

## General Provisions

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**Section 4-1** 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 distant at least three (3) feet from all alley lines.
  - c. They shall be distant at least three (3) feet from adjoining lot lines with exception of zone R1A, where they may be distant at zero (0) feet from all alley lines.
  - d. They are not erected more than six (6) months prior to the erection of the principal building.
  - e. They are located as specified in a Conditional Use Permit.
  - f. They do not exceed fifteen (15) feet in height.
2. Multiple dwelling units are required to have storage facilities as follows:
  - a. Minimum of twenty-four (24) square feet per unit.
  - b. One (1) side must be at least four (4) lineal feet.
  - c. Minimum of one (1) exterior entrance.
  - d. Conform to all other requirements of codes in effect.

**Section 4-2** Campers and Motor Homes

- A.** Self-powered vehicle or travel trailers not designed for attachment to a lot shall not by any definition be deemed a residence or be used as such in any zoning district except in accordance with Section 10-1-21B of the Town Code of the Town of Clarkdale, Arizona, or during construction and only so long as a 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 RV's or travel trailer shall be provided through the establishment of a temporary power connection of adequate amperage, on a free-standing pole of adequate construction.

**Section 4-3** Lots in Two Districts

- A.** Where a district boundary line divides a lot which was in single ownership and of record at the time a district boundary line becomes effective thereon, the other district requirements applying to the most restricted portion of such lot shall be considered as extending to the entire lot.

**Section 4-4** Corner Lots

- A. On every corner lot there shall be provided, along the side street adjacent to the side containing the front entry door, a side yard equal in depth permitted in the R4A Zoning District.
- B. Corner Visibility: On any corner lot in a “Residence” District, no building, fence, structure, shrubbery or planting, such as will obstruct street traffic visibility, within a radius of twenty (20) feet of the intersection of any two (2) street lines shall be permitted higher than four (4) feet.

**Section 4-5** Reducing Lot Areas

- A. No lot shall hereafter be so reduced in area after a building permit is granted as to cause any open space required by this Ordinance to be less in any dimension that is herein required for the District and lot in question.

**Section 4-6** Swimming Pools

- A. In a Residential District:
  - 1. Shall be owned and operated by a public agency, or
  - 2. Shall be an accessory to a residential use, or
  - 3. Shall be an accessory to a non-residential use which is permitted in such a district,
  - 4. Shall be located no nearer than ten (10) feet to any property line
  - 5. Shall be so walled or fenced as to prevent uncontrolled access by children from the street or any adjacent property.
- B. In a Commercial or Business District:
  - 1. Shall comply with the regulations set forth in Section 4-6A above if the pool is for residential use.
  - 2. If the pool is for commercial use, it shall be enclosed by a solid wall, fence, or chain link fence a minimum of six (6) feet in height.

**Section 4-7** Payment By Owner Of Professional Services Deemed Necessary By Town Council

- A. In the event the Building Official or the Town Council finds it necessary to use the professional services of any person, either in their regular employ or retained outside of their regular employ, in connection with approval and acceptance of any lot, structure, or performance standard, said services shall be paid for by the owner of the property under consideration.

**Section 4-8** Fence Height

- A. Fence height in the R1L and RS3 zone districts shall be as follows:
1. Fences exceeding four (4) feet in height may be permitted in required front yard areas adjacent to streets provided:
    - a. They are a minimum 80% open (chain link, split rail, pipe, wrought iron and stock fences are examples);
    - b. A sight distance triangle is maintained at the intersection of two (2) street, or a street and alley, measured thirty-five (35) feet along the edges of easement or right-of-way, the third side being a diagonal connection the first two (2);
    - c. A sight distance triangle is maintained at the intersection of a street and a driveway measured twenty (20) feet along the edge of the right of way or easement, and driveway, the third side being a diagonal connecting the two (2); and
    - d. The property is developed such that access to streets may be taken in a forward manner.
  2. Fences may not exceed four (4) feet in height in required front yard areas adjacent to streets or exterior side yards of a reverse corner lot, if they:
    - a. Are less than 80% open; or
    - b. They are located within a sight distance triangle as defined in Section 4-8 A 1. b or c are maintained.
- B. Fence height in residential districts other than the R1L or RS3 zone districts shall be as follows:
1. Fences may not exceed four (4) feet in height in required front yard areas.
  2. Fences may exceed four (4) feet in height along the exterior side yard of a corner lot provided sight distance triangles as defined in Section 4-8 A 1. b or c are maintained;
  3. Fences may not exceed four (4) feet in height along the exterior side yard of a reverse corner lot;
  4. Fences may exceed four (4) feet in height along the rear yard of a through lot provided:
    - a. All adjacent through lots have their front yards facing the same street; and
    - b. Sight distance triangles as defined in Section 4-8 A 1. b or c are maintained.

- C. Maximum fence height in residential districts may not exceed six (6) feet, except at gated entryways, where pillars or posts and a single crossbar only, may exceed such 6 foot height.
- D. Fences adjacent to streets in the Commercial (C) and Industrial (I) zone districts may exceed four (4) feet provided sight distance triangles as defined in Section 4-8 A 1. b or c. are maintained.
- E. All fences exceeding six (6) feet in height must meet minimum standards for wind load and design standards, as certified by a State of Arizona licensed engineer.
- F. The use of barbed wire and similar materials is not allowed unless specifically approved, in writing, by the Community Development Department. The use of electric fences is strictly prohibited.
- G. Height Limit Exceptions: Height limitations shall not apply to fire stations, church spires, domes, belfries, monuments, water tank towers, fire towers, observation towers, transmission towers.

**Section 4-9** Miscellaneous Projections of an Architectural Member

- A. Any architectural member or feature otherwise permitted to project into a yard shall be distant not less than three (3) feet from any lot line.

**Section 4-10** Yard Encroachments

- A. Cornices, canopies, eaves, or any architectural features may extend into a front yard for a distance not to exceed two (2) feet, six (6) inches.
- B. A landing or uncovered porch may extend into the front yard to a distance of six (6) feet measured from the front line of the building, across one-half ( $\frac{1}{2}$ ) 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 three (3) feet may be placed around said landing or porch. Outside stairways, unroofed and unenclosed, shall not project more than four (4) feet into any rear yard or side yard, or be closer than three (3) feet to any lot line. Terraces, steps, uncovered porches, or other similar features not over three (3) feet above the average natural grade and distant at least five (5) feet from every lot line, may project into a required side yard.
- D. In the R4A zoning districts the stairs leading from the ground to the landing shall be installed to ensure pedestrian traffic be directed away from the street adjacent to the structure. Landings and stairs shall be permitted to encroach on the established ten (10) foot side yard setback a maximum of three (3) feet.

**Section 4-11** Home Occupation Standards

- A. Home Occupations, where permitted, shall be subject to all of the following provisions:
1. HOME OCCUPATIONS: The business shall be clearly incidental and subordinate to the use of the property and dwelling unit for dwelling purposes; and not change the character of the exterior of the structure.
  2. AREA: No more than twenty-five percent (25%) of the gross floor area of the dwelling and no more than twenty-five percent (25%) of the property shall be devoted to the Home Occupation.
  3. EMPLOYEES: There shall be no more than two (2) part-time employees, each working no more than thirty-two (32) hours per week.
  4. DELIVERY VEHICLES: No business shall be conducted which requires delivery vehicles or other services not customary to a residence.
  5. NUISANCES: there shall be no external evidence of the activity such as outdoor storage, displays, noise, dust, fumes, vibrations, or other nuisances discernable beyond the property line.
  6. SIGNS: One non-illuminated sign, not to exceed two (2) square feet in area.
  7. TRAFFIC: The business shall not generate traffic which unreasonably disrupts the neighborhood.
  8. HOURS OF OPERATION: Noise shall not be generated before sunrise or after sunset.
  9. PARKING: Off-street parking is required as set forth in the Town Zoning Code Section 4-12. For one (1) family and two (2) family dwellings, two (2) parking spaces per family dwelling unit. For multi-family dwellings or condominiums of three (3) or more family units, one & one-half (1 ½) parking spaces per family dwelling unit.
  10. FIRE INSPECTIONS: The Town shall conduct fire safety inspections of all structures where Home Occupations will be conducted.

**Section 4-12**     Off Street Parking and Loading

A. In all zoning districts there shall be provided at the time any new building or structure is erected, off-street parking spaces as set forth in the following subsections. Any existing building or use which is enlarged, altered, increased in capacity, or in which the use or occupancy is changed to the extent of increasing off-street parking requirements, shall provide additional off-street parking space.

1. Standards for off-street parking:

**a. Residential Uses:**

|                                  |                               |
|----------------------------------|-------------------------------|
| Multi Family, Efficiency & 1-Bed | 1.5/dwelling unit             |
| 2 or more Bedroom Units          | 2/dwelling unit               |
| Manufactured Home Units          | 2/dwelling unit               |
| Fraternity, Boarding House       | 1/sleeping unit               |
| Group Care Facilities            | ½ sleeping units + 1/employee |

**b. Office and Service Uses:**

|                               |   |
|-------------------------------|---|
| General Offices               | 1/250 square feet   |
| Medical Offices               | 4 /practitioner + ½ employees                                       |
| Day Care Centers              | 1 /each 8 clients + 1 / employee                                    |
| Veterinary Hospitals, Clinics | 3 / practitioners   |
| Hotel, Motel                  | 1 / sleeping unit   |
| Beauty, Barber Shop           | 3 / practitioner  |
| Mortuary                      | 1 / 3 seats + 1 / business vehicle                                  |
| Self-service Laundry          | 1 / 4 machines  |
| Restaurant, Bar, Nightclub    | 1 / 4 seating capacity+<br>5 stacking sp. per<br>drive-through lane |
| Hospital                      | 1 / bed + 1 / 2 Employees   |

**c. Retail Sales and Services:**

|   |  |
|---|--|
| General Retail                                  | 1 / 200 square feet  |
| Banks, Financial Institutions                   | 1 / 250 square feet +<br>5 stacking spacer per<br>Drive-through lane |
| Motor Vehicle & Machinery Sales                 | 1/ 200 square feet of<br>Indoor office/display area.                 |
| Motor Vehicle Repair, Accessory<br>Installation | 2 / service stall, min. of 6 spaces                                  |
| Furniture, Major Appliance Stores               | 1/ 400 square feet   |
| Car Wash  | 4 / bay + 1 /employee  |

**d. Education, Religious, Recreation, Assembly:**

|  |   |
|--|---|
| Elementary and Jr. High Schools                  | 2 / classroom                                 |
| High Schools                                     | 1 / 4 students                                |
| Colleges, Universities                           | 10/ classroom                                 |
| Place of Worship                                 | 1 / 4 seats + assembly                        |
| Fitness Center                                   | 3 / 4 capacity                                |
| Golf Course                                      | 59 / 9 holes                                  |
| Commercial Recreation Facility                   | 1 / 4 total capacity                          |
| Fraternal Lodge                                  | 1 / 4 total capacity                          |
| Auditorium, Sports Arena, Theater,<br>Stadium    | 1 / 4 seats (24"/Seat)                        |
| Exhibition Hall, Assembly<br>(Non-fixed seating) | 1 / 100 sq. ft., or<br>1 / 5 occ. (Fire code) |

**e. Industrial Uses:**

|                              |  |
|------------------------------|--|
| Manufacturing, Fabrication   | 1 / 1000 sq. ft., or 1.5 employees,<br>which-ever is greater |
| Warehouse                    | 1 / 2000 sq. ft. + parking for vehicles used<br>on site.     |
| Self-storage, Mini-warehouse | 24 ft. wide aisles + caretaker parking.                      |

f. **For mixed use developments:** required off-street parking spaces shall be the sum of those for individual uses, unless it is demonstrated that intended uses are compatible for shared parking facilities.

g. **Uses not mentioned:** The required off-street parking for any building, structure or use of land of a type not listed in this subsection shall be determined by the Zoning Administrator. The Zoning Administrator shall be guided by comparison with the parking standards for similar uses which are listed in this, or other Zoning Codes.

h. **Exempted Areas:** Lots 1 - 10, Block 44, the westerly ½ of Lot 10 and Lots 11 - 16, Block 45 Clarkdale Subdivision are exempt from the standards specified in Section 4-12 A 1.a 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 ten (10) feet wide for one-way travel and twenty (20) feet wide for two-way travel.
  - c. Each parking space shall consist of an area of not less than nine (9) feet in width by twenty (20) feet in length, except that the length may be reduced to eighteen (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 ten (10) feet in width, thirty-five (35) feet in length, and fourteen (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 (10) 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.
3. Location Standards for off-street Parking:
- a. Off-street parking space required herein shall be located on the lot, except that required parking space for any use amounting to ten (10) such spaces or more may be located in any permissible location not farther than three hundred (300) feet distant in a direct line from the nearest part of such use.
  - b. Spaces utilized for ingress and egress for a parking area shall not exceed forty (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.
4. The Town will require engineered plans for grading, parking space and striping design, drainage retention/detention facilities, culvert location and size, etc. for off-street parking facilities within the Town of Clarkdale and

must be designed by a Registered Professional Engineer. These plans may require the need for a hydrologic study by a licensed professional in conformance with the Yavapai County Drainage Criteria Manual.

5. The Town Engineer shall review such plans for adequacy and may require more in depth reports if needed. If the submitted plan is approved by the Town Engineer, no design changes for construction will be permitted unless approved by the Town Engineer.
6. Upon completion of the development of the parking area and other required physical improvements, the developer's engineer of record shall provide and certify a set of "as built" construction plans to the Town Engineer, stating that all the required improvements have been completed in conformance to the specifications and standards as submitted for construction. This shall include horizontal as well as vertical verification of improvements.
7. No Certificate of Occupancy shall be issued until the "as-built" plans have been submitted and approved by the Town Engineer.

**Section 4-13**     Parking Lots and Driveways Abutting Residence District

- A. Whenever a parking lot or a driveway to a parking lot is hereafter established in other than a R1, R2, R3, R4, or R4A District so as to adjoin the side or abut the rear line of a lot in one (1) of these listed Districts, a solid masonry wall, or substantial solid fence six (6) feet high, shall be constructed and maintained along said side or rear lot line up to, but not beyond, the front setback building line. In addition, in all use districts, the lighting, including any permitted illuminated sign, on any parking lot or driveway shall be arranged so that there will be no annoying glare directed or reflected toward residence buildings of R1, R2, R3, R4, or R4A Districts.

**Section 4-14**     Rear Yards In Business and Commercial Zones-Loading and Unloading

- A. In a business and industrial district, every building erected on an interior lot, extending back to an alley or on a lot eighty (80) feet or more in depth, located at the intersection of a street with an alley shall provide on such lot, adequate space for loading and unloading of trucks and commercial vehicles serving such building. Such loading space, unless otherwise adequately provided for, shall include a rear yard space extending at least fourteen (14) feet in height above the grade of the alley and at least twenty-five (25) feet in depth back from the alley line, along fifty percent (50%) of such alley frontage of an interior lot and along twenty percent (20%) of such alley frontage of a lot eighty (80) feet or more in depth located at the intersection of a street with an alley.

- B. A loading space requirement may be modified or waived by the Board of Adjustment on application in the case of a bank, theater, assembly hall or other buildings of limited loading space requirements.

**Section 4-15**      Bed and Breakfast Establishments

- A. **Homestay Regulations:** Bed & Breakfast Homestays, as defined in Chapter 2, Section 2-1, are permitted in the following Zones: R1, R1L, R2, R3, R4, R4A, C, I, & C-B. Said Bed & Breakfast Homestay facility shall comply with the following regulations and performance standards:
1. Facility shall be owner-occupied with no more than 50% of the floor area of the primary structure used for guest quarters or Bed and Breakfast purposes.
  2. State and County Health Department approval and permits are required.
  3. Building shall meet the requirements of the International Building Code.
  4. When changing the use or occupancy, both zoning compliance check and building safety clearance is required prior to commencement of the use.
  5. No more than three (3) guest units shall be available for rent at any time. A guest unit consisting of more than one room shall not be constructed, converted, or modified so as to permit division into separate guest units.
  6. In addition to the required parking for the owner of the Homestay, per zoning code district, one (1) parking space per guest unit shall be provided on site in accordance with the parking standards of the Ordinance.
  7. One (1) sign, for identification purposes, not exceeding the size permitted per zoning code district, may be attached to the primary structure or placed in the front yard no higher than three (3) feet above grade.
  8. Necessary to have a current business license.
- B. **Bed & Breakfast Inn Regulations:** Bed and Breakfast Inns, as defined in Chapter 2, Section 2-1, are permitted in the following Zones: R1, R1L, R2, R3, R4, R4A, C, I, and C-B. Said Bed & Breakfast Inn facility shall comply with the following regulations and performance standards.
1. Facility shall be owner-occupied with no more than seventy five percent (75%) of the floor area or structural coverage to be used for guest quarters or Bed and Breakfast purposes.
  2. Building shall meet the requirements of the International Building Code.

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3. When changing the use of or occupancy, both zoning compliance check and building safety clearance are required prior to commencement of the use.
4. No more than five (5) guest units shall be available for rental at any time. A guest unit consisting of more than one room shall not be constructed, converted, or modified so as to permit division into separate guest units.
5. In addition to the required parking for the owner of the Bed & Breakfast Inn, per zoning code district, one (1) parking space per guest unit shall be provided on site in accordance with the parking standards of the Ordinance
6. One (1) sign, for identification purposes, not exceeding the size permitted per zoning code district, may be attached to the primary structure or placed in the front yard no higher than three (3) feet above grade.
7. Necessary to have a current business license.

B. **Country Inn Regulations:** Country Inns, as defined in Chapter 2, Section 2-1, are permitted in the following Zones: C, I, & C-B. Said Country Inn facility shall comply with the following regulations and performance standards.

1. Installation of commercial kitchen facilities, as well as acquisition of necessary permits per County and State Health Department requirements.
2. Building shall meet the requirements of the International Building Code.
3. When changing the use of or occupancy, both zoning compliance check and building safety clearance required prior to commencement of the use.
4. Signage shall meet applicable sign code standards
5. In addition to the required parking for the owner of the Bed & Breakfast Country Inn, per zoning code district, one (1) parking space per guest unit and employee shall be provided on site in accordance with the parking standards of the Ordinance.
6. Necessary to have a current business license.