



**NOTICE OF A SPECIAL MEETING OF THE ZONING CODE UPDATE CITIZEN ADVISORY  
COMMITTEE  
OF THE TOWN OF CLARKDALE  
THURSDAY, SEPTEMBER 11, 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 Special Meeting open to the public on Thursday, September 11, 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 three minutes unless a different amount of time is noted on the agenda or is determined by the Presiding Officer or by a majority vote of the Council or Committee.

#### **4. MINUTES**

##### **A. Approval of Minutes**

Discuss, consider and act upon the draft minutes from the regular meeting held on June 17, 2025, and the special meeting held on July 24, 2025.

#### **5. NEW BUSINESS**

##### **A. Accepting Updates to the Zoning Code**

Discuss, consider and act upon accepting updates to: Chapter 1 Zoning Code of the Town of Clarkdale, Chapter 4 General Provisions, Chapter 7 Signs, Chapter 8 Outdoor Lighting Code, Chapter 9 Landscape Design Standards.

##### **B. Zoning Code Update Recommendation to the Planning Commission**

Discuss, consider and act upon forwarding updated chapters: Chapter 1 Zoning Code of the Town of Clarkdale, Chapter 4 General Provisions, Chapter 7 Signs, Chapter 8 Outdoor Lighting Code, Chapter 9 Landscape Design Standards to Planning Commission for discussion.

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

##### **A. Chapter 3: Zoning Districts**

Discussion only regarding Chapter 3: Zoning Districts.

#### **7. FUTURE AGENDA ITEMS**

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

#### **8. ADJOURNMENT**

### **Values**

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

#### **COPPER**

**Customer focused**

**Open, transparent and equitable**

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

**Planning for a sustainable future**

**Economic and social resiliency**

**Resourceful and innovative**

### **Mission**

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

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



# Staff Report

Item Number: 4.A.

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|                               |                                                                                                                                                                               |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Agenda Item:</u></b>    | <b>Approval of Minutes</b><br>Discuss, consider and act upon the draft minutes from the regular meeting held on June 17, 2025, and the special meeting held on July 24, 2025. |
| <b><u>Staff Contact:</u></b>  | Ruth Mayday, Assistant Town Manager/Community Development Director                                                                                                            |
| <b><u>Meeting Date:</u></b>   | September 11, 2025                                                                                                                                                            |
| <b><u>Strategic Goal:</u></b> | Not applicable.                                                                                                                                                               |
| <b><u>Background:</u></b>     | Review of the draft minutes from the regular meeting held on June 17, 2025, and the special meeting held on July 24, 2025.                                                    |
| <b><u>Budget Impact:</u></b>  | No budget impact.                                                                                                                                                             |
| <b><u>Recommendation:</u></b> | Staff recommends approval of the draft minutes from the regular meeting held on June 17, 2025, and the special meeting held on July 24, 2025.                                 |



**SUMMARIZED MIUTES 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**

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

**Members Present:** *Virginia Smith, Becky Keck, Allen Spence, Joe Conk, Kerrie Snyder, Craig Backus.*

**Members Absent:** *Selena Pao, Ray Selna, Laura Jones, Robyn Prud'homme-Bauer.*

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

**Audience:** *One members of the public was present.*

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

**1. CALL TO ORDER** - *Community Development Admin Guss Espolt called the meeting to order at 4:30 p.m.*

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

**3. PUBLIC COMMENT**

*No public comment. 1- Public in the audience. 1- Parker Lewis, Planner for Upfront Planning & Entitlements, LLC. on Zoom.*

**4. MINUTES**

**A. Approval of Minutes**

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

**Motion by Snyder, second by Keck to:** *Approve the draft minutes from the regular meeting held on May 15, 2025.*

**Vote:** - 6/0

| Advisory Member | Aye/Nay |
|-----------------|---------|
| Selena Pao      | Absent  |

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

**5. DISCUSSION ITEMS ONLY - NO ACTION TAKEN** - Community Development Director Ruth Mayday, spoke on all points of chapters 4, 5, and 7.

**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 proposed the following item to be placed on a future agenda:*

- *Joint meeting with the Housing Group, on July 24 at 4:30 p.m.*

**7. ADJOURNMENT**

**Motion by Keck, second by Snyder to:** *Adjourn the meeting.*

**Vote:** - 6/0

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

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Chairperson

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Assistant Town Manager, Ruth Mayday





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

**THURSDAY, JULY 24, 2025 AT 4:30 PM**

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

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

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

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

- 1. CALL TO ORDER -** *Community Development Admin Guss Espolt called the meeting to order at 4:30 p.m.*
- 2. ROLL CALL – Present:** *Virginia Smith, Becky Keck, Allen Spence, Joe Conk, Kerrie Snyder, Selena Pao, Ray Selna (Zoom), Laura Jones, Robyn Prud'homme-Bauer.*  
**Absent:** *Craig Backus.*

- 3. PUBLIC COMMENT**  
*No public comment.*

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

**A. Affordable Housing Plan**

*The Commission received a presentation from Martina Kuehl regarding an Affordable Housing Plan and discuss next steps in the process.*

*Martina Kuehl shared a PowerPoint, that led the discussion with the CAC members about the possible future of affordable Housing.*

**B. Zoning Code Update**

*Discussion only regarding the Zoning Code Rewrite and next steps in the process.*

*Ruth Mayday spoke on the process of the Zoning Code, and it will go to the Town Council for final approval.*

## 5. FUTURE AGENDA ITEMS

*Zoning Code Update Citizen Advisory Committee did/did not propose items to be placed on a future agenda. Continue discussion of zoning update.*

## 6. ADJOURNMENT

**Motion by Jones, second by Keck 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 (Vice Chair) | Aye     |
| Joe Conk                | Aye     |
| Craig Backus            | Absent  |
| Robyn Prud'homme-Bauer  | Aye     |
| Kerrie Snyder           | Aye     |
| Allen Spence (Chair)    | Aye     |

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Chairperson  
Zoning Code Advisory Committee

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Assistant Town Manager, Ruth Mayday



# Staff Report

Item Number: 5.A.

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|                               |                                                                                                                                                                                                                                                                                                  |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Agenda Item:</u></b>    | <b>Accepting Updates to the Zoning Code</b><br>Discuss, consider and act upon accepting updates to: Chapter 1 Zoning Code of the Town of Clarkdale, Chapter 4 General Provisions, Chapter 7 Signs, Chapter 8 Outdoor Lighting Code, Chapter 9 Landscape Design Standards.                        |
| <b><u>Staff Contact:</u></b>  | Ruth Mayday, Assistant Town Manager/Community Development Director                                                                                                                                                                                                                               |
| <b><u>Meeting Date:</u></b>   | September 11, 2025                                                                                                                                                                                                                                                                               |
| <b><u>Strategic Goal:</u></b> | This agenda item supports the following Clarkdale Strategic Goal Area: <ul style="list-style-type: none"><li>• Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.</li></ul> |
| <b><u>Background:</u></b>     | The Citizens Advisory Committee (CAC) has been reviewing draft text amendments to the Town of Clarkdale's Zoning Code. The purpose of this item is to review and approve the final drafts of the chapters listed above, or make final changes to the language and approve the changes.           |
| <b><u>Budget Impact:</u></b>  | No budget impact.                                                                                                                                                                                                                                                                                |
| <b><u>Recommendation:</u></b> | Staff recommends that the Committee approve the updates to chapters: Chapter 1 Zoning Code of the Town of Clarkdale, Chapter 4 General Provisions, Chapter 7 Signs, Chapter 8 Outdoor Lighting Code, Chapter 9 Landscape Design Standards.                                                       |

# CHAPTER 1

## ZONING CODE OF THE TOWN OF CLARKDALE

Articles:

|                   |                                                     |
|-------------------|-----------------------------------------------------|
| <b>1-010</b>      | <b>Identity</b>                                     |
| <b>1-020</b>      | <b>Purpose and Interpretation</b>                   |
| <b>1-030</b>      | <b>Scope</b>                                        |
| <del>1-040</del>  | <del>Zoning Map</del> <b>1-040 Zoning Districts</b> |
| <del>1-050</del>  | <del>Zoning Map</del>                               |
| <del>1-060</del>  | <del>Conformance to the General Plan</del>          |
| <del>1-070</del>  | <del>Language</del>                                 |
| <del>1-0860</del> | <del>General Provisions of Building and uses</del>  |
| <del>1-090</del>  | <del>Transitional Provisions</del>                  |
| <del>1-100</del>  | <del>Conflicts of Law</del>                         |

### Section 1-010 Identity

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

### Section 1-020 Purpose and Interpretation

A. This ordinance is adopted and enacted under the authority and power of ~~Article 6, Chapter 4, Title 9, Arizona Revised Statutes(A.R.S) § 9-462 et seq, which provides for the authority and regulation of land and land use by municipalities in Arizona, for every purpose permissible under such statutes, but is not intended to be contradictory thereto or in violation thereof, and every reasonable construction is intended which may be required to avoid any such contradiction or violation.~~

B. The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, ~~morals,~~ and welfare. Such provisions are intended to provide for adequate light, pure air, safety from fire and other danger, ~~and prevent undue concentration of population. P and~~ provide ample parking facilities, ~~and to protect and enhance~~

~~aesthetic appeal and general betterment of the Town of Clarkdale now and in the future. (Prior code § 1-2)~~

C. The Community Development Director shall interpret any provision or any method of measurement not expressly identified in this Section, and provide clarification and determination of these rules and their application to a specific site. The Community Development Director shall maintain a record of these interpretations.

## **Section 1-030 Scope**

~~The Ordinance shall apply to all public and private land(s), and use(s) thereon, over which the Town has jurisdiction under the constitution(s) and law(s) of the State of Arizona and of the United States. Consistent with the provisions of A.R.S. § Title 9. This Ordinance shall not repeal, abrogate, annul, impair, or interfere with existing provisions of other laws or ordinances unless specifically repealed by or in irreconcilable conflict with this Ordinance, with private restrictions placed upon property by covenant, deed or other private agreement, or with restrictive covenants running with the land. Where this Ordinance imposes greater restrictions upon the use of land, buildings, or structures than is imposed or required by such existing provisions of law, ordinance, contract, or deed, the provisions of this Ordinance shall control. (Prior code § 1-3)~~

## **Section 1-040 Zoning Map**

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

## **Section 1-0540 Zoning Districts**

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

1. Single Family Residential (R1) District~~Low Density Residential (R-1)~~
2. Single Family Residential (R-1A) District~~Medium Density Residential (R-2)~~
3. Single Family Residential Limited (R-1L) District~~Medium-High Density Residential (R-3)~~
4. Manufactured Home Residential (MHR)  
Suburban Residential (RS3) District
5. Commercial (C)~~Single Family Residential and Multiple Dwelling Units (R-2) District~~
6. Multiple Family Residential (R-3) District
7. Manufactured Home Residential (R-4) District~~Highway Commercial (HC)~~

Central Business District?

Light Industrial?

~~87. Manufactured Home Residential Alternate (R-4A) DistrictIndustrial (I)~~

~~98. Suburban Residential (RS3) DistrictOpen Space (OS)~~

~~10Commercial (C) District~~

~~Central Business (CB) District~~

~~191. Commercial (C) DistrictPlanned Area Development (PAD)~~

~~10. Arts & Entertainment (AE)~~

Industrial (I) Districts

~~14. Open Space District (OS)~~

~~15. Arts & Entertainment District~~

#### B. Zoning District Conversion Table:

For the purpose of this Ordinance, the Town of Clarkdale Zoning Code conversions to the newly updated Zoning Code from the previous Zoning Code are as follows:

| SYMBOL                          | DISTRICT                        | FORMER DISTRICTS |
|---------------------------------|---------------------------------|------------------|
| <b>Residential Districts</b>    |                                 |                  |
| R-1                             | Low Density Residential         | R1L<br>RS3       |
| R-2                             | Medium Density Residential      | R1<br>R1A        |
| R-3                             | Medium-High Density Residential | R-2<br>R-3       |
| MHR                             | Manufactured Home Residential   | R4<br>R4A        |
| <b>Nonresidential Districts</b> |                                 |                  |
| C                               | Commercial                      | NC<br>CB<br>C    |
| HC                              | Highway Commercial              | HC               |
| I                               | Industrial                      | I                |
| OS                              | Open Space                      | OS               |

| Planned District  |                               |            |
|-------------------|-------------------------------|------------|
| PAD               | Planned Area Development      | PAD<br>PUD |
| Overlay Districts |                               |            |
| AE                | Arts & Entertainment District | AE         |

## Section 1-050 Zoning Map

The official Zoning map entitled “Zoning Map of the Town of Clarkdale” may found on the Town of Clarkdale’s website. It is a fluid document and printed versions may not be current.

### 1-050-1. Adoption

The Town is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of the Zoning Code.

### 1-050-2 District Boundaries

1. The boundaries and areas of these districts are hereby established as indicated by means of lines, symbols, figures expressing distance in feet otherwise and declared to be part of this Ordinance.
2. The indicated boundary lines are intended generally to follow existing property lines or street lines or as may be otherwise indicated on the Zoning Map.

### 1-050-3 Interpretation of District Boundaries

Determination of doubtful lines: In case of doubt or disagreement concerning the exact location of a district boundary line, the determination shall be made by the Community Development Director.

### 1-050-4. Maintenance of the Official Zoning Map

The Official Zoning Map shall be maintained in electronic format by the Town, as authorized by the Community Development Director.~~B. Boundaries and areas:~~

- ~~1. The boundaries and areas of these districts are hereby established as indicated by means of lines, symbols, figures expressing distance in feet otherwise on the Zoning Map adopted in Section 4 hereof, and declared to be part of this Ordinance.~~
- ~~2. The indicated boundary lines are intended generally to follow existing property lines or street lines or as may be otherwise indicated on the Zoning Map.~~
- ~~3. Determination of doubtful lines: In case of doubt or disagreement concerning the exact location of a district boundary line, the determination shall be made by the Board of Adjustment, created by Ordinance No. 39, adopted October 6, 1975.~~

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

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

b. ~~Where boundaries parallel street lines, alley lines, or highway right-of-way lines.~~ Where district boundaries are so indicated that they are approximately parallel to center lines or street lines of street, the center lines or alley lines of alleys, or the center lines of right-of-way lines of highways, such district boundaries shall be construed as being the center lines of said streets, alleys or highways at the time of the adoption of this Zoning Code. If no distance is given, such dimension shall be determined by the use of the scale shown on said Zoning Map.

c. ~~Where boundaries approximately follow lot lines.~~ Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries.

d. ~~Where the boundary follows a railroad line.~~ Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located at the middle of the R-O-W.

e. ~~Where the boundary follows a body of water.~~ Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be construed to be at the limit of the jurisdiction of the Town of Clarkdale, unless otherwise indicated.

f. ~~Submerged areas not included in district.~~ All areas within the corporate limits of the Town which are under water and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water districts, the boundaries of each district shall be construed to extend into the water area in a straight line until they meet the other district.

g. ~~District regulations apply to schools, parks, etc.~~ Any areas shown on the Zoning Map as park, playground, school, cemetery, water, streets, or right-of-way, shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulation of the most restricted adjoining district shall govern.

h. ~~Where property has not been included in a district.~~ Where property has not been specifically within a district, or where territory has become a part of the Town by annexation, the same shall be classed as lying and being in a district until such classifications shall have been changed by an amendment to the Zoning Code, as provided by law.

i. ~~Vacation of public ways.~~ Whenever any street, alley or other public way is vacated, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacated area and that area shall then be subject to all regulations of the extended districts. (Prior code § 1-5)

## **Section 1-060 Conformance to the General Plan**

This Zoning Code shall be consistent with and conform to the General Plan as adopted by the Town's governing body and as may be amended over time. With regard to requests to modify the zoning classification of specific parcels of land, requests to change zoning shall be in conformance with the General Plan and when it is not, a General Plan Amendment may be requested concurrently with the rezone request.

## **Section 1-070 Language**

In interpreting the various provisions of the Code, the following rules of construction shall apply:

1-070-1 The particular controls the general.

1-070-2. Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

- "And" indicates that all connected words or provisions shall apply.
- "And/or" indicates that the connected words or provisions may apply singly or in any combination.
- "Or" indicates that the connected words or provisions may apply singly or in any combination.
- "Either ... or" indicates that the connected words or provisions shall apply singly but not in combination.

1-070-3. In case of conflict between the text and a diagram or graphic, the text controls.

1-070-4. All references to departments, committees, commissions, boards, or other public agencies are to those of the Town of Clarkdale, unless otherwise indicated.

1-070-5. All references to public officials are to those such as Town Manager, Assistant Town Manager, and Department Directors, unless otherwise indicated.

1-070-6. All references to days are to calendar days, unless otherwise indicated. If a deadline falls on a weekend or holiday, or a day when the Town offices are closed, it shall be extended to the next working day. The end of a time period shall be the close of business on the last day of the period.

1-070-7. All references to "section," or "article" shall refer to this zoning ordinance unless another meaning is clear from the context of the reference.

1-070-8. The words "shall," "will," "must," and "is to" are always mandatory and not discretionary. The words "should" and "may" are permissive.

1-070-9. The present tense includes the past and future tenses, and the future tense includes the past.

1-070-10. The singular number includes the plural, and the plural, the singular.

1-070-11. Sections and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any section.

## **Section 1-~~060080~~ General Provisions of Building and uses**

A. Future changes: Zoning affects every structure and use. No building, structure, or premises shall be used or occupied, and no building or part thereof of other structures shall be erected, raised, moved, placed, maintained, reconstructed, extended, enlarged, or altered except in conformity with the regulations specified for the district, as shown on the official map, in which it is located.

B. Conformity of Buildings: No building, structure or premises shall be erected, maintained, altered or used so as to produce greater heights, smaller yards or less unoccupied area, and no building shall be occupied by more families than prescribed for such building, structure or premises for the district in which it is located.

C. Conformity of Open Spaces: No yard or open space, or part thereof, shall be included as part of the yard or open space similarly required for any other building, structure or dwelling under this Code.

D. Ordinance Not Retroactive: If at the time of the enactment of this Ordinance any lot, building or structure is being used in the manner or for a purpose which was previously legally permitted which now does not conform to the provisions of this Ordinance and which is not prohibited by some other Ordinance, such manner or use or purpose may be continued as a legally non-conforming use as provided in ARS 9-462 (B). Except that any person or corporation who has notice of this Ordinance during the time it is being considered, process thereafter at his own peril if he thereafter proceeds contrary to this Ordinance.

E. Extending Existing Uses: Any existing, legally, nonconforming use may be extended throughout any part of a building which is arranged or designed for such use at the time of the enactment of this Ordinance.

F. Conditions Affecting Legally Non-Conforming Uses: The lawful use of any structure, or land existing at the time a provision of this Code becomes effective which provision makes the use or structure unlawful may be continued, although such use or structure does not conform with said provisions provided the following conditions are met:

1. Unsafe structures: Nothing in this Code shall prevent requiring the strengthening or restoring to a safe condition of any portions of a structure declared unsafe by a proper authority.

2. Alterations: A structure devoted to a legally non-conforming use may be altered, improved or reconstructed, provided such work does not exceed in aggregate cost fifty percent (50%) of the appraised value of the structure.

~~3. Changes: A nonconforming use may be changed to a no less restrictive nonconforming used provided all other zoning standards are met, including number of parking spaces, sign size, paved parking area, etc.~~

~~43.~~ Restoration: Nothing in this Code shall prevent the reconstruction, repairing, rebuilding and continued use of any legally non-conforming structure damaged by fire, collapse, explosion, or Acts of God, wherein the expense of such work does not exceed 60% of the value of the structure immediately prior to the occurrence of such damage, provided such reconstruction, or rebuilding is started within ~~six (6) months~~one (1) year after damage is diligently pursued to completion.

~~54.~~ Abandonment: A legally non-conforming use of a structure or premises which has been abandoned shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned:

a. When the intent of the owner to discontinue the use is apparent or non-use has continued for 12 months, or;

b. When the characteristic equipment and the furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment within seven (7) months unless other facts show intention to resume the legally non-conforming use, or;

c. When it has been replaced by a legally conforming use, ~~or when it has been replaced by another non-conforming use of a more restrictive zoning district.~~

~~6. Certificate of Non-Conforming Use:~~

~~a. When a provision of this Article makes a legal use non-conforming and when a written application by the property owner is made to the Building Official within one (1) year after non-compliance, the Building Official shall issue a certificate of non-conforming use to the property owner.~~

~~b. No use of land, or structures, shall be made other than that specified on the "Certificate of Non-Conforming Use."~~

~~c. A copy of each "Certificate of Non-Conforming Use" shall be filed with the office of the Town Clerk. No building occupation permit or license shall be issued to any property for which a "Certificate of Non-Conforming Use" has been issued until the certificate is filed and the permit or license has been approved by the Building Official.~~

75. District Change: Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provision shall also apply to any use and structures made legally non-conforming by such change. ~~(Prior code § 1-6)~~

## **Section 1-100 Transitional Provisions**

Upon the effective date of this Ordinance, the following requirements shall apply to all properties:

1. *Violations in Progress.* The prosecution of violations that occurred under previous codes shall continue until resolved, pursuant to the previous ordinances, unless the use, development, construction or other activity complies with the provisions of this Zoning Code.
2. *Continuing Violations.* Any unprosecuted violation of previous Zoning Code that is also a violation of this Code Update will be subject to penalties and enforcement under this Code unless the use, development, or activity complies, in its entirety, with the provisions of this Code.
3. *Prior Nonconformities.* Any use, plan, building, or lot that was legal nonconforming under prior codes and ordinances shall be considered a legal nonconformity under this Zoning Code.
4. *Effect of this Zoning Code on Approved Plans or Completed Applications.*
  - *Approved Plans.* Completion of any development permit, including but not limited to a development plan, plat, conditional use permit, or building permit shall be governed by the code under which the approval was granted.
  - *Complete Applications in Process.* An application for any development permit, including but not limited to a development plan, plat, conditional use permit, or building permit that is administratively determined to be substantially complete as of the Effective Date of this ordinance, shall be governed by the ordinance which was in effect at the time of submission if it complied with such ordinance at that time. The expiration and continuing validity of any such development permit shall be governed by the previous ordinance.
  - *Approved Development Plan.* For property with a development plan approved under an ordinance in effect prior to adoption of this Ordinance, an application for any development permit, including but not limited to a site plan, plat, conditional use permit, or building permit that is substantially complete as of the Effective Date or within two years of the date of development plan approval, whichever is later, shall conform to the approved development plan.

- Timely Submission of Information. Applicants who have substantially complete applications as provided above shall comply with all requests for further information and submit all necessary revisions of submitted plans in a timely manner. A delay of more than 180 days in submission of the requested information or revisions shall constitute effective withdrawal of the application, with loss of all fees paid. Any new application shall then conform with the provisions of this Ordinance.

## **Section 1-110 Conflicts of Law**

These regulations are not intended to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other public laws, ordinances, or regulations. Where these regulations conflict with other provisions of public law and regulations, the more stringent requirements shall apply.

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**ng 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](http://www.clarkdale.az.gov)

Town Telephone: (928) 639-2400

Hosted by General Code.

## 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](#)
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- [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](#)
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- [4-150 Reducing Lot Areas](#)
- [4-160 Sidewalk Café Permit](#)
- [4-170 Sight Visibility Triangles](#)
- [4-180 Standards for Golf Course Developments](#)
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- [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](#)

## 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 [JS1]:** Do we want to keep or was the decision not to deviate?

**Commented [RM2R1]:** We've been allowing 3' for accessory structures. I favor the 5' but have concerns about prop 207 claims. Thoughts?

## 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.*

## Clarkdale Zoning Code Chapter 4, General Provisions

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.

## Clarkdale Zoning Code Chapter 4, General Provisions

- 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 for swimming pools shall follow adopted building codes.

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.

## Clarkdale Zoning Code Chapter 4, General Provisions

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;<br>Greater than an acre: 1 per Site +<br>1 per 100 sq. ft. of sales area                                                                                     |
| Residential       | Single-Family*                              | 2 per unit                                                                                                                                                                         |
|                   | Multi-Family*                               | Studio/1 bedroom: 1.5<br>2+ bedrooms: 2 Plus 0.25 per<br>unit for guest parking<br><i>*Designated Affordable housing<br/>units do not require guest<br/>parking to be provided</i> |
| Group Living      | All Group Living, except as listed<br>below | 1 per 4 beds                                                                                                                                                                       |
|                   | Boarding House, Rooming House               | 1 per bed                                                                                                                                                                          |
|                   | Assisted Living Facility                    | 0.5 per bed<br>Plus 1 per room for staff/ guest<br>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<br>Junior High: 2 per classroom<br>High School: 7 per classroom<br>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 ~~shielded arranged~~ so that there will be no glare directed or reflected toward residential 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.

**Commented [RM5]:** Strike this and renumber

10. Shall allow on-site consumption or ingestion of food products infused with marijuana by a marijuana establishment only in the Commercial or Commercial Business Districts with a conditional use permit and with a valid food establishment license in the storefront location where the infused food product was produced.
11. Shall provide for proper disposal of marijuana remnants or by-products. The remnants or by-products shall not be placed within the facility's exterior refuse containers, Town trash can, bin or other Town facility, or in any park refuse container unless authorized by the Town.
12. Shall not emit dust, fumes, vapors or odors into the environment from the facility and shall ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of 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 ~~deesign~~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 ~~require~~ 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 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 ~~approval of 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.
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 <a href="#">Use</a>               | Water Allotment Facilities at 4,000 to 5,500 feet above MSL (ac-ft/ <a href="#">acre</a> ) | Water Allotment Facilities at 3,000 and up to 4,000 feet above MSL (ac-ft/ <a href="#">acre</a> ) |
|-------------------------------------------|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Turf                                      | 4.9                                                                                        | 5.2                                                                                               |
| New Turf (1st year)                       | 5.9                                                                                        | 6.2                                                                                               |
| Artificial Lakes                          | 5.5                                                                                        | 5.8                                                                                               |
| Low Water <a href="#">Use Landscaping</a> | 1.5                                                                                        | 1.5                                                                                               |

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  $= (1 / (1 - (ECw / (5ECe - ECw)))) - 1) * CU / .75$  Allotment

b. Where: ECw = Electrical Conductivity of the water [used](#) ECe =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 <a href="#">Persons</a> per Housing Unit | Exterior <a href="#">use</a> (Gallons per Housing Unit per Day) | Total Water <a href="#">Use</a> per Housing Unit (Gallons per Day) |
|--------------------------------------|---------------------------------|--------------------------------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------|
| Single- <a href="#">Family</a> Homes | 57                              | 2.5                                              | 75                                                              | 217.5                                                              |
| Town Homes                           | 57                              | 2.5                                              | 58                                                              | 200.5                                                              |

5. Seasonal [Fluctuations](#):-Typical golf course water requirements have a peak water [use](#) period during the hot-dry part of the summer that is much greater than the average annual water [use](#). However, effluent production does not typically match this high peak. The applicant should demonstrate that available effluent is sufficient to meet the summer [peak-waterpeak 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 5-4-17-4~~)

## 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')~~ [five feet \(5'\)](#) 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.

## 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                          |
| 7-050 | Signs Exempt from this Ordinance and Fees                        |
| 7-060 | Sign Illumination Prohibited Signs                               |
| 7-070 | Signs Excepted from this Ordinance and Fees Non-Conforming Signs |
| 7-080 | Prohibited Signs Commercial Uses in Residential Zoning Districts |
| 7-090 | Nonconforming Signs Permitted signs                              |
| 7-100 | Commercial Sign Uses in Residential Zoning Districts Maximum-    |
| 7-110 | Sign Square Footage for Commercial Uses                          |
| 7-120 | Permanent Signs Visibility Sight Lines                           |
| 7-130 | Temporary Signs Permitted Signs by Type and Zone District Chart  |
| 7-140 | Maximum Sign Square Footage for Commercial Use Enforcement       |
| 7-150 | Visibility Sight Lines Permitted Sign Table                      |
| 7-160 | Permitted Signs by Type and Zoning District Chart                |
| 7-170 | Enforcement                                                      |
| 7-180 | Permitted Sign Table                                             |
| 7-190 | 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

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

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.

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:

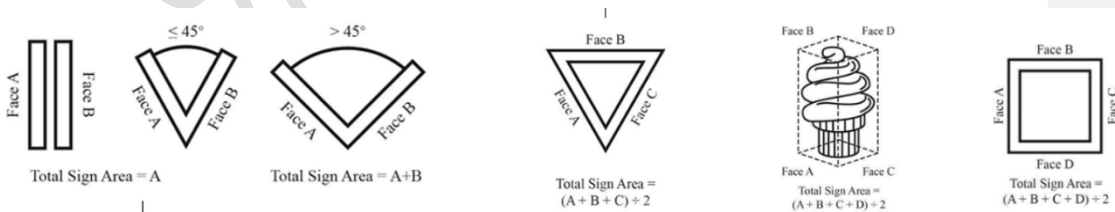
- A. Sign copy mounted on or affixed to a background panel or area distinctively painted, textured, or constructed as a background for the Sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the Sign copy and background.
- B. Sign copy mounted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



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

Signs with multiple faces shall be measured as follows:

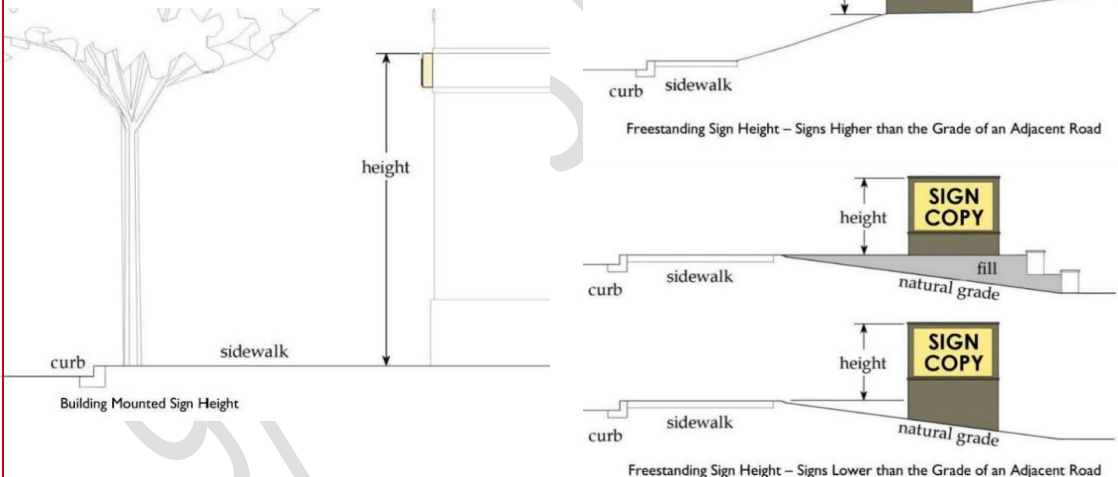
- A. The area of all faces shall be included in determining the area of the Sign, except that only one face of a double-faced sign shall be considered in determining the Sign Area when both faces are parallel and the greatest distance between faces does not exceed five feet, or when the interior angle 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.



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

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.

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

**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-~~040~~060 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.

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

- 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-~~050070~~ 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.

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~~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-~~080100~~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):

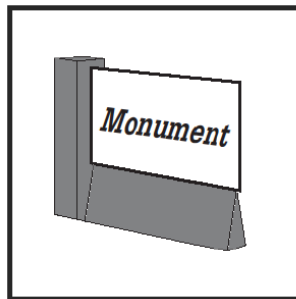
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~~The Clarkdale Zoning Code is current through Ordinance #430, passed August 13, 2024.~~

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.

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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.

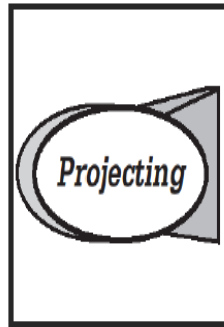
c. Information on signs shall be current.

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

- 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

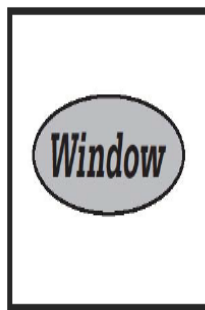
1. Maximum number equals one per approved wall area. An approved wall area, per Definitions, Chapter Two of the Town of Clarkdale Zoning Code is a wall facing a public street or containing the primary public access.



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:

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

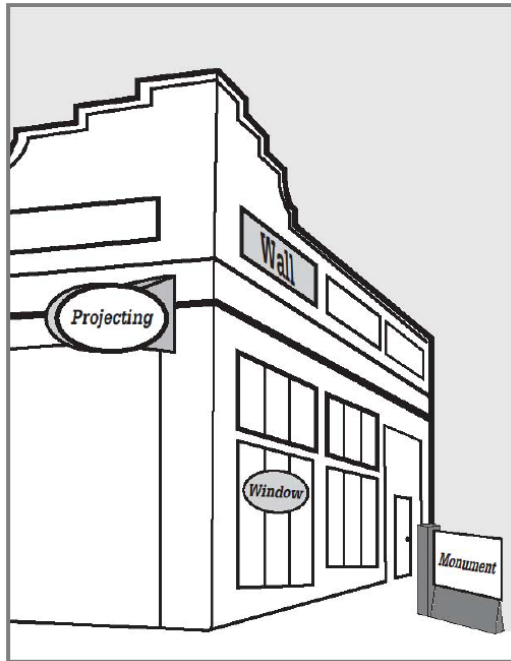
a. No permit required unless over 6 sq ft or placed for more than 30 days

### 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.



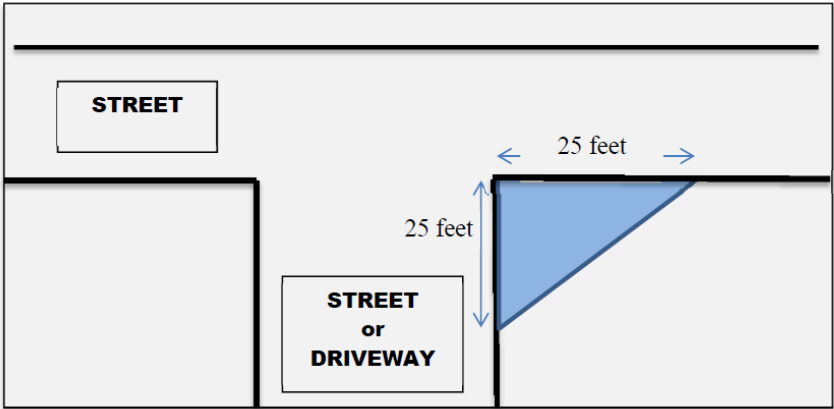
All commercial signs, except for temporary signs, are subject to review and approval by the Design Review Board and shall meet all of the criteria for design review listed in Section [11-040](#), including the requirements that all signage 'shall be visually compatible with the buildings, structures 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/<br>Permit | Design<br>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                |

| Sign Type                  | R1A | R1 | R1L | RS3 | R2 | R3 | R4 | R4A | CB | C | I | Fee/<br>Permit | Design<br>Review |
|----------------------------|-----|----|-----|-----|----|----|----|-----|----|---|---|----------------|------------------|
| Freestanding Monument      | P   | P  | P   | P   | P  | P  | P  | P   | P  | P | P | Y              | Y                |
| Ideological <sup>(1)</sup> | P   | P  | P   | P   | P  | P  | P  | P   | P  | P | P | N              | N                |
| Illuminated <sup>(2)</sup> | 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 <sup>(3)</sup>   | 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 <sup>(4)</sup> | 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/<br>Permit | Design<br>Review |
|---------------------------------------------|-----|----|-----|-----|----|----|----|-----|----|---|---|----------------|------------------|
| Special Events                              | P   | P  | P   | P   | P  | P  | P  | P   | P  | P | P | Y              | N                |
| Subdivisions<br>Adv.,<br>Directional,<br>ID | P   | P  | P   | P   | P  | P  | P  | P   | P  | P | P | Y              | Y                |
| Temporary<br>(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.

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## 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

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.

9/11/25 DRAFT

| <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 |

| <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                                             |

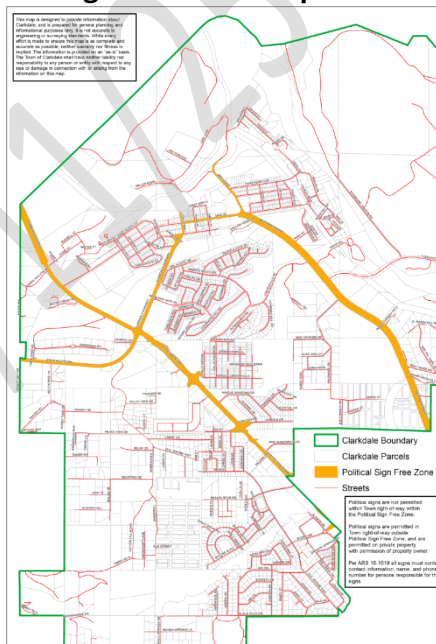
The Clarkdale Zoning Code is current through Ordinance #430, passed August 13, 2024.

| 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](http://www.clarkdale.az.gov)~~

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

~~Hosted by General Code.~~

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

|                |                                                         |   |                                      |               |                                                           |     |             |
|----------------|---------------------------------------------------------|---|--------------------------------------|---------------|-----------------------------------------------------------|-----|-------------|
| Home Occupancy | Non-illuminated<br>Limited to name and occupation only. | 1 | <a href="#">Wall</a> or freestanding | 3 square feet | Top of <a href="#">wall</a> or 30 inches for freestanding | N/A | Residential |
|----------------|---------------------------------------------------------|---|--------------------------------------|---------------|-----------------------------------------------------------|-----|-------------|

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

## CHAPTER 8 OUTDOOR LIGHTING CODE

### Articles:

- [8-010](#) Purpose and Intent
- [8-020](#) Compliance with the Zoning Code and Permit Requirements
- [8-030](#) Applicability
- [8-040](#) Lighting Definitions
- [8-050](#) General Requirements
- [8-060](#) Residential Lighting
- [8-070](#) Special Uses
- [8-080](#) Prohibited Outdoor Lighting
- [8-090](#) Exceptions
- [8-100](#) Nonconforming Outdoor Lighting
- [8-110](#) Outdoor Lighting Variances
- [8-120](#) Violations and Enforcement

### 8-010 Purpose and Intent

The purpose of this lighting code is to enhance the safety, well-being, and enjoyment of our residents while preserving the beauty of the night sky. It aims to minimize the impact on wildlife and natural habitats, reduce energy consumption, and support Clarkdale's mission of sustainability and safety. This code is designed to be practical for residents and is in alignment with the Illuminating Engineering Standards (IES) and the Dark Sky International guidelines.

### 8-020 Compliance with the Zoning Code and Permit Requirements

A. An outdoor lighting permit shall be obtained prior to the installation, modification, or replacement of any Outdoor Light Fixture subject to Section [8-030](#).

1. Any modification of an existing Outdoor Light Fixture shall comply with this article.
2. All outdoor lighting shall be installed in compliance with the Town of Clarkdale Building Regulations; and The Town of Clarkdale Fire Code.

### **8-030 Applicability**

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A. **New Development and Parking Areas.** The provisions of this article shall apply to any new development of a vacant lot or parcel and any installation of outdoor lighting to support that development, including parking areas and areas within an unenclosed parking garage.

B. **Major Additions, Modifications, Replacements, and Change of Use.** The provisions of this article shall apply to all major additions, modifications, replacements, or change of use. The entire property shall comply with the requirements of this article when any of the following occur:

1. "Major" shall be defined as an increase of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this provision; or

2. Single or cumulative modifications or replacements of legally installed Outdoor Light Fixtures after December 31, 2025, constituting 25 percent or more of the Lumens that would be permitted under this article for the property, regardless of the Total Outdoor Light Output currently existing on a site.

3. New Uses or Structures, or Change of Use Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

C. **Minor Additions, Modifications, Replacements, and Change of Use.** The provisions of this article shall not apply to minor (less than 25 percent as referenced above) additions, modifications, replacements, or change of use after December 31, 2025, except for the following:

1. All new or modified Outdoor Light Fixtures shall comply with the requirements of this article.

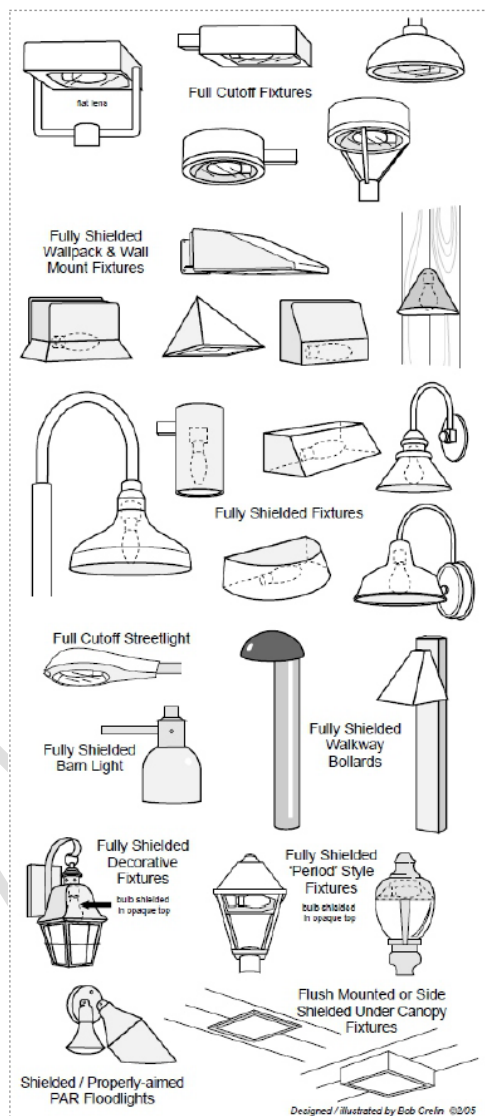
2. The Total Outdoor Light Output shall not exceed the amount allowed by this article, or the total legal nonconforming light output, whichever is greater.

### **8-040 Lighting Definitions**

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**CFL:** a compact fluorescent lamp that uses less electricity and lasts longer than incandescent bulbs.

**Fully Shielded Luminaire:** A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.



**LED:** a light emitting diode that emits light when current flows through it.

**Lumen:** the amount of visible light emitted per second by a source, indicating its brightness or luminous flux.

**Luminaire Lumens:** For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.

**Lux:** The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.

**Sky Glow:** The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

**Unshielded Luminaire:** A luminaire capable of emitting light in any direction including downwards.

**Watt:** the unit of power in an electric circuit

#### 8-050 General Lighting Requirements

- A. All light fixtures which are required to be shielded shall be installed in such a manner that the shielding complies with the definition of fully shielded fixtures
- B. Wiring to light poles and standards must be buried underground
- C. Any use of LED lighting shall prioritize low correlated color temperatures (CCTs) below 4000 Kelvin (K) that minimize blue light pollution and reduce skyglow and be fully shielded.
- D. Lighting Classes. The Total Outdoor Light Output for a lot or parcel is cumulative of the light emitted by all lighting classes.
- E.

##### 1. Class 1 Lighting (High-Impact Areas)

Class 1 lighting applies to areas with high-activity or safety requirements, such as athletic fields, sales, service, commercial, assembly, repair, and maintenance. This class is designed for high-visibility and operational needs, and all fixtures must be fully shielded to minimize off-site glare and light pollution. Lighting in Class 1 areas may remain operational until 10:00 p.m. or for as long as the area is in active use. After 10:00 p.m., lighting should be reduced or turned off unless

**Commented [JS1]:** Possibly shield lights when adjacent to topography lower than the site the lighting pole is located on.

required for safety, operational, or security purposes. This provision does not apply to fixtures lawfully installed prior to the adoption of this ordinance.

## **2. Class 2 Lighting (Industrial and Light Industrial Uses)**

Class 2 lighting applies to industrial and light industrial areas, including but not limited to manufacturing plants, cement plants, railroad yards, and other heavy industrial facilities. Due to the nature of these operations, higher lighting allowances are permitted to ensure safety, security, and operational efficiency. These areas may use higher-intensity lighting as necessary to meet operational needs, but all lighting must be designed to minimize light spill and glare, especially toward surrounding residential areas or natural habitats. Class 2 is lighting used for applications where general illumination for safety or security is the primary concern.

- a. Operational Hours: Lighting may remain operational 24 hours a day, seven days a week, but all non-essential lighting should be turned off or reduced after 10:00 p.m. unless required for ongoing operations, security, or safety measures.
- b. Maximum Illumination Levels: Lighting levels should not exceed 0.1 footcandles (1 lux) or less of light trespass at residential property boundaries, with a minimum of 0.5-1.0 footcandles for low-traffic areas and 3.0-5.0 footcandles for high-traffic areas like entrances and exits, unless specific exceptions are approved by the lighting authority for safety or operational needs.
- c. Fixture Requirements: Fixtures must be shielded or directed to prevent light trespass and glare. Where possible, energy-efficient lighting technologies, such as LED lights, should be used to reduce energy consumption.

## **3. Class 3 Lighting (Moderate-Impact Areas)**

Class 3 lighting applies to residential areas and community spaces, including but not limited to street lighting, pathway lighting, and security lighting. Lighting in these areas must be designed to minimize glare and light trespass into neighboring properties. All fixtures must be shielded, and lighting should be dimmed or turned off during non-use hours (e.g., after 10:00 p.m.) unless necessary for safety.

### **E. Total Outdoor Light Output.**

- 1. The Total Outdoor Light Output shall not exceed the amounts allowed in the following table.

Table 8-050.A Maximum Total Outdoor Light Output Standards

| Land Use                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                            |        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| <b>Commercial, Industrial, and Multiple-Family Development (Lumens per Net Acre)</b>                                                                                                                                                                                                                                     |                                                                                                                                                                            |        |
|                                                                                                                                                                                                                                                                                                                          | Combined maximum for Fully and Partially Shielded Fixtures, and fixtures mounted to a building or canopy                                                                   | 35,000 |
|                                                                                                                                                                                                                                                                                                                          | Partially Shielded Fixtures maximum                                                                                                                                        | 4,620  |
|                                                                                                                                                                                                                                                                                                                          | Fixtures not mounted to a building or canopy <sup>1</sup> maximum                                                                                                          | 35,000 |
| <b>Single-Family and Duplex Developments, Including Accessory Structures (Lumens per Lot, or Parcel)</b>                                                                                                                                                                                                                 |                                                                                                                                                                            |        |
|                                                                                                                                                                                                                                                                                                                          | Combined maximum for Fully and Partially Shielded Fixtures, and fixtures not mounted to a building or canopy, excluding motion sensing Outdoor Light Fixtures <sup>2</sup> | 5,500  |
|                                                                                                                                                                                                                                                                                                                          | Partially Shielded Fixtures maximum                                                                                                                                        | 2,780  |
|                                                                                                                                                                                                                                                                                                                          | Motion Sensing Outdoor Light Fixtures <sup>2</sup> (fully shielded) maximum                                                                                                | 2,780  |
|                                                                                                                                                                                                                                                                                                                          | Fixtures that are not mounted to a building or canopy <sup>1</sup> maximum                                                                                                 | 1,600  |
| <b>End Note</b>                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                            |        |
| <p>1. Fixtures that are not directly mounted to the side of a building or to the underside of, or within, a canopy or overhang.</p> <p>2. Motion sensing Outdoor Light Fixtures shall have an automated timer set to turn off the fixture at a time no greater than five minutes after the light has been turned on.</p> |                                                                                                                                                                            |        |

C. **Shielding.** The standards provided in Table 8-050.B, Shielding Standards, shall apply:

**Table 8-050.B Shielding Standards**

| Land Use and Lighting Class                             |                                                                                                                                                                                                                                                                                                       |                |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Commercial, Industrial, and Multiple-Family Development |                                                                                                                                                                                                                                                                                                       |                |
| Class 1 Lighting<br>All Outdoor Light Fixtures          |                                                                                                                                                                                                                                                                                                       | FS             |
| Class 2 Lighting<br>All Outdoor Light Fixtures          |                                                                                                                                                                                                                                                                                                       | FS             |
| Class 3 Lighting                                        |                                                                                                                                                                                                                                                                                                       |                |
|                                                         | All Outdoor Light Fixtures with a Lumen output below 1,750 <sup>1</sup> Lumens                                                                                                                                                                                                                        | A <sup>1</sup> |
|                                                         | All Outdoor Light Fixtures with a Lumen output equal to and above 1,750 <sup>1</sup> Lumens                                                                                                                                                                                                           | X              |
| Single-Family and Duplex Residential Dwelling Units     |                                                                                                                                                                                                                                                                                                       |                |
| Class 1 – 3 Lighting                                    |                                                                                                                                                                                                                                                                                                       |                |
|                                                         | All Outdoor Light Fixtures with a Lumen output below 700 <sup>1</sup> Lumens                                                                                                                                                                                                                          | A <sup>1</sup> |
|                                                         | All Outdoor Light Fixtures with a Lumen output equal to and above 700 <sup>1</sup> Lumens                                                                                                                                                                                                             | X              |
| End Notes                                               |                                                                                                                                                                                                                                                                                                       |                |
| 1.                                                      | For purposes of determining the Total Outdoor Light Output from an Outdoor Light Fixture lighting assemblies which include multiple unshielded or Partially Shielded Fixtures or lamps on a single pole or assembled as a single unit shall be considered as one fixture. Refer to the Table 8-040.B. |                |
| Key                                                     |                                                                                                                                                                                                                                                                                                       |                |
| FS = Allowed; Only Fully Shielded Fixtures              |                                                                                                                                                                                                                                                                                                       |                |

| Land Use and Lighting Class                                                                                                                                                                               |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <i>A = Allowed; Fully Shielded Fixtures preferred, and Partially Shielded Fixtures are allowed subject to the Lumen amounts listed in Table 8-040.A</i><br><i>X = Outdoor light fixture is prohibited</i> |  |

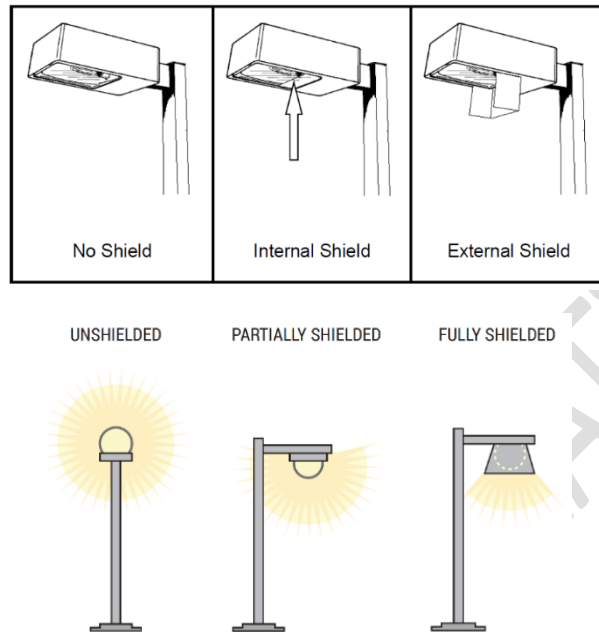
F. **Effective Shielding**

All light fixtures, including security lighting, except street lamps, shall be aimed or shielded so that the direction illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illuminations does not fall onto or across any public or private street or road. Motion sensing lighting fixtures shall be properly adjusted, according to the manufacturer’s instructions, to turn off when detected motion ceases. Direct or indirect lighting must not exceed one-half (0.5) foot candle (fc) at the lot line or upon abutting residential properties. All Outdoor Light Fixtures that are required to be fully shielded shall be installed in such a manner that the shielding satisfies the definition of a Fully Shielded Light Fixture.

G. **Light Trespass Standard**

- 1. All Outdoor Light Fixtures, including motion sensing lighting, shall be located, aimed, and shielded so that the direct illumination from the fixture shall be confined to the property boundaries of the source.
- 2. Any privately or publicly owned Outdoor Light Fixture with an output over 10,000 Lumens located within 50 feet of any residential (including Multiple-Family Development) property or public right-of-way shall utilize an internal or external shield, with the Outdoor Light Fixture and shield oriented to prevent direct illumination over the adjacent property or right-of-way line. If an external shield is used, its surface must be painted black to minimize reflections (Figure 8-040.A).

Figure 8-040.A  
Shielding Configurations



H. **Motion Sensing Outdoor Light Fixtures.** Motion sensing Outdoor Light Fixtures shall be fully shielded.

I. **Time Limits for Outdoor Lighting.** All outdoor Class 1 and Class 3 Lighting, and outdoor Class 2 Lighting located more than 50 feet from any structure, outdoor product display, or storage area shall be turned off no later than 30 minutes after the business closes and are to remain off until the business reopens. Decorative holiday lights are exempt, and outdoor sports facilities are subject to the time limits herein.

J. **Sign Illumination.** Standards for external and internal sign illumination are provided in Section Z, Signs. Lighting used for the external illumination of signs is included toward the Total Outdoor Light Output standards of subsection B. of this section.

K. **Neon Building Lighting.** Neon building lighting is included in the Total Outdoor Light Output calculations for the site. Lumens for neon lighting are calculated on a per foot basis, rather than per "fixture." Unshielded neon lighting is not allowed except for signage.

L. **Multi-Class Lighting.** Multi-class lighting must either conform to the lamp-type and shielding requirements of the strictest included class as shown in Table 8-040. A. Maximum Total Outdoor Light

Output Standards, and Table 8-040.B, Shielding Standards, or be turned off no later than 30 minutes after the business closes.

M. **Internally Illuminated Architectural Elements.** Any architectural element, including walls or portions of buildings, including canopy facias, that is internally illuminated and that is not a sign or fenestration (windows or doors), shall have 100 percent of the initial lamp output of all lamps or Luminous Tubes used to provide such illumination counted toward partially shielded lighting for the purposes of calculating Total Outdoor Light Output for the site and is subject to the standards of this section.

N. **Architectural/Landscape Lighting.** Architectural lighting used to illuminate a structure or landscape lighting used to illuminate trees or other landscape elements is allowed subject to the following:

1. Architectural and landscape lighting that is directed downward onto a structure, tree, or other landscape feature shall be included in the Total Outdoor Light Output standards provided in Table 8-040. A. *Maximum Total Outdoor Light Output Standards*, based on whether a Fully Shielded or Partially Shielded Light Fixture is used; and
2. Architectural and landscape lighting that is directed upward onto a structure, tree, or other landscape feature is not allowed.
3. Lighting shall not be directed toward adjacent properties to prevent light pollution.

O. **Emergency Lighting.** Emergency lighting that is only turned on in the event of a power failure or when an alarm is activated is allowed and is excluded from the Total Outdoor Light Output standards provided in Table 8-040. A, Maximum Total Outdoor Light Output Standards.

P. **Security Lighting.** Security lighting is permitted for doors, entries, exits, and secluded areas where safety and security are a concern. The intent is to provide adequate illumination without causing excessive light pollution or disruption to surrounding areas.

a. Motion Sensor Requirements: Security lighting in these areas must be equipped with motion sensors to minimize unnecessary lighting during non-use periods. The motion sensors should be programmed to activate lighting only when movement is detected and to automatically turn off after no movement is detected for a period of no longer than 5 minutes.

b. Lighting Levels: The lighting should be bright enough to provide adequate visibility for security purposes and not hinder the use of any CCTV systems but should not exceed 0.5 foot-candles at the property line in residential areas.

c. Shielding and Direction: All security lighting must be shielded or directed to prevent light spill or glare onto adjacent properties, roadways, or natural habitats.

d. Use During Inactivity: Security lighting should not remain continuously illuminated unless absolutely necessary for safety or operational reasons. After the motion sensor's time limit is reached, the lighting should automatically dim or turn off to reduce energy consumption.

Q. **Use of Mercury Vapor Outdoor Light Fixtures.** Except for outdoor lighting systems erected prior to 1950, no mercury vapor Outdoor Light Fixtures are allowed within the Town of Clarkdale.

#### 8-060 Residential Lighting

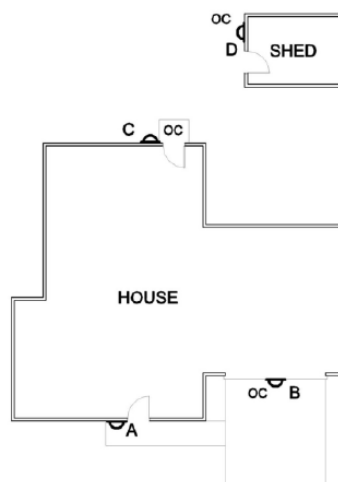
A. For residential properties, including multiple residential properties without common areas, all outdoor lighting fixtures must be fully shielded. The lumen output should not exceed the following typical ranges:

- a. General Outdoor Lighting: 100–300 lumens (5–10 lux)
- b. Main Entry Lighting: 200–800 lumens (10–30 lux)
- c. Low-Voltage Landscape Lighting: 50–200 lumens (2–5 lux)
- d. Shielded Floodlighting: 500–1500 lumens (20–30 lux)

Exceptions include:

- 1. One partly shielded or unshielded luminaire at the main entry, as long as its lumen output stays within the general residential limits of 200–800 lumens (10–30 lux).
- 2. Any other partly shielded or unshielded luminaires, provided their lumen output is within the 100–300 lumens (5–10 lux) range.
- 3. Low-voltage landscape lighting aimed away from adjacent properties, ensuring the lumen output does not exceed 50–200 lumens (2–5 lux).
- 4. Shielded directional floodlighting, aimed so that direct glare is not visible from adjacent properties, with a lumen output between 500 and 1500 lumens (20–30 lux).
- 5. Lighting with a vacancy sensor that automatically extinguishes the lights no more than 15 minutes after the area is vacated.

B. Requirements for Residential Landscape Lighting



1. Landscape lighting must comply with the residential lumen output limits mentioned above.
2. It should not be directed toward adjacent properties to prevent light pollution.

Property Type: Residential

| Luminaire Type | Location    | Luminaire Description    | Fully Shielded | Lamp Type | Initial Luminaire Lumens* | Maximum Allowed Initial Luminaire Lumens (Table G) | Controls         | Compliant |
|----------------|-------------|--------------------------|----------------|-----------|---------------------------|----------------------------------------------------|------------------|-----------|
| A              | Front Entry | Decorative wall sconce   | No             | 9W CFL    | 420                       | 420                                                | None             | Yes       |
| B              | Garage Door | Fully shielded wall pack | Yes            | 23W CFL   | 1050                      | 1260                                               | Occupancy Sensor | Yes       |
| C              | Back Entry  | Decorative wall sconce   | No             | 7W CFL    | 280                       | 315                                                | Occupancy Sensor | Yes       |
| D              | Shed Entry  | Fully shielded wall pack | Yes            | 40W INC   | 343                       | 1260                                               | Occupancy Sensor | Yes       |
| E              | Driveway    | Fully shielded post top  | Yes            | 13W CFL   | 1260                      | 1260                                               | None             | Yes       |

\*Initial Luminaire Lumens are calculated by multiplying the total initial lamp lumens by the luminaire efficiency.  
If the luminaire efficiency is not known, assume an efficiency of 70% and multiply the lamp lumen value by 0.7.

## 8-070 Special Uses

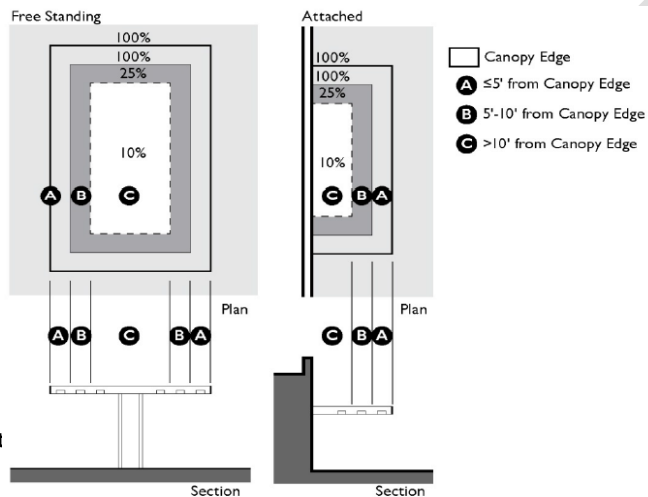
### A. Canopies, Building Overhangs, and Roof Eave Lighting.

1. **Shielding.** All Outdoor Light Fixtures attached, mounted to, or within a canopy, building overhang, or roof eave shall be fully shielded.

2. **Total Lumens.** The Total Lumens of each Outdoor Light Fixture shall be calculated based on the distance from the edge of the canopy, building overhang, or roof eave subject to Figure 8-050. A.

**Figure 8-050. A**

*Plan and Section Views of a Freestanding and Attached Canopy or Overhang, Showing Fixture Location and Initial Lamp Output Percentage Counted Toward Total Outdoor Light Output*



#### B. Service Stat

prioritize safety, The following guidelines are intended to provide a balance between operational needs and environmental considerations:

1. **Light Color and Temperature:** Lighting should use warm-toned lighting (such as amber or soft white) rather than harsh blue or cool white lights. Warm lighting enhances visibility and reduces glare.
2. **Fixture Design:** All lighting fixtures under canopies must be fully shielded to minimize light spill and glare, ensuring that light is directed only where needed—such as at the service area, pump stations, and customer pathways.
3. **Energy Efficiency:** Fixtures should utilize energy-efficient technologies, like LED lighting, and be equipped with dimming capabilities or motion sensors where feasible. While canopy lighting should remain on throughout night hours for safety purposes, lighting in non-essential areas (such as store lighting or decorative lighting) should be minimized or turned off when not in use.).
4. **Security Lighting:** Lighting for doorways, payment areas, and pumps must remain operational throughout the night to ensure customer safety and security. However, unnecessary

lighting, including decorative or ambient lights, should be minimized, especially when the facility is not in active use.

**C. Outdoor Recreation Facilities.**

1. **Lighting Class.** Lighting for an athletic field/ track/ arena area only shall be considered Class 1 Lighting.
2. **Lumen Cap Requirements.**
  - a. In Lighting Zone 1, lighting for athletic field/ track/ arena areas is subject to the maximum Total Outdoor Light Output standards set in Table 8-040.A;
  - b. In Lighting Zone 2, lighting for athletic field/ track/ arena areas is not subject to the maximum Total Outdoor Light per acre limit set in Table 8-040.A; and
  - c. Illumination levels for the athletic field/ track/ arena areas shall be designed to be no higher than recommended for Class IV play, as defined by the Illuminating Engineering Society of North America publication ANSI/IES RP-6-20, as amended.
3. **Shielding.** Fixtures used for athletic field/ track/ arena areas shall be fully shielded.
4. **Time Limits.** Outdoor sports facilities shall not be illuminated after 10:00 PM, except to conclude a scheduled recreational or sporting event in progress prior to the time limitation.
5. **Certification.** Lighting systems for outdoor recreational facilities shall be designed and certified by an engineer registered in Arizona as conforming to all applicable restrictions of this code before construction commences. Further, after installation is complete, the system shall be again certified by a registered engineer to verify that the installation is consistent with the certified design.

**D. Street Lighting.**

1. Street lighting installed on public rights-of-way shall be in accordance with the Town of Clarkdale **Engineering Design Standards and Specifications for New Infrastructure.**
2. Street lighting installed on private street tracts or easements shall be in accordance with the Town of Clarkdale **Engineering Design Standards and Specifications for New Infrastructure.**

**E. Parking Lots**

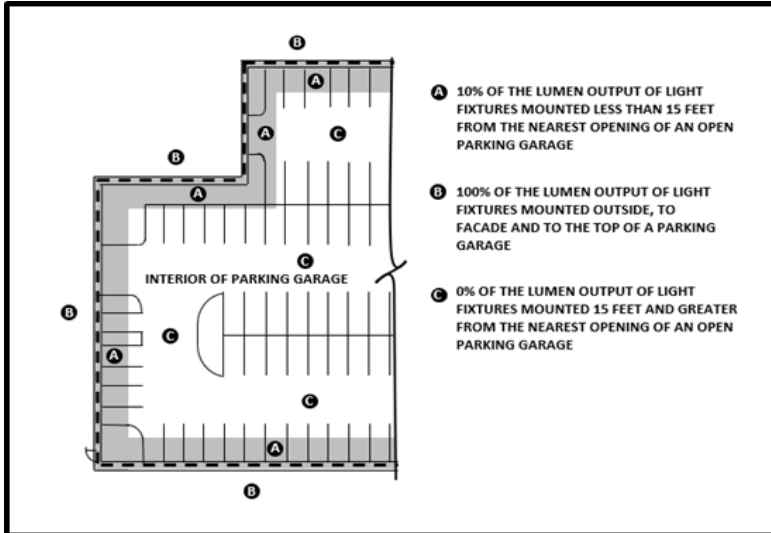
1. **Fixture Design:** Fixtures must be designed and installed to minimize glare, light trespass, and upward light pollution. Light should be directed to illuminate the parking area and walking paths without affecting adjacent properties or the sky.
2. **Maximum Color Temperature:** All outdoor lighting in parking lots must have a color temperature of 4000 Kelvin or lower to minimize blue light emissions and be fully shielded. This helps reduce glare and light pollution and is more compatible with the natural night environment.
3. **Illumination Levels:** The illumination level in parking lots must provide adequate visibility for safety while reducing excess brightness. The recommended lighting levels are as follows:
  - a. **Pedestrian Areas:** Minimum 0.5 foot-candles for areas where pedestrians walk or gather.
  - b. **Vehicular Parking Areas:** Minimum 1.0 foot-candle for parking lot areas to ensure visibility for drivers and pedestrians.
  - c. **Entrance and Exit Areas:** Minimum 2.0 foot-candles at entrances and exits to ensure the safe flow of traffic.
  - d. **Uniformity:** The lighting in the parking lot should be uniform, avoiding hotspots or areas with insufficient lighting. The average illumination should not vary more than 3:1 between the brightest and darkest spots.
4. **Maximum Fixture Height** is 20 ft.
5. **Security Lighting** Focus on vulnerable areas, exterior doors, remote corners
6. **Motion Sensors** or timers for energy efficiency and reduce light pollution during low-traffic hours.

**F. Parking Garages.**

1. **Lighting Class.** Lighting installed for general illumination of parking areas within parking garages, where the parking areas are open to the outside, shall be considered Class 2.
2. **Total Outdoor Light Output.** Ten percent of the Lumen output of Light Fixtures mounted less than 16 feet from the nearest opening to the outdoors of an open parking garage shall be included toward the Total Outdoor Light Output standards established in Table 8-040.A subject to Figure 8-050.A. The Lumen output of Light Fixtures mounted 16 feet or more from the nearest opening to the outdoors of an open parking garage shall not be included toward the Total Outdoor Light Output standards in Table 8-040.A subject to Figure 8-040.B.

**Figure 8-050.B**

*Calculation of Total Lumens of the Light Fixtures Located Inside of Parking Garage*



3. **Shielding.** All light fixtures used on or within open parking garages, including those mounted to the ceilings over the parking decks, shall be fully shielded.

**G. Outdoor Display Lots.**

1. **Lighting Class.** Class 1 Lighting may be used to illuminate Outdoor Display Lots, and shall be included toward the Total Outdoor Light Output standards in Table 8-040.A.
2. **Lighting Time Limitations.** All Class 1 outdoor display lighting shall be turned off no later than 30 minutes after the close of business. Only lighting meeting Class 2 Lighting standards may be used to illuminate an outdoor display area 30 minutes or later after the close of business.
3. **Shielding.** All light fixtures used in Outdoor Display lots shall be fully shielded and be aimed so that the direct illumination shall be confined to the property boundaries of the source.

H. **Temporary Lighting.** Temporary lighting which does not conform to the provisions of this Ordinance and which will not be used for more than one thirty (30) day period within a calendar year. Temporary lighting is intended for uses which by their nature are of limited duration; e.g. civic events, or construction projects.

1. The Community Development Director may grant a permit for temporary lighting if he/she finds all of the following:

- a. The purpose for which the lighting is proposed is not intended to extend beyond (30) days,
- b. The proposed lighting is designed in such a manner as to minimize light pollution as much as is feasible;
- c. The proposed lighting will comply with the general intent of this Ordinance, and
- d. The permit will be in the public interest.

2. The Community Development Director shall rule on the application within five (5) business days from the date of submission of the request and notify the applicant in writing of his/her decision. The Planning Director may grant one (1) renewal of the permit for an additional thirty (30) days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Community Development Director is not authorized to grant more than one (1) temporary permit and one renewal for the same property within one (1) calendar year. Temporary Construction projects may be extended at the discretion of the Community Development Director up to a time that is reasonable for project completion.

#### **8-080 Prohibited Outdoor Lighting**

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The following types of outdoor lighting are prohibited:

- A. Outdoor floodlighting by flood light projection above the horizontal plane.
- B. Search lights, flood lights, laser source lights, or any similar high intensity light, except in emergencies by police, fire or medical personnel or at their direction; or for meteorological data gathering purposes.
- C. Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with intermittent fading, flashing, blinking, rotating or strobe light illumination.

#### **8-090 Exceptions**

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A. **Infrared Security Lighting.** Lights emitting infrared radiation used for remote security surveillance systems are permitted in all zones with the following restrictions:

1. Fixed lights must be fully shielded; and
2. Movable lights, such as spot lights attached to infrared sensitive cameras, must be mounted such that the lights cannot be directed higher than 20 degrees below the horizontal, measured from the center of the light beam.

B. **Emergency Lighting by Emergency Services.** Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, or utility personnel or at their direction.

C. **Holiday Decorations.** In all lighting zones, low-Lumen output holiday decorations may be unshielded and remain on all night as long as they are maintained and in operable condition.

D. **Solar-Powered Lighting.** Solar-powered lights of five watts or less per fixture used in residential landscaping applications and to illuminate walkways are exempt from applicable lamp type and shielding standards and are excluded from the total Lumen calculations for the site.

E. **Construction and Renovation of Municipal Facilities.** All outdoor lighting used for construction or major renovation of municipal buildings, structures and facilities is exempt from the provisions of this article.

#### **8-100 Nonconforming Outdoor Lighting**

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Nonconforming Outdoor Lighting shall follow the same process and enforcement as a Non-Conforming Use.

- A. Mercury vapor lamps in use for outdoor lighting shall not be used.
- B. Bottom or side-mounted outdoor advertising sign lighting shall not be used.
- C. No outdoor lighting fixture or use which was lawfully installed or implemented prior to the enactment of this Ordinance shall be required to be removed or modified except as expressly provided herein; however, no modification or replacement shall be made to a non-conforming fixture unless the fixture thereafter conforms to the provisions of this Ordinance, except that identical lamp replacement is allowed.

D. In the event that an outdoor lighting fixture is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Ordinance. Commercial light installations that are removed or relocated during a building remodel or expansion will be required to meet the provisions of this Ordinance.

#### **8-110 Outdoor Lighting Variances**

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Any person desiring to install an outdoor lighting fixture in violation of this Ordinance may apply to the Board of Adjustment for a variance from the regulations in question.

A. Whenever a person is required to obtain a building or electrical permit for outdoor lighting or signage, a Conditional Use Permit, subdivision approval or any development plan needing Town approval, including all Town projects, the applicant shall, as a part of said application, submit sufficient information to enable the Community Development Director to determine whether the proposed lighting will comply with this Ordinance. All commercial remodeling, or expansion of current buildings will be subject to review and action through the Design Review process and must comply with Ordinance.

B. All lighting applications, except those for single family residences, shall include the following:

1. A site plan indicating the proposed location, type and size of all outdoor lighting fixtures;
2. A description of each illuminating device, fixture, lamp, support and shield. This description may include, but is not limited to, manufacturer's catalog cuts and drawings (including sections where required), lamp types and lumen outputs; and
3. Such other information as the Community Development Director may determine is necessary to ensure compliance with this Ordinance. For large developments this may include a single detailed sheet which specifically lists all fixtures and outputs for the entire project to enable the Community Development Department to determine compliance to this Ordinance.

C. If the Community Development Director determines that the proposed lighting does not comply with this Ordinance, the permit shall not be issued or the plan approved.

#### **8-120 Violations and Enforcement**

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A. It shall be unlawful to install or operate an Outdoor Light Fixture in violation of this article. Any person violating any provisions of this article shall be guilty of a misdemeanor. Each and every day during which the illegal erection, maintenance, and use continues shall be considered a separate offense.

B. The requirements of this article shall be enforced in compliance with the enforcement provisions of the Town of Clarkdale Town Code.

9/11/2025 DRAFT

## CHAPTER 9

### LANDSCAPE DESIGN STANDARDS

Articles:

|                           |                                                                             |
|---------------------------|-----------------------------------------------------------------------------|
| <b>9-010</b>              | <b>Intent</b>                                                               |
| <b>9-020</b>              | <b>Applicability</b>                                                        |
| <b>9-030</b>              | <b><del>Basic</del> Requirements</b>                                        |
| <b>9-040</b>              | <b>Sustainable Design</b>                                                   |
| <b>9-050</b>              | <b>Shading <del>Techniques</del> Techniques</b>                             |
| <b>9-060</b>              | <b>Buffering</b>                                                            |
| <b>9-070</b>              | <b><del>Irrigation and Maintenance</del></b>                                |
| <b>9-080</b> — <b>070</b> | <b>Minimum Plant Size</b>                                                   |
| <b>9-090</b> — <b>080</b> | <b>Restricted Planting Areas</b>                                            |
| <b>9-100</b> — <b>090</b> | <b>Parking <del>Lots</del> Areas</b>                                        |
| <b>9-110</b> — <b>100</b> | <b>Minimum Landscaping as a Percentage of Lot Area for New Construction</b> |
| <b>9-120</b>              | <b><del>Compliance Regulations</del></b>                                    |
| <b>9-130</b> — <b>110</b> | <b><del>Director Variances</del> Discretion</b>                             |
| <b>9-140</b> — <b>120</b> | <b>Approved Plant List</b>                                                  |

#### **Section 9-010 Purpose and Intent**

The intent of this Ordinance is to set forth landscape design requirements that promote and preserve the use of native vegetation and conserve water through low-water usage plantings. Town of Clarkdale encourages an integrated approach to landscape design. The following standards provide direction towards the production of a viable, attractive landscape design developed in consideration of the existing environment and climatic challenges of our unique area.

The purpose of the Principles of landscape design standards is to:

- A. Preserve and enhance the natural beauty and environment;
- B. Mitigate the impacts of parking and other vehicular areas;

- C. Ensure safety;
- D. Minimize the effects of temperature extremes, noise, pollution, wind and glare;
- E. Promote water and energy conservation;
- F. Provide a buffer between land uses;
- G. Soften and complement new and existing structures;
- H. Enhance quality of life.

Landscaping may include a mix of vegetation (trees, shrubs and decorative accent plants) and surface treatments such as permeable surfaces, boulders and hardscape.

## Section 9-020     **Applicability**

A. Landscaping is required for all new buildings and uses of land, redevelopment of buildings and land, ~~except for single-family residences or accessory structures for residential use and residential development under a unified development plan.~~

~~This chapter may be applied, in whole or part, to planned area development projects.~~

~~Per Site Plan Submittal Requirements, aB.~~ A landscape plan shall be provided for all projects subject to design review requirements.

C. Alterations to existing multi-family, commercial and industrial sites and buildings will ~~be required to conform to the standards herein if the value of improvements exceeds 50% of the assessed value of the subject property.~~ require a review regarding compliance with this code. If there are deficiencies, staff will work with the applicant to bring properties into compliance.

## Section 9-030     **~~Basic~~ Requirements**

A. Surface areas of a project not used for buildings, drives, parking or permitted outside uses shall be either landscaped, retained in their natural state or revegetated.

- B. Any portions of a site disturbed by site preparation and/or construction, especially cut or fill slopes, shall be landscaped or revegetated. A minimum of four (4) inches of topsoil ~~shallis to~~ be placed on the disturbed area and erosion of the topsoil shall be mitigated.
- C. Landscape areas may include organic and inorganic materials ~~as approved through the design review process (or committee?) and/or Community Development Director~~.
- D. Preservation and reuse of viable native vegetation existing on the site is strongly encouraged.
- E. Plant materials used shall be primarily native or drought tolerant.
- F. The majority of each design plan should incorporate xeriscape concepts, including:
1. Use of mulch or landscape rock;
  2. Installation of a drip system;
  3. Use of drought tolerant plants;
  4. Use of permeable ground cover;
  5. Incorporation of shade.
- G. Landscape must be suitable to the terrain.
- H. The landscape design plan must account for site drainage and retention
- I. The landscape plan dDesign should promote pedestrian/ bicycle traffic where applicable.
- J. The lLandscape design plan must incorporate energy and water conservation concepts.
- K. Landscaping must be installed prior to issuance of a certificate of occupancy or receiving a final inspection from the Town of Clarkdale, or the owner shall provide the Town with financial assurances, or other legal instrument ~~acceptable to the Community Development Director~~, in an amount sufficient ~~amount to complete 100% of the landscaping~~, as evidenced by a written estimate from a licensed landscape architect or contractor, to complete one hundred percent (100%) of the landscaping. ~~(should require f~~
- L. Front yard residential landscaping shall be installed prior to C of O. ~~for residential, where is that listed?)~~

L. All landscaping, irrigation and other site work shall be installed as shown on the approved landscape and irrigation plans.

M. An irrigation plan shall be submitted with the landscape plan and shall include a weather-based irrigation controller with rain sensors and automatic shut-off valves during rain events.

N. The developer and subsequent owners shall be responsible for maintaining the landscaping as shown on the approved plan. Maintenance shall include regular irrigation, weeding, fertilizing and pruning. This includes maintaining landscaping in the adjacent public right-of-way.

O. Dead vegetation shall be replaced within one hundred eighty (180) days of discovery or by the next planting season, whichever first occurs.

P. Areas left in their natural state must be monitored on a regular basis and any trash and debris removed immediately.

Q. Failure to properly maintain the property will subject the property owner to the penalties set forth in Town Code.

## **Section 9-040 Sustainable Design**

Sustainable design ~~aspects including but not limited to~~ concepts such as but not limited to the following ~~are desirable and~~ should be incorporated into the landscape plan as much as possible:

- A. Good soil preparation;
- B. Use of mulch and / or landscape rock;
- C. Use of sunken tree basins;
- D. Use of low water-use drought tolerant plants/ trees;
- E. Use of efficient irrigation ~~design~~;
- F. Incorporation of passive water harvesting ~~concepts~~;

- G. Planting of symbiotic groupings of native species;
- H. Incorporation of shade techniques over public areas such as sidewalks, trails, bikeways and parking lots;
- I. Use of shade structures and plants/ trees to mitigate the impact of sun and wind on structures and public areas.

In addition, projects ~~are urged to consider implementing~~ should include active water harvesting and storage as an offset to groundwater pumping. ~~General design information and site-specific design guidelines are available from the Community Development Department at the Town.~~

## **Section 9-050      Shading Techniques**

### **A. Purpose**

To promote safe, comfortable pedestrian environments in residential and commercial areas, reduce urban heat impacts, and improve access to the community's trail network by integrating shading and connectivity into site design.

### **B. Applicability**

This section applies to:

1. Any residential or commercial property within 1,000 feet calculated from a designated public trail, bike path, or multi-use corridor.
2. Any redevelopment or major site improvements exceeding 50% of the property's assessed value.

### **C. Sidewalk Shading Requirements**

#### **1. Shade Coverage Standard**

All public-facing sidewalks and pedestrian walkways within or adjacent to the development should aim to achieve minimum 75% shade coverage at solar noon on June 21st (measured over the sidewalk area).

#### **2. Shade Elements**

Shade may be provided through:

- a. Desert-adapted shade trees spaced no more than 20-25 feet apart, such as but not limited to: Desert Willow, Chilean Mesquite, or Palo Verde.
- b. Architectural or structural elements including but not limited to: awnings, arcades, or solar shade panels.
- c. Landscape-integrated solutions such as vine-covered trellises or living walls.

### 3. Building Orientation Incentive

Developments oriented to maximize natural building shade on pedestrian areas may count built shadow toward the total shade coverage requirement.

## D. Trail Access Requirements

### 1. Connectivity

Residential or commercial developments located within 1,000 feet of an existing or planned trail, multi-use path, or bike corridor should provide:

- a. A direct, pedestrian and bicycle connection to the trail system, unless topography or physical barriers prevent it.
- b. Wayfinding signage placed at visible points (e.g., storefronts, parking areas) to indicate trail direction and distance.

### 2. Trailhead Enhancements (if applicable)

Where a development borders a trail, it must provide a “soft” trailhead or access node including:

- a. A shaded seating/rest area
- b. Trash/recycling receptacles
- c. Bicycle parking or racks
- d. Lighting if within 100 feet of a public entrance.

## E. Maintenance

- a. All shade-providing trees and structures must be maintained to provide effective shading throughout the year.
- b. Dead trees must be replaced within 90 days with species of similar canopy potential.
- c. Structural shading elements must be maintained for safety, usability, and aesthetic quality.

## Section 9-060 Buffering

A. Buffering is required ~~between-when~~ nonresidential uses ~~are proposed~~ adjacent to existing ~~and/or proposed zoned~~ residential uses, and between ~~proposed/ or existing~~ multifamily ~~or alternative living facilities~~ and existing single-family uses ~~/ zoning~~, or where there is a transition from one (1) type of land use or density to another land use and for the screening of mechanical equipment, service or storage areas.

1. Landscape Borders shall be placed between adjacent Land Uses and Zoning Districts as described in the following table:

| Perimeter Landscape Borders |                                            |        |            |            |              |                  |
|-----------------------------|--------------------------------------------|--------|------------|------------|--------------|------------------|
| Districts/Land Uses         | Adjacent Streets/Zoning Districts/Land Use |        |            |            |              |                  |
|                             | Residential                                | Office | Commercial | Industrial | Multi-Family | Mobile Home Park |
| Residential Subdivision*    | X                                          | X      | X          | X          | X            | X                |
| Office                      | X                                          | --     | X          | X          | X            | X                |
| Commercial                  | X                                          | X      | --         | X          | X            | X                |
| Industrial                  | X                                          | X      | X          | --         | X            | X                |
| Multifamily                 | X                                          | X      | X          | X          | --           | X                |
| Mobile Home Park            | X                                          | X      | X          | X          | X            | --               |
| *Four Lots or more.         |                                            |        |            |            |              |                  |

B. The buffering may consist of landscape screening, berming, solid walls, or a combination thereof and the depth shall be the equivalent of the required setback. ~~Buffering may occur within the required building setback.~~

1. Buffering must be designed to provide a year-round visual screen in order to minimize adverse impacts. It may consist of fencing, block, evergreens, berms, rocks, boulders, grade changes or a combination thereof.

2. ~~A development must provide~~ sufficient buffering shall be provided when topographical or other barriers do not provide reasonable screening and where there is a need to:

a. Shield neighboring properties from any adverse visual or other effects of the development; ~~or~~

~~b. The buffer shall soften the appearance of the site from the road and highlight/—  
create defined access and egress points.~~

C. The width of the landscape buffer between two (2) incompatible uses ~~strip must shall~~ increase with the setback of the building as follows:

1. Less than 50 feet: 10 feet wide landscape buffer.

2. Fifty to 74 feet: 15 feet wide landscape buffer.

3. Seventy-five to 99 feet: 20 feet wide landscape buffer.

4. One hundred feet or more: 25 feet wide landscape buffer.

D. ~~Where the buffer cannot be achieved, a low wall, fence, or hedge may be used to create the buffer, averaging~~ Averaging of the buffer area is permitted as long ~~as the~~ minimum of ~~10 feet—  
one half of the required buffer~~ is ~~achieved~~ maintained.

## **~~Section 9-070—~~Irrigation and Maintenance**

A. ~~An irrigation system plan shall be submitted as part of a building permit. The plan shall incorporate WaterSense (an EPA program) best management practices, such as including a~~

~~weather-based irrigation controller with rain sensors and automatic shut-off valves during rain events. The plan shall also include an estimated shut-off date after the native landscaping has been established to be inscribed in the irrigation system control panel.~~

~~B.—The developer and subsequent owners shall be responsible for maintaining the landscaping as shown on the approved plan. Maintenance shall include regular irrigation, weeding, fertilizing and pruning. This includes maintaining landscaping in a public right-of-way.~~

~~C.—Dead plants shall be replaced within one hundred eighty (180) days of discovery or by the next planting season during the two (2) year period after issuance of a certificate of occupancy or final approval of a project. —(this implies after 2 years the lot does not need to be revegetated after dead plants?)—After 2 years, modifications to fit the mature landscaping for replanting options can be requested for modification to the Community Development Director.~~

~~D.—Areas left in their natural state must be monitored on a regular basis and any trash and debris removed immediately.~~

## Section 9-~~080070~~ Minimum Plant Size

| <u>Trees</u>       | <u>Minimum caliper size</u> | <u>Minimum box size</u>              | <u>Minimum height at Planting</u> | <u>Maximum distance between trees on center</u> |
|--------------------|-----------------------------|--------------------------------------|-----------------------------------|-------------------------------------------------|
| <u>Residential</u> | <u>2"</u>                   | <u>15 gallon</u>                     | <u>6'</u>                         | <u>20'</u>                                      |
| <u>Commercial</u>  | <u>3"</u>                   | <u>24" - 50%</u><br><u>36" - 50%</u> | <u>8'</u>                         | <u>20'</u>                                      |
| <u>Industrial</u>  | <u>4"</u>                   | <u>36"</u>                           | <u>8'</u>                         | <u>20'</u>                                      |
| <u>Mixed Use</u>   | <u>3"</u>                   | <u>24"</u>                           | <u>8'</u>                         | <u>20'</u>                                      |

~~Trees shall be a minimum of a fifteen (15) gallon-size and/or three (3) feet minimum in height and 3" in caliper. —Deciduous trees used to fulfill screening requirements shall be a minimum of six (6) feet in height. Evergreen trees used to fulfill screening requirements shall be a minimum of four (4) feet in height.~~

## Section 9-~~090080~~ Restricted Planting Areas

### A. *Sight Visibility Triangles.*

1. At the intersection of two (2) arterial and/ or collector streets, or at the intersection of a street, a triangle measuring thirty (30) feet in length along the curb lines or edge of roadway or alley from the point of intersections shall be left unobstructed 36" or above grade.
2. At the intersection of a street and a driveway a triangle measuring twenty (20) feet along the curb line or roadway edge and the edge of the driveway from the point of intersection, and connecting diagonally, shall be left unobstructed 36" or above grade.
3. Specific visibility triangle requirements for the intersections shall be determined by the Town Engineer as per the Town Engineering Standards.
4. Landscape materials shall not exceed a height of ~~thirty-six~~eighteen (36~~18~~) inches above the grade of the roadway or driveway within the sight visibility triangle.
5. Trees in the sight visibility triangle shall have a minimum eight (8) feet of clearance between the lowest limbs of the tree and the roadway.

## Section 9-~~100090~~ Parking ~~Areas~~Lots

- A. Parking lot landscaping shall be included as part of the overall landscape ~~design~~plan.
- B. An area or combination of areas equal to no less than ten percent (10%) of the total parking lot area shall be landscaped.
- C. All applicable development that has five (5) or more Vehicle Parking Spaces shall provide landscaping in its Parking Areas as follows:
  1. Canopy Trees: Within a Parking Area, one Canopy Tree is required for each eight Vehicle Parking Spaces or fraction thereof, as follows:
    - a. Canopy Trees shall be evenly distributed throughout the vehicular use area and have a minimum of 8 feet of vehicle clearance,
    - b. Canopy Trees shall be placed and distributed in a way to encourage the optimum shade level for parking stalls based on the stall alignment.

2. In Development where it is necessary to bring the existing Parking Areas into conformance with these regulations, the tree coverage/distribution requirement may be modified by the Community Development Director's decision.
3. Planter Area: Each Canopy Tree required by this Section shall have a planter area with a minimum unpaved area of 7 feet by 18 feet with 1,000 cubic feet of soil to provide for successful tree growth.
4. Plant Protection: Areas where plants are susceptible to injury by vehicular or pedestrian traffic shall be protected by appropriate means, such as curbs, bollards, or low walls.
  - a. The planter area shall have a raised border four inches high to prohibit the tires of the vehicle from encroaching onto the planter. Raised borders may include cuts that allow stormwater to flow into the planter areas for rainwater harvesting purposes.
  - b. Standard wheel barriers are acceptable but not encouraged, as they can be easily moved and could allow damage to the tree.

B. Exemptions

1. Any Site with six or fewer Vehicle Parking Spaces including ADA required space;
2. Home Occupations;
3. Vehicle Storage;
4. Covered Parking Areas; or
5. For expansion of an existing Development, the existing Parking Areas are exempt from the Canopy Tree standard if the existing Parking Area is subject to an approved Site Plan on or before the Effective Date.

D. A landscape buffer is required around the perimeter of any parking area adjacent to the street or a residentially zoned property.

E. All Landscape areas and Parking Area planters may also be used as water retention basins. Basins within a Landscape Buffer shall maintain slopes no steeper than four to one (4:1), except as otherwise approved by the Town Engineer.



*Examples of good use of Parking Area Planter Design*

## **Section 9-~~110~~100 Minimum Landscaping as a Percentage of Lot Area for Multi-Family, Commercial and Industrial New Construction**

### *A. Multi-Family Projects.*

1. A minimum of thirty percent (30%) of the total lot area shall be landscaped.
2. A minimum fifteen (15) foot wide strip of land area adjacent to the street right-of-way shall be landscaped.
3. Averaging of the street landscaping strip area is permitted if a minimum of one half of the required setback is maintained.

### *B. Commercial Projects.*

1. A minimum of thirty percent (30%) of total lot area shall be landscaped.
2. A minimum fifteen (15) foot wide strip of land area adjacent to the street right-of-way shall be landscaped.
3. Averaging of the street landscaping strip area is permitted if a minimum of one half of the required setback is maintained.

### *C. Industrial Projects.*

1. A minimum of fifteen percent (15%) of total lot– area or a minimum fifteen (15) foot wide strip of land adjacent to the street right-of-way shall be landscaped. ~~as determined during application review with staff and during design review.~~

2, Averaging of the street landscaping strip area is permitted as long as a minimum of one half of the required setback is maintained.

## **Section 9-120 — Compliance Regulations**

- ~~A. The Town reserves the right to conduct compliance inspections.~~
- ~~B. All landscaping, irrigation and other site work shall be installed as shown on the approved landscape and irrigation plans.~~
- ~~C. Replacement of dead materials is required within one hundred eighty (180) days of discovery or by the next planting season. (needs to match page 67)~~
- ~~D. Regular maintenance of all landscape areas is required. Failure to properly maintain the property is subject to the penalties outlined in the Town Code.~~

## **Section 9-130110 Director Discretion Variances**

1. The Community Development Director may recommend a waiver or modification to the Landscape Design Code that supports sustainable development prior to the application moving forward to the Design Review Board (or process?process). The Director's recommendation may be accepted, rejected, or modified during the Design Review processesign Review Board may accept, reject or modify the Director's recommendation.
2. Modifications to an approved landscape design plan determined to be minor (10% change in area, number of plantings, or type of plantings) may be allowed by the Community Development Director through an administrative process.
3. The Community Development Director has the discretion to waive the application of this chapter upon a finding that application of the requirements would reduce the fair market value or developability of the property.

## Section 9-140120 Approved Plant List

### Native Shrubs and Bushes

| Common Name<br>(Botanical Name)                                            | Size  | Water Demand | Notes                                   |
|----------------------------------------------------------------------------|-------|--------------|-----------------------------------------|
| <b>Barberry (Algerita)</b><br>( <a href="#">Berberis haematocarpa</a> )    | 3-10' | Low          |                                         |
| <b>Catclaw Acacia</b><br>( <a href="#">Senegalia greggii</a> )             | 4-10' | Very low     | Common shrub or small tree              |
| <b>Beargrass</b><br>( <a href="#">Nolina microcarpa</a> )                  | 4-6'  | Very low     | Agave family, high stalks, high slopes  |
| <b>Cliffrose</b><br>( <a href="#">Purshia subintegra</a> )                 | 3-6'  | Very low     | Dry, rocky steep slopes                 |
| <b>Creosote Bush</b><br>( <a href="#">Larrea tridentata</a> )              | 4-8'  | Very low     | Roots emit repellents                   |
| <b>Feather Dalea</b><br>( <a href="#">Dalea formosa</a> )                  | 1-2'  | Very low     | Dry, rocky slopes                       |
| <b>Graythorn</b><br>( <a href="#">Ziziphus obtusifolia</a> )               | 6-10' | Very low     | Riparian edge, grasslands, bird habitat |
| <b>Manzanita (Pointleaf)</b><br>( <a href="#">Arctostaphylos pungens</a> ) | 4-6'  | Very low     | Dry hillsides above 4,000'              |

| Common Name<br>(Botanical Name)                                         | Size   | Water Demand | Notes                               |
|-------------------------------------------------------------------------|--------|--------------|-------------------------------------|
| <b>Mesquite (Velvet)</b><br>( <a href="#">Prosopis velutina</a> )       | 10-25' | Low          | Washes, riparian edges below 4,000' |
| <b>Mountain Mahogany</b><br>( <a href="#">Cercocarpus montanus</a> )    | 15'    | Very low     | High slopes                         |
| <b>Mormon Tea</b><br>( <a href="#">Ephedra viridis</a> )                | 2-6'   | Very low     | Dry soil                            |
| <b>Ocotillo</b><br>( <a href="#">Fouquieria splendens</a> )             | 8-15'  | Very low     | Steep hillsides, needs drainage     |
| <b>Shrub Live Oak (Scrub)</b><br>( <a href="#">Quercus turbinella</a> ) | 6-10'  | Very low     | High slopes, dry washes             |
| <b>Four-Wing Salt Bush</b><br>( <a href="#">Atriplex canescens</a> )    | 4-6'   | Very low     | Common wildlife habitat             |
| <b>Broom Snakeweed</b><br>( <a href="#">Gutierrezia sarothrae</a> )     | 2-4'   | Very low     | Common. Over-grazed areas           |
| <b>Sugar Sumac</b><br>( <a href="#">Rhus avata</a> )                    | 2-15'  | Very low     | Part shade, dry slopes              |
| <b>Winter Fat</b><br>( <a href="#">Krascheninnikovia</a> )              | 2-3'   | Very low     | Open rangeland                      |

#### Adaptive Shrubs and Bushes

| Common Name<br>(Botanical Name)                                  | Size | Water Demand | Notes              |
|------------------------------------------------------------------|------|--------------|--------------------|
| <b>Angel's Hair</b><br>( <a href="#">Artemisia schmidtiana</a> ) | 2"   | Very low     | Fine silver leaves |

| Common Name<br>(Botanical Name)                                               | Size  | Water Demand     | Notes                                                         |
|-------------------------------------------------------------------------------|-------|------------------|---------------------------------------------------------------|
| <b>Arizona Rosewood</b><br>( <a href="#">Vauquelinia californica</a> )        | 8'    | Low<br>when est. | Evergreen                                                     |
| <b>Australian Laurel</b><br>( <a href="#">Pittosporum tobira</a> )            | 6-15' | Low              |                                                               |
| <b>Autumn Sage</b><br>( <a href="#">Salvia greggii</a> )                      | 2x2'  | Low-mod          | Water demand is dependent on sun exposure                     |
| <b>Bird of Paradise Bush</b><br>( <a href="#">Erythrostemon gilliesii</a> )   | 4-6'  | Low              | Tree variant, 12' – aka <a href="#">Caesalpinia gilliesii</a> |
| <b>Butterfly (Fountain) Bush</b><br>( <a href="#">Buddleja alternifolia</a> ) | 8-12' | Low              | Long flower clusters                                          |
| <b>Cotoneaster, Spreading</b><br>(Cotoneaster)                                | 5-6'  | Low              | Hardy deciduous – aka <a href="#">Cotoneaster divaricatus</a> |
| <b>Damianita</b><br>( <a href="#">Chrysactinia mexicana</a> )                 | 2x2'  | Very low         | Evergreen, yellow flowers spring and fall                     |
| <b>Dusty Miller</b><br>( <a href="#">Artemisia stelleriana</a> )              | 2-3'  | Low              | Evergreen shrub                                               |
| <b>Flame Honeysuckle</b><br>( <a href="#">Anisacanthus quadrifidus</a> )      | 3-4'  | Low              | Deciduous, orange/red flowers late summer/fall                |
| <b>Heavenly Bamboo</b><br>( <a href="#">Nandina domestica</a> )               | 6-8'  | Low              | Some water, shade                                             |
| <b>Juniper (Chinese)</b><br>( <a href="#">Juniperus chinensis</a> )           | 2-15' | Very low         | Evergreen                                                     |
| <b>Juniper (Savin)</b><br>( <a href="#">Juniperus sabina</a> )                | 2-4'  | Very low         | Evergreen                                                     |

| Common Name<br>(Botanical Name)                                          | Size  | Water Demand | Notes                             |
|--------------------------------------------------------------------------|-------|--------------|-----------------------------------|
| <b>Photinia (Chinese)</b><br>( <a href="#">Photinia serrulata</a> )      | 6-12' | Low          | Water to establish                |
| <b>Pyracantha (Firethorn)</b><br>( <a href="#">Pyracantha coccinea</a> ) | 6-12' | Low          | Trains to fence                   |
| <b>Rosemary</b><br>( <a href="#">Rosemarinus officinalis</a> )           | 2-6'  | Very low     | Needs drainage                    |
| <b>Santolina</b><br>( <a href="#">Santolina virens</a> )                 | 1-2'  | Very low     | Evergreen, good ground cover      |
| <b>Texas Sage</b><br>( <a href="#">Leucophyllum frutescens</a> )         | 3-8'  | Very low     | Semi-evergreen, many variations   |
| <b>Turpentine Bush</b><br>( <a href="#">Ericameria laricifolia</a> )     | 2-3'  | Very low     | Evergreen, yellow flowers in fall |
| <b>Viburnum</b> (various)<br>( <a href="#">Viburnum lantana</a> )        | 4-12' | Low-mod      | Deciduous, partial sun            |
| <b>Xylosma</b><br>( <a href="#">Xylosma congestum</a> )                  | 8-10' | Low          | Heat tolerant                     |

#### Native Trees

| Common Name<br>(Botanical Name)                                      | Size   | Water Demand | Notes                     |
|----------------------------------------------------------------------|--------|--------------|---------------------------|
| <b>Arizona Ash (Velvet)</b><br>( <a href="#">Fraxinus velutina</a> ) | 30-40' | Mod          | Riparian, aggressive root |
| <b>Arizona Cypress</b><br>( <a href="#">Cupressus arizonica</a> )    | 30-40' | Very low     | Evergreen, dry soils      |
| <b>Netleaf Hackberry</b>                                             | 20-30' | Low          | Riparian edge             |

| Common Name<br>(Botanical Name)                                       | Size   | Water Demand | Notes                                                          |
|-----------------------------------------------------------------------|--------|--------------|----------------------------------------------------------------|
| ( <a href="#">Celtis reticulara</a> )                                 |        |              |                                                                |
| <b>Juniper (One-Seed)</b><br>( <a href="#">Juniperus monosperma</a> ) | 15-35' | Very low     | Evergreen, dry mesas, hillsides                                |
| <b>Juniper (Utah)</b><br>( <a href="#">Juniperus osteosperma</a> )    | 15-30' | Very low     | Evergreen, one main trunk, dry areas                           |
| <b>Mesquite (Velvet)</b><br>( <a href="#">Prosopis velutina</a> )     | 10-25' | Low          | Washes, riparian edges below 4,000'                            |
| <b>Oak (Emory or Live)</b><br>( <a href="#">Quercus emoryi</a> )      | 20-50' | Low          | Evergreen, lower slopes                                        |
| <b>Oak (Gambel)</b><br>( <a href="#">Quercus gambelii</a> )           | 20-50' | Low          | Deciduous, typically above 5,000'                              |
| <b>Oak (Sonoran)</b><br>( <a href="#">Quercus turbinella</a> )        | 6-10'  | Very low     | Deciduous, high slopes, dry washes. Aka Shrub Live Oak, others |
| <b>Willow (Desert)</b><br>( <a href="#">Chilopsis linearis</a> )      | 10-25' | Low-mod      | Riparian edge, washes                                          |
| <b>Willow (Goodding)</b><br>( <a href="#">Salix gooddingii</a> )      | 30-50' | Mod          | Deciduous, riparian, invasive roots                            |
| <b>Willow (Globe)</b><br>( <a href="#">Salix matsudana</a> )          | 20-30' | Mod          | Deciduous                                                      |

#### Adaptive Trees

| Common Name<br>(Botanical Name)                             | Size   | Water Demand | Notes                      |
|-------------------------------------------------------------|--------|--------------|----------------------------|
| <b>Cedar (Deodar)</b><br>( <a href="#">Cedrus deodara</a> ) | 60-80' | Very low     | Evergreen, check varieties |

| Common Name<br>(Botanical Name)                                             | Size    | Water Demand | Notes                                                          |
|-----------------------------------------------------------------------------|---------|--------------|----------------------------------------------------------------|
| <b>Chaste Tree</b><br>( <a href="#">Vitex agnus-castus</a> )                | 3-16'   | Low-mod      | Purple flower                                                  |
| <b>Chinaberry</b><br>( <a href="#">Melia azedarach</a> )                    | 30-50'  | Low          | Grows in poor soil                                             |
| <b>Crabapple (Flowering)</b><br>( <a href="#">Malus</a> )                   | 6-30'   | Low-mod      | Check available local varieties                                |
| <b>Honeylocust (Thornless)</b><br>( <a href="#">Gleditsia triacanthos</a> ) | 35-70'  | Low          | Deciduous, good street trees                                   |
| <b>Little Leaf Ash</b><br>( <a href="#">Fraxinus greggii</a> )              | 8-10'   | Mod          | Semi-evergreen, slow, prune to tree                            |
| <b>Locust (Idaho)</b><br>( <a href="#">Robinia idahoensis</a> )             | 30-40'  | Very low     | Deciduous, aggressive roots                                    |
| <b>Oak (Southern Live)</b><br>( <a href="#">Quercus virginiana</a> )        | 40'     | Low          | Deep rooted                                                    |
| <b>Pine (Aleppo)</b><br>( <a href="#">Pinus halepensis</a> )                | 30-60'  | Low          | Evergreen, hardy to heat, aridity, wind                        |
| <b>Pine (Pinion Nut)</b><br>( <a href="#">Pinus edulis</a> )                | 10-35'  | Very low     | Evergreen, hardy in desert mountains                           |
| <b>Pine (Afghan)</b><br>( <a href="#">Pinus eldarica</a> )                  | 30-50'  | Low          | Evergreen, now " <a href="#">Pinus brutia</a> " – fast growing |
| <b>Plum (Flowering)</b><br>( <a href="#">Prunus</a> varieties)              | 20-30'  | Mod          | Deciduous, requires maintenance                                |
| <b>Raywood Ash</b><br>( <a href="#">Fraxinus angustifolia</a> )             | 60-100' | Mod          | Fast growing                                                   |

**Cacti and Succulents**

| <b>Common Name</b><br>(Botanical Name)                                  | <b>Size</b> | <b>Water Demand</b> | <b>Notes</b>                                           |
|-------------------------------------------------------------------------|-------------|---------------------|--------------------------------------------------------|
| <b>Century Plant</b><br>( <a href="#">Agave parryi</a> )                | 3'          | Very low            | Tall flower stalk                                      |
| <b>Cholla (Plateau)</b><br>( <a href="#">Cylindropuntia whipplei</a> )  | 2-4'        | Very low            | Long, branching sections                               |
| <b>Claret Cup</b><br>( <a href="#">Echinocereus triglochidiatus</a> )   | 1-2'        | Very low            | Dense mounds of stems                                  |
| <b>Fendler Hedgehog</b><br>( <a href="#">Echinocereus fendleri</a> )    | 6"-1'       | Very low            | Small clumps, rocky                                    |
| <b>Prickly Pear (Desert)</b><br>( <a href="#">Opuntia phaeacantha</a> ) | 2-5'        | Very low            | Dry hillsides                                          |
| <b>Tonto Basin Agave</b><br>( <i>Agave delamateri</i> )                 | 2-3'        | Very low            | Extremely rare plant. Flower spikes may reach 20 feet. |
| <b>Yucca (Banana)</b><br>( <a href="#">Yucca baccata</a> )              | 2-3'        | Very low            | Dense flower clusters                                  |
| <b>Yucca (Soaptree)</b><br>( <a href="#">Yucca elata</a> )              | 2-15'       | Very low            | Tall single trunk                                      |

**Recommended Decorative Plants**

| <b>Common Name</b><br>(Botanical Name)                             | <b>Water Demand</b> | <b>Notes</b>                           |
|--------------------------------------------------------------------|---------------------|----------------------------------------|
| <b>Desert Marigold</b><br>( <a href="#">Baileya multiradiata</a> ) | Low                 | Biennial                               |
| <b>Tufted Evening Primrose</b>                                     | Low                 | Perennial – maximum height of 4 inches |

| Common Name<br>(Botanical Name)                                       | Water<br>Demand | Notes                                                                               |
|-----------------------------------------------------------------------|-----------------|-------------------------------------------------------------------------------------|
| ( <a href="#">Oenothera caespitosa</a> )                              |                 |                                                                                     |
| <b>Penstemon</b> ( <a href="#">Variety of species</a> )               | Low             | Perennial – may reach 6 feet in height<br>Shades range from light pink to vivid red |
| <b>Angelita Daisy</b><br>( <a href="#">Hymenoxys acaulis</a> )        | Low             |                                                                                     |
| <b>Blue Flax</b><br>( <a href="#">Linum lewisii</a> )                 | Low             |                                                                                     |
| <b>Desert Globe Mallow</b><br>( <a href="#">Sphaeralcea ambigua</a> ) | Low             |                                                                                     |
| <b>Blue Gamma Grass</b><br>( <a href="#">Bouteloua gracilis</a> )     | Low             | Limited maintenance                                                                 |
| <b>Desert Lavender</b><br>( <a href="#">Hyptis emoryi</a> )           | Low             | Favored by honeybees                                                                |



# Staff Report

Item Number: 5.B.

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|                               |                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Agenda Item:</u></b>    | <b>Zoning Code Update Recommendation to the Planning Commission</b><br>Discuss, consider and act upon forwarding updated chapters: Chapter 1 Zoning Code of the Town of Clarkdale, Chapter 4 General Provisions, Chapter 7 Signs, Chapter 8 Outdoor Lighting Code, Chapter 9 Landscape Design Standards to Planning Commission for discussion.                                                           |
| <b><u>Staff Contact:</u></b>  | Ruth Mayday, Assistant Town Manager/Community Development Director                                                                                                                                                                                                                                                                                                                                       |
| <b><u>Meeting Date:</u></b>   | September 11, 2025                                                                                                                                                                                                                                                                                                                                                                                       |
| <b><u>Strategic Goal:</u></b> | This agenda item supports the following Clarkdale Strategic Goal Area: <ul style="list-style-type: none"><li>• Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.</li></ul>                                                                                                         |
| <b><u>Background:</u></b>     | <p>Now that the Citizens Advisory Committee (CAC) has reviewed and approved draft text amendments for the Town of Clarkdale's Zoning Code, the Committee can now forward these amendments to the Planning Commission for discussion and review. The Planning Commission will make any final changes to the language and approve the changes.</p> <p>Documents to consider are included with item 5a.</p> |
| <b><u>Budget Impact:</u></b>  | No budget impact.                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><u>Recommendation:</u></b> | Staff recommends that the Zoning Committee forward the updated chapters: Chapter 1 Zoning Code of the Town of Clarkdale, Chapter 4 General Provisions, Chapter 7 Signs, Chapter 8 Outdoor Lighting Code, Chapter 9 Landscape Design Standards to the Planning Commission for discussion and approval.                                                                                                    |



# Staff Report

Item Number: 6.A.

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**Agenda Item:**

**Chapter 3: Zoning Districts**

Discussion only regarding Chapter 3: Zoning Districts.

**Staff Contact:**

**Meeting Date:**

September 11, 2025

**Strategic Goal:**

This agenda item supports the following Clarkdale Strategic Goal Area:

- Goal Area 1 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.
- Goal Area 2 - Enhance the quality and availability of parks, recreation and cultural opportunities.
- Goal Area 3 - Strengthen and diversify our economy through cultivating a business-friendly climate for business attraction and strategically capitalizing upon tourism.
- Goal Area 4 - Plan for the maintenance and growth of quality infrastructure that is sustainable and resilient.
- Goal Area 5 - Strategically invest in organizational development to enhance efficiency and service delivery and to attract and retain an exemplary workforce.
- Goal Area 6 - Adopt water conservation strategies that prevent negative aquifer impacts and no degradation of Verde River flows.

**Background:**

**Budget Impact:**

**Recommendation:**

## CHAPTER 3

### ZONING DISTRICTS

#### Articles:

- ~~3-0140~~ ~~Single-Family Establishment of Districts Residential (R1)~~  
~~3-020~~ ~~Rural-Density Residential (R1-43)~~
- ~~3-020~~ ~~Low-Density Residential (R1-10)~~  
~~3-0320~~ ~~Single-Family Low- Medium Density Residential (R1-5A)~~  
~~3-0430~~ ~~Single-Family Medium Density Residential Limited (R1-5L)~~  
~~3-0540~~ ~~Single-Family and Limited Multiple-Family Medium-High Density Residential (R2)~~  
~~3-0650~~ ~~Multiple-Family High Density Residential (R3)~~  
~~3-0760~~ ~~Manufactured Home Residential (R4MHR)~~  
~~3-070~~ ~~Manufactured Home Residential Alternate (R4A)~~  
~~3-080~~ ~~Suburban Residential (RS3)~~  
~~3-0980~~ ~~Neighborhood Commercial (NC) Central Business District (CB)~~  
~~3-100~~ ~~090 Community Commercial (CC)~~  
~~3-110100~~ ~~Neighborhood Highway Commercial District (HNC)~~  
~~3-120~~ ~~110 Highway Commercial Central Business District (CBHC)~~  
~~3-110~~ ~~Light Industrial District (LI)~~
- ~~3-130~~ ~~120 Industrial District (I)~~  
~~3-140~~ ~~130 Open Space District (OS)~~  
~~3-150~~ ~~140 Planned Area Development Overlay (PAD)~~  
~~3-160~~ ~~150 Arts & Entertainment District Overlay~~  
~~3-160-010~~ ~~Purpose~~  
~~3-160-020~~ ~~District Boundaries~~  
~~3-160-030~~ ~~Design Guidelines~~  
~~3-160-040~~ ~~Exemptions~~  
~~3-170~~ ~~160 Historic Preservation District Overlay (HPD)~~  
~~3-170~~ ~~Exemptions~~

**Section 3-010 Establishment of Districts**

A. The following zoning districts are hereby established and are intended to implement the Town of Clarkdale General Plan vision.

| SYMBOL                    | DISTRICT                        | FORMER DISTRICTS |
|---------------------------|---------------------------------|------------------|
| Residential Districts     |                                 |                  |
| R1-43                     | Low Density Residential         | R1-L<br>RS3      |
| R-10                      | Low-Medium Density Residential  | R1               |
| R1-5                      | Medium Density Residential      | R1A              |
| R2                        | Medium-High Density Residential | R2               |
| R3                        | High Density Residential        | R3               |
| MHR                       | Manufactured Home Residential   | R4<br>R4A        |
| Non-Residential Districts |                                 |                  |
| NC                        | Neighborhood Commercial         | NC               |
| CC                        | Community Commercial            | C                |
| CB                        | Central Business District       | CB               |
| HC                        | Highway Commercial              | HC               |
| LI                        | Light Industrial                | -NEW-            |
| I                         | Industrial                      | I                |

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

|                              |                                       |            |
|------------------------------|---------------------------------------|------------|
| <u>OS</u>                    | <u>Open Space</u>                     | <u>OS</u>  |
| <b>Planned Area District</b> |                                       |            |
| <u>PAD</u>                   | <u>Planned Area Development</u>       | <u>PAD</u> |
| <b>Overlay Districts</b>     |                                       |            |
| <u>AOO</u>                   | <u>Arts and Entertainment Overlay</u> | <u>AOO</u> |
| <u>HPD</u>                   | <u>Historic Preservation Overlay</u>  | <u>HPD</u> |

B. All development plans approved as part of a rezoning action adopted prior to the Effective Date shall continue in force, except as may be modified in the future.

**3-170-010 Purpose**

**3-170-020 Historic Preservation Overlay District Designation**

**3-170-030 Development Standards**

**3-170-040 Application Process**

**3-170-050 Certificate of Appropriateness**

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

## **Section 3-010 Single-Family Residential (R1)**

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

1. Single-family dwellings, excluding mobile or manufactured homes.
2. Publicly owned or operated park, playground or community building.
3. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
4. Family Day Care Homes located on a public street.
5. Bed and Breakfast establishments in conformance with Section 4-150.
6. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational.

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

~~Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. (Created by Ordinance #409 on 11-10-20; Effective 12-10-20)~~

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

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

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

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

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

~~3. Churches, Synagogues, or other places of worship on lots of at least 10,000 square feet~~

~~4. Cemeteries~~

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

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

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

~~E. Maximum Lot Coverage Ratio: 0.3~~

~~F. Minimum Lot Size: 10,000 square feet per single family dwelling unit.~~

~~G. Minimum Lot Frontage: 60 feet.~~

~~H. Minimum Average Lot Width: 80 feet.~~

~~I. Minimum Yard Area Standards: Front - 20 feet~~

~~Side - 10 feet~~

~~Rear - 20 feet~~

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

**Section 3-~~020020~~Single-FamilyRural Density Residential (R1-~~43A~~)**

District Intent: Provide a low intensity residential use complimentary to rural uses with large parcels of land which may be accompanied by agricultural or personal animal keeping.

A. Principal Use Permitted: see Table 3-2 *Residential Permitted Uses Table*

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

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

C. Conditional Uses Permitted: (Requires a use permit); see Table 3-2 *Residential Permitted Uses Table*

D. Development Standards: see Table 3-1 *Residential Development Standards Table*

E. Signs: Sign standards for this district are stated in Section 7, Signs.

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

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

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

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

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

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

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

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

~~E. Maximum Lot Coverage Ratio: 0.4~~

~~F. Minimum Lot Size: 5,000 square feet per single-family dwelling unit.~~

~~G. Minimum Lot Frontage: 50 feet.~~

~~H. Minimum Average Lot Width: 50 feet.~~

~~I. Minimum Yard Area Standards: Front—15 feet~~

~~Side—5 feet~~

~~Rear—15 feet~~

~~J. Signs: Signs standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code 5-3-2)~~

### **Section 3-0320 ~~Single-Family Residential Limited~~Low Density Residential (R1-10L)**

District Intent: Provide large suburban style residential opportunities for a transition between rural and more suburban living styles with detached housing options.

A. Principal Use Permitted: see Table 3-2 Residential Permitted Uses Table

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

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

C. Conditional Uses Permitted: (Requires a use permit); see Table 3-2 *Residential Permitted Uses Table*

D. Development Standards: see Table 3-1 *Residential Development Standards Table*

E. Signs: Sign standards for this district are stated in Section 7, Signs.

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

1. Single-family dwellings, excluding mobile or manufactured homes.
2. Publicly owned or operated park, playground or community building.
3. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
4. Family Day Care Homes located on a public street.
5. Bed and Breakfast establishments in conformance with Section 4-150.
6. Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use, subject to additional regulations in Town Code Article 10-2, Smoking, and Article 8-8, Recreational Marijuana, and Chapter 4-230, Recreational and Medical Marijuana, herein. (Created by Ordinance #409 on 11-10-20; Effective 12-10-20)

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

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

C. Conditional Uses Permitted: (Required a use permit).

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

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

~~3. Churches, Synagogues, or other places of worship on lots of at least 43,560 square feet (1 acre) and located on a public street.~~

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

~~5. Cemeteries.~~

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

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

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

~~E. Maximum Lot Coverage Ratio: 0.2~~

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

~~G. Minimum Lot Frontage: 100 feet.~~

~~H. Minimum Average Lot Width: 140 feet.~~

~~I. Minimum Yard Area Standards: Front – 30 feet~~

~~Side – 10 feet~~

~~Rear – 30 feet~~

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

### **Section 3-~~040030~~Single-Family and Limited Multiple FamilyMedium Density Residential (R1-52)**

District Intent: To provide a suburban lifestyle option more similar to larger planned communities with smaller lot sizes with detached housing units near a more urban area with access to community amenities.

A. Principal Use Permitted: see Table 3-2 Residential Permitted Uses Table

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

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

C. Conditional Uses Permitted: (Requires a use permit); see Table 3-2 Residential Permitted Uses Table

D. Development Standards: see Table 3-1 Residential Development Standards Table

E. Signs: Signs standards for this district are stated in Section 7, Signs.

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

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

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

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

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

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

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

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

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

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

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

- ~~1. Home Occupations which do not adhere to the provisions of Section 4-110.~~
- ~~2. Apartment buildings exceeding four (4) units per building.~~
- ~~3. Churches, synagogues or other places of worship on lots of at least 10,000 square feet.~~
- ~~4. Hospitals, public schools or private schools located on collector or arterial streets.~~
- ~~5. Day Care Centers.~~
- ~~6. Cemeteries.~~
- ~~7. Medical Marijuana Caregiver Facility. (Created Ordinance #331 -- Effective 04/08/11)~~
  - ~~a. Applicant is required to obtain a Home Occupation License.~~

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

~~E. Maximum Lot Coverage Ratio: 0.4~~

~~F. Minimum Lot Size:~~

- ~~1. 8,000 square feet per single-family dwelling unit.~~
- ~~2. 4,000 square feet per dwelling unit for structures exceeding detached single-family homes.~~

~~G. Minimum Lot Frontage:~~

- ~~1. 60 feet for a single-family dwelling unit.~~
- ~~2. 90 feet for two (2), three (3) or four (4) unit structures.~~
- ~~3. 120 feet for apartment complexes.~~

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

**I. Minimum Yard Area Standards:**

Front- 20 feet

Rear- 20 feet

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

J. Signs: Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code 5-3-4)

**Section 3-0540 Multiple Medium-High Density Family Residential (R32)**

District Intent: A more intense residential dwelling type which has access to a collector or arterial road and community amenities and may consist of attached or detached housing units.

A. Principal Uses Permitted: see Table 3-2 Residential Permitted Uses Table

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

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

C. Conditional Uses Permitted: (Requires a use permit); see Table 3-2 Residential Permitted Uses Table

D. Development Standards: see Table 3-1 Residential Development Standards Table

E. Signs: Sign standards for this district are stated in Section 7, Signs.

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

1. Any use permitted by right in the R2 zone district.

2. Multiple family dwelling structures.

~~3.—Churches, hospitals, schools and cemeteries.~~

~~4.—Convalescent homes and retirement centers.~~

~~5.—Bed and breakfast establishments, boarding and rooming houses.~~

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

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

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

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

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

~~2.—Day Care Centers.~~

~~3.—Golf Courses and Country Clubs including social and dining activities.~~

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

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

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

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

~~E.—Minimum Lot Size:~~

~~1.—8,000 square feet for single-family use.~~

2. ~~4,000 square feet per unit for two (2), three (3) or four (4) family structures.~~

3. ~~3,000 square feet per unit for apartment structures, with a minimum of 18,000 square feet.~~

4. ~~20,000 square feet for non-residential uses.~~

F. ~~Maximum Lot Coverage Ratio: 0.4~~

G. ~~Minimum Lot Frontage:~~

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

2. ~~90 feet for two (2), three (3) or four (4) unit structures.~~

3. ~~120 feet for apartment complexes and non-residential uses.~~

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

I. ~~Minimum Yard Area Standards:~~

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

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

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

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

### **Section 3-0650 ~~Manufactured Home~~High Density Residential (R43)**

District Intent: To provide higher intensity housing options which are attached and in close proximity to community services and amenities.

A. Principal Uses Permitted: see Table 3-2 Residential Permitted Uses Table

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

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

C. Conditional Uses Permitted; see Table 3-2 Residential Permitted Uses Table

D. Development Standards: see Table 3-1 Residential Development Standards Table

E. Signs: Sign standards for this district are stated in Section 7, Signs.

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

1. Manufactured Home Rental Parks

2. Manufactured Home Subdivisions

3. Recreational Vehicle Parks

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

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

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

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

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

2. All uses other than principal uses require a conditional use permit.

~~3.—Medical Marijuana Caregiver Facility. (Created Ordinance #331—Effective 04/08/11)~~

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

~~D.—Maximum Building Height:~~

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

~~E.—Minimum Lot Size:~~

~~1.—Manufactured Home Rental Park 5,000 square feet~~

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

~~F.—Maximum Floor Area Ratio: .4~~

~~G.—Minimum Lot Frontage: 30 feet.~~

~~H.—Minimum Average Lot Width: 50 feet.~~

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

~~Front—15 feet~~

~~Side—10 feet~~

~~Rear—10 feet~~

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

~~For Manufactured Home Subdivision:~~

~~Front—20 feet~~

~~Side—10 feet~~

~~Rear—15 feet~~

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

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

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

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

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

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

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

1. Site Area Required:

a. Minimum size, five (5) acres;

b. For each Manufactured Home space, 5,000 square feet of gross site area per Manufactured Home space.

2. Separation Requirements:

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

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

3. ~~Streets:~~

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

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

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

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

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

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

b. ~~A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of Certificate or License.~~

**6.—Use s of Manufactured Homes in Manufactured Home Rental Parks & Lots:**

a.— When authorized as provided elsewhere herein, such Manufactured Homes and their use shall comply with the following requirements: Manufactured Homes shall be modern, used as a dwelling for not more than one family unit, and shall be located on the site in accordance with the requirements for a permanent building; they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; they shall be connected to the Town sewer and water systems or as required by Town ordinances; accessory buildings and permanent additions shall be permitted as provided elsewhere, in the District in which located.

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

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

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

e.— No business shall be conducted within a Manufactured Home Rental Park except those that are for the operation of the park itself. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #409 on 11/10/20; effective 12/10/20; prior code 5-3-6)

**Section 3-0760 Manufactured Home Residential Alternate (MHRR4A)**

District Intent: To provide opportunities for manufactured/ factory-built housing not including mobile homes.

A. Principal Uses Permitted: see Table 3-2 Residential Permitted Uses Table

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

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

C. Conditional Uses Permitted: (Requiring a use permit); see Table 3-2 *Residential Permitted Uses Table*

D. Development Standards: see Table 3-1 *Residential Development Standards Table*

E. Signs: Sign requirements for this zone are outlined in Section 7, Signs.

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

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

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

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

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

F. Standards for Manufactured Home Rental Parks: (Excluding Manufactured Home Subdivisions).

1. Site Area Required:

a. Minimum size, five (5) acres;

b. For each Manufactured Home space; 5,000 square feet of gross site area per Manufactured Home space.

2. Separation Requirements:

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

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

3. Streets:

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

4. Plan Engineering and Traffic Engineering:

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

#### 5. Certificate of Occupancy and Business License:

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

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

b. A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of Certificate or License.

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

1. ~~Manufactured home rental parks~~
2. ~~Manufactured homes and manufactured home subdivisions~~
3. ~~Single-family homes~~

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

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

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

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

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

~~D. Maximum Building Height:~~

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

~~E. Minimum Lot Size. Minimum Lot Size:~~

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

~~2. Manufactured home Subdivision 8,000 square feet~~

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

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

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

~~I. Minimum Average Lot Width: 50 feet~~

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

~~Front- 15 feet~~

~~Side- 10 feet~~

~~Side adjacent to street-10 feet~~

~~Rear- 15 feet~~

~~For manufactured home rental parks:~~

~~Front- 15 feet~~

~~Side- 10 feet~~

~~Side adjacent to street-10 feet~~

~~Rear- 10 feet~~

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

~~L. Use of Manufactured Homes in a Manufactured Home Subdivision and Lots.~~

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

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

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

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

M. ~~Standards or Manufactured Home Rental Parks: (Excluding Manufactured Home Subdivisions).~~

1. ~~Site Area Required:~~

a. ~~Minimum size: five (5) acres.~~

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

2. ~~Separation Requirements:~~

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

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

3. ~~Driveways:~~

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

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

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

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

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

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

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

**Table 3-1 Residential Development Standards Table**

| <b>District</b>                     | <b>R1-43</b>                | <b>R1-10</b>        | <b>R1-5</b>        | <b>R2</b>          | <b>R3</b>                                                                                                                                                  | <b>MHR</b>                                                                                                    |
|-------------------------------------|-----------------------------|---------------------|--------------------|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>Maximum Building Height (ft)</b> | <u>35 ft</u>                | <u>35 ft</u>        | <u>35 ft</u>       | <u>35 ft</u>       | <u>45 ft</u>                                                                                                                                               | <u>18 ft</u>                                                                                                  |
| <b>Maximum Lot Coverage</b>         | <u>20%</u>                  | <u>30%</u>          | <u>40%</u>         | <u>50%</u>         | <u>50%</u>                                                                                                                                                 | <u>40%</u>                                                                                                    |
| <b>Minimum Lot Size</b>             | <u>1 acre, 43,560 sq ft</u> | <u>10,000 sq ft</u> | <u>5,000 sq ft</u> | <u>4,000 sq ft</u> | <u>4,000 sq ft per unit for two (2), three (3) or four (4) family structures</u><br><u>20,000 sq ft for non-residential uses</u>                           | <u>MH Rental Park: 5,000sq ft</u><br><u>MH Subdivision: 8,000 sq ft</u>                                       |
| <b>Minimum Average Lot Width</b>    | <u>100 ft</u>               | <u>60 ft</u>        | <u>50 ft</u>       | <u>40 ft</u>       | <u>60 ft</u>                                                                                                                                               | <u>50 ft</u>                                                                                                  |
| <b>Minimum Front Yard Setback</b>   | <u>30 ft</u>                | <u>20 ft</u>        | <u>15 ft</u>       | <u>20 ft</u>       | <u>20 ft for residential uses</u><br><u>25 ft for non-residential uses</u>                                                                                 | <u>For MH rental parks: 15 ft</u><br><u>For MH Subdivision: 20 ft</u>                                         |
| <b>Minimum Side Yard Setback</b>    | <u>10 ft</u>                | <u>10 ft</u>        | <u>5 ft</u>        | <u>20 ft</u>       | <u>10 ft for single-story multi-unit structures</u><br><u>20 ft for multi-unit structures exceeding one-story</u><br><u>25 ft for non-residential uses</u> | <u>For MH rental parks: 10 ft</u><br><u>For MH Subdivision: 10 ft</u>                                         |
| <b>Minimum Rear Yard Setback</b>    | <u>30 ft</u>                | <u>20 ft</u>        | <u>15 ft</u>       | <u>15 ft</u>       | <u>15 ft for residential uses</u><br><u>25 ft for non-residential uses</u>                                                                                 | <u>For MH rental parks: 10 ft</u><br><u>Refer to 3-070 for exception.</u><br><u>For MH Subdivision: 15 ft</u> |

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

**Table 3-2 Residential Permitted Uses Table**

| <u>Use Category</u>     | <u>Specified Uses</u>                                                                | <u>Zoning Districts</u> |              |             |           |           |           |
|-------------------------|--------------------------------------------------------------------------------------|-------------------------|--------------|-------------|-----------|-----------|-----------|
|                         |                                                                                      | <u>R1-43</u>            | <u>R1-10</u> | <u>R1-5</u> | <u>R2</u> | <u>R3</u> | <u>MR</u> |
| <u>Agriculture</u>      | <u>Agricultural uses</u>                                                             |                         |              |             |           |           |           |
| <u>Household Living</u> | <u>Single-family, excluding mobile or manufactured homes</u>                         | <u>P</u>                | <u>P</u>     | <u>P</u>    | <u>P</u>  | <u>P</u>  |           |
|                         | <u>Two (2), three (3) and four (4) family dwelling units, excluding mobile homes</u> |                         |              |             | <u>P</u>  | <u>P</u>  |           |
|                         | <u>Apartment buildings exceeding four (4) units per building</u>                     |                         |              |             | <u>U</u>  |           |           |
|                         | <u>Multiple family dwelling structures</u>                                           |                         |              |             |           | <u>P</u>  |           |
|                         | <u>Manufactured Home Rental Parks</u>                                                |                         |              |             |           |           | <u>P</u>  |
|                         | <u>Manufactured Home Subdivisions</u>                                                |                         |              |             |           |           | <u>P</u>  |
|                         | <u>Accessory Dwelling Units (ADUs)</u>                                               | <u>P</u>                | <u>P</u>     | <u>P</u>    | <u>P</u>  | <u>P</u>  | <u>P</u>  |
|                         | <u>Accessory private garage/workshop</u>                                             | <u>P</u>                | <u>P</u>     | <u>P</u>    | <u>P</u>  | <u>P</u>  | <u>P</u>  |
|                         | <u>Accessory carports, utility rooms and recreation facilities</u>                   |                         |              |             |           |           | <u>P</u>  |
|                         | <u>Home Occupations not in adherence with the provisions of Section 4-110</u>        | <u>U</u>                | <u>U</u>     | <u>U</u>    | <u>U</u>  | <u>U</u>  | <u>U</u>  |

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

|                               |                                                                                                                                                                  |          |          |          |          |          |          |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|----------|----------|----------|----------|
| <u>Community Service</u>      | <u>Publicly owned or operated park or playground</u>                                                                                                             | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>U</u> |
|                               | <u>Community building</u>                                                                                                                                        | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>U</u> |
|                               | <u>Cemeteries</u>                                                                                                                                                | <u>U</u> | <u>U</u> | <u>U</u> | <u>U</u> | <u>P</u> | <u>U</u> |
| <u>Places of worship</u>      | <u>Religious institution and incidental facilities</u>                                                                                                           | <u>U</u> | <u>U</u> | <u>U</u> | <u>U</u> | <u>P</u> | <u>U</u> |
| <u>Day Care</u>               | <u>Family Day Care Homes located on public street</u>                                                                                                            | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>U</u> |
|                               | <u>Group Day Care Homes located on a public street</u>                                                                                                           | <u>U</u> | <u>U</u> | <u>U</u> | <u>P</u> | <u>P</u> | <u>U</u> |
|                               | <u>Day Care Centers</u>                                                                                                                                          |          |          |          | <u>U</u> | <u>U</u> | <u>U</u> |
| <u>Educational Facilities</u> | <u>Public schools located on collector or arterial streets</u>                                                                                                   |          |          |          | <u>U</u> | <u>P</u> | <u>U</u> |
|                               | <u>Private schools located on collector or arterial streets</u>                                                                                                  |          |          |          | <u>U</u> | <u>P</u> | <u>U</u> |
| <u>Medical Facilities</u>     | <u>Hospitals</u>                                                                                                                                                 |          |          |          | <u>U</u> | <u>P</u> | <u>U</u> |
|                               | <u>Convalescent homes</u>                                                                                                                                        |          |          |          |          | <u>P</u> | <u>U</u> |
| <u>Utility Installation</u>   | <u>Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>U</u> |
| <u>Outdoor recreation</u>     | <u>Golf courses or Country Clubs including social and dining activities</u>                                                                                      | <u>U</u> |          |          |          | <u>U</u> | <u>U</u> |

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

|                                             |                                                                                                                                                                              |          |          |          |          |          |          |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|----------|----------|----------|----------|
|                                             | <u>Private clubs, fraternities, sororities and lodges, except those whose chief activity is a service customarily carried on as a business</u>                               |          |          |          |          | <u>U</u> | <u>U</u> |
| <u>Overnight Accommodation</u>              | <u>Bed and Breakfast Establishment in conformance with Section 4-150</u>                                                                                                     | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>U</u> |
|                                             | <u>Boarding and rooming houses</u>                                                                                                                                           |          |          |          |          | <u>P</u> | <u>U</u> |
|                                             | <u>Recreational Vehicle Parks</u>                                                                                                                                            |          |          |          |          |          | <u>P</u> |
| <u>Medical Marijuana Caregiver Facility</u> | <u>Medical Marijuana Caregiver Facility*</u>                                                                                                                                 | <u>U</u> | <u>U</u> | <u>U</u> | <u>U</u> | <u>U</u> | <u>U</u> |
| <u>Recreational Personal Use</u>            | <u>Cultivation, possession, consumption, processing, manufacturing, and transportation of recreational marijuana at an individual's primary residence for personal use**</u> | <u>P</u> | <u>P</u> |          | <u>P</u> | <u>P</u> | <u>P</u> |

### **Section 3-0870 Suburban Residential (RS3) Neighborhood Commercial District (NC)**

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

A. Principal Permitted Uses; see Table 3-4 Residential Permitted Uses Table

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

**B. Accessory Uses (Not requiring a use permit)**

Accessory uses and caretaker's residence in conjunction with a permitted use

**C. Conditional Uses (Use Permit Required); see Table 3-4 Residential Permitted Uses Table****D. Development Standards: see Table 3-3 Non-Residential Development Standards Table****E. Performance Standards for Neighborhood Commercial.**

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

2. Uses shall not emit, dust, noise, odor or vibration onto adjacent properties.

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

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

5. Site Planning and Design including screening, noise, lighting and more shall be in conformance with Section 11, Design Review and Site Plan Review as well as Section 4, General Provisions, Section 9, Landscaping Design and Section 8, Outdoor Lighting.

**F. Signs: Sign requirements for this zone are outlined in Section 7.****Section 3-080 Community Commercial (CC)**

District Intent: The Community Commercial district's intent is to provide opportunities for regional commercial that offer goods and services located within close proximity to arterial and local highways which serve the local and adjacent communities.

**A. Principal Uses permitted: see Table 3-4 Residential Permitted Uses Table**

**B. Accessory Uses Permitted:**

1. Accessory uses and caretaker's facilities clearly incidental to and secondary to the use of the premises for business purposes.

**C. Conditional Uses Permitted: see Table 3-4 Residential Permitted Uses Table****D. Development Standards: see Table 3-3 Non-Residential Development Standards Table**

E. Site Planning and Design including screening, noise, lighting and more shall be in conformance with Section 11, Design Review and Site Plan Review as well as Section 4, General Provisions, Section 9, Landscaping Design and Section 8, Outdoor Lighting.

**F. Signs: Sign requirements for this zone are outlined in Section 7.****Section 3-090 Highway Commercial District (HC)**

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

**A. Principal Permitted Uses: see Table 3-4 Residential Permitted Uses Table****B. Accessory Uses in the Highway Commercial District**

1. Accessory uses and caretaker's residence in conjunction with a permitted use

**C. Conditional Uses: see Table 3-4 Residential Permitted Uses Table****D. Development Standards: see Table 3-3 Non-Residential Development Standards Table**

E. Site Planning and Design including screening, noise, lighting and more shall be in conformance with Section 11, Design Review and Site Plan Review as well as Section 4, General Provisions, Section 9, Landscaping Design and Section 8, Outdoor Lighting.

**F. Signs: Sign requirements for this zone are outlined in Section 7.**

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

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

- ~~1. Single-family dwellings, excluding mobile or manufactured homes.~~
- ~~2. Agricultural uses.~~
- ~~3. Publicly owned or operated park, playground or community building.~~
- ~~4. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.~~
- ~~5. Family Day Care Homes located on a public street.~~
- ~~6. Church and incidental facilities located on a public street.~~
- ~~7. Bed and Breakfast Establishment in conformance with Section 4-150.~~

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

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

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

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

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

~~E. Maximum Lot Coverage Ratio: 0.2~~

~~F. Minimum Lot Size: 3 acres (130,680 square feet) per single-family dwelling unit.~~

~~G. Minimum Lot Frontage: 150 feet.~~

~~H. Minimum Average Lot Width: 200 feet.~~

~~I. Minimum Yard Area Standards:~~

~~Front 30 feet (total of front and rear yard must meet or exceed 130 feet) Side 25 feet Rear 30 feet (total of front and rear yard must meet or exceed 130 feet).~~

~~J. Signs: Sign standards for this district are stated in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code 5-3-8)~~

### **Section 3-~~10090~~ Central Business District (CB)**

District Intent: The Central Business District's intent is to provide commercial and mixed-use opportunities for more of the downtown setting and developed areas within the Town and encourage uses which may be walkable as a commercial, office or even residential in use.

A. Principal Use Permitted: see Table 3-4 Residential Permitted Uses Table

~~-(Not requiring a use permit).~~

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

~~1. Amusement place in a completely enclosed building~~

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

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

4. ~~Bed and Breakfast Country Inn~~
5. ~~Commercial, trade and vocational schools~~
6. ~~Community Supported Agriculture (CSA) disbursement locations~~
7. ~~Farmers Markets~~
8. ~~Funeral Parlors without a crematorium~~
9. ~~Hotels and motels~~
10. ~~Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)~~
11. ~~Medical Marijuana Dispensary in a storefront location. (Created Ordinance #331— Effective 04/08/11)~~
12. ~~Museums~~
13. ~~Parking lots~~
14. ~~Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors and other personal service uses of a similar nature.~~
15. ~~Professional and business offices, including clinics, banks and financial institutions and medical/dental offices~~
16. ~~Public garage, including storage and repair in accordance with Subsection 1: Performance Standards #3: Storage facilities~~
17. ~~Marijuana establishments~~
18. ~~Religious institutions~~
19. ~~Repair shops for household small appliances, bicycles, and personal items~~

~~20. Residential uses including single-family and multi-family~~

~~21. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-160.  
(Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)~~

~~22. Retail sales including florist shops and greenhouses in connection with such shops~~

~~23. Self-service laundry and cleaning establishments~~

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

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

~~2. Accessory buildings complimentary to the primary use which support the main use.~~

C. Conditional Uses Permitted: see Table 3-4 Residential Permitted Uses Table

(Use permit required).

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

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

~~1. Agriculture Tourism~~

~~2. Agritourism Enterprise~~

~~3. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.~~

~~4. Croplands~~

~~5. Day Care Center (child or adult)~~

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

~~7. Medical Facilities, Licensed Inpatient and Outpatient~~

~~8. Outside display & sale of goods & merchandise; outside storage~~

~~9. Storage facilities~~

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

~~10. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)~~

~~11. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.~~

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

~~E. Minimum Lot Size: None~~

~~F. Minimum Lot Frontage: 25 feet~~

~~G. Maximum Floor Area Ratio: None~~

~~H. Minimum Yards Required: None~~

~~I. The Performance Standards for CB Districts are:~~

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

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

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

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

~~5. Noise- At no point on the boundary of residential or business zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the~~

designated octave-banks shown below (excluding operation of motor vehicles or other transportation facilities):

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

D. Development Standards: see Table 3-3 Non-Residential Development Standards Table

E. Site Planning and Design including screening, noise, lighting and more shall be in conformance with Section 11, Design Review and Site Plan Review as well as Section 4, General Provisions, Section 9, Landscaping Design and Section 8, Outdoor Lighting.

Sound levels shall be measured with a sound level meter and associated octave band filter manufacture according to standards prescribed by the American Standards Association.

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

Measurements shall be made using the flat network of the sound level meter. Impulsive type noise shall be capable of being accurately measure with equipment. Noises capable of being so measured, of the purpose of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels.

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

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

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

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

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

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

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

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

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

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

### **Section 3-100 — Commercial (C)**

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

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

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

- ~~1. — Amusement place in a completely enclosed building~~
- ~~2. — Artist Studios — art production on site is subject to the performance standards of the Commercial District~~
- ~~3. — Assisted living facilities including convalescent homes, hospice care and retirement centers~~
- ~~4. — Automobile, trailer, boat, or farm implement display, sales or rentals.~~
- ~~5. — Bed and Breakfast Country Inn~~
- ~~6. — Commercial, trade or vocational schools~~
- ~~7. — Community Supported Agriculture (CSA) disbursement locations~~

~~8. Farmers Markets~~

~~9. Funeral Parlors without a crematorium~~

~~10. Hotels and motels~~

~~11. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on-site shall be sold at retail on the premises. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)~~

~~12. Medical Facilities, Licensed Inpatient and Outpatient~~

~~13. Medical Marijuana Dispensary in a storefront location (Created Ordinance #331 -- Effective 04/08/11)~~

~~14. Museums~~

~~15. Park and ride facilities~~

~~16. Parking lots~~

~~17. Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature~~

~~18. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices~~

~~19. Public garages including storage and repair~~

~~20. Publicly owned or operated park, playground or building including public garages and storage yards in conformance with Subsection 1.3~~

~~21. Religions institutions~~

~~22. Repair shops for household small appliances, bicycles, and personal items (previously included with Dressmaking, et. al.)~~

~~23. Residential uses including single-family and multi-family~~

~~24. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-160.  
(Created 2/14/12 Resolution 13388 Ordinance 342; Effective 3/14/12)~~

~~25. Retail sales including florist shops and greenhouses in connection with such shops~~

~~26. Self-service laundry and cleaning establishments~~

~~27. Storage facilities in accordance with Subsection 1: Performance Standards #3: Storage facilities~~

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

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

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

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

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

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

~~1. Agriculture Tourism~~

~~2. Agritourism Enterprise~~

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

~~4. Campsites and recreational vehicle parks~~

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

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

~~7. Croplands~~

~~8. Day Care Center (child or adult)~~

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

~~10. Public Utilities~~

~~11. Wireless Communication Tower that meets or exceeds Federal Communications Commission standards, not to exceed 65 (sixty-five) feet in height. Height shall be measured as the distance from the base of the Wireless Communication Tower to the top of the Wireless Communication Tower. If the Wireless Communication Tower is attached to a building, height is the distance from the base of the building to the top of the Wireless Communication Tower. (Created 7/9/16 by Ordinance #352; Effective 8/9/13)~~

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

~~D. Development Standards for Commercial:~~

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

~~2. Minimum Lot Size: 24,000 square feet~~

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

~~4. Minimum Lot Width: 100 feet~~

~~5. Minimum Yard Setbacks:~~

~~a. Front – 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater~~

~~b. Side – None~~

~~c. Rear – 20 feet~~

~~6. For parcels that front on SR 89A, direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.~~

~~E. Performance Standards For C Developments:~~

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

| Maximum Sound Pressure |            |                        |
|------------------------|------------|------------------------|
| Octave                 | Bank       | Level in-              |
| Cycles                 | Per Second | Decibels               |
|                        |            | .0002 Dynes<br>per CM2 |
| 0 to                   | 75         | 72                     |
| 75 to                  | 150        | 67                     |

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| Maximum Sound Pressure |            |                        |
|------------------------|------------|------------------------|
| Octave                 | Bank       | Level in-              |
| Cycles                 | Per Second | Decibels               |
|                        |            | .0002 Dynes<br>per CM2 |
| 150 to                 | 300        | 59                     |
| 300 to                 | 600        | 52                     |
| 600 to                 | 1200       | 46                     |
| 1200 to                | 2400       | 40                     |
| 2400 to                | 4800       | 34                     |
| Above                  | 4800       | 32                     |

Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be capable of being accurately measured with equipment. Noises capable of being so measured, for the purposes of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels. Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

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

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density of smoke, the Ringelman Chart as published by the U.S. Bureau of Mines shall be the standard.

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

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

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

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

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

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

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

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

9/11/25 DRAFT

### **Section 3-110 — Neighborhood Commercial District (NC)**

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

#### **District Intent:**

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

#### **District Purpose:**

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

#### **A. Principal Permitted Uses**

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

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

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

3. Bed and Breakfast Country Inn

4. Commercial, trade or vocational schools

5. Community Supported Agriculture (CSA) disbursement locations

6. Farmers Markets

7. Funeral Parlors without a crematorium

8. Hotels and motels a maximum of two stories in height

9. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.

10. Museums

11. Park and Ride facilities

12. Parking lots

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

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

15. Public garages including storage and repair

16. Religious institutions

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

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

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

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

B. Accessory Uses (Not requiring a use permit)

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

C. Conditional Uses (Use Permit Required)

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

1. Agriculture Tourism

2. Agritourism Enterprise

3. Amusement facilities within a structure with sound containment

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

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

6. Croplands

7. Day Care Center (child or adult)

8. Dry cleaners

9. Halfway House with on-site staff (excluding treatment centers)

10. Laundry, self-service for individual use only

11. Medical Facilities, Licensed Inpatient and Outpatient

12. Outside display & sale of goods & merchandise for a limited period of time

13. Parking structures or garages, a maximum of two stories in height

14. Retail stores which involve any kind of manufacturing, processing or treating of products other than that which is clearly incidental to the retail business conducted on the premises

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

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

1. Maximum Building Height: 35 feet

2. Minimum Lot Size: 6,000 square feet

3. Minimum Lot Frontage: 50 feet

4. Minimum Lot Depth: 120 feet

5. Minimum Yard Setbacks:

a. Front - 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater

b. Side - None

c. Rear - 20 feet

6. For parcels that front on SR 89A, direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.

*E. Performance Standards for Neighborhood Commercial.*

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

2. Landscaping and paving Landscaping and paving – All open areas of an improved lot shall be maintained in a dust-free condition by landscaping with trees, shrubs, or suitable ground cover, natural organic or inorganic material. Twenty-five [25] percent of the total lot area or a minimum fifteen [15] foot wide strip of land adjacent to the street right of way. All landscaping shall be developed in accordance with the Town of Clarkdale's Landscape Ordinance (Chapter 9, Section 9-030).

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

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

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

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

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

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

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

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

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

### **Section 3-120 Highway Commercial District (HC)**

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

#### **A. District Intent:**

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

#### **District Purpose:**

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

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

1. Amusement facilities

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

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

4. Auto, trailer, boat, and farm implement display, sales and rental

5. Bed and Breakfast Country Inn

6. Commercial, trade or vocational schools

7. Community Supported Agriculture (CSA) disbursement locations

8. Farmers Markets

9. Funeral Parlors without a crematorium

10. Hotels and motels a maximum of two stories in height

11. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving

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

energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.

12. Medical Facilities, Licensed Inpatient and Outpatient

13. Museums

14. Park and Ride facilities

15. Parking lots

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

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

18. Public garages, including storage and repair, a maximum of two stories in height

19. Religions institutions

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

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

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

23. Retail sales

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

C. Accessory Uses in the Highway Commercial District

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

**D. Conditional Uses [Use Permit Required]**

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

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

1. Agriculture Tourism

2. Agritourism Enterprise

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

4. Car wash automatic or self-service

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

6. Croplands

7. Day Care Center (child or adult)

8. Dry cleaners

9. Halfway House with on-site staff (excluding treatment centers)

10. Laundry, self-service for individual use only

11. Outside display & sale of goods & merchandise for a limited period of time

12. Public Utilities

13. Storage facilities in accordance with Subsection 1: Performance Standards #3: Storage facilities

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

**E. Development Standards for Highway Commercial**

1. Maximum Building Height: 50 feet

2. Minimum Lot Size: 12,000 square feet

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

3. Minimum Lot Frontage: 100 feet

4. Minimum Lot Depth: 120 feet

5. Minimum Yard Setbacks: 20 feet

a. Front – 20 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater

b. Side – None

c. Rear – 20 feet

6. For parcels that front on SR 89A, direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.

*F. Performance Standards for Highway Commercial.*

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

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

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

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

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

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

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

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

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

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

### **Section 3-110 Light Industrial District (LI)**

District Intent: Provide light employment and manufacturing opportunities within the community which are of more intense than standard commercial but do not impact the area with outdoor noise, smell or vibrations to allow for economic growth and employment within the Town.

A. Principal Uses permitted: see Table 3-4 Non-Residential Permitted Uses Table

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

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

1. Accessory uses and caretaker's facilities clearly incidental and secondary to the use of the premises for business purposes.

C. Conditional Uses Permitted: see Table 3-4 Non-Residential Permitted Uses Table

D. Development Standards: see Table 3-3 Non-Residential Development Standards Table

E. Performance Standards for Light Industrial District:

1. Site Planning and Design including screening, noise, lighting and more shall be in conformance with Section 11, Design Review and Site Plan Review as well as Section 4, General Provisions, Section 9, Landscaping Design and Section 8, Outdoor Lighting.

2. Storage Facilities-Outside storage and display shall be permitted provided:

a. It is setback from the street or public right-of-way so as not to obstruct pedestrian or vehicular traffic and to allow necessary visibility of traffic signal, signs and approaching traffic.

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

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

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

**Commented [JS2]:** Again keep or leave it to the site plan requirements and PW design requirements.?

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

3. Uses shall not emit, dust, noise, odor or vibration onto adjacent properties.

F. Signs: Signs in conformance with Section 7, Signs.

G. The Sign Standards for Neighborhood Commercial are outlined in Chapter 7 of the Town of Clarkdale Zoning Code. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; Revised by Ordinance #430 on 8/13/24; effective 9/14/24; prior code 5-3-12)

### **~~Section 3-130 — 89A Corridor Commercial Overlay District~~**

**~~(Repealed by Ordinance #430)~~**

### **Section 3-1130 Industrial District (I)**

District Intent: Provide employment and manufacturing opportunities within the community which are of a more intense use to allow for economic growth and employment within the Town.

A. Principal Uses permitted: [see Table 3-4 Non-Residential Permitted Uses Table](#)

(Not requiring a use permit):

1. Any principal permitted use in the Commercial district.
2. Wholesale establishments, warehouses and self-storage units.
3. Laboratories, research, design and testing when conducted completely within an enclosed building.
4. Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games and electrical or electronic apparatus.
5. Manufacture or assembly of boats, bolts, nuts, screws, rivets, ornamental iron products, firearms, electrical appliances, tools, dies, machinery and hardware products and sheet-metal products.
6. Manufacture or storage of food products including candy, dairy and ice cream and fruit and vegetable processing and canning.
7. Manufacture of rugs, mattresses, pillows, quilts, millinery, clothing, hosiery and fabrics, and printing and finishing of textiles and fibers into fabric goods.
8. Manufacture and/or fabrication of boxes, crates, furniture, cabinets, baskets, veneer and other wood products of a similar nature.
9. Manufacture of clay, stone or glass products including brick, cement, lime or composites.
10. Truck stop, transfer terminal or freight warehouse.
11. Lumber yards and mill work plants.
12. Sexually Oriented Businesses.
13. Medical or Recreation Marijuana Processing Facility. (Created Ordinance #409 11-10-20—Effective 12-10-20)
14. Marijuana Testing Facility.

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

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

C. Conditional Uses Permitted: see Table 3-4 Non-Residential Permitted Uses Table

(Use Permit Required). (Amended 7/9/13 by Ord #352; Eff 8/9/13); (Revised by Ord #384; Res-1543; Adopted 5/9/17; Eff 6/9/17) D. Development Standards: see Table 3-3 Non-Residential Development Standards Table

1. ~~Agriculture Tourism.~~
2. ~~Agritourism Enterprise.~~
3. ~~Compounding of chemicals, petroleum, coal, and allied products, such as: acids and derivatives, ammonia, chlorine; distillation, manufacture or refining of coal, tar, asphalt or wood; refining or wholesale storage of petroleum, gasoline or lubricating oils.~~
4. ~~Croplands.~~
5. ~~Quarrying, extracting, grinding or crushing of earth or minerals.~~
6. ~~Reduction, refining, smelting, or alloying of metal and metal ores.~~
7. ~~Auto salvage or junkyard.~~
8. ~~Wireless Communication Tower that meets or exceeds Federal Communications Commission standards. (Created 7/9/13 by Ordinance #352; Effective 8/9/13)~~
  - a. ~~Facilities within Zone A as indicated on the following map shall not exceed 200 (two hundred) feet.~~
  - b. ~~Facilities in all other areas of the Industrial Zoning District shall not exceed 65 (sixty-five) feet.~~
9. ~~Any use not listed by determined by the Community Development Director to be similar in industrial character and use. (The Board of Adjustment shall have authority to hear and decide appeals where it is alleged by the appellant that there is error in any order or~~

~~decision made by an administrative official of the Town of Clarkdale based on or made in the enforcement of the Zoning Ordinance. (Created 7/9/13 by Ordinance #352; Effective 8/9/13)~~

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

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

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

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

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

~~H. Minimum Yards Required:~~

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

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

~~IE. Performance Standards for Industrial Districts:~~

~~1. Site Planning and Design including screening, noise, lighting and more shall be in conformance with Section 11, Design Review and Site Plan Review as well as Section 4, General Provisions, Section 9, Landscaping Design and Section 8, Outdoor Lighting. Traffic and Curbs- No Industrial development will be permitted which permits or encourages vehicular traffic to back into the street right-of-way, or otherwise unduly restricts or interrupts the normal flow of traffic. Curbs shall be installed in front of each developed parcel (as required by staff).~~

~~2. Landscaping and Paving- All open areas of an improved lot shall be maintained in a dust-free conditions by landscaping with trees, shrubs, or suitable groundcover. Undisturbed natural growth is encouraged, however, covering with material which will provide an all-weather surface as an alternative.~~

32. Storage Facilities-Outside storage and display shall be permitted provided:
- a. It is setback from the street or public right-of-way so as not to obstruct pedestrian or vehicular traffic and to allow necessary visibility of traffic signal, signs and approaching traffic.
  - b. Display or storage areas are kept free of litter and debris.
  - c. Goods, merchandise and materials are properly secured against theft, vandalism or lost.
  - d. Display or storage areas are established and maintained in conformance with fire access standards of the 2003 International Fire Code.

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

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

~~Maximum Sound Pressure~~

| <del>Octave</del> | <del>Bank</del>   | <del>Level in-</del> |
|-------------------|-------------------|----------------------|
| <del>Cycles</del> | <del>Per-</del>   | <del>Decibels</del>  |
|                   | <del>Second</del> | <del>.0002-</del>    |
|                   |                   | <del>Dynes-</del>    |
|                   |                   | <del>Per-</del>      |
|                   |                   | <del>CM2</del>       |
| <del>0</del>      | <del>to</del>     | <del>75</del>        |
| <del>75</del>     | <del>to</del>     | <del>150</del>       |

Maximum Sound Pressure

| Octave<br>Cycles |    | Bank<br>Per-<br>Second | Level in-<br>Decibels<br>.0002-<br>Dynes-<br>Per-<br>CM2 |
|------------------|----|------------------------|----------------------------------------------------------|
| 150              | to | 300                    | 59                                                       |
| 300              | to | 600                    | 52                                                       |
| 600              | to | 1200                   | 46                                                       |
| 1200             | to | 2400                   | 40                                                       |
| 2400             | to | 4800                   | 34                                                       |
| Above            |    | 4800                   | 32                                                       |

Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be capable of being accurately measured with equipment. Noises capable of being so measured, for the purposes of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus, or minus, two decibels. Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

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

~~36.~~ Smoke-No emission of smoke from any source shall be permitted to exceed a greater density that ~~described as No. 1 on the Ringleman Chart~~ is permitted within the Town of Clarkdale Codet. However, smoke may be emitted, which is equal to, but, not darker than No. 2 on the Ringleman Chart for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau Mines shall be the standard.

~~74.~~ Glare or Heat-Any activity producing intense glare or heat shall be performed ~~within a completely enclosed building~~ in such a manner as not to create a nuisance or hazard along the lot lines.

~~85.~~ Odors-No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such manner as to create a nuisance or hazard along the lot lines.

~~96.~~ Vibration-No vibration shall be permitted which is discernible beyond the lot line to the human sense of touch for three (3) minutes or more duration in any one (1) hour of the day between the hours of 7:00 am to 7:00 pm, or of thirty (30) seconds or more duration in any one (1) hour period during the hours between 7:00 pm to 7:00 am.

~~740.~~ Fly, Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution- No emission shall be permitted which can cause damage to persons, animals or vegetation or other forms of property.

~~148.~~ Liquids and Solid Wastes-No wastes shall be discharged into the streets, drainage ways or onto any property which is dangerous to the public health and safety, and no waste shall be discharged into the public sewer system which endangers the normal operations of the public sewer system.

~~192.~~ In any Industrial area, access from any state or federal highway shall be a minimum four hundred 400 feet between driveways and shall be approved by the Zoning Administrator of the Town of Clarkdale.

~~130.~~ Screening-An owner of industrial property adjacent to any property having a zoning classification other than industrial shall, at the time of development or redevelopment of his property and at his own expense, construct a screen or barrier between his and the adjoining property. The screen may consist of plants and/or a fence or wall of solid

~~construction as described by the Town of Clarkdale upon application of the owner at the time his property is developed or redeveloped. Shall be in conformance with Section 4, Design Review and Site Plan Review as well as Section 4, General Provisions.~~

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

### **Section 3-1240 Open Space District (OS)**

District Intent: Provide open areas and green spaces where applicable that provide public areas that are beneficial to the community either in areas such as but not limited to: recreation, community gathering, corridors, active or passive open space areas or similar uses.

A. Principal Uses Permitted: see Table 3-4 Non-Residential Permitted Uses Table

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

B. Accessory Uses Permitted:

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

C. Conditional Uses Permitted: see Table 3-4 Non-Residential Permitted Uses Table

- ~~1. Outdoor recreational facilities, including horse stables, golf courses, and campgrounds.~~

2. ~~Municipal facilities, including public buildings, fire stations, visitor centers, and cemeteries.~~

D. ~~Development Standards: see Table 3-3 Non-Residential Development Standards Table~~

D. ~~Development Standards:~~

1. ~~For any development other than undisturbed open space, the development standards for Maximum building Height, Minimum Lot Size, Minimum Lot Frontage, Minimum Lot Width, and Minimum Yards Required shall be the same as the adjacent use district, and where more than one adjacent use district is indicated, the more restrictive district shall be used;~~

2. ~~Landscaping: Subject to Section 9, Landscape Standards. For development within open space areas, a development envelope shall be designated for purposes of identifying undisturbed native plant area and area subject to landscaping requirements. All areas disturbed by the development or construction process, including building areas, parking areas, and staging areas, shall be included in the required calculations for landscaping, and shall be subject to landscaping requirements.~~

3. ~~Parking: Subject to Section 4-120.~~

4. ~~Parking and Loading.~~

5E. ~~Signs: Subject to the Sign Code in Section 7. (Revised by Ordinance #436 on 12/10/24; effective 1/10/25; prior code 5-3-15)~~

**Table 3-3 Non-Residential Development Standards Table**

| <b>District</b>                       | <b><u>NC</u></b>   | <b><u>CC</u></b>    | <b><u>HC</u></b>    | <b><u>CB</u></b> | <b><u>LI</u></b>    | <b><u>I</u></b>     | <b><u>OS</u></b>                                                                                 |
|---------------------------------------|--------------------|---------------------|---------------------|------------------|---------------------|---------------------|--------------------------------------------------------------------------------------------------|
| <b><u>Maximum Building Height</u></b> | <u>35 ft</u>       | <u>50 ft</u>        | <u>50 ft</u>        | <u>50 ft</u>     | <u>50 ft</u>        | <u>60 ft</u>        | <u>For any development other than undisturbed open space, the development standards for Max.</u> |
| <b><u>Minimum Lot Size</u></b>        | <u>6,000 sq ft</u> | <u>24,000 sq ft</u> | <u>12,000 sq ft</u> | <u>None</u>      | <u>20,000 sq ft</u> | <u>35,000 sq ft</u> |                                                                                                  |
| <b><u>Minimum Lot Frontage</u></b>    | <u>50 ft</u>       | <u>200 ft</u>       | <u>100 ft</u>       | <u>25 ft</u>     | <u>100 ft</u>       | <u>200 ft</u>       |                                                                                                  |

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

|                                         |                                                                                                                                                                                 |                                                                                                       |                                                                                                       |             |                                                                                                                         |                                                                                                                         |                                                                                                                                                                                                 |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Minimum Lot Depth</u>                | <u>120 ft</u>                                                                                                                                                                   | <u>100 ft</u>                                                                                         | <u>120 ft</u>                                                                                         | <u>None</u> | <u>N/A</u>                                                                                                              | <u>N/A</u>                                                                                                              | <u>Building Height, Min.</u>                                                                                                                                                                    |
| <u>Minimum Lot Width</u>                | <u>N/A</u>                                                                                                                                                                      | <u>N/A</u>                                                                                            | <u>N/A</u>                                                                                            | <u>N/A</u>  | <u>100 ft</u>                                                                                                           | <u>150 ft</u>                                                                                                           | <u>Lot Size, Min. Lot</u>                                                                                                                                                                       |
| <u>Minimum Front Yard Setback</u>       | <u>20 ft or min. standards required by state or federal highway departments, whichever is greater</u>                                                                           | <u>20 ft or min. standards required by state or federal highway departments, whichever is greater</u> | <u>20 ft or min. standards required by state or federal highway departments, whichever is greater</u> | <u>None</u> | <u>50 ft. / When abutting State or U.S. Highway, must fulfill the state and federal requirements for all structures</u> | <u>50 ft. / When abutting State or U.S. Highway, must fulfill the state and federal requirements for all structures</u> | <u>Frontage, Min. Lot Width, and Min. Yards required shall be the same as the adjacent use district. When there is more than one adjacent use, the most restrictive district shall be used.</u> |
| <u>Minimum Side Yard Setback</u>        | <u>None</u>                                                                                                                                                                     | <u>None</u>                                                                                           | <u>None</u>                                                                                           | <u>None</u> | <u>When adjacent to residential use – 10 ft</u>                                                                         | <u>When adjacent to residential use – 10 ft</u>                                                                         |                                                                                                                                                                                                 |
| <u>Minimum Rear Yard Setback</u>        | <u>20 ft</u>                                                                                                                                                                    | <u>20 ft</u>                                                                                          | <u>20 ft</u>                                                                                          | <u>None</u> | <u>20 ft</u>                                                                                                            | <u>20 ft</u>                                                                                                            |                                                                                                                                                                                                 |
| <u>For parcels that front on SR 89A</u> | <u>Direct or indirect access to State Route 89A must be provided through either an access permit from ADOT or interconnection of on-site circulation with adjacent parcels.</u> |                                                                                                       |                                                                                                       |             |                                                                                                                         |                                                                                                                         |                                                                                                                                                                                                 |

Commented [JS3]: Need to combine width

**Table 3-4 Non-Residential Permitted-Uses Table****Section 3-1530 Planned Area District Overlay (PAD)**

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

1. Provide for various types and combinations of land uses (such as commercial centers, single and multi-family housing, industrial complexes, mixed-uses and public spaces) through the adoption of preliminary and final development plans;
2. To establish planning and development control parameters while allowing sufficient flexibility to permit final detailed planning at the time of actual development, and to permit flexibility deviations in land use, site design, placement of buildings, use of open spaces, and other development features;
3. To encourage and permit unified planning to achieve a compatible mixture and variety of land uses within the PAD and with the existing and anticipated development in the surrounding area;
4. To accomplish the purpose of zoning and other regulations to an equivalent or higher degree than where such regulations are designed to control development on individual lots; and
5. To promote economical and efficient land use, & improved level of amenities, appropriate and harmonious variety, creative design, and a better environment.

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

1. *Scope.*

- a. The development of a PAD may utilize a phasing plan. proceed by increments to be called "development units."
- b. The PAD is intended to replace traditional rigid zoning regulations with development standards suited to the individual development. The permitted uses allowed, the yard, height, area requirements, and other requirements within the district shall be those approved in the preliminary and final development plans. In cases where requirements are not specified in the development plans, the requirements of the equivalent zoning district shall apply. PAD regulations shall apply generally to the initiation and regulations of all PAD Districts. Where there are conflicts

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between ~~special~~ PAD regulations ~~and the underlying zoning district~~, these ~~PAD approved PAD~~ regulations ~~by Town Council and stipulations~~ shall ~~apply in the PAD~~ unless the Commission or Town Council shall find in the particular case, at the time of re-zoning applications, that the provisions herein do not serve the public to a degree at least equivalent to such general zoning, or other regulations ~~govern~~.

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

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

- a. Be a single development operation or a definitely programmed series of development operations.
- b. Be for principal and accessory structures and uses substantially related to the character and purposes of the district.
- c. Be developed according to a preliminary development plan that includes the locations of land uses, streets, utilities, and final development plans for all buildings, and other uses and improvements on the land as related to the buildings.
- d. Include a program for provision, operation, and maintenance of any areas, facilities, and improvements designated for common use.

Commented [JS4]: Need to revise here.

3. ~~Uses Permitted.~~ The Planned Area Development ~~shall be used only for the following: uses shall be listed within the PAD Narrative or in the absence of a permitted use list, the underlying zoning district.~~

- a. ~~Single-family, two-family, multi-family, detached, semi-detached and attached dwellings.~~
- b. ~~Mobile home parks and subdivisions in accordance with the provisions of this Ordinance and any additional requirements of the Commission or Town Council may deem necessary to fulfill the intent of the requirements herein.~~

- ~~c. Home occupations when indicated as part of the development plan or with approval of a use permit.~~
- ~~d. Community facilities and public areas such as schools, parks and playgrounds.~~
- ~~e. Neighborhood retail uses and other non-residential uses limited to those enumerated in the C and CB Districts may be specifically and selectively authorized as to type and size only when integrated by design as an essential element of the development, and only in areas proposed for said uses as approved in the preliminary development plan.~~
- ~~f. Industrial uses in accordance with the provisions of the Industrial District.~~
- ~~g. Accessory uses and structures; such uses and structures may be located in the front one-half (½) of a lot, provided they are not nearer the front lot line than the main building or buildings.~~
- ~~h. Public Utility Installations.~~
- ~~i. Signs when submitted as part of the development plan or within the following general sign provisions.~~

#### 4. Lot and Yard Requirements.

- a. The yard requirements for a PAD shall be those approved in the preliminary PAD development plan. In cases where yard requirements are not specified in the development plan, the yard requirements of the equivalent underlying zoning district shall apply.
- b. The average overall density of residential areas in the PAD shall not exceed that indicated by the Density Chart for PADSTown of Clarkdale General Plan. Open spaces and recreational areas within the PAD may be included in land totals to calculate the average overall density.

~~The Density for PADS shall be set forth below:~~

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

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

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

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

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

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

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

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

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

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

- a. Declaration of public use space for parks, schools, recreation areas, etc.
- b. Coordination of street layout with existing or planned streets.
- c. Preservation of natural features, such as trees, hilltops, water courses, and archaeological sites.

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

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- e. Proof of adequate sanitary sewage and water system.
- f. Adequate fire protection.
- g. ~~Schedule of plan implementation~~ Phasing Plan including infrastructure.
- h. Additional issues of public interest as determined by the Community Development Director.

6. Application & Development Plan.

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

An application to establish a PAD shall be filed by

1. The owner or owners having title to all of the property in the area proposed for the PAD.

b. Application Documents Required.

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

- I. A legal description of the parcel;
- II. An area map showing existing zoning & land uses surrounding the site;
- III. The location and type of land uses, and their area in acres; The proposed residential density of each residential area, and a calculation of the average overall density;
- V. A table of the proposed site development standards for use type;
- VI. The proposed circulation system;
- VII. The proposed methods for water, sewer and drainage; and
- VIII. The proposed phasing plan if applicable.

2. PAD Narrative including the following:

- a. The proposed parcel numbers and total acreage
- b. A table depicting the proposed development standards for each land use
- c. A table listing out the permitted land uses for each category
- d. How the proposed plan conforms to the Clarkdale General Plan and referencing which sections of the General Plan
- e. How the site will impact the surrounding communities
- f. A table depicting the utility providers for the project
- g. Any other applicable items determined by the Community Development Director
- 3. A Drainage Study and Plan if required by the Town staff
- 4. A Traffic Impact Statement or Study as determined by Town staff
- 5. Application and Owner Authorization Forms signed
- 6. Application fees paid to the Town

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

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

a. *Major Amendments.*

1. A PAD applicant or his successors in interest may file a request for a major amendment with the Community Development Department.
2. The change will be deemed major if it involves any one of the following:

- I. An increase in the approved totals number of dwelling units ~~or gross-leaseable area~~ for the PAD.
- II. A ~~significant~~ change in land use boundaries from those approved for the PAD ~~as determined by the Community Development Director~~.
- III. ~~Any land use~~ change which could have significant impact on areas adjoining the PAD as determined by the Community Development Director.
- IV. Any change which could have a significant traffic impact on roadways adjacent or external to the PAD as determined by the Community Development Director.

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

4. The Community Development Department will bring the major amendment before the Planning Commission and Town Council and will ~~submit background material and a staff report and provide a~~ recommendations.

b. *Minor Amendments.*

1. A PAD applicant or his successors in interest may file a request for a minor amendment with the Community Development Department.
2. The request will then be routed for comment to any affected Town departments or other agencies for comment.
3. Upon receipt of comments, the Community Development Director will determine whether the requested change is minor or major.
4. If the requested change is determined to be minor, an amended plan shall be submitted for public record.

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

Commented [J55]: ??

~~7. Application & Development Plan.~~

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

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

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

~~b. *Development Plans Required.*~~

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

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

~~2. *Final Development Plan.* Prior to development, a final development plan must be approved by the Town Council. The final development plan (s) shall adhere to the development standards approved under the preliminary development plan, and shall conform to the requirements and format of a preliminary subdivision plat, as delineated in the Subdivision Regulations for the Town of Clarkdale.~~

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

8. *Enforceability.*

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

- i. It is the responsibility of the owner to notify all prospective purchasers of all or part of the property within the district of the existence of the PAD and the PAD Program contained therein.
- ii. Conformance with the PAD shall be enforced by ~~recordations~~recordations of the appropriate deed restrictions for each parcel of property within the district, prior to the issuance of building permits, for each development unit.
- iii. Notification and recordation as provided above shall be required in order to retain the unitary aspect of the district

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

- ~~i. The hearing shall be held within thirty (30) days of the date of the written notice and shall follow Commission procedure for hearings.~~
- ~~ii. The Commission may determine good cause for such deficiencies and may, in conjunction therewith, entertain an application to amend the development phasing schedule.~~
- ~~iii. The Commission may determine that there is not good cause for such deficiency, and in such event may impose additional restrictions on the applicant.~~

~~to ensure future compliance with the PAD Program including, but not limited to, the filing of such periodic reports as the Commission shall require to enforce this provision.~~

~~c. At such time that the Commission shall determine that the current owner of any portion of the Planned Area Development District is not in compliance with a provision of the PAD Program or the public dedication or improvement schedules, no further approval of final development plans or subdivision plats shall occur for that portion. Such determination of noncompliance shall be at a public hearing. The applicant and current owner(s) shall receive written notice of hearing~~

## **Article 3-160 Section 3-140 Arts & Entertainment Overlay District**

### **ARTS & ENTERTAINMENT OVERLAY DISTRICT**

~~3-160-010 Purpose~~

~~3-160-020 District Boundaries~~

~~3-160-030 Design Guidelines~~

~~3-160-040 Exemptions~~

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

~~A. Section 3-160-010 Purpose~~

~~The purpose of this overlay district is three fold:~~

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

**B. Section 3-160-020 District Boundaries**

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

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

**C. Section 3-160-030 Design Guidelines**

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

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

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

- Varied roof lines

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

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

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

### **Section 3-160-040 — Exemptions**

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



**Section Article 3-170150**

**Historic Preservation District Overlay (HPD)**  
**ISTORIC PRESERVATION**  
**DISTRICT (HPD)**

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

**3-170-010 — Purpose****3-170-020 — Historic Preservation Overlay District Designation****3-170-030 — Development Standards****3-170-040 — Application Process****3-170-050 — Certificate of Appropriateness****3-170-060 — Demolition and Moving of Buildings and Structures****Section 3-170-010 — Purpose**

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

1. Protecting, preserving, and enhancing the significant elements of the historical, architectural, cultural, and archaeological heritage of the Town;
2. Encouraging the identification and recognition of significant historic resources;
3. Encouraging the sensitive adaptation of historic properties to modern uses;
4. Ensuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within the Clarkdale Historic District are carried out in a manner which is not detrimental to the historic integrity of the district;
5. Encouraging the identification and protection of prehistoric and historic archaeological resources and enhancing the value of the Historic District and properties;
6. Protecting and preserving those properties within the Town that are valuable to the preservation of the community character and identity;
7. Preserving and enhancing the attractiveness of the Town to potential home buyers and business interests; and

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

8. Supporting historic tourism and promoting commercial development and economic benefit to the Town. ~~(Created by Ordinance #424 on 1/14/25; effective 2/13/25)~~

### **Section 3-170-020 — Historic Preservation Overlay District Designation**

The Historic Preservation District is an overlay zone. Overlay zones supplement the existing zoning by establishing additional requirements that are applied to the underlying zoning district. Participation by property owners into the Historic Overlay District is voluntary. To participate and obtain the benefits provided by this article, property owners must sign an opt-in form. ~~If a property owner signs an opt-in form and later decides not to participate in the Historic District, their participation can be withdrawn by signing an opt-out form. Property owners within the boundaries of the Historic Preservation District may opt-in or opt-out at any time.~~

**Commented [JS6]:** What is the point if you can always opt out if the point is preservation. Should remove opt out offering.

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

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

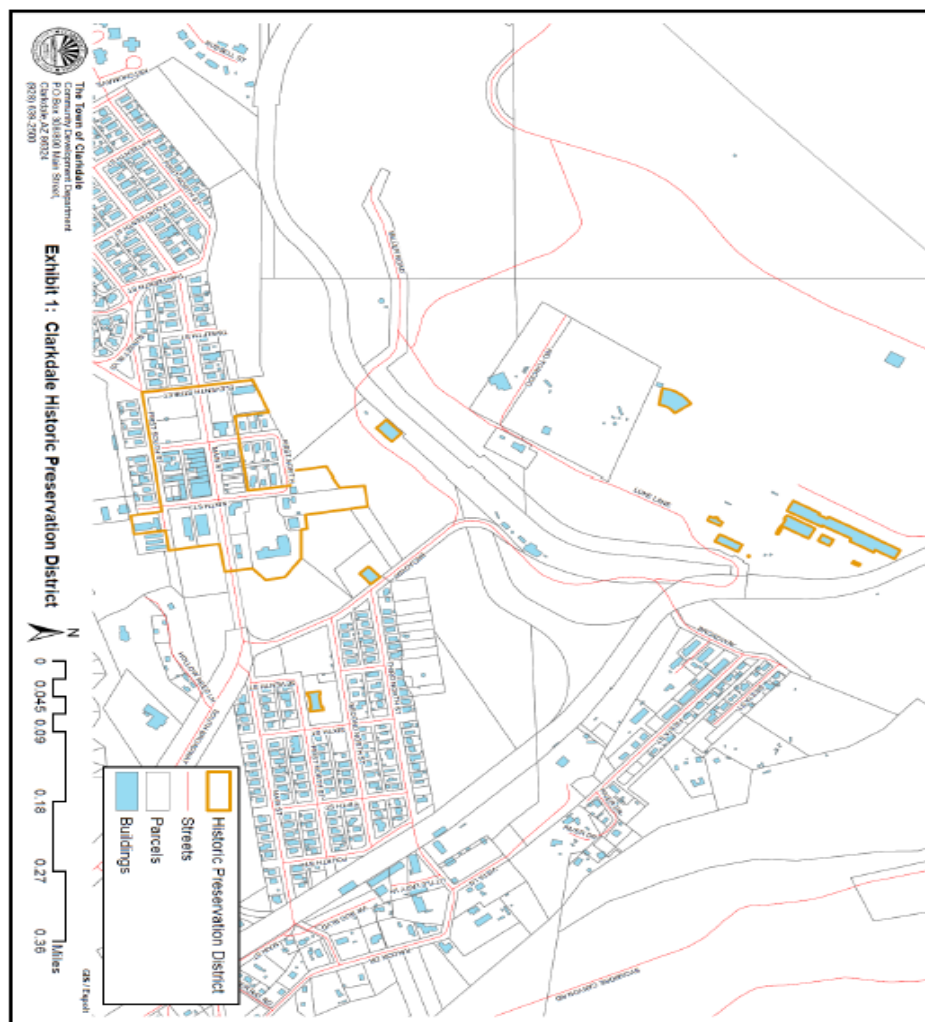
- c. Accelerated permitting of historic preservation projects; and
- d. Waived application fees for historic preservation projects.

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

### **Section 3-160 Exemptions**

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

#### **Exhibit 1: Clarkdale Historic Preservation District Boundary**



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

D. The Historic Preservation District Design Guidelines shall be in line with Section 6, Historic Preservation Overlay Design Guidelines.

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

**Section 3-170-030 — Development Standards**

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

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

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

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

**Exhibit 2: Town of Clarkdale Streetscape**



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

1. To the extent possible, incorporation of design features such as parapet walls, cornices, friezes, dentil trim, metal canopies, canvas awnings, clerestory windows, transom windows, storefront display windows, recessed doorways and bulkheads should be utilized. New construction or additions should be compatible with, yet distinguishable from, existing buildings in the district.

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

**Exhibit 3: Historic Building Architectural Elements**



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

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

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

**Exhibit 4: Rooflines and Parapet Walls**



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

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

~~1. Varied roof lines and parapet walls are required for new construction.~~

~~2. Preservation and restoration of existing parapet walls are required.~~

~~3. Metal roofing is acceptable.~~

~~4. Rooftop mechanical equipment shall be screened from public view. For corner lots, equipment shall be screened from both front and side elevation.~~

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

~~1. Large storefront display windows may be recommended.~~

~~2. Wood is recommended for doors, trim and accenting the doorway and entry.~~

~~3. Windows shall be glass and shall be vertical in orientation and may be single, double hung, or fixed.~~

~~4. Steel may be used for doors and window frames if painted to match or anodized and compatible with the building.~~

~~5. Rounded arches are encouraged when feasible in new construction and preserved or restored in existing structures.~~

~~6. The use of wood for doors is strongly encouraged.~~

~~7. The use of canopies and awnings is allowed.~~

#### **Exhibit 5: Door Frame and Entry Features**



Exhibit 5A: Wood Door



Exhibit 5B: Storefront Detail

~~E. Site Features.~~

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

1. The purpose of this section is to provide instruction for site features to enhance new construction and maintain continuity within the district. These features include but are not limited to walkways, benches, street lighting, paving materials, walls, stairs and landscaping. These features must be appropriate to the scale and character of the Historic Preservation District as follows:

- a. Landscaping shall be drought tolerant. Building planter beds or containers are allowed and drip irrigation is recommended. The property owner is responsible for maintaining plants in live condition.
- b. Lighting shall not detract from the historic character of the structure and must comply with Section 8-070.
- c. Benches shall be of similar form and character with existing benches on Main Street and shall be securely fastened to concrete footings or sidewalk and shall not detract from the character of the Historic Preservation District.
- d. Outdoor sidewalk cafes are allowed and regulated through a separate permit application and shall be compliant with Section 4-160. The application can be submitted concurrent with the review process set forth in Section 3-170-030.

2. All other development and performance standards are as found in the underlying zoning district. (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

### **Section 3-170-040 — Application Process**

A. Prior to submitting a building permit application in the Historic Preservation District, the applicant shall schedule a pre-application review (PAR) meeting with the Community Development Department staff to review the required application submittals and review process.

B. All building permit applications for existing structures located in the Historic Preservation District, or proposed new construction located in the Historic Preservation District, shall be reviewed by the Historic Preservation Specialist, for classification as either a minor or major certificate of appropriateness as set forth in Section 3-170-050.

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

~~1. When a building permit is sought from the Town to demolish, alter, remodel, move, build, renovate or otherwise develop or landscape property in the Clarkdale Historic Preservation District, issuance of the permit shall be deferred until after a certificate of appropriateness is obtained.~~

~~2. Permits with special circumstances that require a variance, including but not limited to the size, height, locations and number of signs, the location of off-street parking, required screening and landscaping, the height of fences and walls, and the number of required off-street parking and loading spaces, may be recommended for approval through the certificate of appropriateness process. Such variances shall meet the following findings of fact:~~

- ~~a. Are not contrary to health, safety, or best interest of the public.~~
- ~~b. Enforcement of the provision shall cause an unnecessary hardship that is neither economic nor a self-imposed harm.~~
- ~~c. Condition unique to the property which was not created by the property owner.~~
- ~~d. The variance has no adverse effect on surrounding properties or the general public.~~
- ~~e. The variance does not conflict with the characteristics that make the property eligible for the National Register of Historic Places.~~
- ~~f. Practical difficulties or unnecessary hardship would result in having to comply strictly with the Zoning Ordinance.~~
- ~~g. No changes are made to underlying zoning districts or General Plan land use designations.~~

~~3. All other development and performance standards not found listed herein shall comply with the underlying zoning district.~~

4. ~~Nothing in this article shall be construed to prevent ordinary maintenance, cleaning, or repair of any structure in the Historic Preservation District which does not alter or modify the historic character of the structure.~~ (Created by Ordinance #424 on 1/14/25; effective 2/13/25)

### **Section 3-170-050 — Certificate of Appropriateness**

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

1. ~~Site plan: Shall include topography, vegetation, property lines, building, on-site circulation, and adjacent building footprints, streets, rights-of-way, curb cuts, driveways, sidewalks, signage, lighting, fences, and walls.~~
2. ~~Exterior elevations: Shall include doors, windows, architectural features, and elevation marks from finished grade to highest point of eaves, roof ridge, or parapet walls.~~
3. ~~Rehabilitation, remodel, or restoration plans: Shall include identification of features proposed for preservation and proposed for replacement.~~
4. ~~Floor plans: For reference only, to help understand the overall plan.~~
5. ~~Materials and colors: Shall depict proposed building façade, materials and colors.~~
6. ~~Historic photographs: Shall provide project context, elements and compatibility with adjacent properties.~~
7. ~~Color renderings: Provide finished project illustrations to show post-improvement compatibility with adjacent properties.~~
8. ~~Landscape plan: May be required; Chapter 9, Landscape Design Standards, will apply.~~
9. ~~Other requirements, depending on scope of project and at the discretion of the Community Development Director:~~
  - a. ~~Traffic impact analysis.~~

~~b. Preliminary and final plats or development plans.~~

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

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

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

- ~~1. All proposed work shall not diminish, eliminate, or adversely affect the historic character of the subject property or its effect on the Clarkdale Historic Preservation District.~~
- ~~2. All work is subject to review and approval by the Building Official, Public Works Director, Town Engineer, and any other agency having jurisdiction over the project.~~
- ~~3. The major COA includes anything that constitutes substantial work, including but not limited to alteration, restoration, new construction, demolition, or other significant activities.~~

4. The major COA requires a public hearing before the Historic Preservation Commission. Notice shall be given in conformance with the notification process for public hearings before the Planning Commission.

5. The Historic Preservation Commission shall recommend approval of the application, approval with stipulations, or denial of the application. The Commission may also send the application back to the Historic Preservation Specialist for additional work.

6. The application shall then be forwarded to Town Council with a recommendation of approval, approval with stipulations, or denial.

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

1. Is compatible with the relevant historic, cultural, educational, or architectural qualities and characteristics of the property; and

2. Does not diminish or adversely impact the integrity of the Clarkdale Historic Preservation District;

3. Prior to forwarding the decision of the Historic Preservation Commission to the Town Council, the Historic Preservation Commission shall affirm whether the project conforms to the following findings of fact:

a. Conforms to the Design Guidelines for the Historic Preservation District.

b. Meets all applicable adopted building codes of the Town of Clarkdale.

c. Does not diminish or adversely impact the integrity of the Historic Preservation District.

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

### **Section 3-170-060 — Demolition and Moving of Buildings and Structures**

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

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

A. No permit shall be issued to move or demolish all or any part of a building, or other structure in the Historic Preservation District, without approval of a major or minor certificate of appropriateness as established in Section 3-170-050.

B. Request for a demolition permit shall be exempt from these requirements if the Building Official determines, according to the criteria set forth in adopted codes, that the building is an imminent safety hazard to the public and that necessary repairs would be impractical. The Building Official shall first notify the Historic Preservation Specialist in writing before issuing the demolition permit.

C. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year. A subsequent demolition application may be made and granted for a property that has previously been the subject of a one (1) year demolition permit denial if new facts or circumstances can be presented in support of the application.

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

1. The redevelopment or reuse plan cannot be comprised of vacant land or propose no use to replace the demolished structure.

2. A redevelopment or reuse plan shall consist of a site plan illustrating the location of building, parking, walls, and landscaping, as well as building elevations that depict roof lines, doors, windows, and other architectural details.

3. A redevelopment or reuse plan shall also meet the requirements for Site Plan Review as set forth in Section 11-110.

4. A demolition approval may be conditioned on stipulations that provide for rights of access to the property for the purposes of documentation, including photo documentation, or for agreed upon removal of artifacts.

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

#### **Exhibit 6: Certificate of Appropriateness Process**

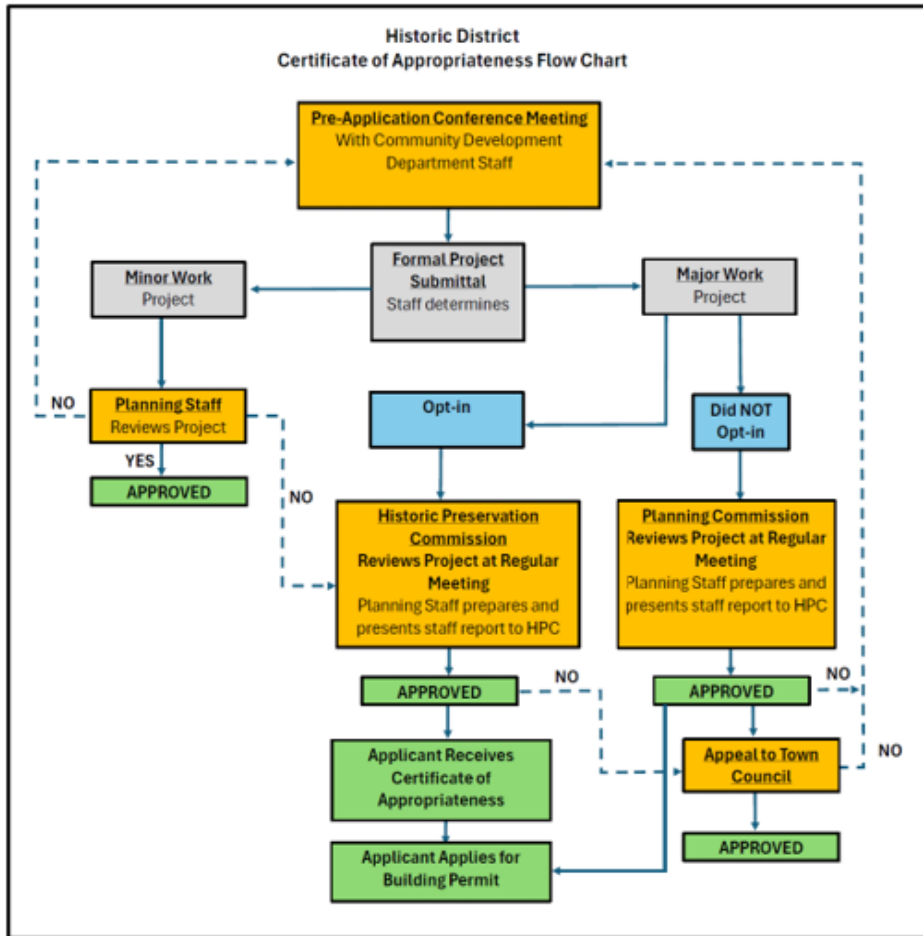
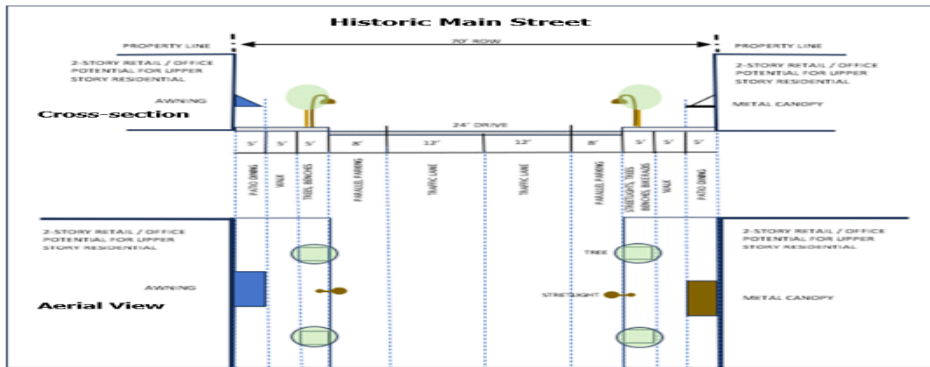


Exhibit 7: Historic Main Street Configuration



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

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

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

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

Town Telephone: (928) 639-2400

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

Hosted by General Code.

9/11/25 DRAFT

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