purposes of enforcement, vibration shall not exceed:
 - a. Three (3) minutes in any one-hour period between 7:00 AM and 7:00 PM; or
 - b. Thirty (30) seconds in any one-hour period between 7:00 PM and 7:00 AM.

Air Emissions; Dust; Fumes; Vapors; Gases.

1. No emission of fly ash, dust, fumes, vapors, or gases shall be permitted that:
 - a. Endangers public health;
 - b. Causes damage to property, vegetation, or animals;
 - c. Results in visible particulate matter crossing a property line; or
 - d. Creates excessive soiling on adjacent properties.
2. All operations shall comply with applicable Federal, State, and County air quality regulations.

Liquids and Solid Waste.

1. No discharge of liquid or solid waste shall:
 - a. Interfere with the normal operation of the public sewer system;
 - b. Create a nuisance or hazardous condition on adjacent property;
 - c. Pollute surface or groundwater; or
 - d. Create unsafe conditions for vehicular or pedestrian traffic.
2. All waste handling, storage, and disposal shall comply with applicable Federal, State, and local regulations.

Odors.

1. No emission of odorous matter shall be permitted in quantities that are detectable beyond the property line in a manner that creates a nuisance or hazard.
2. Uses generating odors shall implement mitigation measures including filtration, containment, or operational controls sufficient to prevent odor migration.

Hazardous Materials.

1. The handling, storage, and disposal of hazardous, special, or radioactive materials shall comply with all applicable Federal, State, and local regulations.

2. Above-ground bulk storage of flammable or explosive materials shall be located not less than seventy-five (75) feet from any property line unless otherwise approved under the adopted Fire Code.
3. Secondary containment and spill control measures shall be provided where required by code.

Enforcement.

Failure to comply with the performance standards set forth in this Section shall constitute a violation of this Code and may result in enforcement action, permit revocation, or other remedies available under law.

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Section 4-200

Noise

~~A.—The maximum permissible sound pressure level of any continuous, regular or frequent or intermittent source of sound produced by any activity on the site has to be limited by the time period and by the abutting land use as listed below. Sound levels shall be measured at least four feet above ground at the property boundary of the source.~~

~~B.—Noise shall be measured by a meter set on a weighted response scale, fast response. The meter shall meet the American National Standards Institute (ANSI S1-4-1961) American standards specification for general purpose sound level meters.~~

~~C.—No person shall engage in construction activities on a site abutting any residential use between the hours of 9:00 p.m. and sunrise. (Created by Resolution #1621 on 2/25/20; Created by Ordinance #403 on 2/25/20; effective 3/26/20)~~

Section 4-210

Hazardous, Special, and Radioactive Materials

A. The handling and use of all materials identified by the standards of a Federal or State agency as hazardous, special, or radioactive must be done in accordance with the standard of these agencies.

B. No flammable or explosive liquids, solids, or gases shall be stored in bulk above ground unless they are located at least 75 feet from any lot line, or 40 feet in the case of underground storage.

C. Materials must be stored in a manner and location that is in compliance with appropriate rules and regulations of the Arizona Department of Public Safety and other Federal, State, and local agencies with jurisdiction. (Created by Resolution #1621 on 2/25/20; Created by Ordinance #403 on 2/25/20; effective 3/26/20)

Section 4-220

Storage of Materials

Section 4-360

Outdoor Storage

A. Purpose and Applicability.

1. The purpose of this Section is to regulate the outdoor storage of materials, equipment, and merchandise in order to:
 - a. Protect adjacent properties from visual, noise, and safety impacts;
 - b. Prevent nuisance conditions;
 - c. Preserve community character; and
 - d. Ensure compliance with health, fire, and building codes.
2. Outdoor storage shall comply with this Section in all zoning districts where permitted.
3. Outdoor storage not specifically permitted in a zoning district shall be prohibited.

B. General Standards.

1. Outdoor storage shall be located only in areas designated and approved through site plan review or Conditional Use Permit where applicable.
2. Outdoor storage areas shall not be located within:
 - a. Required front yards;
 - b. Required landscape buffers;

- c. Required parking spaces;
- d. Fire lanes or emergency access areas.

- 3. Outdoor storage shall not obstruct pedestrian circulation or required access drives.
- 4. All outdoor storage areas shall be maintained in an orderly and safe condition.

C. Residential District Standards.

1. General Storage.

Outdoor storage in residential districts shall be limited to items customarily incidental to residential use.

2. Prohibited Items.

The following shall not be stored outdoors in residential districts unless fully screened from public view and adjacent properties:

- a. Inoperable vehicles;
- b. Construction materials not actively being used;
- c. Commercial equipment;
- d. Industrial materials;
- e. Bulk storage of merchandise.

3. Screening.

- a. Outdoor storage visible from a public street or adjacent property shall be screened by a minimum six (6) foot solid fence or wall.
- b. Screening shall comply with fence height regulations.

4. Duration.

Storage of construction materials for an active building permit shall be permitted for the duration of the permit.

D. Commercial and Industrial District Standards.

1. Permitted Outdoor Storage.

Outdoor storage shall be permitted in commercial and industrial districts when:

- a. It is incidental to a permitted use;
- b. It is located in side or rear yards;
- c. It is screened in accordance with this Section.

2. Screening Requirements.

- a. Outdoor storage areas shall be enclosed by a minimum six (6) foot solid masonry wall,

solid fence, or approved screening material.

b. Screening shall be maintained in good condition and shall prevent visibility of stored materials from public rights-of-way and adjacent residential properties.

c. Landscaping may be required to supplement screening.

3. Height of Stored Materials.

Stored materials shall not exceed the height of the screening wall or fence, except for materials customarily stored in vertical racks in industrial districts, which may exceed screening height provided they are not visible from public streets.

4. Surface Requirement.

Outdoor storage areas shall be surfaced with asphalt, concrete, compacted aggregate base, or other approved dust-free material.

5. Setbacks.

Outdoor storage shall not be located closer than ten (10) feet to any residential zoning district boundary unless additional screening is provided.

E. Prohibited Outdoor Storage.

The following shall be prohibited in all zoning districts unless specifically approved through Conditional Use Permit:

1. Storage of hazardous materials not in compliance with adopted Fire Code.

2. Storage of junk, scrap, salvage, or dismantled materials except within approved salvage or recycling facilities.

3. Storage of solid waste except in approved containers.

4. Storage that creates odor, dust, glare, vibration, or other violations of Section 4-195 Performance Standards.

F. Temporary Outdoor Display and Storage.

1. Temporary outdoor display of merchandise in commercial districts may be permitted subject to administrative approval when:

a. The display does not reduce required parking;

- b. The display does not obstruct pedestrian or vehicular circulation;
- c. The display is removed outside business hours if required.

- 2. Temporary construction storage shall be permitted for the duration of an active building permit.

G. Storage of Vehicles and Equipment.

- 1. Commercial vehicles, trailers, or heavy equipment exceeding one (1) ton capacity shall not be stored outdoors in residential districts unless fully screened and incidental to a lawful home occupation.
- 2. In commercial and industrial districts, fleet vehicle storage shall comply with screening requirements.

H. Abandoned or Unsafe Storage.

- 1. Outdoor storage areas that become unsafe, abandoned, or noncompliant shall be subject to enforcement action.
- 2. Failure to maintain screening or orderly storage shall constitute a violation of this Code.

~~A.—Exposed nonresidential storage areas, exposed machinery, and areas used for the storage or collection of discarded automobiles, auto parts, metals, other articles of salvage or refuse, or dead storage must have sufficient setback and screening to screen said uses from public view at a minimum eighty percent (80%) opacity.~~

~~B.—All dumpsters or similar large collection receptacles for trash or other waste must be located on level surfaces that are paved or graveled and enclosed with solid wall or fence and gates that screen it from public view.~~

~~C.—Where a potential safety hazard or attractive nuisance is likely to arise, physical screening sufficient to prevent entry to the premises must be provided and maintained in good and effective condition. (Created by Resolution #1621 on 2/25/20; Created by Ordinance #403 on 2/25/20; effective 3/26/20)~~

Storage and Parking of Mobile Homes, Recreational Vehicles, and Trailers:

Storage: Mobile homes, commercial trailers, utility trailers, boat trailers, or recreational vehicles (including travel trailers) shall not be stored, parked, or located in any zoning district other than as listed in the zoning district's regulations or as otherwise provided herein, with the following exceptions for residential uses:

1. The storage of not more than one boat trailer, one utility trailer, and one recreational vehicle or travel trailer shall be allowed for each residence. Such vehicles may not be stored in the front yard of a residence.

2. A trailer, attached to a vehicle, may be temporarily parked for a period of 24 hours in an area designed for parking within the front yard setback, so long as it remains attached to the vehicle.

Construction Office or Security Personnel Housing: A mobile home or recreational vehicle may be allowed in any zoning district to conduct business or provide housing for security personnel, during the construction of a permanent building when a valid building permit is in effect. The mobile home or recreational vehicle must be removed immediately after completion of the building.

Section 4-230

Recreational and Medical Marijuana ~~(Created by Ordinance #409-11-10-20 – Effective 12-10-20)~~

A. *Purpose.* This section is adopted to protect the health, safety, and welfare of the community. Except as allowed by law for personal, private use, the Town enacts reasonable regulations and requires compliance with zoning laws for the retail sale, cultivation and manufacturing of marijuana or marijuana products in a marijuana establishment or marijuana testing facility and the cultivation, processing and manufacturing of marijuana in a primary residence. Nothing in this section is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, or use of marijuana or marijuana products in violation of any applicable law.

B. *Definitions.* The below words and phrases, wherever used in this section, shall be construed as defined in this section unless, clearly from the context, a different meaning is intended.

Words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number.

Chemical extraction: The process of removing a particular component of a mixture from others present, including removing resinous tetrahydrocannabinol from marijuana.

Chemical synthesis: Production of a new particular molecule by adding to, subtracting from, or changing the structure of a precursor molecule.

Consume, consuming, and consumption: The act of ingesting, inhaling or otherwise introducing marijuana into the human body.

Consumer: An individual who is at least twenty-one years (21) of age and who purchases marijuana or marijuana products.

Cultivate and cultivation: To propagate, breed, grow, prepare and package marijuana.

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

Department: The state of Arizona Department of Health Services or its successor agency.

Dual licensee: An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

Enclosed area: A building, greenhouse, or other structure that has:

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

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

Manufacture and manufacturing: To compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

Marijuana:

- a. Means all parts of the plant of the genus Cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.
- b. Includes cannabis as defined in A.R.S. § [13-3401](#).
- c. Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus Cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana concentrate:

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

Marijuana establishment: An entity licensed by the Department to operate all of the following:

- a. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.

- b. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
- c. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

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

Marijuana testing facility: The Department or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

Medical marijuana: All parts of marijuana as defined by A.R.S. § [36-2801\(8\)](#), used pursuant to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency.

Medical marijuana caregiver facility: A facility assisting with the use of medical marijuana and operated by an individual or entity registered by the state of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures.

Medical marijuana cultivation: The growing of medical marijuana plants, as authorized by the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures.

Medical marijuana dispensary: A nonprofit entity as defined in A.R.S. § [36-2801\(11\)](#), and operated by an individual or entity registered by the state of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures.

Medical marijuana processing facility: A facility that:

- a. Engages in the growing of medical marijuana and/or incorporates medical marijuana into consumable or edible goods by the means of cooking, or blending;
- b. Is operated by an individual or entity registered by the state of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency, including compliance with security measures; and
- c. Is associated with a medical marijuana dispensary.

Medical marijuana qualifying patient: A person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. § [36-2801.13](#) and is registered with the state of Arizona according to the Arizona Medical Marijuana Act and the regulations promulgated by the Arizona Department of Health Services or its successor agency.

Nonprofit medical marijuana dispensary: A nonprofit entity as defined in A.R.S. § [36-2801\(12\)](#).

Open space: A public park, public sidewalk, public walkway or public pedestrian thoroughfare.

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

Process and processing: To harvest, dry, cure, trim or separate parts of the marijuana plant.

Public place: Has the same meaning prescribed in the Smoke-Free Arizona Act, A.R.S. § [36-601.01](#) and further regulated in Chapter [10](#), Offenses, Article [10-2](#), Smoking, of the Town Code of the Town of Clarkdale.

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

Storefront location: The use shall be located in a permanent building on an established foundation adhering to Town building codes and shall not include any temporary, portable or self-powered mobile facilities, or trailer, cargo container or motor vehicle.

C. Marijuana Establishments Permitted – Nonresidential.

1. If authorized by state law and a valid permit has been obtained from the Town, a marijuana establishment or a medical marijuana dispensary is permitted in Clarkdale, subject to the following conditions and limitations:
 - a. To the fullest extent allowable by law, shall be authorized in Clarkdale for:
 - i. A dual licensee who operates both a nonprofit medical marijuana dispensary and marijuana establishment.
 - ii. Any other entity licensed by the Department to provide marijuana or marijuana products to consumers.
2. Shall be authorized in the Industrial Zoning District.
3. Shall be authorized in Commercial and Central Business District Zoning Districts, except that there shall be no cultivation.
4. Infusion of marijuana into food products by a marijuana establishment with a valid food establishment license shall be permitted as a conditional use in the Commercial and Central Business District Zoning Districts.
5. Shall not be located within 500 feet of a preschool, kindergarten, elementary, secondary or high school. This distance shall be measured from the lot line of the property in which the business is conducted or proposed to be conducted to the property line of the protected use.
6. Shall be located in a permanent building on an established foundation adhering to Town building codes and shall not include any temporary, portable or self-powered mobile facilities, or trailer, cargo container or motor vehicle.
7. Shall be a total maximum 1,500 square feet. Maximum square footage may be expanded subject to use permit application and hearing procedures set forth under Chapter [5](#), Conditional Use Permit, of the Zoning Code of the Town of Clarkdale.
8. The secure storage area for the marijuana stored at the location shall not exceed 500 square feet of the total 1,500-square-foot maximum floor area of the facility. Maximum square footage may be expanded subject to use permit application and hearing

procedures set forth under Chapter 5, Conditional Use Permit, of the Town of Clarkdale Zoning Code.

9. Shall not provide drive-thru services or offsite deliveries of marijuana or marijuana products.

10. Shall allow on-site consumption or ingestion of food products infused with marijuana by a marijuana establishment only in the Commercial or Commercial Business Districts with a conditional use permit and with a valid food establishment license in the storefront location where the infused food product was produced.

11. Shall provide for proper disposal of marijuana remnants or by-products. The remnants or by-products shall not be placed within the facility's exterior refuse containers, Town trash can, bin or other Town facility, or in any park refuse container unless authorized by the Town.

12. Shall not emit dust, fumes, vapors or odors into the environment from the facility and shall ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes of the Town of Clarkdale.

13. Shall not sell marijuana or marijuana products, except as permitted by state law to consumers.

14. Shall not display or keep marijuana or marijuana products that are visible from outside the premises.

15. Shall be located in a storefront with windows facing the street. Window covers shall be open during business hours.

16. Shall utilize one (1) secure entrance/exit for customer use where purchasing area is located.

17. Shall comply with applicable county health regulations for food preparation and handling.

18. Shall submit a written security plan to the Community Development Department that describes the actions taken to deter and prevent unauthorized entrance into limited access

areas including use of security equipment, exterior lighting to facilitate surveillance, and electronic monitoring such as video cameras.

19. For a marijuana establishment located in the Industrial (I) Zoning District that engages in cultivation or manufacturing, shall submit a written operations plan to the Community Development Department that describes the following:

- a. Procedures showing that the marijuana cultivation will be conducted in accordance with state and local laws and regulations regarding use and disposal of pesticides and fertilizers.
- b. The legal water source, irrigation plan, wastewater systems to be used, and projected water use.
- c. The plan for addressing odor and other public nuisances that may derive from the establishment.

20. If the Department has not adopted final rules pursuant to this section at the time marijuana establishment licenses are issued pursuant to this section, licensees shall comply with the rules adopted by the Department to implement Chapter 28.1 of A.R.S. § [36-2854](#) except those that are inconsistent with this section.

D. Marijuana Testing Facility Permitted.

1. It shall be unlawful for a person to operate a marijuana testing facility at any location within the Town without obtaining a security plan approval and business license permit from the Town Clerk or his/her designee in accordance with Town Code, including any application and review procedures pursuant to regulations promulgated by the Arizona Department of Health Services.

2. A marijuana testing facility is permitted in the Town of Clarkdale subject to the following conditions:

- a. Shall ensure that access to the area of the facility where marijuana or marijuana products are being tested or stored for testing is limited to a facility's owners or authorized agents.
- b. Shall ensure that transportation of marijuana or marijuana products is in compliance with applicable law.

- c. Shall comply with all testing processes, protocols, standards, and criteria adopted by the Department for testing marijuana and marijuana products.
- d. Shall maintain records, equipment and instrumentation as required by the Department.
- e. Shall submit a written security plan to the Town that specifies the measures that will be taken to deter and prevent unauthorized entrance into limited access areas including the use of security equipment to detect unauthorized intrusion, exterior lighting to facilitate surveillance, and electronic monitoring such as video cameras that provide coverage of all entrances to and exits from limited access areas and all entrances to and exits from the building and has sufficient recording resolution.
- f. If the Department has not adopted final rules pursuant to this section at the time marijuana testing facility licenses are issued pursuant to this section, licensees shall comply with the rules adopted by the Department to implement Chapter 28.1 of A.R.S. § [36-2854](#) except those that are inconsistent with this section.

E. Individual's Primary Residence for Personal Use.

1. To the fullest extent allowable by law, marijuana possession, consumption, processing, manufacturing, transportation, and cultivation is permitted in a Residential Zoning District in Clarkdale and is subject to the following conditions and limitations:

- a. It shall be unlawful for any individual who is at least twenty-one (21) years of age to possess, transport, cultivate or process more than six (6) marijuana plants.
- b. It shall be unlawful for two (2) or more individuals who are at least twenty-one (21) years of age to possess, transport, cultivate or process more than twelve (12) marijuana plants at the individuals' primary residence.
- c. Except as provided by A.R.S. § [36-2801](#) et al. and this section, it shall be unlawful for an individual to otherwise cultivate marijuana in a Residential Zoning District within the Clarkdale Town limits.
- d. Individuals shall not process or manufacture marijuana by means of any liquid or gas other than alcohol, that has a flashpoint below one hundred (100) degrees Fahrenheit.

- e. Kitchens, bathrooms, and primary bedroom(s) shall be used for their intended use and shall not be used primarily for residential marijuana processing, manufacturing, or cultivation.
 - f. A residence shall not emit dust, fumes, vapors, or odors into the environment and individuals shall ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes of the Town of Clarkdale.
 - g. Cultivation shall be limited to a closet, room, greenhouse, or other enclosed area on the grounds of the residence equipped with a lock or other security device that prevents access by minors.
 - h. Cultivation shall take place in an area where the marijuana plants are not visible from public view without using binoculars, aircraft, or other optical aids.
2. If the Department has not adopted final rules pursuant to this section at the time the “Smart and Safe Arizona Act” is effectuated, individuals shall comply with the rules adopted by the Department to implement Chapter 28.1 of A.R.S. § [36-2854](#) except those that are inconsistent with this section. (Created by Ordinance #409 on 11/10/20; effective 12/10/20)

Section 4-240

Tiny Houses; Tiny Houses on Wheels; Tiny House Recreational Vehicles

- A. Tiny houses are permitted in any single-family residential zoning district as follows:
- 1. Tiny houses shall be [constructed and](#) sited on permanent foundations in compliance with [adopted International Residential Codes, Town Codes, and Fire Codes](#) ~~IRC Appendix Q regulations~~.
 - 2. Tiny houses shall have wastewater systems sized for the occupancy and fixture count, or connect to the Town’s wastewater system.

3. Certificates of occupancy shall only be issued to tiny houses that comply with the provisions of this section. If the tiny house is moved from one site to another, a new certificate of occupancy will be required.

B. Tiny houses on wheels and tiny house recreational vehicles are hereby regulated the same as travel trailers under this code, and shall be subject to all Clarkdale Town Zoning Code provisions applicable to travel trailers. (Created by Ordinance #410 on 2/9/21; effective 3/11/21)

DATA CENTERS

Article 4-250

COMMERCIAL AND RESIDENTIAL FLAGPOLES

4-250-010 Purpose and Intent

4-250-020 Permissible Locations

4-250-030 Construction Standards

4-250-040 Permit Requirements

4-250-050 Preexisting Nonconforming Flagpoles

Section 4-250-010 Purpose and Intent

The purpose of this article is to regulate the construction and installation of flagpoles on residential and commercial properties within the Town of Clarkdale, ensuring safety, aesthetic compatibility, and compliance with relevant regulations. (Created by Ordinance #427 on 8/13/24; effective 9/14/24)

Section 4-250-020 Permissible Locations

A. Flagpoles may be erected on residential properties subject to the following conditions:

1. The flagpole must be located within the boundaries of the residential property.
2. The flagpole must not obstruct public rights-of-way, or utility easements, or impede visibility for vehicular or pedestrian traffic.
3. The flagpole must comply with setback requirements specified in the zoning regulations.

B. Flagpoles may be erected on commercial properties subject to the following conditions:

1. The flagpole must be located within the boundaries of the commercial property.
2. The flagpole must not obstruct public rights-of-way, or utility easements, or impede visibility for vehicular or pedestrian traffic.
3. The flagpole must comply with the setback requirements specified in the zoning regulations unless it is engineered to collapse on itself, in which case it may be positioned within the setback boundaries. (Created by Ordinance #427 on 8/13/24; effective 9/14/24)

Section 4-250-030 Construction Standards

A. Flagpoles must be constructed using durable and weather-resistant materials capable of withstanding environmental conditions and windspeeds eighty (80) miles per hour.

B. The height of the flagpole shall not exceed fifteen (15) feet above ground level in residential zoning without obtaining a permit or twenty-five (25) feet above ground level in commercial zoning.

C. Flagpoles must be securely anchored to the ground to prevent instability or collapse. The base must meet manufacturer specifications.

D. Any lighting fixtures installed on or around the flagpole including those mounted on nearby structures or in the ground, must comply with the Town's dark sky requirements as outlined in Section [8-070](#), Lighting Requirements. All lighting shall be equipped with appropriate shielding. Additionally, any hard wiring for these fixtures must be installed underground in accordance with Section [8-070](#), Lighting Requirements.

E. Installation of the flagpole must adhere to manufacturer specifications and industry best practices for safe assembly.

F. On residential properties, flagpoles must be situated within the confines of the property lines to ensure that the height of the pole does not exceed the distance to the nearest property line. (Created by Ordinance #427 on 8/13/24; effective 9/14/24)

Section 4-250-040 Permit Requirements

A. Prior to the construction or installation of a flagpole exceeding fifteen (15) feet in height on residential property, the owner must obtain a permit from the Town of Clarkdale's Community Development Department.

B. Prior to the construction or installation of any flagpole on commercial property, the owner must obtain a permit from the Community Development Department.

C. Permit applications shall include fully dimensioned plans materials, method of construction for the flagpole, and a site plan delineating the flagpole's location and its distance from property lines. (Created by Ordinance #427 on 8/13/24; effective 9/14/24)

Section 4-250-050 Preexisting Nonconforming Flagpoles

A. Flagpoles that were legally installed prior to the adoption of the ordinance codified in this chapter and do not conform to the current regulations shall be considered preexisting nonconforming flagpoles.

B. Such preexisting nonconforming flagpoles may continue to be used and maintained, provided they do not pose a safety hazard.

C. Any modification, replacement, or relocation of a preexisting nonconforming flagpole shall comply with the current regulations set forth in the ordinance codified in this chapter.

D. If a preexisting nonconforming flagpole is removed, any new flagpole installed on the property must conform to the current regulations. (Created by Ordinance #427 on 8/13/24; effective 9/14/24)

Article 4-260

ACCESSORY DWELLING UNITS (ADUS)

4-260-010 Accessory Dwelling Units (ADUs)

Section 4-260-010 Accessory Dwelling Units (ADUs)

A. Accessory dwelling units (ADUs) are subject to all the following provisions.

1. *Eligibility.* No more than one attached or detached accessory dwelling unit (ADU) per lot is permitted.
2. *Maximum Size.* An accessory dwelling unit (ADU) shall not exceed 1,000 ~~seven hundred (700)~~ square feet of Habitable Space.
3. *Location.* The accessory dwelling unit (ADU) may be constructed where the zoning allows for a single-family dwelling on the lot or parcel.
4. *Setbacks.* The accessory dwelling unit (ADU) is subject to the same setback requirements that apply to a single-family dwelling on the same lot or parcel except that:
 - a. The rear setback for the accessory dwelling unit (ADU) shall be no less than five (5) feet from the property line.
 - b. The side setbacks for the accessory dwelling unit (ADU) shall be no less than five (5) feet from the property line.
 - c. The front setback for the accessory dwelling unit (ADU) shall be no less than the setback required for a single-family dwelling in the zoning district in which it is located.
 - d. Detached Accessory Dwelling Units shall be separated from other buildings by at least 10 feet. Separation may be reduced with fire-rated walls, subject to approval by the Building Official and Fire District Official.
5. *Lot Coverage.* The accessory dwelling unit (ADU) is subject to the same lot coverage regulations that apply to a single-family dwelling on the same lot or parcel.

6. *Height.* The accessory dwelling unit (ADU) is subject to the same height restrictions that apply to a single-family dwelling on the same lot or parcel.

7. *Exterior Design.* The exterior design of the accessory dwelling unit (ADU) is not required to match the exterior design of the single-family dwelling on the same lot or parcel.

8. *Roof Pitch.* The roof pitch of the accessory dwelling unit (ADU) is not required to match the roof pitch of the single-family dwelling on the same lot or parcel.

9. *Finishing materials.* The finishing materials of the accessory dwelling unit (ADU) are not required to match the finishing materials of the single-family dwelling on the same lot.

10. *Parking and Access.* No additional parking space or in lieu parking fee shall be required to accommodate the accessory dwelling unit (ADU).

11. *Permanent Structure.* accessory dwelling units (ADUs) shall be constructed as permanent Structures. Recreational Vehicles (RVs), [travel trailers, manufactured homes, mobile homes, and similar structures are prohibited for use as Accessory Dwelling Units](#) ~~may not be used as an accessory dwelling unit.~~ (Created by Ordinance #436 on 12/10/24; effective 1/10/25)

[12. No Accessory Dwelling Unit may be used as a short-term rental or vacation rental, as those terms are defined in Town Codes or Ordinances, unless the owner of the lot on which the unit is located resides on the same lot.](#)

Trash Enclosures:

[A. In every zoning district, permanent enclosures for the temporary storage of garbage, refuse, and other waste materials shall be provided for every use, except:](#)

[1. For single-family dwellings.](#)

[2. For multi-family residential properties with four or fewer units.](#)

[3. For multi-family residential properties with five or more units, if the property owner or responsible person has provided, in writing to the Community Development Director, a letter indicating hardship, due to other requirements and development standards, and further proposes alternatives that would satisfy the needs of the occupants, and the Community Development Director authorizes the exception.](#)

4. For manufactured homes.

B. Construction: Trash enclosures shall be constructed to the following criteria:

1. Be constructed of block walls, solid fencing such as weather resistant wood, or chain link fencing with screening slats.

2. Be constructed so that the contents are not visible from a height of five feet above grade from any abutting street or property and of sufficient height to conceal contents, including containers. In no case shall the enclosure be less than five feet in height above grade, but no greater than six feet unless greater heights are allowed with Design Review approval.

3. Gates shall be solid or baffled, equal to the height of the enclosure, and equipped with latches to ensure closure when not in use.

C. Location: Trash enclosures shall not be located in any required front or side yard. For multi-family residences, trash enclosures shall be located within 250 walking feet of the units they are intended to serve.

D. Quantity: A minimum of one trash enclosure is required for commercial, industrial, and other non-residential or institutional developments.

E. Trash enclosures shall have landscaping surrounding at least three sides, subject to the landscaping requirements of Chapter 9.

4-270 Required Conditions for Agriculture Tourism, Agritourism Enterprise, and Cropland 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 Cropland 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 Cropland 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.

~~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.

CHAPTER 4 – GENERAL PROVISIONS

DATA CENTERS

PURPOSE

This section establishes development and operational standards for data centers in the Industrial (I) Zone to ensure compatibility with surrounding land uses and to address infrastructure, environmental and operational impacts.

DEFINITION

Data Center: Data center: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data operations. Examples of such digital data include, but are not limited to, computationally-intensive applications such as blockchain technology, cryptocurrency mining, weather modeling, and genome sequencing. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center.

USE

- A. Data centers are permitted in the Industrial (I) Zone subject to approval of a Conditional Use Permit pursuant to Chapter 5.
- B. Accessory data centers serving only the primary on-site use may be permitted subject to approval by the Community Development Director or designee and compliance with this section, when all the following are true:
 - 1. The data center occupies no more than 15% of the site.
 - 2. The data center is used to serve the enterprise functions of the on-site property owner and is not used to lease data storage and processing services to third parties. For purposes of this subparagraph "on-site property owner" includes an owner that owns the property and is the parent company of the company or companies on-site.

3. The data center complies with any applicable development standards for data centers.

DEVELOPMENT STANDARDS

In addition to the requirements of this section, an application for a Conditional Use Permit for the purpose of data center development shall include the following information:

The baseline noise study and noise contour exhibit.

The intended source of electric power for the development and documentation from the electric utility provider affirming sufficient power exists to serve the site.

An assessment of future energy needs for the site.

An estimate of annual water consumption for the site.

The intended source of water for the development, and documentation from the water provider affirming sufficient water resources exist to serve the site.

An explanation regarding how the development complies with each of the requirements of this section; or, if the applicant requests that the council waive a requirement or requirements, an explanation as to why compliance with the requirement(s) is not feasible.

The minimum requirements of this section shall apply to any data center operated as a principal use unless the council waives a requirement or requirements during the specific Conditional Use Permit process. In addition to these minimum requirements, the Town may impose additional or more stringent site-specific requirements or regulations during the specific Conditional Use Permit process, provided that the site-specific requirements or regulations are reasonably related to the impact of the development.

The minimum requirements of this section shall apply to any data center operated as an accessory use only where indicated.

The provisions of this section are intended to supplement the requirements of this code. If any provision of this section is found to be in conflict with any other provision of this code, the provision that establishes the higher or more restrictive standard shall prevail.

MINIMUM SITE AREA

- A. Minimum lot area shall be five acres.
- B. Facilities designed to exceed 50 megawatts shall require a minimum lot area of 15 acres.

SETBACKS

- A. Buildings shall be set back a minimum of 100 feet from residentially zoned property or residential use.
- B. Generator yards and fuel storage areas shall be set back:
 - 1. A minimum of 200 feet from residentially zoned property or residential use.
 - 2. A minimum of 50 feet from industrially zoned property.
- C. Substations shall be set back:
 - 1. A minimum of 150 feet from residentially zoned property or residential use.
 - 2. A minimum of 50 feet from industrially zoned property.
- D. Setbacks shall be measured from property lines.

HEIGHT

- A. Maximum building height shall be 50 feet.
- B. Rooftop mechanical equipment may extend up to 15 feet above the maximum height provided it is fully screened.

LOT COVERAGE

- A. Maximum lot coverage shall not exceed 40 percent.
- B. Mechanical yards, substations and generator arrays shall be included in lot coverage calculations.

POWER INFRASTRUCTURE

- A. On-site substations are permitted as accessory uses.

- B. Substations shall be screened from adjacent non-industrial properties and public rights-of-way.
- C. Electrical transmission and distribution lines shall be installed underground where feasible, as determined by the utility provider.
- D. Applications shall include written verification from the utility provider confirming service capacity.

GENERATORS AND FUEL STORAGE

- A. Generators shall be enclosed and acoustically screened.
- B. Routine generator testing shall be limited to 8 a.m. to 6 p.m., Monday through Friday, except during emergencies.
- C. Diesel generators shall meet Tier IV or newer emission standards.
- D. On-site fuel storage shall not exceed 96 hours of continuous operation.
- E. Secondary containment shall be provided at a minimum of 110 percent of tank capacity.

NOISE

A baseline noise study prepared by a qualified acoustic engineer shall be required with the Conditional Use Permit application to document baseline sound levels in the area of the proposed data center and to produce a noise contour exhibit depicting the anticipated noise levels to be generated by the data center.

For purposes of this section:

"dBA" means the sound pressure level in decibels as measured on a sound level meter using the A weighted filter network. The A weighted filter network is designed to simulate the response of the human ear. The A weighted sound level is expressed by the symbol "dBA."

"Daytime" means 7:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 8:00 p.m. on Saturdays, Sundays, and legal holidays observed by the town.

"Nighttime" means 7:00 p.m. to 7:00 a.m. on weekdays, and 8:00 p.m. to 9:00 a.m. on Saturdays, Sundays, and legal holidays observed by the town

Any noise which emanates from any operation, activity, or source on a data center site, including, but not limited to, heating and cooling system(s), shall not exceed the maximum permissible sound levels set forth in this section as measured at the property line of the property affected by the noise.

The data center must be designed and built to incorporate sound mitigation methods sufficient to prevent the sound levels emanating from the data center, as determined by a qualified third-party acoustic engineer, from exceeding the maximum sound levels set forth in this section. Design specifications for the required sound mitigation must be provided to the town before building permit approval.

Before issuance of a certificate of occupancy or certificate of completion, whichever occurs first, the data center operator must conduct a post-construction noise study performed by a qualified third-party acoustic engineer to document sound levels emanating from the data center measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the zoning administrator, during peak operation of the data center mechanical equipment. The post-construction noise study must demonstrate that sound levels do not exceed the maximum sound levels set forth in this section. If sound levels exceed the maximum sound levels set forth in this section, the town will issue a temporary certificate of occupancy until the data center operator demonstrates that the required sound mitigation is achieved. If the data center operator is unable to demonstrate compliance with the sound levels set forth in Table 2 before expiration of the temporary certificate of occupancy, the town will not issue a permanent certificate of occupancy.

E. The data center operator must also conduct an additional noise study, as measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the zoning administrator, annually during peak operation of the data center mechanical equipment for five years after completion of the initial post-construction noise study and when requested by the town thereafter. The data center operator must provide the results of the noise study to the town within 30 days of the anniversary of the date on which the certificate of occupancy or certificate of completion was issued by the town. If sound levels exceed the maximum sound levels, the data center operator shall take appropriate steps to achieve the required sound mitigation.

WATER USE

A. A Water Demand Assessment shall be submitted with the application.

B. Air-cooled or hybrid cooling systems are encouraged.

C. Reclaimed water shall be used where available.

D. Use of potable water for primary cooling systems, humidity control, or other similar operations is prohibited unless approved by the Town Council upon a finding that no feasible alternative exists.

LANDSCAPING AND SCREENING

A. A minimum 30-foot landscaped buffer shall be provided along public rights-of-way.

B. Generator yards shall be screened by:

1. An eight-foot masonry wall;
2. A landscape berm a minimum of six feet in height; or
3. A combination of both.

C. Drought-tolerant plant materials shall be used.

D. Mechanical equipment shall be screened from adjacent non-industrial properties.

ARCHITECTURAL STANDARDS

A. Buildings shall utilize desert-tone colors.

B. Blank walls exceeding 150 feet shall incorporate articulation, material variation or fenestration.

C. Building entries facing public streets shall include enhanced architectural treatment.

D. Exterior façades shall be limited to three primary materials.

LIGHTING

A. All exterior lighting shall be full cut off.

B. Maximum correlated color temperature shall not exceed 4,000 Kelvin.

C. Lighting shall be directed away from adjacent properties.

D. All lighting shall comply with Chapter 8 of Clarkdale's Zoning Code.

ACCESS

- A. A minimum of two access points shall be provided.
- B. Fire access shall comply with the International Fire Code.
- C. Adequate turning radii shall be provided for service and fuel delivery vehicles.

SECURITY

- A. Perimeter fencing shall not exceed eight feet in height.
- B. Fencing visible from public rights-of-way shall be ornamental or screened.
- C. Anti-ram barriers shall be installed at primary vehicle entrances.

CONDITIONAL USE PERMIT FINDINGS

Approval of a Conditional Use Permit shall require findings that:

- A. Adequate electrical infrastructure is available.
- B. Municipal water supply will not be adversely impacted.
- C. Noise mitigation measures are sufficient to meet this section.
- D. Generator emissions comply with applicable state and federal regulations.
- E. The project provides adequate buffering and screening.

APPLICATION REQUIREMENTS

Applications shall include:

- A. Site plan.
- B. Building elevations.
- C. Utility service verification letter.
- D. Water Demand Assessment.
- E. Noise study.
- F. Landscape plan.
- G. Lighting plan.
- H. Emergency operations plan.

Section 4-120

Off-Street Parking and Loading

A. In all zoning districts, there shall be provided at the time any new building or structure is erected, off-street parking spaces as set forth in the following subsections. Any existing building or use which is enlarged, altered, increased in capacity, or in which the use or occupancy is changed to the extent of increasing off-street parking requirements, additional off-street parking shall be provided as required in this section. ~~shall provide additional off-street parking space.~~

~~1. Standards for Off-Street Parking.~~

~~a. Residential Uses.~~

Multi-Family, Efficiency and 1-Bed	1.5/dwelling unit
2 or More Bedroom Units	2/dwelling unit
Manufactured Home Units	2/dwelling unit
Fraternity, Boarding House	1/sleeping unit
Group Care Facilities	1/2 sleeping units + 1/employee

~~b. Office and Service Uses.~~

General Offices	1/250 square feet
Medical Offices	4/practitioner + 1/2 employees
Day Care Centers	1/each 8 clients + 1/employee
Veterinary Hospitals, Clinics	3/practitioner
Hotel, Motel	1/sleeping unit

Beauty, Barber Shop	3/practitioner
Mortuary	1/3 seats + 1/business vehicle
Self-Service Laundry	1/4 machines
Restaurant, Bar, Nightclub	1/4 seating capacity + 5 stacking spaces per drive-through lane
Hospital	1/bed + 1/2 employees
<i>c.—Retail Sales and Services.</i>	
General Retail	1/200 square feet
Banks, Financial Institutions	1/250 square feet + 5 stacking spaces per drive-through lane
Motor Vehicle and Machinery Sales	1/200 square feet of indoor office/display area
Motor Vehicle Repair, Accessory Installation	2/service stall, min. of 6 spaces
Furniture, Major Appliance Stores	1/400 square feet
Car Wash	4/bay + 1/employee
<i>d.—Education, Religious, Recreation, Assembly.</i>	
Elementary and Jr. High Schools	2/classroom
High Schools	1/4 students
Colleges, Universities	10/classroom

Place of Worship	1/4 seats + assembly
Fitness Center	3/4 capacity
Golf Course	59/9 holes
Commercial Recreation Facility	1/4 total capacity
Fraternal Lodge	1/4 total capacity
Auditorium, Sports Arena, Theater,	1/4 seats (24"/seat)
Stadium	
Exhibition Hall, Assembly	1/100 sq. ft., or
(Nonfixed seating)	1/5 occ. (Fire code)
<i>e. Industrial Uses.</i>	
Manufacturing, Fabrication	1/1,000 sq. ft., or 1.5 employees, whichever is greater
Warehouse	1/2,000 sq. ft. + parking for vehicles used on site
Self-Storage, Mini-Warehouse	24-ft.-wide aisles + caretaker parking

GENERAL REGULATIONS

f. For mixed use developments: Required off-street parking spaces shall be the sum of those for individual uses, unless it is demonstrated that intended uses are compatible for shared parking facilities.

g. *Uses Not Mentioned.* The required off-street parking for any building, structure or use of land of a type not listed in this subsection shall be determined by the Zoning Administrator Community Development Director. The Zoning Administrator Community Development

Director shall be guided by comparison with the parking standards for similar uses which are listed in this or other zoning codes.

h. *Exempted Areas.* Lots 1 through 10, Block 44, the westerly half of Lot 10 and Lots 11 through 16, Block 45, Clarkdale Subdivision, are exempt from the standards specified in subsection a of this section.

2. *Design Standards for Off-Street Parking.*

a. All off-street automobile parking facilities shall be designed with appropriate means of vehicular access to a street, alley or public thoroughfare, as well as necessary maneuvering areas adjacent to parking spaces shall be arranged in accordance with the diagrams contained in this section.

Ingress, egress, internal traffic circulation, off-street parking and loading facilities and pedestrian ways shall be designed so as to promote safety and convenience so that traffic visibility is not obstructed.

b. All driveways shall be of sufficient width to permit access into spaces, but in no case less than 10 feet wide for one (1) way travel and 20 feet wide for two (2) way travel.

c. Each parking space shall consist of an area of not less than nine feet in width by 20 feet in length, except that the length may be reduced to 18 feet where the front or rear of a vehicle hangs over a berm or curb. No part of the vehicle shall extend over or beyond any property line. Parking spaces shall be exclusive of driveways required to make such space accessible from a street, alley or public thoroughfare.

d. A minimum space of 10 feet in width, 35 feet in length, and 14 feet in height with access useable at all times to a street, alley, or public thoroughfare shall be deemed a loading space for one (1) vehicle.

e. *Surfacing.* All off-street parking areas, except residential dwelling units, shall be surfaced with a permanent, dust free pavement striped to requirements herein.

f. *Illumination.* All light used to illuminate parking space shall be so arranged as to reflect the light away from adjoining lots in residential districts.

g. Parking areas with more than two (2) spaces must be arranged so that it is not necessary for vehicles to back into the street.

h. Parking stalls and aisle layout must conform to the following standards:

Parking Angle	Stall Width	Stall Depth	Lane Width	Direction
90 degree	9'-0"	20'-0"	24'-0"	two-way
60 degree	9'-0"	20'-0"	18'-0"	one-way only
45 degree	9'-0"	20'-0"	12'-0"	one-way only
30 degree	9'-0"	20'-0"	12'-0"	one-way only

i. In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings, or other permanent indications and maintained as necessary.

j. Parking areas for nonresidential use must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack (tandem) parking may be permitted for resident parking in conjunction with residential uses if both spaces are assigned to the occupants of the same dwelling unit.

k. Provisions must be made to restrict the overhang of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways.

3. *Location Standards for Off-Street Parking.*

a. Off-street parking space required herein shall be located on the lot, except that required parking space for any use amounting to ten (10) such spaces or more may be located in any permissible location not farther than 300 feet distant in a direct line from the nearest part of such use. A parking agreement approved by the Town is required if parking is to be located off-site.

b. Parking lots should be located to the side or rear of the building. Parking lots should not be located between the building and the street.

c. The use of shared parking, shared driveways, and the cross-connection of parking lots is encouraged. A shared parking agreement approved by the Town is required if parking is to be shared.

d. Parking lots on adjoining lots may be connected by access ways not exceeding 24 feet in width. No parking or maneuvering will take place in the setback areas.

e. Spaces utilized for ingress and egress for a parking area shall not exceed 40 feet in width measured along the street frontage and shall not constitute more than fifty percent (50%) of the total frontage of the parking area.

f. All parking spaces, access drives, and impervious surfaces must be located at least five feet from any side or rear lot line, except where standards for buffer yards require a greater distance.

g. No parking spaces or asphalt type surface shall be located within five feet of the front property line.

h. All garages or other space allocated for the parking of vehicles, within buildings, basements or on roofs of buildings, shall be considered part of the off-street parking facilities and may be included as such in computing the parking area requirements.

Exceptions for uses located near public parking lots: The Community Development Director may administratively approve a reduction of up to 50% of required off-street parking for non-residential uses located within 300 feet of a Town of Clarkdale owned public parking lot, as measured from the building entrance to the parking lot. Appeal of the decision of the Director shall be to the Planning and Zoning Commission.

Location: Required off-street parking shall be located within three (300) feet of the building or use it is intended to serve, the distance being measured along the street line from the nearest point of the building or use to the nearest point of the parking lot.

Off-site parking: The Community Development Director may approve the location of required off street parking spaces on a separate lot from the lot on which the principal use is located subject to the following conditions:

Off-site parking spaces shall be located within three hundred (300) feet of the use served and adequate, safe and convenient pedestrian access shall be provided from the parking area to the use.

Off-site parking shall not be permitted for residential uses unless approved through a Planned Area Development rezoning. Required handicap-accessible parking spaces shall not be located off-site.

Off-site parking must be located within a zoning classification that permits the parking lot use and all other requirements of site development must be met.

Off-site Parking Agreement: The developer(s) shall submit a written agreement requiring that the off-site parking spaces shall be maintained as long as the uses requiring the parking exist or unless the required parking is provided elsewhere in accordance with the provisions of this Ordinance. Such written agreement addressing the rights and responsibilities for each property shall be submitted to the Community Development Director and approved by the Town Attorney for recordation by the Yavapai County Recorder prior to the issuance of a building permit or certificate of occupancy and prior to establishment of the use(s). A copy of the recoded agreement shall be filed in the project review file at the Community Development Department. The agreement shall, at a minimum include the following:

List the names and ownership interest of all parties to the agreement and contain the signatures of those parties;

Provide a legal description of the properties;

Include a complete site plan showing the area of the parking parcel and the relationship to all related uses;

Agree and expressly declare the intent for the covenant to run with the land and bind all parties and all successors in interest to the covenant;

Assure the continued availability of the spaces for intended use;

Describe the obligations of each party, including the maintenance responsibilities;

Describe the method by which the covenant shall, if necessary, be revised;

Include the Town of Clarkdale as either a party in the agreement or as a third-part beneficiary; and

Provide that the agreement may not be cancelled or modified without the Town's approval.

Off-Street Parking Spaces shall be situated in a manner which will not result in automobiles backing onto public street, except the Community Development Director and the Town Engineer may administratively waive this requirement under the following conditions:

The road is unlikely to be extended in the future due to geographical, legal, or other limitations.

The location is within 1,500 feet of the end of a street and the Average Daily Trips (ADT) of the street is less than 1,000.

The back out parking would not create any safety hazards such as site distance issues, etc., as determined by staff.

The speed limit of the street is 25mph or less.

Surfacing: All off-street parking areas, access ways and driveways shall be improved with compacted ABC base, not less than four (4) inches thick and surfaced with a minimum 2" asphaltic concrete in a manner satisfactory to the Town Engineer. The surfacing of the parking area shall be of sufficient grade so that there will be no impoundment of surface water and all surface drainage shall be into a public street or improved drainage channel or structure. All surfaces must be permanently marked with required and appropriate markings to designate parking stalls, drive aisles, fire lanes, etc. This performance criteria applies to all new developments requiring more than ten (10) new parking spaces. New developments requiring ten (10) or fewer parking spaces and additions or expansions to existing developments may use a chip seal treatment. New developments requiring more than ten (10) new parking spaces may request the use of chip seal treatment to the Planning and Zoning Commission. The Commission will evaluate the request based on the nature of the use, the amount of traffic generated or expected, the grading and drainage plan for the parking lot and other relevant factors.

Porous paving and surfacing options for parking, drive aisles, and sidewalks may be approved by the Town Engineer as alternatives to the above asphalt and chip seal requirements.

In reviewing appropriateness of proposed alternative materials, the Town Engineer shall consider:

The size of intended delivery vehicles;

Visibility from the public right-of-way;

Whether the proposed materials will allow for proper drainage of the site;

Whether the proposed materials are appropriate for the climate;

Whether any proposed bumpers, wheel stops, and stall markings are appropriate, permanent, and safe for the use and site.

All surfaces must be able to be permanently marked with required and appropriate markings to designate parking stalls, drive aisles, fire lanes, etc.

All alternative materials must be dust-free.

Any alternative surfaces must meet the following minimum requirements in addition to any additional requirements imposed by the Copper Canyon Fire and Medical District in the interest of fire and life safety:

All Fire Lanes are required to be at least 20 feet wide and have a 13-foot, 6-inch vertical clearance; however, there may be cases where such lanes will be required to be at least 26 feet wide, in the discretion of the Fire District.

All Fire Lanes must be capable of supporting fire apparatus weighing up to 80,000 pounds Gross Vehicular Weight (GVW).

All turning radii shall be a minimum of 33 feet on the inside and 55 feet on the outside.

Full submittals for any Fire Lanes require written approval from the Fire District.

Access: Access to off-street parking from a public or private street shall be from a two-way driveway with a minimum width of 24 feet and a maximum width of 32 feet, or two one-way driveways which with a minimum width of 12 feet and a maximum width of 20 feet. No access driveway shall be located closer than 150 feet from a street intersection, or closer than 20 feet from another access driveway, or closer than 10 feet from an interior property line. At locations where the minimum driveway distance is not attainable due to property size, configuration, or other factors as determined by staff, a reduced minimum driveway location may be allowed if approved by the Community Development Director and the City Engineer.

4. The Town will require engineered plans for grading, parking space and striping design, drainage retention/detention facilities, culvert location and size, etc., for off-street parking facilities within the Town of Clarkdale and must be designed by a registered professional engineer. These plans may require the need for a hydrologic study by a licensed professional in conformance with the Yavapai County Drainage Criteria Manual.

5. The Town Engineer shall review such plans for adequacy and may require additional documentation. If the submitted plan is approved by the Town Engineer, no design changes for construction will be permitted unless approved by the Town Engineer.

6. Upon completion of the development of the parking area and other required physical improvements, the developer's engineer of record shall provide and certify a set of "as-built" construction plans to the Town Engineer, stating that all the required improvements have been completed in conformance to the specifications and standards as submitted for construction. This shall include horizontal as well as vertical verification of improvements.

7. No certificate of occupancy shall be issued until the "as-built" plans have been submitted and approved by the Town Engineer. (~~Revised by Resolution #1621 on 2/25/20; Revised by Ordinance #403 on 2/25/20; effective 3/26/20; prior code § 4-12~~)

Compact Car Stalls: Up to ten percent (10%) of the required number of parking spaces may be used to accommodate compact cars, if specifically marked, with stall sizes of a minimum width of 7'6" and a minimum length of 15'

1. Reduction of Requirements: Requests to reduce the otherwise applicable

parking requirements may be granted by the Community Development Director after the applicant shows that:

Because of the unique nature of the specific existing or proposed land use, the size, shape, or location of the property, or due to an unusually large number of pedestrian or transit trips, below-normal parking demands will be generated; and

The reduced parking supply will still accommodate the vehicular traffic without increasing traffic or on-street parking problems in adjacent areas and neighborhoods.

1. It shall be the responsibility of the applicant requesting such reduction to prove that the above conditions have satisfactorily been met.

ADD BICYCLE PARKING REQUIREMENTS????

1. Standards for Off-Street Parking.

a. Residential Uses.

<u>Multi-Family, Efficiency and 1-Bed</u>	<u>1.5/dwelling unit</u>
<u>2 or More Bedroom Units</u>	<u>2/dwelling unit</u>
<u>Manufactured Home Units</u>	<u>2/dwelling unit</u>
<u>Fraternity, Boarding House</u>	<u>1/sleeping unit</u>
<u>Group Care Facilities</u>	<u>1/2 sleeping units + 1/employee</u>

b. Office and Service Uses.

<u>General Offices</u>	<u>1/250 square feet</u>
<u>Medical Offices</u>	<u>4/practitioner + 1/2 employees</u>

<u>Day Care Centers</u>	<u>1/each 8 clients + 1/employee</u>
<u>Veterinary Hospitals, Clinics</u>	<u>3/practitioner</u>
<u>Hotel, Motel</u>	<u>1/sleeping unit</u>
<u>Beauty, Barber Shop</u>	<u>3/practitioner</u>
<u>Mortuary</u>	<u>1/3 seats + 1/business vehicle</u>
<u>Self-Service Laundry</u>	<u>1/4 machines</u>
<u>Restaurant, Bar, Nightclub</u>	<u>1/4 seating capacity + 5 stacking spaces per drive-through lane</u>
<u>Hospital</u>	<u>1/bed + 1/2 employees</u>
<u>c. Retail Sales and Services.</u>	
<u>General Retail</u>	<u>1/200 square feet</u>
<u>Banks, Financial Institutions</u>	<u>1/250 square feet + 5 stacking spaces per drive-through lane</u>
<u>Motor Vehicle and Machinery Sales</u>	<u>1/200 square feet of indoor office/display area</u>
<u>Motor Vehicle Repair, Accessory Installation</u>	<u>2/service stall, min. of 6 spaces</u>
<u>Furniture, Major Appliance Stores</u>	<u>1/400 square feet</u>

<u>Car Wash</u>	<u>4/bay + 1/employee</u>
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d. Education, Religious, Recreation, Assembly.

<u>Elementary and Jr. High Schools</u>	<u>2/classroom</u>
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<u>High Schools</u>	<u>1/4 students</u>
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<u>Colleges, Universities</u>	<u>10/classroom</u>
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<u>Place of Worship</u>	<u>1/4 seats + assembly</u>
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<u>Fitness Center</u>	<u>3/4 capacity</u>
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<u>Golf Course</u>	<u>59/9 holes</u>
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<u>Commercial Recreation Facility</u>	<u>1/4 total capacity</u>
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<u>Fraternal Lodge</u>	<u>1/4 total capacity</u>
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<u>Auditorium, Sports Arena, Theater,</u>	<u>1/4 seats (24"/seat)</u>
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<u>Stadium</u>	
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<u>Exhibition Hall, Assembly</u>	<u>1/100 sq. ft., or</u>
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<u>(Nonfixed seating)</u>	<u>1/5 occ. (Fire code)</u>
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e. Industrial Uses.

<u>Manufacturing, Fabrication</u>	<u>1/1,000 sq. ft., or 1.5 employees,</u> <u>whichever is greater</u>
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Warehouse

1/2,000 sq. ft. + parking for vehicles used
on site

Self-Storage, Mini-Warehouse

24-ft.-wide aisles + caretaker parking