



**NOTICE OF A REGULAR MEETING OF THE ZONING CODE UPDATE CITIZEN ADVISORY
COMMITTEE
OF THE TOWN OF CLARKDALE
THURSDAY, JULY 17, 2025 AT 4:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ
OR
Join Zoom Meeting
<https://zoom.us/j/9554994085>
Meeting ID: 955 499 4085

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, July 17, 2025, 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 five minutes.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting held on May 15, 2025.

5. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Chapter 4: General Provisions

Discussion only regarding Chapter 4: General Provisions.

B. Chapter 5: Conditional Use Permit

Discussion only regarding Chapter 5: Conditional Use Permit.

C. Chapter 7: Signs

Discussion only regarding Chapter 7: Signs.

6. FUTURE AGENDA ITEMS

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

7. 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.



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

THURSDAY, MAY 15, 2025 AT 4:30 PM

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

Members Present: *Selena Pao, Virginia Smith, Laura Jones, Becky Keck, Robyn Prud'homme-Bauer, Allen Spence, Ray Selna, Joe Conk, Kerrie Snyder.*

Members Absent: *Craig Backus.*

Other Municipal Officials Present: *Community Development Director Ruth Mayday; Community Development Associate Planner Britania Esparza, Community Development Admin Guss Espolt.*

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

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

1. CALL TO ORDER - *Community Development Director Ruth Mayday called the meeting to order at 4:30 p.m.*

2. ROLL CALL – *Present: Selena Pao, Virginia Smith, Laura Jones, Becky Keck, Robyn Prud'homme-Bauer, Allen Spence, Ray Selna, Joe Conk, Kerrie Snyder.*
Absent: Craig Backus.

3. PUBLIC COMMENT
No public comment.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting held on April 30, 2025.

Motion by Prud'homme-Bauer, second by Spence to: Approve the draft minutes from the regular meeting held on April 30, 2025.

Vote: - 9/0

Advisory Member	Aye/Nay
Selena Pao	Aye
Ray Selna	Aye
Virginia Smith	Aye

Laura Jones	Aye
Becky Keck	Aye
Joe Conk	Aye
Craig Backus	Absent
Robyn Prud'homme-Bauer	Aye
Kerrie Snyder	Aye
Allen Spence (alternate)	Aye

5. NEW BUSINESS

A. Chairperson Selection

Discuss, consider and act upon the selection of a new Chairperson for the Zoning Code Update Citizen Advisory Committee.

Motion by Snyder, second by Prud'homme-Bauer to: *Nominate Commissioner Spence as Chairperson for the Zoning Code Update Citizen Advisory Committee.*

Vote: - 9/0

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

B. Vice Chairperson Selection

Discuss, consider and act upon the selection of a new Vice Chairperson for the Zoning Code Update Citizen Advisory Committee.

Motion by Jones, second by Snyder to: *Nominate Commissioner Keck as Vice Chairperson for the Zoning Code Update Citizen Advisory Committee.*

Vote: - 9/0

Advisory Member	Aye/Nay
Selena Pao	Aye
Ray Selna	Aye
Virginia Smith	Aye
Laura Jones	Aye
Becky Keck	Aye
Joe Conk	Aye
Craig Backus	Absent
Robyn Prud'homme-Bauer	Aye

Kerrie Snyder	Aye
Allen Spence (alternate)	Aye

6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Chapter 9: Landscape Design Standards

Discussion only regarding Chapter 9: Landscape Design Standards.

B. Chapter 11: Design Review and Site Plan Review

Discussion only regarding Chapter 11: Design Review and Site Plan Review.

C. Workforce Housing Language

Discussion only regarding workforce housing language.

7. FUTURE AGENDA ITEMS

Zoning Code Update Citizen Advisory Committee proposed that the following item be placed on a future agenda:

Continue discussion of zoning update.

8. ADJOURNMENT -7:03 p.m.

Motion by Selna, second by Smith to: *Adjourn the meeting.*

Vote: - 9/0

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

Chairperson
Zoning Code Advisory Committee

Assistant Town Manager, Ruth Mayday



Staff Report

Item Number: 5.A.

<u>Agenda Item:</u>	Chapter 4: General Provisions Discussion only regarding Chapter 4: General Provisions.
<u>Staff Contact:</u>	Ruth Mayday, Assistant Town Manager/Community Development Director
<u>Meeting Date:</u>	July 17, 2025
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review and discussion of Chapter 4: General Provisions.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Discussion only. No recommendation.

CHAPTER 4

GENERAL PROVISIONS

Articles:

- [4-010 Accessory Structure](#)
- [4-020 Bed and Breakfast Establishments](#)
- [4-030 Campgrounds and Recreational Vehicle Parks](#)
- [4-040 Commercial and Residential Flagpoles](#)
- [4-050 Fence/Wall Height](#)
- [4-060 Hazardous, Special, and Radioactive Materials](#)
- [4-070 Home Occupation Standards](#)
- [4-080 Miscellaneous Projections of and Architectural Member](#)
- [4-090 Noise](#)
- [4-100 Off-Street Parking and Loading](#)
- [4-110 Parking Lots and Driveways Abutting Residence District](#)
- [4-120 Payment by Owner of Professional Services Deemed Necessary by Town Council](#)
- [4-130 Rear Yards in Business and Commercial Zones-Loading and Unloading](#)
- [4-140 Recreational and Medical Marijuana](#)
- [4-150 Reducing Lot Areas](#)
- [4-160 Sidewalk Café Permit](#)
- [4-170 Sight Visibility Triangles](#)
- [4-180 Standards for Golf Course Developments](#)
- [4-190 Storage of Materials](#)
- [4-200 Swimming Pools](#)
- [4-210 Temporary Structures and Temporary Uses](#)
- [4-220 Tiny Houses; Tiny Houses on Wheels; Tiny House Recreational Vehicles](#)
- [4-230 Traffic and Pedestrian Accessibility](#)
- [4-240 Wireless Communication Tower](#)
- [4-250 Yard Encroachments](#)

Commented [RM1]: ADU needs to come before Accessory Structures

Section 4-010 Accessory Structures

A. Accessory Structures Standards

1. Accessory structures, if permitted in a district, are approved, provided:
 - a. They are not in a front yard.
 - b. They shall be set back at least three (3) feet from all alley lines.
 - c. They shall be set back at least three (3) feet from adjoining lot lines ~~except for with exception of~~ historic properties which may be ~~set back as less unless~~ specifically listed within the zoning district standards.
 - e. They do not exceed fifteen (15) feet in height unless specifically listed herein or within the zoning district standards.

Section 4-020 Accessory Dwelling Units

A. Accessory Dwelling Unit Standards: a self-contained living unit that is on the same lot or parcel as a single-family dwelling of greater square footage than the ADU, that includes its own sleeping and sanitation facilities and that may include its own kitchen facilities

1. Accessory dwelling units, are permitted in all residential zoning districts, provided:
 - a. They are not located in a front yard.
 - b. They are limited to 2 detached and/ or 1 attached accessory dwelling unit.
 - c. They shall be set back at least five (5) feet from all property lines.
 - d. They do not exceed fifteen (15) feet in height unless specifically listed herein or within the zoning district standards or are located within the main building setback.

Commented [JS2]: Do we want to keep or was the decision not to deviate?

Section 4-030 Bed and Breakfast Establishments

A. Bed & Breakfast facilities 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 all adopted codes, the International Building Code.
3. When changing the use of an ~~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.
5. 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 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
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. Must Necessary to have a current business license.
9. ~~Parking shall meet the Town Parking Requirements for Bed and Breakfasts.~~
10. Installation of commercial kitchen facilities requires acquisition of necessary permits per County and State Health Department requirements.

Commented [RM3]: Duplicates 6

Section 4-040 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 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 the Planned Area Development [zoning](#) district.
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 parcel 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 associated structure. 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 linear 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 linear 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 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 building/ RV distance from any portion of the camping or RV space shall be as follows:
 - a. Five (5) feet from all internal spaces.
 - 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 screening alternative 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.

Section 4-050 Commercial and Residential Flagpoles

A. Permissible Locations

1. Flagpoles may be erected on residential properties subject to the following conditions:
 - a. The flagpole must be located within the boundaries of the residential property.
 - b. The flagpole must not obstruct public rights-of-way, or utility easements, or impede visibility for vehicular or pedestrian traffic.

- c. The flagpole must comply with setback requirements specified in the zoning regulations.
- 2. Flagpoles may be erected on commercial properties subject to the following conditions:
 - a. The flagpole must be located within the boundaries of the commercial property.
 - b. The flagpole must not obstruct public rights-of-way, or utility easements, or impede visibility for vehicular or pedestrian traffic.
 - c. 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.

B. Construction Standards

1. Flagpoles must be constructed using durable and weather-resistant materials capable of withstanding environmental conditions and windspeeds eighty (80) miles per hour.
2. 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.
3. Flagpoles must be securely anchored to the ground to prevent instability or collapse. The base must meet manufacturer specifications.
4. 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, Lighting Requirements. All lighting shall be equipped with appropriate shielding per the Class. Additionally, any hard wiring for these fixtures must be installed underground in accordance with the Town of Clarkdale, Lighting Requirements.
5. Installation of the flagpole must adhere to manufacturer specifications and industry best practices for safe assembly.
6. 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.

C. Permit Requirements

Clarkdale Zoning Code Chapter 4, General Provisions

1. 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.
2. Prior to the construction or installation of any flagpole on commercial property, the owner must obtain a permit from the Community Development Department.
3. 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.

D. Preexisting Nonconforming Flagpoles

1. 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 legally nonconforming flagpoles.
2. Such preexisting legally nonconforming flagpoles may continue to be used and maintained, provided they do not pose a safety hazard.
3. Any modification, replacement, or relocation of a preexisting legally nonconforming flagpole shall comply with the current regulations set forth in the ordinance codified in this chapter.
4. If a preexisting legally nonconforming flagpole is removed, any new flagpole installed on the property must conform to the current regulations.

Section 4-060 Fence/Wall Height**A. Fence/ Wall height in Residential districts shall be as follows:**

1. 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
2. Fences/ Walls exceeding three (3) 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 visibility triangle is maintained at the intersection of two (2) street, or a street and alley, measured thirty-three (33) feet along the edges of easement or right-of-way, the third side being a diagonal connection the first two (2), any fence/ wall within this area shall be no higher than three feet tall;
- c. A sight visibility 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), any fence/ wall within this area shall be no higher than three feet tall; and

3. Fences may exceed four (4) feet in height along the exterior side yard of a corner lot provided sight visibility triangles as defined herein are maintained.

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. A sight visibility triangles is maintained as required herein.

B. Fence height in non-residential districts shall be as follows:

- 1. Fences may not exceed four (4) feet in height in required front yard areas.
- 2. Fences may only exceed four (4) feet in height along the exterior side yard of a corner lot provided sight visibility triangles are maintained;
- 3. Fences adjacent to streets may exceed four (4) feet provided sight distance triangles are maintained.
- 4. A fence constructed on a side or rear property line shall not exceed a height of six feet (6) from highest finished grade adjacent to the fence, nor more than eight feet (8') from the lowest grade adjacent to the fence. When adjacent to single or multi-family residential the fence height shall not exceed eight feet (8').

C. The height of fences shall be determined by measurement from the ground level at all points upon which the fence is located. An increase in height shall be allowed when spacing for drainage under the fence is needed.

D. 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.

E. The use of barbed wire and similar materials is not allowed unless specifically approved for animal keeping or commercial/ industrial security uses. ~~Approval shall be given~~ in writing, by the Community Development Department. The use of electric fences is strictly prohibited.

Section 4-070 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.

Section 4-080 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 residing outside the home, each working no more than thirty-two (32) hours per week.
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 is permitted.
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 Parking Table in Section 4-100, Off-~~Street~~~~Site~~ Parking and Loading.
10. FIRE INSPECTIONS: The Town shall conduct fire safety inspections of all structures where Home Occupations will be conducted.

Section 4-090 Miscellaneous Projections of and Architectural Member

- A. Any architectural feature otherwise permitted to project into a yard shall be setback not less than three (3) feet from any lot line.
- B. Height Limit Exceptions: Height limitations shall not apply to fire stations, church spires not covering more than 25% of the roof area, domes, belfries, monuments, water tank towers, fire towers, observation towers, ~~or~~ transmission towers.

Section 4-100 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 ~~shall 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.

Commented [RM4]: Table? List?

Section 4-110 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 below. 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 be required to provide additional off-street parking space. Handicap parking design and requirement standards shall follow the National American with Disabilities Act (ADA) requirements for number of parking spaces and design specifications.

1. Standards for Off-Street Parking.

Parking Table

Use Category	Specific Use	Parking Spaces
Agriculture	All agriculture	1 acre or less: None; Greater than an acre: 1 per Site + 1 per 100 sq. ft. of sales area
Residential	Single-Family*	2 per unit
	Multi-Family*	Studio/1 bedroom: 1.5 2+ bedrooms: 2 Plus 0.25 per unit for guest parking <i>*Designated Affordable housing units do not require guest parking to be provided</i>
Group Living	All Group Living, except as listed below	1 per 4 beds
	Boarding House, Rooming House	1 per bed
	Assisted Living Facility	0.5 per bed Plus 1 per room for staff/ guest parking
	Independent Living Facility	1 per unit
Community Service	All community service	1 per 500 SF floor area
	Art Studio classrooms or classes	1 per 500 SF floor area

Use Category	Specific Use	Parking Spaces
	which the public to sign up	
	Assembly	1 per 100 sq. ft. or 1 per 5 fire code occupancy
	Auditoriums, Theaters, Sports Arena	1 per 4 seats, minimum 24 spaces
	Clubs and lodges	1 per 200 SF floor area
	Mortuary	1 per 3 seats + 1 per business vehicle
	Museums	1 per 300 SF floor area
Day Care	All Day Care	1 per 300 SF indoor floor area minus bathrooms and hallways
Educational Facilities	All educational facilities	Elementary: 2 per classroom Junior High: 2 per classroom High School: 7 per classroom Colleges, Universities: 10 per classroom
Government Facilities	All Government Facilities, except as listed below	1 per 300 SF floor area
	Correctional facilities, jail, prison	1 per 300 SF office area + 1 per 5 beds
Medical Facilities	All medical facilities including offices, except as listed below	1 per 150 SF floor area
	Medical laboratory	1 per 500 SF floor area
	Mental and Addiction Health Facilities	1.5 per patient bed
	Outpatient Medical Facilities	1 per 200 SF floor area
	Hospital	1 space per 2 patient beds plus 1 space per 3 employees
Parks and Open Areas	All Parks and Open Areas, except as listed below	1 per 250 SF floor area

Use Category	Specific Use	Parking Spaces
	Court, Basketball	4 per court
	Court, Tennis	2 per court
	Dog Park	1 per 1,000 SF of outdoor enclosed area
	Athletic Sports Field	15 per field
	Playground	1 per 1,000 SF
	Recreation center	10 spaces + 1 per 200 sq. ft in excess of 5,000 sq. ft.
	Swimming Pool	1 per 60 sq. ft. of pool deck
Passenger Terminals	All passenger bus and train terminals	1 per 300 sq. ft. indoor waiting floor area
Places of Worship	All places of worship	1 per 4 seats + 1 per 100 SF floor area in assembly area(s)
Utilities	All utilities, except as listed below	1 per 1,000 sq. ft. enclosed floor area
	TV/HDTV/AM/FM broadcast facility	1 per 300 sq. ft. enclosed floor area
Indoor Recreation	All indoor recreation, except as listed below	1 per 250 SF enclosed floor area
	Adult establishment, electronic gaming operation, casino, bar, nightclub, movie or theater	1 per 100 SF of floor area
	Fitness Center; including spa/wellness centers	1 per 200 sq ft of floor area minus bathrooms
Outdoor Recreation	All outdoor recreation, except as listed below	1 per 500 sq. ft. of enclosed floor area + 1 per 1,000 SF of outdoor use area
	Campground, summer camp	1 per campsite + 1 per employee
	Clubhouse and/or pool accessory to a residential development	All other applicable districts: 1 per 200 sq. ft. of pool area or clubhouse area, whichever is greater

Use Category	Specific Use	Parking Spaces
	Firing range, outdoor such as rifle range, archery, skeet, handgun	1 per firing position, minimum 5 spaces
	Golf course, driving range, country club (see "restaurants" for additional parking requirements associated with eating facilities)	3 per hole + 1 per 500 sq. ft. floor area
Medical Marijuana	Dispensary	1 per 250 sq. ft. floor area
	Cultivation Facility	1 per 1,000 sq.ft. floor area
Office	All Office uses	1 per 250 sq.ft. floor area; minimum 3 spaces
Overnight Accommodations	All overnight accommodations, except as listed below	1 per room + 1 per 200 sq. ft conference/banquet/restaurant
	Bed and breakfast establishment	1 per guest unit + 2 per owner/manager
Restaurants	Restaurants	1 per 150 SF + 1 space per 400 sq. ft of outdoor dining area. (excluding kitchen facilities)
	Drive-Through Restaurants	1 space per 300 sq. ft. + 5 stacking for drive-through lane
Retail Sales and Service	General Retail Sales and Service, except as listed below	1 per 200 sq. ft floor area
	Animal hospital, kennel, or veterinarian	1 per 250 sq. ft enclosed floor area
	Bank, Financial Institutions	1 per 250 sq. ft. + 3 stacking for drive-through lane
	Beauty, Barber Shop	3 per service chair
	For developments with more than one business: Storage used as general storage for the facility	1 per 1,000 sq. ft. floor area
	Laundry- Self Service	1 per 4 machines
	Outdoor Market	1 per 300 sq. ft. vendor area
	Repair-oriented services such as	1 per 500 sq. ft. floor area

Use Category	Specific Use	Parking Spaces
	appliance, bicycle, computer, gun, jewelry, etc.	
Self-Service Storage	All Self-service Storage	24- wide drive aisles + 1 per caretaker unit. minimum 1 space
Vehicle Sales and Service	All Vehicle Sales and Service, except as listed below	2 per service bay; minimum of 6 spaces
	Car Wash	2 per wash bay OR 1 per vacuum
	Vehicle Sales, Leasing or Rental; Manufactured Housing Sales	1 per 200 sq. ft. enclosed floor area
Light Industrial Service	All Light Industrial Service, except as listed below	1 per 1,000 sq. ft. floor area
	Research and Development	1 per 250 SF floor area of office space + 1 per 1,000 sq. ft. floor area of laboratory + 1 per 5,000 sq. ft. floor area for greenhouses and other material or mechanical storage areas
	Renewable energy facility	1 per 250 sq. ft. of office area
Warehouse and Freight Movement	All Warehouse and Freight Movement	1 per 2,000 sq. ft. of floor area + parking for vehicles used on site
Waste-Related Service	All waste-related services	1 per 500 sq. ft. enclosed floor area + 1 per 5,000 sq. ft. outside storage area
Wholesale Trades	All Wholesale Trade	1 per 5,000 sq. ft. floor area
Heavy Industrial	All Heavy Industrial	1 per 1,000 sq. ft. enclosed floor area
	Wrecking, Junk or Salvage Yard	1 + 1 per 10,000 sq. ft. of yard area

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 Community Development Director. The 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 above.

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 9 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, and/ or 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 it is for, 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 where possible.

- c. The use of shared parking, shared driveways, and the cross-connection of parking lots is encouraged, especially in areas of limited driveway access.
- 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.

2. Loading Requirements for All Uses

a. Loading Space Size:

Loading spaces shall be provided to accommodate the size of delivery vehicles typically used for the operation of the business. Minimum dimensions for a single loading space shall be: Width: 12 feet, Length: 30 feet, Height Clearance: 14 feet (minimum)

b. Location of Loading Areas:

1. Loading areas shall be located off-street and positioned at the rear or side of the building to minimize interference with customer parking and pedestrian pathways.
2. Loading zones must not obstruct public streets, alleys, sidewalks, or parking areas.
3. In multi-tenant or mixed-use developments, loading areas may be shared by tenants, provided there is clear scheduling and no conflicts during peak delivery hours.

c. Delivery Timing:

Deliveries shall be limited to designated off hours to avoid conflicts with pedestrian or vehicle traffic when possible.

d. Loading and Delivery Signage:

Clear signage must be posted for loading areas to ensure drivers are directed to proper delivery zones. The signage should include:

1. Loading zone identification
2. Time restrictions
3. Emergency contact information for delivery coordination

Section 4-120 Parking Lots and Driveways Abutting Residence Districts

A. Whenever a parking lot or a driveway to a parking lot is hereafter established in ~~a Non-other~~ ~~that a~~ Residential District so as to adjoin the side or abut the side or rear line of a lot in a ~~non-~~ residential district, a solid masonry wall, or substantially 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 glare directed or reflected toward residence buildings by the utilization of shielding the fixtures.

Section 4-130 Payment by Owner of Professional Services Deemed Necessary by Town Council

A. In the event the Building Official, Community Development Director, Public Works Director, 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 review or approval and acceptance of any lot, structure, or performance standard, said services shall be paid for by the owner of the property under consideration.

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 free and clear for traffic movement, extending at least fourteen (14) feet in height above the grade of the alley and at least twenty-five (25) feet in depth from the back from the alley line, for along fifty percent (50%) of an alley frontage of an interior lot and along twenty percent (20%) of an 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 such uses of limited loading space requirements.

Section 4-150 Recreational and Medical Marijuana

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 the following districts:

a. Industrial Zoning District.

- b. Commercial and Central Business District Zoning Districts, except that there shall be no cultivation. Infusion of marijuana into food products by a marijuana establishment with a valid food establishment license shall be permitted as a conditional use.
3. Shall not be located within 1,500 feet of a preschool, kindergarten, elementary, secondary or high school. This distance shall be measured from the building in which the business is conducted or proposed to be conducted to the property line of the protected use.
 4. Shall not be located within 2,400 feet from a community residence, social service facility or correctional transitional housing facility.
 5. Shall not be located within 2,400 feet from another registered marijuana facility.
 6. Shall not be located within 500 feet of a non-profit organization.
 6. Shall be located in a permanent building on an established foundation adhering to Town current adopted 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 2,000 square feet. Maximum square footage may be expanded subject to use permit application and hearing procedures set forth under the Zoning Code of the Town of Clarkdale.
 8. The secure storage area for the marijuana stored at the location shall not exceed 800 square feet of the total 2,500-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 the Town of Clarkdale Zoning Code.
 9. Shall not provide drive-thru services, outdoor seating 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.

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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 current 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, , 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 for commercial sale and use 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 current 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.

Section 4-160 Reducing Lot Areas

A. No lot shall hereafter be so reduced in area after a building permit is granted as to cause ~~said lot to not conform to minimum development standards, any open space required by this Ordinance to be less than required for the District and lot in question.~~

Section 4-170 Sidewalk Café Permit

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 as long as it does not impede the flow of pedestrian traffic. 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: For this section the following definitions shall apply.

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.

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 or the Historic Preservation Commission for businesses and properties opted-in to the Historic Preservation Ordinance for ~~design~~ review prior to commencement of operations of the sidewalk café. Design review application fees are one time unless the operator wishes to make significant change of more than 25% to the area footprint. Appeals of the application decision by the Planning Commission or the Historic Preservation Commission for businesses and properties opted-in to the Historic Preservation Ordinance, may be made by the Applicant to the Town Council within 15 days of the meeting at which the decision is made.

D. Furniture: Use furniture and any other objects of such quality, design, materials, and workmanship that are approved or otherwise authorized by the relevant/ appropriate, applicable commission, 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.

E. Signage: One portable 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 portable 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:

1. No outdoor cooking of any type is permitted within the sidewalk café area.
2. Amplified music is permitted within the sidewalk café area provided it occurs during normal hours of operation and remains at an ambient noise level. ~~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 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.
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.

Section 4-180 Sight Visibility Triangles

- A. No building, fence, structure, shrubbery or planting shall obstruct street traffic visibility, within an area 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) shall be permitted higher than three (3) feet.

Section 4-190 Standards for Golf Course Development

- 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 any 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 ~~that is 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.

B. Turf and Landscape Standards:

1. The golf course design shall minimize turf areas to only those essential for play and circulation. Non-play areas shall use native or low-water-use vegetation adapted to the region's climate.

Clarkdale Zoning Code Chapter 4, General Provisions

2. Turf grass species selected shall be drought-tolerant, warm-season varieties appropriate for the local climate. Cool-season grasses are discouraged unless demonstrated to have equivalent or lower water demand.

3. The landscape plan shall include a soil management plan that addresses:

- a. Organic matter content,
- b. Compaction and percolation,
- c. Soil amendments to support water efficiency and root health.

C. Energy Efficiency and Equipment Use

1. Irrigation systems shall be designed to maximize energy efficiency through:

- a. Smart irrigation controllers,
- b. Variable frequency drive (VFD) pumps
- c. Use of renewable energy sources where feasible.

D. Community Access

1. Where appropriate, the golf course development shall incorporate passive public access elements such as:

- a. Perimeter walking trails,
- b. Interpretive signage explaining water reuse and conservation strategies,
- c. Viewing platforms or rest areas in naturalized zones.

2. These amenities shall not interfere with course safety or private property rights, and their inclusion shall be evaluated by the Community Development Department.

E. Climate Resilience and Adaptation Planning

1. The applicant shall demonstrate how the golf course design accounts for long-term climate variability, including drought, flood events, and extreme heat.

2. The following strategies are encouraged:

- a. Use of drought-resilient landscaping and turf,
- b. Stormwater retention capacity that exceeds minimum requirements,
- c. Tree planting and shade structures for heat mitigation.

F. 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.

1. 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	1.5	1.5
Water Use Landscaping		

2. 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.

a. Additional Leaching $= (1 / (1 - (EC_w / (5EC_e - EC_w))) - 1) * CU / .75$ Allotment

b. 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.

3. 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.

4. 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

5. Seasonal ~~F~~luctuations:- 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~~[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 4-200 Storage of Materials

- 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.

Section 4-210 Swimming Pools

- A. In a Residential District:
 - 1. Shall be an accessory to a residential use, or
 - 2. Shall be owned and operated by a public agency, or
 - 3. Shall be an accessory to a non-residential use which is permitted in such a district,
 - 4. Shall not be located in the required front yard or a side yard required for vehicle access, required landscaped areas or closer than three feet (3') from the water's edge to any lot 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 development regulations set forth for public or private commercial 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.

Section 4-220 Temporary Structures and Temporary Uses

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 by the applicant to surrounding property owners within 300 feet of the property boundary with direction to provide comments or complaints to the Community Development Department.
4. Temporary use permits shall be issued for a specific time period not to exceed 30 days. 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.

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;
 - e. At the conclusion of a temporary use or structure, all material shall be removed from the site-;site;

- 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.
 4. Violations of the terms of a temporary use permit constitutes grounds for immediate revocation.
 5. Decisions by the Community Development Director may be appealed to the Board of Adjustment.

Commented [RM6]: Is this necessary? Decisions of CDD are always appealed to BOA....

Section 4-230 Tiny House; 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 ~~must~~ may be sited on permanent foundations in compliance with 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 on permanent foundations 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.

Section 4-240 Traffic and Pedestrian Accessibility

A. *Pedestrian Circulation.* The site plan must provide for a system of pedestrian ways within ~~at~~ ~~the~~ development ~~that are~~ 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, ~~or the trails identified in the Clarkdale Trails Master Plan 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, ~~trails,~~ ~~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 ~~and constructed to adopted Town codes.~~

a. The developer shall be responsible for the acquisition of any private easements necessary to provide adequate access to the proposed development.

B. Each ~~commercial/multi-family~~ development shall provide for adequate traffic circulation based on average daily trips (ADT).

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. Where lot has frontage on two (2) or more streets, the primary ~~ingress 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.
- d. 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 ~~shall~~ does not ~~adversely directly~~ impact adjoining residential street system.
- e. Access ways must be ~~designed~~ ~~designated~~ and have sufficient capacity to ~~minimize~~ ~~avoid~~ queuing of entering vehicles on any public street.

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.

Section 4-250 Wireless Communication Tower

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%), ~~this substantial change does not include adding an array or required for an equipment upgrade;~~ or, (2) changing the design of the Wireless Communication Tower that would make it significantly more obtrusive. ~~A substantial change does not include adding an array or equipment required for an upgrade of existing facilities.~~

A conditional use permit (CUP) 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 ~~20400~~ 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 ~~are recommended.~~ ~~may augment the drawing.~~

Commented [RM7]: Why within 10 miles? Why do we care?

Clarkdale Zoning Code Chapter 4, General Provisions

- An environmental assessment of the site, ~~in conformance with~~ 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.
- ~~Notarized~~ 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 ~~plan for~~ 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 ground structures from public view. 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 applicants (or the applicant's successor) when tower is decommissioned. Environmental Assessments may be required at the discretion of the Town.
6. The Town shall be notified of any change of use or provider of a communications tower.

Section 4-260 Yard Encroachment

- 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 up to one-half ($\frac{1}{2}$) 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 forty-two (42) inches 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 setback 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 side yard setback a maximum of three (3) feet.



Staff Report

Item Number: 5.B.

<u>Agenda Item:</u>	Chapter 5: Conditional Use Permit Discussion only regarding Chapter 5: Conditional Use Permit.
<u>Staff Contact:</u>	Ruth Mayday, Assistant Town Manager/Community Development Director
<u>Meeting Date:</u>	July 17, 2025
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review and discussion of Chapter 5: Conditional Use Permit.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Discussion only. No recommendation.

CHAPTER 5

CONDITIONAL USE PERMIT

Articles:

5-010	Purpose and Intent
5-020	Authority
5-030 020	Procedure
5-040	Denial by the Commission
5-050 030	Required Findings
5-060 040	Required Conditions for a Use Permitted by Conditional Use Permit
5-070 050	Terms of a Conditional Use Permit
5-080 060	Revocation of a Conditional Use Permit
5-090 070	Renewal of a Conditional Use Permit
5-100 080	Abandonment of a Conditional Use Permit
5-110 090	Modification or Expansion of a Conditional Use Permit

Section 5-010 Purpose and Intent

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

Conditions may be ~~incorporated into~~ applied to the issuance of the permit such that the proposed land use would not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general. Under no circumstances shall any of the conditions of development be reduced below the minimum standards that are imposed upon any permitted land use within a given zoning district. A Conditional Use Permit may be granted only for those land uses expressly listed ~~as such~~, and

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only after the Planning Commission has made a recommendation and ~~the Common Council approval has authorized such use as evidenced by resolution. (Prior code 5-5-1)~~

Section 5-020 — Authority

~~The Clarkdale Town Council, as the Town's governing body, retains final authority to approve, deny, approve with conditions or modified conditions, all applications for a conditional use permit. (Prior code 5-5-2)~~

Section 5-03020 Procedure

A. Application: Prior to making a formal application for a Conditional Use Permit, the applicant or agent shall review the proposal with the Community Development Director. Application for a Conditional Use Permit shall be made by the property owner or the authorized agent, ~~on a form available from the Town's Community Development Department.~~ Application shall include: a site plan, narrative of the proposed project including processes and operation, a list of the names and addresses of all property owners within ~~two-three~~ hundred (~~200~~300) feet of the proposed conditional use and a non-refundable application fee. A traffic impact statement may be required at the direction of the Community Development Director in more impactful proposals. ~~A deposit toward potential outside consultant fees incurred by the Town in the processing and review of an application shall be required per Section 3-5 of the Town Code. (Revised by Ordinance #364. Approved 8/12/14; Effective 9/12/14)~~

1. Public Hearing Required: The Town Planning Commission shall hold a public hearing on all Conditional Use Permit applications. Notice of the time and place of the hearing, including a general explanation and the general location of the matter to be considered, shall be given at least fifteen (15) days before the hearing in the following manner:

- a. The notice shall be published at least once in a newspaper of local circulation. A notice shall be posted on the property at a ~~strategic~~ location visible from the public right of way. The notice shall include: the present zoning classification, the proposed use, ~~and~~ the date and time of the hearing and the applicant and Town staff contact information.

b. In proceedings involving Conditional Use Permit applications which abut other municipalities or unincorporated areas, or combinations thereof, copies of the notice of ~~the~~ public hearing shall be transmitted to the planning agency of such governmental ~~unit~~agency for review. Additionally, the ~~Town-applicant~~applicant shall notify by first class mail, those property owners of record within ~~two-three (200300)~~ feet of any boundary on which the proposed conditional use ~~might occur~~is proposed.

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

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

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

3. Council Public Hearing and Action: If the Planning Commission has held a public hearing, the Town Council may adopt, deny or modify the decision of the commission ~~without holding a second public hearing. However, if a protest to the decision is submitted in writing within fifteen (15) days after Commission action, the Town Council shall hold a second public hearing.~~ Notice of the time and place of the hearing shall be given in the same manner specified above. ~~The~~ Town Council's decision shall be final and shall become effective immediately. Notice of the decision shall be ~~sent mailed~~ to the property owner and/or applicant at the address ~~or email address~~ shown on the application.

4. Protest Provision: If the owners of twenty percent (20%) or more of the lots within ~~twoone~~ hundred ~~and fifty (200150)~~ feet of the proposed Conditional Use Permit, file a written protest against a Conditional Use Permit application, it shall not become effective except by the favorable vote of three-fourths of all members of the Town Council able to vote. ~~(Prior code § 5-3) All protests shall be filed in the office of the Town Clerk no later than 12:00 noon onethree business day before the Council Vote hearing is scheduled to start...I think it would be helpful to us all if it were more than that...5 business days?~~

Section 5-040 — Denial by the Commission

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

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

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

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

Section 5-050030 Required Findings

A. ~~In order to make~~The Planning Commission shall make ~~—~~recommendations including findings of fact on a Conditional Use Permit, ~~the Planning Commission should make which findings shall be~~ based on the following elements (as applies to that particular case):

1. Applicable Regulations: Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning

Ordinance, Town of Clarkdale General Plan, other statutes, and any ordinance or policies that may be applicable.

2. Bulk Regulations: The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences, and parking. ~~That t~~These elements ~~shall beare compatiblebe~~ compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly ~~relate confirm~~ the proposed use with the ~~existing nearby~~ land uses ~~in the vicinity~~.

3. Performance: That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, ~~and~~ welfare, ~~or convenience on~~ persons residing or working in the vicinity, to adjacent property, ~~to the neighborhood~~ or to the public welfare ~~in general~~.

4. Traffic Impacts: The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition of approval.

5. Landscaping: Landscaping, and/or fencing of the proposed development ~~shall ensure,~~ assures thatensure that the site development will be compatible with adjoining areas and with the intent of Town policies.

6. Nuisance: That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibration, signage or illumination.
(Prior code § 5-5-5)

Section 5-~~0600~~40 Required Conditions for a Use Permitted by Conditional _____ Use Permit

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

A. All Conditional Use Permits, including those that require that the applicant and/or developer obtain a building permit, shall meet minimum requirements of all Town ordinances, restrictions, regulations, and policies of the Town of Clarkdale which are in effect at the time of

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issuance of the Conditional Use Permit. ~~Compliance with same is a condition~~ of the use permit ~~may~~, including but are not limited to:

1. Consistency with the General Plan.
2. Sanitary waste improvements.
3. Street and/or sidewalk improvements.
4. Fire protection measures.
5. Utility service improvements.
6. Amount, type and location of outdoor lighting and signage.
7. Off-street parking area, aisles and access drives shall be designed and constructed so as to provide a durable, ~~dustless-stabilized~~ surface ~~with dust control measures~~.
8. Storm drainage improvements, based on a drainage report prepared by a licensed engineer, and approved by the Town Engineer.
9. Water service improvements.
10. Hours of operation.
11. Access ~~requirements/ restrictions~~.
12. Landscaping standards..
13. Compliance with applicable Federal, State and Local regulations.
14. Required Conditions for Agriculture Tourism, Agritourism Enterprise and Croplands Uses
 - a. A connection to Town of Clarkdale ~~water system~~ ~~utilities~~ is required where connection is available ~~in conformance with within a reasonable Chapter 11: Sewer and Chapter 19 : Water Utilities of the distance as determined by the Town Manager- Code or designated representative~~. If connection to the Town's water system is not available, approval of Agriculture Tourism, Agritourism Enterprise and Croplands uses irrigating with well water will be considered on a ~~case-by-case~~ ~~case-by-case~~ basis.

- b. All water connections shall be metered.
- c. All Agriculture Tourism, Agritourism Enterprise and Croplands Uses which include animals shall be set-back 25 feet from adjoining property lines when abutting residentially-zoned property. Crop cultivation do not require a setback.
- d. Drip/Micro Irrigation and on-site drainage shall incorporate Best Management Practices and not impact surrounding properties.
- e. Non-chemical pest control, such as the use of beneficial predators, beneficial parasitoids and biochemical methods, is strongly encouraged.
- f. A Conditional Use Permit application for Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall include the following elements:
 - i. A detailed site plan of the proposal showing all required setbacks, proposed and existing buildings and structures and proposed access and easements.
 - ii. A comprehensive low water use plan incorporating best practices.
 - iii. An integrated pest management (IPM) plan. All chemicals shall be contained to the property under cultivation.
 - iv. If fertilizer and soil amendments are proposed, a plan outlining use shall be included.
 - v. A dust control plan incorporating best management practices per Clarkdale Town Code shall be provided. Only non-potable water shall be used for dust control measures.
- g. Approval of a Conditional Use Permit for Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall be based on consideration of the impacts to the environment and adjacent property owners.
- h. —
All Agriculture Tourism, Agritourism Enterprise and Croplands Uses shall comply with federal regulations, Arizona State Regulations and the Arizona Department of Agriculture rules and regulations. (Prior code § 5-6)

Section 5-~~070050~~ Term of a Conditional Use Permit

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

1. If a building permit is necessary to implement the use permit, a building permit shall have been issued within one (1) year of the effective date of the use permit, and substantial construction occurred.
2. If a building permit is not necessary to implement the use permit, then the actual use shall commence within six (6) months of the effective date of the use permit.

~~3. Any use permit issued by the Town Council shall be considered null and void if construction does not conform to the originally approved site plan. (See Modification of a Conditional Use Permit.) (Prior code § 5-5-7)3. The Conditional Use Permit is tied to the land and transfers with ownership changes so long as the original conditions are being met and maintained.~~

Section 5-~~080060~~ Revocation of a Conditional Use Permit

Conditional Use permits granted in accordance with the provision of this ordinance may be revoked if the conditions of operation imposed in the approval and issuance of the conditional use permit have not, or are not being complied with. The Community Development Director/~~Zoning Administrator~~ or designee shall notify the permittee to correct the violation within fifteen (15) business days after notification. ~~If the Community Development Director does not see the process begin to remedy the violation within 30 calendar days, the~~The permit shall be considered for revocation at a public hearing by the Planning Commission at their next regularly scheduled meeting.

If the Town Planning Commission finds, following the public hearing, that the use is not in conformance with the original conditions of operation imposed in ~~the approval and issuance of the permit, are not being complied with,~~ the permit can be revoked and further operation of

the use for which the Conditional ~~Use~~ Permit was approved shall constitute a violation of this code.

Commented [RM1]: We need to be consistent as to whether we capitalize CUP or not.....

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

Section 5-~~090070~~ Renewal of a Conditional Use Permit

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

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

Section 5-~~10080~~ Abandonment of a Conditional Use Permit

The occurrence of ~~certain events~~uses outside the approved Conditional Use Permit approval and site plan and, including but not limited to a ~~180~~365-day period of vacancy of the property, cessation of activity for which the Conditional Use Permit was sought, or action that the Town of Clarkdale determines as a voluntary discontinuance of the Conditional Use Permit. The Conditional Use Permit shall be considered null and void without Town Council action. ~~(Prior code § 5-10)~~

Section 5-~~11090~~ Modification or Expansion of a Conditional Use Permit

A. Minor deviations of the site plan may be approved by the Community Development Director or designee administratively. Major deviations, from the originally approved site plan, shall be subject to re-application for a Conditional Use Permit.

B. Minor changes in the site plan may be approved by the ~~Planning Director~~Community Development Director or designee as long as such changes will not cause any of the following circumstances to occur:

1. A change in the character of the development.
2. An increase in the number of dwelling units.
3. A change that creates an increase in vehicular traffic.
4. A change of the vehicular ingress or egress patterns.
5. Proposed reduction to any of the required setbacks.
6. Proposed increase in ~~%~~ ground lot coverage as authorized by the zoning district.
7. Any proposed increase or reduction of the required off-street parking and loading spaces.
8. Proposed change necessitates public dedication of rights-of-way either as streets, alleys, public ways, drainage or utility easements. ~~(Prior code § 5-11)~~

~~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.C.

<u>Agenda Item:</u>	Chapter 7: Signs Discussion only regarding Chapter 7: Signs.
<u>Staff Contact:</u>	Ruth Mayday, Assistant Town Manager/Community Development Director
<u>Meeting Date:</u>	July 17, 2025
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review and discussion of Chapter 7: Signs.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Discussion only. No recommendation.

CHAPTER 7
SIGNS

Articles:

7-010	Purpose and Intent
7-020	General Provisions
7-030	Sign Standards Sign Illumination
7-040	Sign Measurement Design and Maintenance
	Signs Exempt from this Ordinance and Fees
7-050	Sign Illumination Prohibited Signs
7-060	Signs Excepted from this Ordinance and Fees Non-Conforming Signs
7-070	Prohibited Signs Commercial Uses in Residential Zoning Districts
7-080	Nonconforming Signs Permitted signs
7-090	Commercial Sign Uses in Residential Zoning Districts Maximum- Sign Square Footage for Commercial Uses
7-100	Permanent Signs Visibility Sight Lines
7-110	Temporary Signs Permitted Signs by Type and Zone District Chart
7-120	Maximum Sign Square Footage for Commercial Use Enforcement
7-130	Visibility Sight Lines Permitted Sign Table
7-140	Permitted Signs by Type and Zoning District Chart
7-150	Enforcement
7-160	Permitted Sign Table
7-140	Political Sign-Free Zone Map

(Created by Ord #348/Res #1421 on 1/22/13, Effective 2/22/13)

Section 7-010 Purpose and Intent

It is the purpose of this title to regulate all exterior signs so as to protect property values, the character of various use areas of the Town and the health, safety and public welfare of the

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~~citizens of the Town~~The purpose and intent of this Chapter is to~~To encourage the efficient and effective use of signs as a means of communication in the Town; and~~

~~To~~to minimize the negative effects of signs on nearby public and private property;

Signs shall be erected and displayed in such a manner as to avoid clutter, unwarranted distraction and visual or perceptual confusion to the detriment of the safe operation and functioning of the Town's transportation systems.

~~Furthermore, it is intended these regulations will~~Regulations shall not unreasonably infringe on any individual's right to communicate ideological expression through the use of signs.

All signs constructed within the Town of Clarkdale shall be required to blend with the context of the Town, and shall incorporate elements reflecting the ~~small towns~~small-town character, neighborhood feel and the sense of history defining the Town of Clarkdale. ~~(Prior code 5-7-1)~~

~~To~~Regulations shall promote fair and consistent enforcement of these sign standards.

Section 7-020 General Provisions

A. Permits:

1. Unless exempt from a permit in accordance with Section ~~-7-060~~ of this Code, permits are required for all commercial signs. Application shall be made to the Community Development Department on applicable forms and include information as required by the Town.

2. ~~In the absence of a master sign plan, e~~Each individual permanent sign requires a separate permit, ~~unless a Comprehensive Sign Plan has been approved and is in effect.~~

B. Whenever a business, industry or service using a commercial sign is discontinued, the sign shall be removed or obscured by the person owning or having possession of the property within 30 days after the discontinuance of the business, industry or service.

C. All signs other than wall signs may be back-to-back. Only the size of one side shall count towards the cumulative maximum noted in Section ~~7-12090~~ of this code.

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D. Attachment of any sign to utility poles, traffic control devices or street signs shall be prohibited. Unless specifically provided for in the Code, no sign shall project, overhang or otherwise be located on public property.

E. Any sign to be erected wholly or partially within state highway right-of-way shall be approved by the in conformance with any Intergovernmental Agreement between Town of Clarkdale and Arizona Department of Transportation (ADOT). Should no agreement exist, then the signage must be approved by ADOT. ~~prior to Town~~ consideration. _____

~~F. Sign Measurements: The area of the sign shall be determined by measuring the total area of the sign excluding any supporting framework.~~

~~G. All commercial signs, other than temporary signs, must receive approval from the Design Review Board prior to placement.~~

H. Signs shall be maintained and be free of chipping paint, visible cracks or gouges, or general deterioration.

I. The back of all one-sided freestanding signs must be finished with a non-reflective surface.

J. A ~~master comprehensive~~ sign package for each new commercial, multi-family and residential subdivision, including the type, number, size, locations, and materials ~~and colors~~ of the various signs shall be approved as a part of the ~~by the~~ Design Review process ~~Board~~ prior to the issuance of a permit for any sign authorized under this section of the Code. ~~(Prior code § 7-2)~~

~~K. All occupied premises shall have street numbers, and room identification numbers for lodgings, which shall be easily viewed from adjacent public rights-of-way.~~

L. No sign shall be erected or maintained:

1. In a way that obstructs free and clear vision of traffic or causes a traffic hazard, or
2. At any location where, by reason of its position, shape, color, or illumination, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device mounted on a police or fire protection vehicle, or
3. Using the words "stop", "look", "danger", "caution", or any other word, phrase, symbol, or character in a way that interferes with, misleads, or confuses traffic that has not been installed or erected by a political subdivision of the State of Arizona.

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M. No sign shall be erected, relocated, or maintained in a way that prevents free ingress to or egress from any door, window, or fire escape, nor shall any sign be attached to a standpipe or fire escape.

N. Applications that meet all requirements of this Chapter shall be reviewed and approved administratively by the Community Development Director. Only applications requesting deviations, variances, or unique design interpretations shall require review by the Planning Commission.

O. The Community Development Director shall complete administrative sign reviews within 15 business days. Applicants denied administratively may appeal to the Board of Adjustment within 15 business days.

Section 7-030 Sign Standards

- A. All Signs shall incorporate design elements consistent with the overall architectural character of buildings and other improvements on the Sign Premises.
- B. All signs and supporting structures shall be designed and constructed in conformance with current Town Building and Electrical codes.
- C. Any Sign that is installed shall have a life expectancy of at least ten years.
- D. All Temporary Signs shall be constructed using suitably durable materials.
- E. All signs must comply with the height, square footage and illumination standards herein.
- F. Permitted signs are those identified in-per the Permitted Sign Table in Section 7-160.

Section 7-040 Sign Measurement, Design and Maintenance

Sign Area shall be measured as follows:

- A. Sign copy mounted on or affixed to a background panel or area distinctively painted, textured, or constructed as a background for the Sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the Sign copy and background.
- B. Sign copy mounted on or cut from as individual letters or graphics a wall, fascia, mansard, or parapet of a Building or

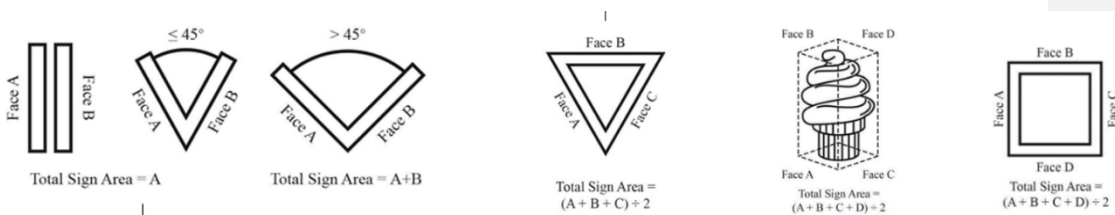


The Clarkdale Zoning Code is current through Ordinance #430, passed August 13, 2024.

other Structure that will enclose each word and each graphic in the total Sign.

Signs with multiple faces shall be measured as follows:

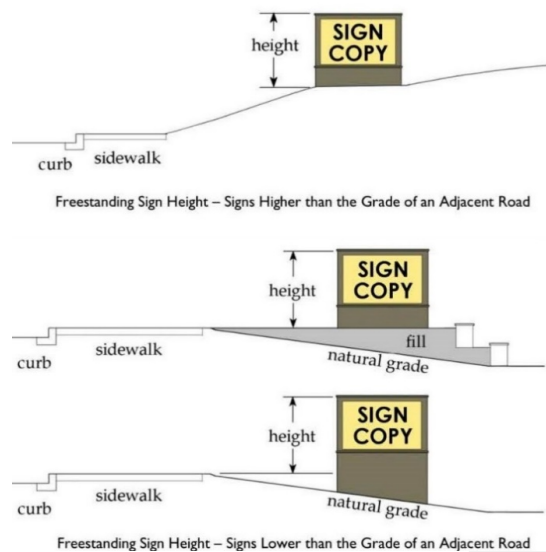
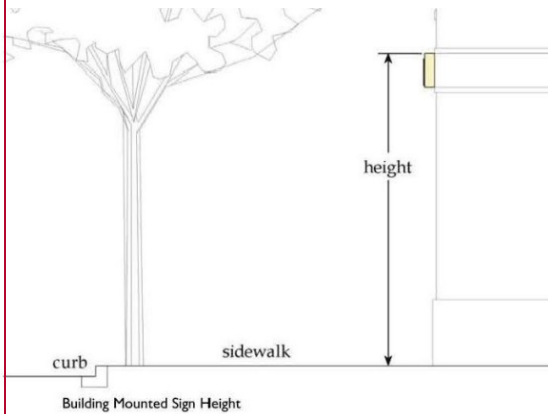
- A. The area of all faces shall be included in determining the area of the Sign, except that only one face of a double-faced sign shall be considered in determining the Sign Area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle of the Sign faces does not exceed 45 degrees in the case of a 'V' – configured Sign. If the area of one Sign face exceeds the area of the Sign's opposing face, the area of the larger face shall be used to determine the Sign Area.
- B. The area of a Sign that contains three or more faces shall be calculated as 50 percent of the sum of the area of all faces.
- C. Spherical, free-form, sculptural, or other non-planar Sign Area is measured as 50 percent of the sum of the areas using only the four vertical faces of the smallest six-faces polyhedron that will encompass the Sign Structure.



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Sign height shall be measured as follows:

- A. The height of a Freestanding Sign shall be measured as the vertical distance from the finished grade beneath the Sign, exclusive of any filing, berming, mounding or landscaping done solely for the purpose of locating the Sign, to the highest point of the Sign. If the Sign is proposed in a location in which the finished grade beneath the Sign is lower than the grade of the adjacent roadway surface, the Sign height shall be measured from the top of the curb, or crown of the adjacent roadway surface where no curb exists. The height of any monument base or other Structure erected to support or ornament the Sign shall be measured as part of the sign height. Wall fascia, mansard, and parapet-mounted Signs shall be measured as the vertical distance to the top of the Sign or Sign Structure from the base of the wall on which the Sign is located. Wall fascia, mansard, and parapet-mounted Signs shall be measured as the vertical distance to the top of the Sign or Sign Structure from the base of the wall on which the Sign is located.



- B. Multiple-Frontage Buildings: For Sign Premises with more than one Street frontage, the maximum number and/or area for Signage is allowed for the Street frontage in which the building or tenant faces. Signage allowance shall not be transferred in whole or in part from one Street frontage to another frontage.

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Maintenance and Repair:

- A. All signs shall be maintained in a safe, presentable, and good condition, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for maintenance of the sign.
- B. All cracked, broken, or missing sign faces and non-functioning interior lamps shall be repaired or replaced within 45 working days after notification of repair or maintenance from the Code Official.

Section 7-050 Sign Illumination

- A. Exterior Illumination is not allowed within 75 feet of a residential district, except as permitted in a PUD or PAD.
- B. All light fixtures shall be fully shielded and shall be installed in a manner as defined for fully or partially shielded fixtures.
- C. Indirect lighting fixtures shall be installed so that the illuminated area is limited to the sign area and the light must be directed downward.
- D. Internally illuminated signs shall be constructed with an opaque background. The color of the background is not limited by this Code.
- E. Illuminated signs must be extinguished by 10:01 p.m. or at the close of business, whichever is earlier.
- F. Signs shall not be animated or have intermittent illumination or flashing lights, except emergency or warning signs installed for traffic control, including signs that draw attention to speed limits, stop signs, fire stations, school zones, and similar governmental or public uses.

Section 7-04060 Signs Exempt from this Ordinance and Fees

- A. Official notices required by a court, public body or safety official.
- B. Directional, warning or information signs authorized by federal, state or municipal agencies.
- C. Memorial plaques, building identification signs and building cornerstones when made an integral part of the building or structure.
- D. Flags of a government or a non-commercial institution such as a country, state, school or fraternal organization.

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E. Religious symbols and seasonal decorations within the appropriate public holiday season.

F. ~~Temporary non-commercial signs expressing personal, political, or ideological messages are allowed subject to the same time, place, and manner restrictions as other temporary signs. set forth in this Chapter. Ideological signs.~~

G. Community and public information signs. ~~(Prior code § 7-4)~~

Section 7-~~0500~~**70** Prohibited Signs

A. Animated signs except as provided for in Section ~~7-14080-A~~.

~~B. Electronic signs.~~

~~C~~B. Signs with intermittent or flashing illumination except for neon signs.

~~D-C~~ Roof signs.

~~E~~D. Private signs in public right-of-way except political signs. See Section ~~7-08110-G~~ of this Code.

~~F~~E. Signs emitting sound.

~~G~~F. Signs resembling traffic control devices.

~~H~~G. Signs painted on the exterior of fences or roofs.

~~I. Signs advertising facilities or events located outside the Town of Clarkdale.~~

~~J~~H. Signs obstructing clear vision in any direction from any street intersection or driveway per Section ~~7-1007-130~~.

~~K-I~~ Illuminated signs erected in such a location that a traffic signal is in a direct line of sight between the sign and on-coming traffic.

~~L~~J. Signs employing lighting or a control mechanism which causes radio, radar or television interference.

~~ML~~. Signs obstructing any fire escape, window, door or opening used or required as a means of ingress or egress for firefighting purposes.

~~NL~~. Any sign which is structurally unsafe or constitutes a hazard to safety or health; is not kept in good repair; is capable of causing electrical shocks to persons likely to come in contact with it; or does not conform to the design, structural, and material standards for signs as adopted by the Town. Signs that are unsafe, dilapidated or not in use. (Prior code § 7-5)

~~M~~. Inflatable displays except as part of a local event on public property.

Section 7-~~060~~080 Non-Conforming Signs

A. Nonconforming:

1. All ~~non-conforming~~ signs ~~that are in violation of Section 7~~ shall be brought into conformance with the provisions of this Code, either by removal or reconstruction within ~~10-thirty (30)~~ days following receipt of official notice of a violation from the Town. ~~Reconstruction, enlargement, relocation, extension, replacement or alteration of the structure of a nonconforming sign to any extent, except as permitted in Section 7-060-A-2 and 7-060-A-3 is not permitted unless it is brought into conformance with this Code.~~
2. ~~A nonconforming sign which is destroyed or damaged to the extent of more than 50 percent of its net worth, at the time of damage, due to natural causes shall not be reconstructed except in conformance with this Code.~~
3. ~~Any non-conforming sign destroyed or damaged to any extent by vandalism may be reconstructed to its original state within 3 months.~~
4. ~~A nonconforming, on-site sign shall be considered abandoned when the property upon which it is located becomes vacant or unoccupied for a period of 6 consecutive months from the date of a utility disconnect or a documented inspection of the property for which it advertises. (Prior code § 7-6)B. Legally Nonconforming:~~

~~Existing signs that are in conformance with all standards in effect on the date of their installation prior to the effective date of this ordinance shall be considered legal non-conforming signs. Enlargement, relocation, extension, replacement, or substantial~~

alteration (greater than 50% of the area or value of the sign) shall require conformance with the current code.

1. A legally nonconforming sign which is destroyed or damaged to the extent that more than 50 percent of its net worth, at the time of damage, shall not be reconstructed except in conformance with this Code.

2. Any legally non-conforming sign destroyed or damaged to any extent by vandalism may be reconstructed to its original state within 3 months.

3. A legally nonconforming, on-site sign shall be considered abandoned when the property upon which it is located becomes vacant or unoccupied for a period of 6 consecutive months from the date of a utility disconnect or a documented inspection of the property for which it advertises.

Section 7-0970 Commercial Sign Uses in Residential Zoning Districts

A. Bed & Breakfast:

1. *Downward directed lighting only.* No internally lit signs.
2. One wall or ~~free-standing~~free-standing sign per permitted Bed & Breakfast.
3. Maximum total sign size of 3 square feet in single-family residential districts.
4. Maximum total sign height of 8 feet for wall mounted signs including base and sign in all residential districts.
5. Maximum total sign height of 30 inches for free standing signs.

~~6. Non-Residential district:~~

- ~~a. As permitted by Section 7-090 of this Code for maximum signage square footage for commercial businesses.~~

B. Home Occupation:

1. *Downward directed lighting only.* No internally lit signs.

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

2. One wall or ~~free-standing~~free-standing sign.
3. Limited to name or occupation of occupant conducting a permitted home occupation.
4. Maximum total sign height of 30 inches for a ~~free-standing~~free-standing sign.

~~5. Non-Residential district:~~

- ~~a. As permitted by Section 7-090 of this Code for maximum signage square footage for commercial businesses.~~

C. Multiple Family Residential

1. Each multi-family complex is limited to a total number of three on-premise signs per street frontage.
2. Non-illuminated.
3. See Section [7-16090](#) for maximum signage square footage. ~~(Prior code 5-7-7)~~

Section 7-~~080~~[100](#) ~~Permanent~~~~itted~~ signs

A. Animated:

1. Limited to traditional barber poles and time & temperature devices, or other similar devices that are not illuminated.
2. Maximum of one per business.
3. Freestanding, wall or projection.
4. Maximum size not to exceed 50 square feet.
5. Included in the calculation of total sign area maximums.
6. Shall not project above roof line.

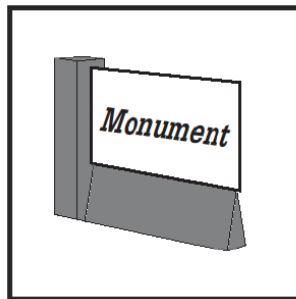
B. Awning (Canopy):

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

1. Signs may be attached to awnings made of rigid materials or appliqued or painted on the awning surface.
2. Signage on awnings shall not project above the awning.
3. Bottom of awning shall maintain a ~~9-foot~~9-foot vertical clearance.
4. Signage on awnings shall count toward the maximum signage square footage in Section ~~7-040~~.

C. Freestanding Monument Signs:

1. Permitted in commercial, industrial and multi-family zoning districts and for residential subdivisions.
2. Minimum setback from property line equals 1 foot for each foot of height of the sign for signs 6 feet or less in height; for signs in excess of 6 feet in height the setback shall be greater than or equal to the height of the sign.



3. Low-water use, drought-tolerant plants from the Town of Clarkdale Plant List, Section ~~9-090~~ of the Zoning Code, or landscape rocks ~~may shall~~ be placed around the sign base to minimize the visual impact of a monument sign and create a visually attractive appearance.
4. One monument sign is allowed for each road intersection providing access to the property.
5. See Section ~~-7-160~~ of this Code for maximum signage square footage.

~~6. Base of sign must be in proportion to sign size area.~~

Commented [RM1]: Need citation

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

~~76.~~ Maximum height of sign and base shall not exceed 10 feet above existing grade at time of construction.

D. Off-Premises Commercial Signs:

1. Maximum number equals one per street frontage per parcel on which the sign is placed. Proof provided to the Town of permission from the parcel owner is required prior to installation of any off-premise sign.
2. Maximum size of sign advertising a single use equals 32 square feet.
3. Maximum size of sign advertising multiple uses equals 50 square feet.
4. Minimum separation between off-premise signs equals 600 feet, includes signs on same or different parcels.
5. Minimum separation between off-premise and on-site signage equals 200 feet.
6. Minimum setback equals the required setback of the zone district if the parcel is developed or 10 feet if undeveloped.
7. Limited to Central Business, Commercial or Industrial zoning districts.
8. Fifty percent of the signage allocated to off-premise advertising shall be deducted from the allowable on-site signage of the advertising parcel.
9. Maximum height of sign and base shall not exceed 10 feet above existing grade at time of construction.

E. On-Site Commercial Information:

1. As reviewed and approved by staff and the Design Review Board during review of a master sign plan application.

~~2. On-Site information signage shall not contain advertising script or symbols.~~

F. Neon:

1. Permitted in the Central Business and Commercial Districts only.
2. May be projecting, window or wall.

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

3. Shall only be illuminated during business operating hours.

G. Political – (In Accordance with ARS [16-1019](#)):

1. Maximum size equals sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area.

2. Signs may be located on private property or in public right-of-way except state highways or routes subject to the following conditions:

a. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with Disabilities Act;

b. The sign contains the name and telephone number of the candidate or campaign committee contact person;

c. Installation of a sign on any structure owned by the Town is prohibited.

3. Said signs shall not be erected earlier than sixty (60) days prior to an election nor removed later than fifteen (15) days after an election.

4. No political signs will be permitted in public right of way in “sign free zones” as adopted by the Town Council in accordance with Arizona Revised Statute (ARS [16-1019](#)). See Section [7-140](#) for a map of the ‘Political Sign Free Zones’.

H. Portable Signs:

1. Permitted in the Commercial ~~and and Central Business Districts~~[Industrial Districts](#) with the following restrictions:

a. Maximum size is six (6) square feet.

b. Signs shall be non-reflective.

c. Information on signs shall be current.

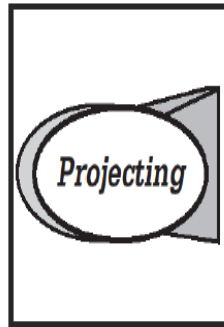
d. Signs shall be of sufficient weight and durability to withstand wind gusts and storms so as not to blow over or become airborne.

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

- e. The portable sign shall not count towards the maximum allowable sign area calculation for the use.
- f. One portable sign is allowed per business.
- g. No more than three portable signs are allowed per 50-feet of linear street frontage.
- h. The sign shall be placed on the property being identified or within the right-of-way directly in front of and immediately abutting the property location.
- i. No sign shall be located within the visibility triangle as defined in Section [7-130](#).
- j. One five (5) foot wide pedestrian passage-way must be maintained around signs on a public sidewalk.
- k. Off-premise portable signs are not permitted.
- l. No attachments to a portable sign are permitted.
- m. Portable signs shall be displayed only during the posted hours the business is open.
- n. The Town reserves the right to prohibit the use of portable signs ~~by established businesses~~ during special events in order to ensure public safety by providing full access to the sidewalk
- o. Height shall not exceed four feet from ground.

I. Projecting:

- 1. Maximum height equals top of wall.



2. No signage shall extend over public property except in the Central Business district and in no case shall the bottom of the sign be nearer than 9 vertical feet to grade, nor shall the leading edge of the sign be nearer than 2 linear feet to the curb.

3. Maximum number equals one per business.

4. An agreement indemnifying the Town of Clarkdale from any liability is required if the sign projects over public right-of-way.

5. See Section ~~-7-160~~ of this Code for maximum sign square footage.

6. Height shall not exceed top of wall.

J. Public Information ~~Not Including Political Signs:~~

1. May be located on ~~private or~~ public property, including in municipal rights-of-way.

2. As permitted by law in furtherance of public safety, convenience or economic development.

3. Maximum height not to exceed 10 feet from existing grade at time of construction.

~~K. Real Estate:~~

~~1. Maximum size equal six (6) square feet.~~

~~2. On-site installation only.~~

L. Sign Walkers:

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

1. Sign walkers are permitted per Arizona Revised Statutes [9-499.13](#)
2. No sign walker shall obstruct public right-of way.
3. Sign walkers shall only operate during hours of operation for a business being represented or during daylight hours when advertising a subdivision.
4. No throwing of signs in the air, or twirling, spinning or tossing of signs is permitted.
5. Signs shall be limited to no more than eight (8) feet in height.
6. Signs shall not block visibility of pedestrian or vehicular traffic.

M. Special Events:

1. Portable and temporary signs may be used to advertise the Special Event and must comply with Section [7-070-H110](#) of this Code.
2. A maximum of 4 (four) portable and/or banner signs advertising the event are allowed.
3. An unlimited ~~number~~[amount](#) of directional signs are permitted.
4. Directional signs may be placed no sooner than twelve (12) hours before the event and shall be removed within two (2) hours after the event.
5. Banners and other temporary ~~signs~~ advertising the event may be placed on private property up to two weeks prior to the event.

N. Subdivision Advertising, Directional and Identification:

1. General: A ~~master-Comprehensive~~ sign package for each development including type, number, size, locations, materials and colors of the various signs shall be approved [through](#) ~~by~~ the Design Review [process](#) ~~Board~~ prior to the issuance of a permit for any sign authorized under this section of the Code.
2. On-Site Subdivision Identification
 - a. One monument sign may be permitted at each entrance up to a maximum of 4 signs.

b. The maximum aggregate area of all entry signs shall be 160 square feet, with maximum size of any single sign not to exceed 50 square feet.

c. Maximum height shall equal 6 feet.

3. On-Site Advertising and Directional:

a. Maximum height shall equal 10 feet.

b. The edges of all signs shall be boxed.

c. Such signs shall be maintained until such time as 95% of the lots in the subdivision are sold, or the sales office closes, whichever occurs first.

d. Such signs shall not be located nearer than 50 feet from a lot containing an occupied residence, unless located within a master planned community.

4. Off-Site Advertising and Directional:

a. Such signs shall be located within 1.5 miles of the subdivision, on vacant property with the written permission of the property owner.

b. A maximum of 2 signs are permitted for each subdivision and shall not be located on a local street.

c. Each sign shall have a maximum area of 32 square feet and a maximum height of 8 feet, 6 feet in residential zone districts.

d. Such signs shall be maintained until such time as 95% of the lots in the subdivision are sold, or the sales office close, whichever occurs first.

5. Off-Site Weekend Directional Signs

a. Permits are established for each subdivision on an annual basis based on a site plan showing all proposed signs and locations.

b. Maximum of 8 signs per subdivision.

c. Maximum of 4 square feet per sign.

- d. Signs shall not be installed before 4:00 p.m. on Friday and must be picked up by 10:00 a.m. on Monday, except when Monday is a holiday, then by 10:00 a.m. on Tuesday.
- e. Signs shall not be placed in the public right-of-way nor attached to any utility poles, street or regulatory signs, bridges, trees or similar objects.
- f. Signs shall not be placed on private property without the written permission of the property owner.
- g. Signs shall be located within 1.5 miles of the subdivision, separated by not less than 50 feet from any other sign and shall not exceed 3 feet in height.

O. Temporary Signs and Banners ~~for Commercial Uses~~

- 1. Limited to the following:
 - a. 32 square feet maximum.
 - b. Maximum number equals one per street frontage per parcel.
- 2. Shall be placed on the property for which it advertises.
- 3. Shall be removed on or before the 30th day from date of the initial installation.
- 4. Temporary signs shall not count towards the maximum sign size calculation for commercial businesses as specified in Section ~~-7-110~~ of this code.
- 5. No banners shall be hung across any public right-of-way unless specifically granted approval by the Town Manager or designee, or an authorized representative; upon a finding such placement will not be detrimental to public safety and provided such placement shall be for a period of 30 days or less.
- 6. All banners shall have wind slits.
- 7. A temporary sign permit is required prior to installation of the sign.

P. Wall

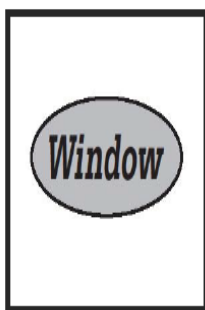
1. Maximum number equals one per approved wall area. An approved wall area, per Definitions, Chapter Two of the Town of Clarkdale Zoning Code is a wall facing a public street or containing the primary public access.



2. Maximum height equals top of wall to which affixed.
3. Maximum projection from wall surface equals 18 inches, with a minimum clearance of 9 vertical feet if located over a public right-of-way.
4. See Section [7-090-7-110](#) of this Code for maximum sign square footage.

Q. Window

1. No more than fifty percent of the window shall be used for signage.



2. No more than 25% of the allowable window signage shall be illuminated.
3. See Section [7-160](#) of this Code for maximum sign square footage.

R. Yard Sale

1. Must contain the date and address of the yard sale.
2. Must be removed within 72 hours of placement.

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

3. Shall be weighted so as to not fly around
4. Shall be located on private property.
5. Shall not exceed 4 square feet.
6. Shall not be attached to traffic control devices, utility poles or street signs. ~~(Revised by- Ordinance #427 on 8/13/24; effective 9/14/24; prior code § 7-8)~~

S. Mural Signs

1. Mural signs shall be exempt from size and height limitations and not be counted toward the maximum number of signs permitted on a property.
2. The proposed design and placement of the mural shall be approved by the Design Review Board.

Section 7-110 Temporary Signs

A. Applicability. Temporary signs include, but are not limited to signs previously categorized as: political, ideological, yard sale, real estate, and special event signage. These signs are regulated based on time, place, and manner regardless of the message expressed.

B. General Standards:

1. Maximum Size:
 - a. 6 sq ft in residential zones
 - b. 32 sq ft in commercial or industrial zones
2. Placement:
 - a. On private property with permission of the property owner
 - b. Not within visibility triangles or public rights-of-way unless expressly permitted
3. Duration:
 - a. Up to 30 days pre calendar quarter, unless otherwise specified (e.g. election-related)
 - b. Must be removed within 72 hours after the event they reference concludes or after the sale is finalized.
4. Illumination:
 - a. Not permitted for temporary signs
5. Permit:

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

a. No permit required unless over 6 sq ft or placed for more than 30 days

Section 7-090120 Maximum Sign Square Footage for Commercial Uses

Commercial business located in commercial zoning districts and multi-family developments shall use a combination of awnings, wall, window, freestanding and projecting signage on-site to promote their business. Maximum cumulative signage is calculated based on linear street frontage. The maximum allowance is available for each street frontage on which the commercial building has a public entrance.

Linear Street Frontage	Maximum total square footage of sign area
50	75
100	150
150	225
200	300
250	375
300	450
350	525
400	600
450	675
500	750

The maximum allowable combined signage size is calculated as 1.5 square feet per 1 linear foot of street frontage.



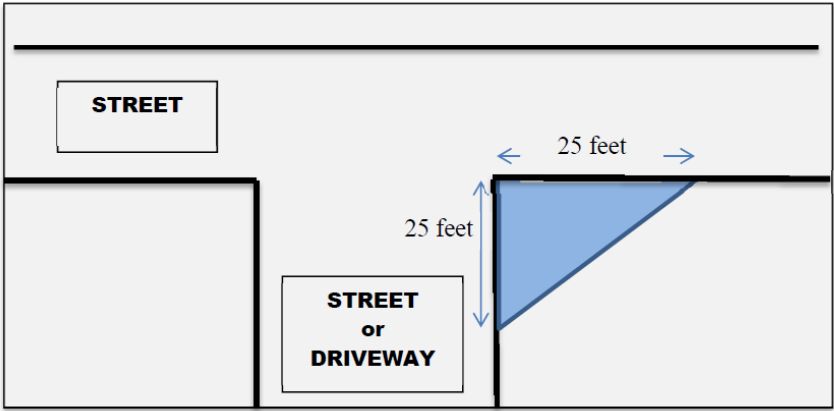
All commercial signs, except for temporary signs, are subject to review and approval by the Design Review Board and shall meet all of the criteria for design review listed in Section [11-040](#), including the requirements that all signage 'shall be visually compatible with the buildings, structures and places to which it is related'. This should be taken into consideration when allocating square footage to the various types of signs proposed for a development. (Prior code § 7-9)

Section 7-~~100~~[130](#) Visibility Sight Lines

To preserve visibility at intersections, an unobstructed view shall be maintained within these triangular areas:

1. At the intersection of two streets, or where a driveway or alley intersects a street, a triangle defined by measuring 25 feet in length along the curb or edge of improved roadway from their

point of intersection, the third side being a diagonal line connecting the first two. The Town may require more than 25 feet in ~~high-volume, high-speed~~high-volume, high-speed traffic areas.



2. No signs, except traffic signs, shall exceed a height of ~~thirty (30)~~30 inches above the grade of the lower roadway within the triangular area. In addition, sign projection, or overhang, across this area shall be permitted only when the bottom of the sign is a minimum of 9 feet above the grade of the higher roadway. ~~(Prior code § 7-10)~~

Section 7-~~110~~140 Permitted Signs by Type and Zone District Chart

Sign Type	R1A	R1	R1L	RS3	R2	R3	R4	R4A	CB	C	I	Fee/ Permit	Design Review
P = Permitted N= Not Permitted													
Animated	N	N	N	N	N	N	N	N	P	P	P	Y	Y
Awning	N	N	N	N	P	P	P	P	P	P	P	Y	Y

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

Sign Type	R1A	R1	R1L	RS3	R2	R3	R4	R4A	CB	C	I	Fee/ Permit	Design Review
Freestanding Monument	P	P	P	P	P	P	P	P	P	P	P	Y	Y
Ideological ⁽¹⁾	P	P	P	P	P	P	P	P	P	P	P	N	N
Illuminated ⁽²⁾	N	N	N	N	N	N	N	N	P	P	P	Y	Y
Off-premise Commercial	N	N	N	N	N	N	N	N	P	P	P	Y	Y
On-site info Commercial	N	N	N	N	P	P	P	P	P	P	P	Y	Y
Neon	N	N	N	N	N	N	N	N	P	P	P	Y	Y
Projecting	N	N	N	N	P	P	P	P	P	P	P	Y	Y
Political ⁽³⁾	P	P	P	P	P	P	P	P	P	P	P	N	N
Portable	N	N	N	N	N	N	N	N	P	P	N	Y	Y
Projecting	N	N	N	N	P	P	P	P	P	P	P	Y	Y
Public info.	P	P	P	P	P	P	P	P	P	P	P	N	N
Real estate ⁽⁴⁾	P	P	P	P	P	P	P	P	P	P	P	N	N

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

Sign Type	R1A	R1	R1L	RS3	R2	R3	R4	R4A	CB	C	I	Fee/ Permit	Design Review
Special Events	P	P	P	P	P	P	P	P	P	P	P	Y	N
Subdivisions Adv., Directional, ID	P	P	P	P	P	P	P	P	P	P	P	Y	Y
Temporary (5)	N	N	N	N	P	P	P	P	P	P	N	Y	N
Wall (6)	P	P	P	P	P	P	P	P	P	P	P	Y	Y
Window	N	N	N	N	P	P	P	P	P	P	P	Y	Y

(1) Not to exceed 6 square feet.

(2) Not permitted within 75 feet of a residential district for PUD or PAD development.

(3) Political signs not permitted in 'sign free' zones.

(4) For sale, for lease signs not to exceed 6 square feet in residential districts.

(5) Permitted for a maximum of 30 days for bonafide Grand Openings, Going Out of Business Sales, Open House, or similar ~~short-term~~ events.

(6) Home occupation only signs permitted in residential districts.

(Prior code § 7-11)

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

Section 7-~~120~~150 Enforcement

~~1A.~~ All signs shall be subject to inspection and approval by the Community Development Department to ensure compliance with the Zoning Code and Design Review Board Approval.

~~2B.~~ Footing inspections shall be required for all signs with footings.

~~3C.~~ Signs containing electrical wiring shall conform to the standards of the applicable electrical code and the components shall bear the label of a testing agency approved by the State of Arizona.

~~4D.~~ When, in the opinion of the Town Manager or authorized representative, reasonable cause exists concerning the safety of a proposed or existing sign structure, the applicant or owner shall furnish written documentation from a registered civil, structural, electrical or mechanical engineer certifying its safety. The Town reserves the right to order removal of a sign ~~on the bases of if it poses~~ a threat to public safety.

~~E5.~~ Notice of noncompliance of any sign shall be given to the owner ~~of record of the property~~ and user of such sign by first-class mail sent to the last known address of the owner and user ~~as shown on the records of the Yavapai County Assessor.~~

~~6E.~~ Failure to remove or bring the sign into compliance in accordance with a notice given pursuant to Section ~~7-120-57-030~~ above shall result in appropriate enforcement action, including but not limited to:

- a. The Town Attorney, acting on behalf of the Town Council, shall seek the removal of any sign not erected in compliance with this Code or maintained in a safe manner and,
- b. The billing of the owner or user of such sign an amount equal to the costs to the Town in removing and storing any such sign; or
- c. Issuance of a citation by the Clarkdale Police Department for the offending party(ies) to appear before the Town Magistrate.

~~G7.~~ For Definitions see Chapter [2](#) of the Zoning Code. ~~(Prior code S-7-12)~~

~~H.~~ The Town may remove illegal or unsafe signs and at the cost to the owner

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

I. All signs shall be maintained in good condition and in accordance with the following priority:

1. Structural safety and stability;
2. Visibility and traffic safety compliance;
3. Aesthetic upkeep and material integrity;
4. Continued compliance with approved design and placement;
5. Responsiveness to community concerns or complaints.

Section 7-~~130~~160 Permitted Sign Table (Prior code § 7-13)

Commented [RM2]: Delete proportionality language at freestanding signs.

<u>SIGN TYPE</u>	<u>LIMITATIONS</u>	<u>ALLOWED PER BUSINESS/ DEVELOPMENT</u>	<u>INSTALLATION TYPE</u>	<u>MAXIMUM SIZE</u>	<u>MAXIMUM HEIGHT</u>	<u>PROPERTY SETBACKS</u>	<u>ZONING DISTRICTS</u>
Animated	Barber poles and time/ temperature Devices only. Included in maximum area calculations	1	Freestanding wall or projection	50 square feet	Not to project above roof line	Beyond the site triangle	Commercial
Awning	Signage on awning shall not project above awning surface. 9-foot vertical clearance required						Commercial counts towards maximum signage square footage.
Bed & Breakfast	One wall or one freestanding sign only	One	Wall or Freestanding	3 square feet	8 feet for wall mounted, 30 inches for freestanding		
Freestanding Monument		1 monument sign per adjacent intersection	Freestanding	Proportional to lot frontage.	10 feet from existing grade at time of construction	Minimum (signs < 6' tall) = 1 foot for each foot of sign height. Minimum (signs > or = 6' tall) = greater than or equal to sign height	Subdivisions, multi-family developments and commercial
Home Occupancy	Non-illuminated limited to name and occupation only	1	Wall or freestanding	3 square feet	Top of wall or 30 inches for freestanding	N/A	Residential
Off-Premise Commercial	600-foot minimum separation between off-premise signs. 200 foot minimum separation between off-premise and on-premise signs	1 per street frontage per parcel where located	Freestanding	32 square feet for single use; 50 square feet for multiple uses.	10 feet from existing grade at time of construction	Equal to minimum setback of zoning district if property is developed. Minimum of 10 feet if property is undeveloped	Central Business, Commercial and Industrial districts only
On-Site Information	Shall not contain advertising script or symbols	As approved during review of a master sign application. Shall not contain advertising.	As approved during review of a master sign application	As approved during review of a master sign application	As approved during review of a master sign application	As approved during review of a master sign application	Central Business, Commercial and Industrial Districts only

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

<u>SIGN TYPE</u>	<u>LIMITATIONS</u>	<u>ALLOWED PER BUSINESS/ DEVELOPMENT</u>	<u>INSTALLATION TYPE</u>	<u>MAXIMUM SIZE</u>	<u>MAXIMUM HEIGHT</u>	<u>PROPERTY SETBACKS</u>	<u>ZONING DISTRICTS</u>
Neon	Only illuminated during business operation hours		Projection, window or wall				Central business/ Commercial
Political	Not permitted in sign free zones. Permitted 60 days prior to election, must be removed by 15 days after election.	N/A	Temporary	16 square feet in residential districts. 32 feet in commercial districts			All
Portable	Must not impede pedestrian traffic. Shall not be reflective. No attachments are permitted. Off-Premise portable signs are not permitted.	1	Temporary	6 square feet	Not to exceed 4 feet		Central Business and Commercial Districts only.
Sign Walkers	Shall not obstruct right-of-way. Shall only operate during hours of business being represented.	1	Temporary		8 feet		All
Subdivision – On-Site Monument	Must be approved as part of sign package	One per entry	Permanent	160 square feet	10 feet		
Subdivision – Off-Site	Shall be located within 1.5 miles	2	Temporary	32 square feet	8 feet, 6 feet in residential zoning districts		All
Subdivision – Weekend Off-Site Directional	Must have permit – shall be installed before 4 pm on Friday and removed by 10 am on Monday	8 per subdivision	Temporary	4 square feet	Not to exceed ## feet from existing grade		All
Projecting	Minimum of 9' from grade – 2' from curb. Indemnity agreement required if sign projects over sidewalk	1 per businesses	Projecting	Cumulative based on linear street frontage	Top of wall	N/A	Central Business, Commercial and Industrial
Public Information	May be located on public or private property. Including right-of-way.		Permanent/ Temporary		10' from existing grade at time of construction		All

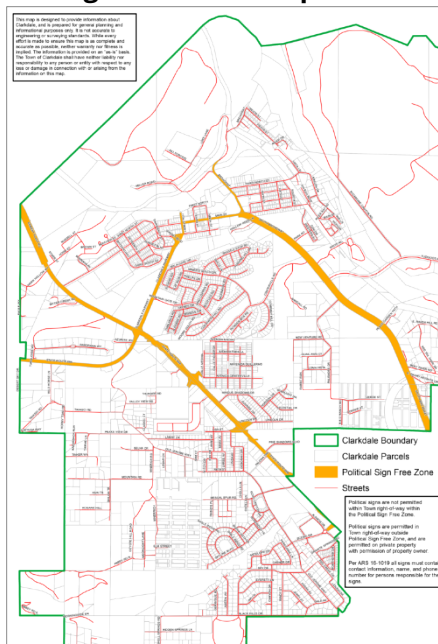
The Clarkdale Zoning Code is current through Ordinance #430, passed August 13, 2024.

SIGN TYPE	LIMITATIONS	ALLOWED PER BUSINESS/ DEVELOPMENT	INSTALLATION TYPE	MAXIMUM SIZE	MAXIMUM HEIGHT	PROPERTY SETBACKS	ZONING DISTRICTS
Real Estate	On-site installation only		Temporary	6 square feet	Not to exceed 4' from existing grade		All
Animated	Barber poles and time/ temperature Devices only. Included in maximum area calculations	1	Freestanding wall or projection	50 square feet	Not to project above roof line	Beyond the site triangle	Commercial
Awning	Signage on awning shall not project above awning surface. 9-foot vertical clearance required						Commercial counts towards maximum signage square footage.
Bed & Breakfast	One wall or one freestanding sign only	One	Wall of Freestanding	3 square feet	8 feet for wall mounted, 30 inches for freestanding		
Freestanding Monument		1 monument sign per adjacent intersection	Freestanding	Proportional to lot frontage.	10 feet from existing grade at time of construction	Minimum (signs < 6' tall) = 1 foot for each foot of sign height; Minimum (signs > or = 6' tall) = greater than or equal to sign height	Subdivisions, multi-family developments and commercial
Home Occupancy	Non-illuminated limited to name and occupation only	1	Wall or freestanding	3 square feet	Top of wall or 30 inches for freestanding	N/A	Residential
Off-Premise Commercial	600-foot minimum separation between off-premise signs. 200 foot minimum separation between off-premise and on-premise signs	1 per street frontage per parcel where located	Freestanding	32 square feet for single use; 50 square feet for multiple uses.	10 feet from existing grade at time of construction	Equal to minimum setback of zoning district if property is developed. Minimum of 10 feet if property is undeveloped	Central Business, Commercial and Industrial districts only
On-Site Information	Shall not contain advertising script or symbols	As approved during review of a master sign application. Shall not contain advertising.	As approved during review of a master sign application	As approved during review of a master sign application	As approved during review of a master sign application	As approved during review of a master sign application	Central Business, Commercial and Industrial Districts only

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

Neon	Only illuminated during business operation hours		Projection, window or wall				Central business/ Commercial
SIGN TYPE	LIMITATIONS	ALLOWED PER BUSINESS/ DEVELOPMENT	INSTALLATION TYPE	MAXIMUM SIZE	MAXIMUM HEIGHT	PROPERTY SETBACKS	ZONING DISTRICTS
Temporary Signs and Banners	30 days only – permit required	One per street frontage per parcel		32 square feet	To be determined during permitting		All
Wall		One per approved wall area	Permanent	Cumulative based on linear street frontage	Top of wall		Commercial, Central Businesses and Industrial
Window	No more than 25 percent of allowable window signage may be illuminated		Permanent	No more than 50 percent of window. Cumulative based on linear street frontage	N/A		Commercial, Central Businesses and Industrial
Yard Sale	Shall be located on private property	1	Temporary		Not to exceed 4 square feet		All

Section 7-140170 Political Sign Free Zone Map



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

~~_(Prior code 5-7-14)~~

~~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.~~

Awning	Signage on awning shall not project above awning surface. 9-foot vertical clearance required.						Commercial-counts towards maximum signage square footage.
Bed & Breakfast	One wall or one freestanding sign only	One	Wall or freestanding	3 square feet	8 feet for wall mounted, 30 inches for freestanding		

Home Occupancy	Non-illuminated Limited to name and occupation only.	1	Wall or freestanding	3 square feet	Top of wall or 30 inches for freestanding	N/A	Residential
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