

SECTION 13: SPECIAL PURPOSE ZONES

Section 13.0 - Purposes

Because of their special or unique characteristics and the need to implement specific sections of the General Plan, the following Special Purpose Zones are established:

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Revised: 1/84, 11/88, 6/00

Section 13.1: MHP -- Manufactured Home Park Zone

Section 13.1-1: Purpose

The MHP, Manufactured Home Park Zone, is intended for the exclusive development of manufactured home parks. All manufactured home parks hereinafter shall be developed in accordance with the provisions of this Section.

Section 13.1-2: Property Development Standards -- MHP Zone

The following regulations shall apply to the site of a manufactured home park. Additional regulations may be specified as conditions of approval of Design Review by the Planning Commission or as conditions of approval for the establishment of an MHP Zone:

- Minimum frontage: 200 feet, continuous frontage
- Density, maximum: 10 units per acre
- Minimum yards: 20 feet adjoining a street; 15 feet adjoining an interior lot line
- Recreation area: Minimum of 250 square feet of recreation area for each manufactured home space. This requirement shall be increased to 300 square feet per manufactured home space if children under the age of 18 are permitted within the development

Section 13.1-3: Screening and Landscaping -- MHP Zone

Screening shall be provided around the entire site of a manufactured home park except that, where a required yard adjoins a street, screening shall be located at the rear of the required yard. Required yards shall be landscaped and said landscaping shall consist predominantly of plant materials except for necessary walks, drives and fences. All required landscaping shall be permanently maintained in a neat and orderly condition.

Section 13.1-4: Permitted and Conditional Uses -- MHP Zone

The following uses shall be permitted where the symbol "P" appears and shall be permitted uses subject to a conditional use permit where the symbol "C" appears in the column to the right. All uses not listed are prohibited. For uses similar to those listed, see Section 20.1.

<u>A. Residential Uses</u>	<u>MHP Zone</u>
1. Manufactured Home	P
2. Mobile Home	See Section 13.1-6.M
3. Modular Home	P
<u>B. Public and Semi-Public Uses</u>	
1. Pre-schools.	C
2. Group homes.	C
3. Churches, convents, and other religious institutions.	C

B. Public and Semi-Public Uses (Continued)

- 4. Schools, educational institutions, public or private. C
- 5. Public parks and recreational facilities. C
- 6. Public utility and public service substations, reservoirs, water storage tanks, pumping plants, or similar installations (not including public utility offices). C
- 7. Day care centers P

C. Home Occupations MHP Zone

Home occupations subject to provisions of Section 14.2. P

D. Accessory Uses

- 1. Accessory uses and structures located on the same site as a permitted use. P
- 2. Accessory uses and structures located on the same site as a conditional use. C

E. Temporary Uses

- 1. Temporary uses as per Section 14.1. P
- 2. Model homes and sales offices. C

Section 13.1-5: General Requirements

The following are minimum unless otherwise noted:

- 1. Dwelling units per lot, parcel, or manufactured home space, maximum 1
- 2. Lot or space size in square feet (parks and rental spaces) 4000
(subdivided lots) 5000
- 3. Subdivided lot minimum width 50 feet
minimum depth 100 feet
- 4. Front yard 10 feet
- 5. Side yard - Interior 5 feet
Street 10 feet
- 6. Rear yard 10 feet
- 7. Lot coverage, maximum 40%
- 8. Maximum height 20 feet
- 9. Off-street parking spaces 2 spaces
- 10. Distance between buildings 10 feet

Section 13.1-6: Interior Site Development Standards -- MHP Zone

The following requirements shall apply to development of manufactured home spaces and to facilities within a manufactured home park. Additional requirements may be specified as conditions of Design Review or as conditions of approval for the establishment of an MHP Zone:

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Section 13.1-6: Interior Site Development Standards -- MHP Zone (Continued)

- A. Manufactured Home Space. Each space shall contain a minimum of 4,000 square feet for exclusive use by the occupants of the space. Each space shall have at least 40 feet of width adjoining an access drive. Each space shall have dimensions capable of accommodating a rectangle with minimum dimensions of 45 feet by 65 feet.
- B. Manufactured Home Placement. Each manufactured home shall be located not less than 5 feet from the boundary of a manufactured home space, except that carports, patio covers, storage buildings, and similar structures accessory to a manufactured home may be located not less than 4 feet from the boundary of a manufactured home space.
- C. Access Drives. All manufactured home access drives within a manufactured home park shall be privately owned, and shall have at least 28 feet of pavement width, exclusive of adjoining parking areas, and shall be constructed to County standards.
- D. Sidewalks. Sidewalks at least 5 feet in width shall be provided to serve each manufactured home space and to serve all central or common facilities within the manufactured home park. Sidewalks need not adjoin access drives.
- E. Landscaping. Not less than 20 percent of each manufactured home space shall be landscaped, including at least one tree (minimum 5 gallon size) on each space.
- F. Minimum Size Manufactured Home. The minimum size for a manufactured home established within a manufactured home park shall be 12 feet by 50 feet.
- G. Accessory Buildings and Uses. Accessory buildings and uses serving the entire manufactured home park, including recreation facilities, laundry areas, manufactured home park offices, and maintenance or storage buildings, shall be located at least 50 feet from the boundary of the manufactured home park site. All exterior maintenance or storage areas shall be enclosed by a 6 foot high masonry wall.
- H. Parking. Two on-site parking spaces shall be provided for each manufactured home space.
- I. Guest Parking. Guest parking or recreational vehicle storage areas shall be provided as required by the Commission.
- J. Skirting. Skirting shall be required for each manufactured home, which skirting shall be complimentary to the design and coloration of the manufactured home.
- K. Building Permits. A building permit shall be required for the establishment of a manufactured home within a manufactured home park.
- L. Cabanas. A cabana may be attached to a manufactured home providing the cabana shall be complimentary to the design and coloration of the manufactured home.
 - 1. A cabana is a portable and demountable room or enclosure: This shall be interpreted to mean that such additions shall be constructed on only pier type foundations.
 - 2. A cabana is used in conjunction with a manufactured home: This shall be interpreted to mean that the interior square footage of the cabana shall not exceed that of the manufactured home it is

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attached to; and that the cabana shall be directly attached to the manufactured home so as to provide interior access. Maximum height of the addition shall not exceed fifteen (15) feet.

3. A cabana is a room, enclosure or other building: This shall be interpreted to mean that stick-built type of additions constructed on-site shall be in conformance with the applicable Uniform Building Codes as it pertains to other conventional structures built in Coconino County.

- M. Mobile Homes. The establishment of a pre-HUD mobile home may be permitted subject to the rehabilitation of that unit in accordance with the Arizona Office of Manufactured Housing administrative rules and subject to an insignia of approval having been placed by the state on the home. Mobile homes shall not be relocated and placed on-site prior to renovation and rehabilitation as provided for in this Ordinance.

Section 13.1-7: Performance Standards

- A. Air conditioners, heating, cooling, ventilating equipment, swimming pool pumps and heaters and all other mechanical devices shall be screened from surrounding properties and streets and shall be so operated that they do not disturb the peace, quiet, and comfort of neighboring residents. Facilities for the operation of alternate energy systems shall be exempted from the screening requirements when such screening will clearly restrict the efficient operation of such systems.
- B. Required front and street side yards shall be landscaped except for necessary walks, drives and fences. Said required front and street side yards shall not be used for the parking or storage of any motor vehicle or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience, except that operable motor vehicles may be parked upon the driveway or access way to the garage or carport. One motor vehicle or travel trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the front or street side setback areas.
- C. All required landscaping shall be permanently maintained in a neat and orderly condition.
- D. A maximum area of 200 square feet may be used on any one lot or manufactured home space for the outdoor storage of any used or secondhand materials, including but not limited to lumber, inoperable or unlicensed vehicles, auto parts, household appliances, pipe, drums, machinery or furniture, unlicensed travel trailers or utility trailers; provided, however, that such outdoor storage shall be located to the rear of the main dwelling and screened from surrounding properties and streets by a wall, non-transparent fence, landscaping or structure. Any wall or fencing shall not exceed six (6) feet in height. Stored secondhand materials, vehicles, vehicle parts, etc., shall not be stacked so as to be visible above the required screening, or more than six (6) feet high. All permitted screened outdoor storage areas shall meet the minimum required building setbacks as prescribed by this Section. The provisions of this paragraph shall not be so construed as to restrict the storage of firewood maintained for fuel purposes and use by the occupant of the premises.
- E. The overnight parking of heavy commercial vehicles, including but not limited to semi-tractors, semi-trailers, dump trucks, equipment trailers, backhoes, etc., is prohibited in the Manufactured Home Park Zone.

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Section 13.1-7: Performance Standards (Continued)

- F. Where public or semi-public uses are established, a masonry wall, or solid wood fence six feet in height as measured from the highest adjacent grade and screen landscaping shall be erected and maintained between such uses and adjacent residential uses on properties.
- G. Apparatus needed for the operation of active or passive solar energy systems or other alternative energy systems, including but not limited to, overhangs, movable insulating walls and roofs, attached or detached solar collectors, reflectors and piping shall be permitted for any use subject to the approval and specifications of the Director of Community Development.
- H. In the MHP Zone, as a precaution against unauthorized use, swimming pools when located within 300 feet of a neighboring residence shall be enclosed by a wall or fence not less than 5 feet in height to the specifications of the Department of Community Development.
- I. In the MHP Zone, one recreational vehicle or travel trailer per lot or parcel may be used for temporary residency not to exceed 100 days per year provided that the lot or parcel is not already occupied by a dwelling or other residential structure. A temporary use permit shall be obtained prior to establishing said temporary residence, and the travel trailer or recreational vehicle must be removed from the parcel upon the expiration of the temporary use permit. Approval may be subject to conditions.
- J. A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration or change in use of any building or other structure.

Section 13.1-8: Accessory Structures - MHP Zone

- A. Attached Structures. An accessory structure that is attached to a main structure shall meet all of the requirements for location of the main structure except as provided in “C” of this Section.
- B. Canopies. Canopies, or roofs attached to the main building or connecting the main building with a detached accessory building, may extend into a required rear or interior side yard provided that portions of such structure extending into the yard:
 - 1. Shall not exceed 15 feet in height nor project closer than five feet to an interior side or rear lot line;
 - 2. Shall be entirely open on at least three sides except for necessary supporting columns; except that a roof connecting a main building and an accessory building shall be open on at least two sides.
- C. Detached Structures
 - 1. A detached structure shall meet the setback requirements of the main building for the front and street side yard areas.
 - 2. Although not requiring a building permit, accessory structures that have a floor area of 120 square feet or less on parcels of one-half acre or smaller shall meet the front and street side setbacks but may be within six feet of the main dwelling and three feet from any interior side or rear property line. Structures that are 64 square feet or less and eight feet or less in height measured to the highest peak may have a 0 foot separation from the main dwelling and a 1 foot interior side or rear setback as long as the roof does not drain onto an adjacent property. If there is more than one shed on a property, there must be at least a six foot separation between sheds.

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C. Detached Structures (Continued)

3. A detached accessory structure which does not exceed 15 feet in height or 600 square feet in area may be located within an interior side yard or rear yard; provided, however, that such structure shall not be located closer than five feet to an interior side or rear lot line unless said structure meets 1 hour fire wall construction as specified in the International Building Code.
4. A detached accessory structure which exceeds 15 feet in height, or 600 square feet in area, shall maintain the same minimum side and rear setbacks as required for the main dwelling.
5. A detached accessory structure (over 120 square feet) shall maintain a minimum 10 foot separation from the main structure.
6. For the purpose of administering this Section, swimming pools shall be considered to be a detached structure.
7. The use of mobile homes, semi trailers, railroad cars, shipping containers, travel trailers, camper shells or similar units as accessory structures is prohibited.
8. Bathroom facilities shall be limited to one (1) sink and one (1) toilet.
9. No kitchen facilities or wet bars shall be permitted.

D. Other Structures

1. Steps, architectural features, such as eaves, awnings, chimneys, stairways, wing walls or bay windows, may project not more than six feet into any required front, street side or rear yard area, nor into any required side yard area more than one-half (½) of said required side yard. Greater projections may be permitted when it is demonstrated that such additional projections are needed for solar or alternate energy purposes, subject to the approval of the Director of Community Development.
2. Balconies, porches or decks shall not encroach or project into any required setback area.
3. For the purpose of this Section, swimming pools shall be considered to be a detached structure. Swimming pools, including all accessory or appurtenant structures and equipment, shall maintain a minimum setback of five feet from all property lines and buildings. As a precaution against unauthorized use, swimming pools shall be enclosed by a wall or fence not less than 5 feet in height to the specifications of the Department of Community Development.

Section 13.1-9: Walls and Fences - MHP Zone

- A. In any required front or street side yard, an opaque or solid wall or fence shall not exceed three feet in height. Non-opaque, which are at least 50% transparent, fences may be established in any required front or street side yard to a maximum height of six feet.
- B. A wall or solid fence not more than six feet in height, as measured from the highest adjacent grade, may be maintained along the interior side or rear lot lines provided that such wall or fence does not extend into a required front or street side yard. Extensions of walls or solid fences into required front or street side yards may not exceed three (3) feet in height. Stacking firewood along a property line shall be considered a wall or fence and must meet height limits.

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Section 13.1-9: Walls and Fences - MHP Zone (Continued)

- C. Walls or fences exceeding six feet in height may be permitted only through the variance procedure set forth in Section 20 and subject to the granting of a building permit.
- D. A wall or fence adjacent to a driveway providing vehicular access to an abutting lot shall not exceed three feet in height within fifteen feet of the intersection of said driveway and the street right-of-way so as not to obstruct visibility.
- E. The provisions of this Section shall not apply to a wall or fence required by any law or regulation of the State of Arizona or any agency thereof.
- F. Tires may not be used to construct walls, unless they are fully encapsulated so as to prevent the accumulation of water inside the tires, and subject to the granting of a building permit.

Section 13.1-10: Pre-Application Procedure--MHP Zone

Prior to submitting an application for a Manufactured Home Park, the applicant or prospective developer should hold preliminary consultations with the Department of Community Development to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data. Such preliminary consultations should be relative to a general plan which expresses the concepts to be embodied in the proposed development.

Section 13.1-11: Application Requirements--MHP Zone

An application for the establishment of a manufactured home park zone must be accompanied with a general development plan showing the location, design and configuration of each manufactured home space and all accessory buildings and uses. The development plan shall also show the location and design of the following:

- A. Access drives, sidewalks, and parking spaces;
- B. Walls and fences;
- C. Lighting;
- D. Drainage and sanitary sewer facilities;
- E. Electrical and water service;
- F. Fire protection facilities;
- G. Refuse collection facilities;
- H. Landscape plan

Water and drainage reports prepared by a registered professional engineer shall be submitted with the application. A report on the proposed wastewater system prepared by a registered sanitary engineer shall also be submitted.

Section 13.1-12: Adoption of Development Plans and Maps--MHP Zone

Prior to the development of the Manufactured Home Park the development plans and maps submitted with the application for a Manufactured Home Park shall be approved and adopted by the Board of Supervisors.

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Section 13.1-13: Amendments to the Development Plan--MHP Zone

All development within the MHP Zone shall comply substantially with the development plans as approved and adopted by the Board of Supervisors. Any amendments to the development plans shall be accomplished in the same manner as an amendment to the zoning regulations as prescribed in Section 20.4.

Section 13.1-14: Pre-Existing Manufactured Home Parks--MHP Zone

A pre-existing manufactured home park shall not be deemed nonconforming by reason of failure to meet the minimum requirements prescribed by this Section, provided that the regulations of this Section shall apply to the remodeling, enlargement or expansion of an existing manufactured home park.

Section 13.1-15: Signs--MHP Zone

No sign or outdoor advertising structure shall be permitted in any MHP Zone except as provided in Section 16.

Section 13.1-16: Manufactured Home Park Subdivision

The division of land for the establishment of a manufactured home subdivision shall comply with all of the requirements of this Section and the County Subdivision Ordinance.

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Section 13.2: PRD--Planned Residential Development

Section 13.2-1: Purposes

- A. Planned residential development regulations are intended to facilitate development of areas designated for residential use on the General Plan by permitting greater flexibility and, consequently, more creative and imaginative designs for the development of such residential areas than generally is possible under conventional zoning and subdivision regulations.
- B. These regulations are further intended to promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of urban amenities, and preservation of natural and scenic qualities of open spaces.

Section 13.2-2: Uses Permitted--PRD Zone

- A. Planned residential developments.
- B. Parks, playgrounds, riding and hiking trails, recreational buildings, structures and facilities; clubhouses, community centers and similar uses; provided, all such uses are designed for and limited to use by residents of the planned development and their guests.
- C. Public utility installations.
- D. Accessory uses and structures incidental to permitted uses.
- E. Temporary uses as prescribed in Section 14.1.
- F. Model home and subdivision sales offices subject to the granting of a conditional use permit.
- G. Guest houses and accessory living quarters shall be permitted subject to the provisions of Section 10.1.I.E.3.
- H. Day care centers.
- I. Keeping of horses and other farm-type animals shall be permitted subject to the provisions of Sections 10.1.I.B.3 and 10.2.A.5.
- J. Home occupations subject to the provisions of Section 14.2.
- K. Cottage industries subject to the granting of a conditional use permit and the provisions of Section 14.3.
- L. Wireless Telecommunications Facilities subject to the provisions of Section 14.5.

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Section 13.2-3: Property Development Standards -- PRD Zone

The following development requirements shall apply to all planned residential developments:

- A. The planned residential development shall be designed and developed in a manner compatible with and complimentary to existing and potential residential development in the immediate vicinity of the

project site. Site planning on the perimeter shall provide for the protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.

- B. There shall be no minimum area requirement for individual lots or individual dwelling sites in a planned residential development.
- C. The maximum number of dwelling units permitted in a planned residential development shall be determined by dividing the total land area within the boundaries of the proposed development by the density restrictions designated on the General Plan or specific plan or by the density restrictions of the existing zone classification or by the action of the Board of Supervisors.
- D. The following specific site development requirements shall apply to a PRD in any zone; these requirements are minimum unless otherwise noted:

1. Site area, in acres	10
2. Site frontage on public street, in feet	200
3. Front yard, in feet	25
4. Side yard, interior, in feet	20
5. Side yard, street side, in feet	25
6. Rear yard, in feet	20
7. Building height, maximum, in feet	35
8. Site coverage, maximum	40%
9. Dwelling unit size, square feet	1,150
10. Parking spaces per unit, covered	1
11. Guest parking spaces per unit, uncovered	1

- E. Required open space shall comprise at least 35 percent of the total area of the planned development. Land occupied by buildings, streets, driveways or parking spaces may not be counted in satisfying this open space requirement; provided, however, that the land occupied by recreational buildings, structures or uses may be counted as required open space.
- F. At least one-half of the required open space may be improved, or may be left in its natural state, particularly if natural features worthy of preservation exist on site. Open space left in its natural state shall be kept free of litter and shall at no time constitute a health, safety, fire or flood hazard. Areas devoted to natural or improved flood control channels and those areas encumbered by flowage, floodway or drainage easements may be applied toward satisfying this portion of the total open space requirement.

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Section 13.2-3: Property Development Standards -- PRD Zone (Continued)

- G. If development is to be accomplished in stages, the development plan shall coordinate improvement of the open space, the construction of buildings, structures and improvements in such open space, and the construction of dwelling units in order that each development stage achieves a proportionate share of the total open space of the total planned development.

- H. All or any part of the required open space may be reserved for use in common by the residents of the planned development. Areas permanently reserved for common open space shall be reserved for the use and enjoyment of the residents in a manner which makes the County, or a public district or public agency, a party to and entitled to enforce the reservation, subject to approval by the County Attorney. The Planning Commission may require that open space easements over the required open space be conveyed to the County.
- I. No building, except as hereafter provided, shall be located closer than five feet from an interior vehicular or pedestrian way, court, plaza, open parking lot or any other surfaced area reserved for public use or for use in common by residents of the planned development. Such setback generally shall be measured from the nearest edge of the surfaced area; provided, however, that where no sidewalk exists in conjunction with a public or private street, such setback shall be measured from the nearest edge of the street right-of-way or private road easement.
- J. No garage or carport having straight-in access from a public or private street shall be located closer than twenty-five feet from the nearest edge of the sidewalk of such street, or, where no sidewalk exists, from the nearest edge of the street right-of-way or road easement, unless automatic garage door openers are provided in the case of a garage; but in no case shall a garage or carport be located closer than five feet.
- K. Spacing between buildings shall be at least ten feet.
- L. All public streets within or abutting the proposed planned development shall be dedicated and improved to County specifications for the particular classification of street. When the developer desires to retain any streets within the development as private streets, such streets shall be constructed to County standards and permanently reserved and maintained for their intended purpose by means acceptable to the Planning Commission and the County Engineer. Other forms of access, such as pedestrian ways, courts, plazas, driveways or open parking lots shall not be offered for dedication.
- M. Planned residential developments shall relate harmoniously to the topography of the site, shall make suitable provision for the preservation of water courses, drainage areas, wooded areas, rough terrain, and similar natural features and areas, and shall be otherwise so designed as to use and retain such natural features and amenities to the best advantage.
- N. All utilities within a planned development shall be placed underground. A common central television antenna or receiver may be provided with underground cable service to all dwelling units. All other external television or radio antennas shall not be permitted; for the purposes of this Section, appurtenances and associated equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be placed above ground.

Revised: 6/00

Section 13.2-3: Property Development Standards -- PRD Zone (Continued)

- O. The type, number and location of fire hydrants and other fire protective devices shall be subject to the specifications of the Planning Commission.
- P. A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration or change in use of any building or other structure.

Section 13.2-4: Signs--PRD Zone

No sign or outdoor advertising structure shall be permitted except as provided in Section 16 (Signs) or as prescribed on the approved development plan.

Section 13.2-5: Accessory Uses and Structures--PRD Zone

Accessory uses and structures shall be located as specified on the development plans as approved by the Planning Commission provided, however, that accessory structures shall meet all of the setbacks for site development as specified in Section 13.2-3.D.

Section 13.2-6: Pre-Application Procedure--PRD Zone

Prior to submitting an application for a planned residential development, the applicant or prospective developer should hold preliminary consultations with the Department of Community Development to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data. Such preliminary consultations should be relative to a general plan which expresses the concepts to be embodied in the proposed development.

Section 13.2-7: Application-Development Plans and Maps--PRD Zone

An application for a planned residential development must be for a parcel or parcels of land which is under the control of the person or corporation proposing the development. The application shall be accompanied by the following plans and maps:

- A. A boundary survey map of the property; a tentative subdivision map may be substituted if the applicant proposes to subdivide the property.
- B. Topography of the property and the preliminary proposed finished grade shown at contour intervals of not to exceed five feet.
- C. The gross land area of the development, the present zoning classification thereof, and the zoning classification and land use of the area surrounding the proposed development, including the location of structures and other improvements.
- D. A general development plan with at least the following details shown to scale and dimensioned:
 1. Location of each existing and each proposed structure in the development area, the use or uses to be contained therein, the number of stories, the gross building and floor areas, approximate location of entrances and loading points thereof. **Revised: 6/00**

Section 13.2-7: Application-Development Plans and Maps--PRD Zone (Continued)

2. All streets, curb cuts, driving lanes, parking areas, loading areas, public transportation points, and illumination facilities for the same.
3. All pedestrian walks, malls and open areas for the use of occupants and members of the public.

4. Location and height of all walls, fences and screen planting, including a plan for the landscaping of the development and the method by which such landscaping is to be accomplished.
 5. Types of surfacing, such as paving, turfing or gravel to be used at the various locations.
 6. A preliminary grading plan of the area.
 7. A preliminary report and overall plan describing proposed provisions for storm drainage, sewage disposal, water supply and such other public improvements and utilities as the County Engineer may require.
- E. Plans and elevations of buildings and structures sufficient to indicate the architectural style and construction standards.
- F. The proposed means for assuring continuing existence, maintenance and operation of the various common elements and facilities. If a community association or similar governing structure is to be established, a copy of the covenants, conditions and restrictions (CC & R's) shall be made a part of the record. If the Board of Supervisors deems it necessary, upon advice of the County Attorney, the County of Coconino shall be a party to such CC & R's in order to ensure their continuance and enforceability.
- G. Such other information as may be required by the Director of Community Development to permit complete analysis and appraisal of the planned development.

Section 13.2-8: Adoption of Development Plans and Maps--PRD Zone

The development plans and maps submitted with the application for a planned residential development shall be approved and adopted by the Board of Supervisors and included in the Ordinance establishing the PRD Zone.

Section 13.2-9: Amendments to the Development Plans--PRD Zone

All development within the PRD Zone shall comply substantially with the development plans as approved and adopted by the Board of Supervisors. Any amendments to the development plans shall be accomplished in the same manner as an amendment to the zoning regulations as prescribed in Section 20.4.

Revised: 7/89, 3/02

Section 13.2-10: Findings

As a condition necessary for the granting of a PRD Zone request, the following findings shall be made:

1. That the development at the location proposed is consistent with and conforms to the goals, objectives and policies of the General Plan or specific plan for the area.
2. That the development and proposed location is consistent with the objectives and standards of the PRD Zone and the Subdivision Ordinance.

3. That the development at the location proposed and the development standards to be followed or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
4. That the development will promote or preserve environmental qualities and conserve energy usage and energy resources including the protection of adequate sunlight for use of solar energy systems.
5. That the development will promote any design standards established by the Commission for the community in which the project is to be established.

Section 13.3: PC--Planned Community Zone

Section 13.3-1: Purposes

In addition to the objectives outlined in Section 1 (Purposes and Scope), the Planned Community Zone is designed to achieve the following purposes:

- A. To provide for the classification and development of parcels of land as coordinated, comprehensive projects so as to take advantage of the superior environment which can result from large-scale community planning.
- B. To allow diversification of land uses as they relate to each other in a physical and environmental arrangement, while ensuring substantial compliance with the provisions of this Ordinance.
- C. To provide for a zone encompassing various types of land uses, such as single-family residential developments, multiple housing developments, professional and administrative office areas, commercial centers, industrial parks or any public or semi-public use or combination of uses through the adoption of a development plan and text materials which set forth land use relationships and development standards.

Section 13.3-2: Uses Permitted--PC Zone

- A. Those uses designated on the development plan for the particular PC Zone as approved by the Board of Supervisors.
- B. The continuation of all land uses which existed in the zone at the time of adoption of the development plan. Existing land uses shall either be incorporated as part of the development plan or shall be terminated in accordance with a specific abatement schedule submitted and approved as part of the development plan.
- C. Public utility installations.
- D. Accessory uses and structures incidental to permitted uses.
- E. Temporary uses as prescribed in Section 14.1.
- F. Wireless Telecommunications Facilities subject to the provisions of Section 14.5.
- G. Medical Marijuana Dispensaries subject to the provisions of Section 14.9
- H. Medical marijuana Off-Site Cultivation and Infusion Facilities subject to the provisions of Section 14.9.

Section 13.3-3: General Requirements--PC Zone

The following requirements shall apply to all PC zoned areas:

- A. An application for a zone change to permit the establishment of a PC Zone shall include and be accompanied by a development plan for the entire property. **Revised: 4/01**

Section 13.3-3: General Requirements--PC Zone (Continued)

- B. An application for a zone change to establish a PC Zone must be for a parcel or parcels of land under control of the person or corporation proposing the development.
- C. The area contained within a proposed PC Zone shall not be less than 25 acres.
- D. A conditional use permit may be required for any land use designation on the development plan.
- E. If ambiguity exists as to the specific dimensions or extent of any designated area on the development plan, the specific boundaries shall be set by the filing of a legal description and map of the parcel in question in conjunction with the filing of a conditional use permit, tentative subdivision, or construction permits.

Section 13.3-4: Pre-Application Procedure--PC Zone

Prior to submitting an application for a PC Zone, the applicant should hold preliminary consultations with the Department of Community Development to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data. Such preliminary consultations should be relative to a preliminary development plan and other material which expresses the relationship between the various land uses and the development concepts to be employed.

Section 13.3-5: Development Plan--PC Zone

The development plan of a proposed PC Zone should consist of maps, plans, reports, schedules, development standards and schematic drawings and such other documents deemed necessary by the Director of Community Development in accordance with the following requirements:

- A. The development plan shall be submitted in a form approved by the Director of Community Development.
- B. The development of sections or areas within the PC Zone may be permitted subject to one of the following or any combination thereof:
 - 1. The uses and requirements of any zone classifications established by this Ordinance.
 - 2. The uses and standards of development set forth in the development plan as approved by the Board of Supervisors.
 - 3. Approval of a conditional use permit by the Planning Commission prior to development.
 - 4. Approval of a tentative subdivision or parcel map.
- C. The development plan and any amendment thereto shall include the following:
 - 1. The type and design of buildings or structures and the number of dwelling units per gross acre proposed for each residential area.
 - 2. A statement of the standards of population density for the various proposed residential land uses.

Section 13.3-5: Development Plan--PC Zone (Continued)

3. The general location of school sites, recreational areas, and other public and semi-public sites and the approximate area of each.
4. The general location of all major, primary, secondary and local collector streets coordinated with the Circulation Element of the County General Plan.

D. The development plan and any amendment thereto shall be accompanied by the following:

1. A general land use map setting forth the proposed uses of all sections or areas within the subject property and the approximate acreage of each.
2. An accompanying text setting forth the land use regulations which constitute the standards of development designed to govern those sections or areas specified in the development plan. Such standards shall contain definitions and information concerning requirements for building site coverage, building heights, building setbacks, off-street parking, vehicular access, signing, lighting, storage, screening and landscaping, and any other information which the Director of Community Development shall require to insure substantial compliance with the purpose of the PC Zone.
3. A topographic map and conceptual grading plan of the property.
4. A preliminary report and overall plan describing proposed provisions for storm drainage, sewage disposal, water supply and such other public improvements and utilities as the County Engineer may require.
5. A written statement of standards as they relate to the allocation of land within the development plan to all proposed types of land uses.

Section 13.3-6: Adoption of Development Plan--PC Zone

The development plan and supporting statements and documents submitted with the application for a planned community shall be approved and adopted by the Board of Supervisors and included in the Ordinance establishing the PC Zone. All development within the PC Zone shall comply with the development plan as approved and adopted by the Board of Supervisors.

Section 13.3-7: Amendments to the Development Plan--PC Zone

Any amendments to the development plans shall be accomplished in the same manner as an amendment to the Zoning Regulations as prescribed in Section 20.4.

Section 13.3-8: Application for Conditional Use Permit Development--PC Zone

A conditional use permit required for the development of any portion or area of a PC Zone shall be filed in accordance with Section 20.3 (Conditional Uses) and shall include the following documents and materials:

Revised: 7/89, 3/02

Section 13.3-8: Application for Conditional Use Permit Development--PC Zone (Continued)

- A. A map showing the location of the project in relation to the approved development plan.
- B. A boundary survey of the property; a tentative subdivision map may be substituted if the applicant proposes to subdivide the property.
- C. A topographic map of the property and the preliminary proposed finished grade shown in contour intervals of not to exceed two (2) feet.
- D. Location, grades, widths and types of improvements proposed for all streets and general plan of water, sewer and drainage systems.
- E. Preliminary concept or design drawings indicating proposed walkways, driveways or service areas.
- F. Location and number of residential units, if any, for each proposed structure.
- G. Location and design of automobile parking areas.
- H. Preliminary landscaping concept plan.
- I. Location of public or quasi-public buildings or areas, including, but not limited to, schools, recreation facilities, parking and service areas if any.
- J. Preliminary elevations of structures and a written description indicating architectural theme or type of development.
- K. Irrevocable offers to dedicate those areas shown on the plan as public property.
- L. The proposed means for assuring continuing existence, maintenance, and operation of the various common elements and facilities. If a community association or similar governing structure is to be established, a copy of the covenants, conditions and restrictions (CC & R's), shall be made a part of the record. If the Board of Supervisors deems it necessary, upon advice of the County Attorney, the County of Coconino shall be a party to such CC & R's in order to ensure their continuance and enforceability.
- M. Such other information as may be required by the Director of Community Development to enable a complete analysis and appraisal of the planned development.

Section 13.3-9: Building Permits – PC Zone

A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration or change in use of any building or other structure.

Revised: 6/00

Section 13.4: PS--Public and Semi-Public Zone

Section 13.4-1: Purposes

In addition to the objectives prescribed in Section 1 (Purposes and Scope), the PS--Public and Semi-Public Zone is included in the Zoning Regulations to permit adequate identification of areas reserved and developed for public uses other than street rights-of-way, to provide for expansion of their operations or change in use and to identify and preserve areas of historic and community significance for the enjoyment of future generations.

Section 13.4-2: Permitted and Conditional Uses--PS Zone

The following uses shall be permitted where the symbol “P” appears and shall be conditional uses where the symbol “C” appears opposite the use.

A. Agricultural Uses

1. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, and growing of nursery plants. The sale of products raised on the premises shall be permitted. P
 2. Raising and grazing of horses, sheep, goats, or cattle; provided, that no animal shall be kept on a site of less than one acre. No more than two such animals may be kept for each acre of land. P
 3. Keeping of animals except as prescribed in A.2 of this Section; dairies and feeding lots. C
- B. Agricultural experimental facilities. P
- C. Animal shelters. C
- D. Cemeteries, crematoriums and columbariums and related facilities. C
- E. Maintenance yards operated by a public agency. C
- F. Flood control facilities. C
- G. Historical landmarks. P
- H. Horse race tracks. C
- I. Hospitals. C
- J. Public buildings and grounds. C
- K. Public or private non-profit schools and colleges. C

Section 13.4-2: Permitted and Conditional Uses--PS Zone (Continued)

- L. Public or private parks, golf courses, golf driving ranges, zoos, swim clubs, and other recreation facilities. C

- M. Public utility installations C
- N. Riding academies or commercial stables. C
- O. Fairgrounds and accessory uses and entertainment. C
- P. Accessory uses and structures incidental to permitted or conditional uses. P
- Q. Commercial uses incidental, accessory to or in conjunction with the above permitted or conditional uses. P
- R. Wireless Telecommunications Facilities subject to the provisions of Section 14.5 C

Section 13.4-3: Property Development Standards--PS Zone

The following regulations shall apply to the site of a permitted or conditional use; these requirements are minimums unless otherwise noted:

Site area:	One acre
Site width:	160 feet
Site depth:	160 feet
Front yard:	30 feet
Side yard:	25 feet
Rear yard:	25 feet
Maximum coverage:	40 percent

Section 13.4-4: Screening and Landscaping--PS Zone

Screening and landscaping for a conditional use shall be specified in the use permit.

Section 13.4-5: Off-Street Parking--PS Zone

Off-street parking facilities shall be provided for each use as prescribed in Section 15 (Off-Street Parking) or as specified in a conditional use permit.

Section 13.4-6: Signs--PS Zone

No sign, or outdoor advertising structure, or display of any character shall be permitted except as prescribed in Section 16 (Signs) or as authorized in a conditional use permit.

Revised: 4/01

Section 13.5 OS--Open Space and Conservation Zone

Section 13.5-1: Purposes

In addition to the objectives outlined in Section 1 (Purposes and Scope), the Open Space and Conservation Zone is intended primarily for those areas of the County where it is desirable and necessary to provide permanent open spaces when such are necessary to safeguard the public health, safety and general welfare and to provide for the location and preservation of scenic areas and recreation areas. This zone classification is intended to be applied primarily to lands held under public ownership.

Section 13.5-2: Permitted and Conditional Uses--OS Zone

The following uses shall be permitted where the symbol “P” appears and shall be conditional uses where the symbol “C” appears opposite the use.

A. Agricultural Uses

1. Farms or ranches for orchards, tree crops, field crops, berry and bush crops, truck gardening, flower gardening and the growing of nursery plants. P
 2. The retail sale of products raised on the premises. C
 3. Raising of horses, sheep, goats, or cattle; provided, that no animal shall be kept on a site of less than one acre. No more than two such animals may be kept for each acre of land. P
 4. Keeping of animals except as prescribed in A.2 of this Section. C
- B. Agricultural experimental facilities. P
- C. Cemeteries, crematories, columbariums and related facilities. C
- D. Flood control facilities. C
- E. Forestry products and the removal thereof; not including processing plants or lumber mills. P
- F. Historical landmarks. P
- H. Public or private parks, golf courses, golf driving ranges, zoos, swim clubs and other outdoor recreation facilities. C
- H. Public utility installation and facilities. C
- I. Public or private non-commercial campgrounds and picnic areas. P
- J. Accessory uses and structures incidental to permitted or conditional uses. P
- K. Wireless Telecommunications Facilities subject to the provisions of Section 14.5 C

Revised: 4/01

Section 13.5-3: Screening and Landscaping--OS Zone

Screening and landscaping requirements for a conditional use shall be specified in the use permit.

Section 13.5-4: Off-Street Parking--OS Zone

Off-street parking facilities shall be provided for each use as prescribed in Section 15 (Off-Street Parking) or as specified in a conditional use permit.

Section 13.5-5: Signs--OS Zone

No sign, or outdoor advertising structure or display of any character shall be permitted except as prescribed in Section 16 (Signs) or as authorized in a conditional use permit.

Section 13.6: FPM--Floodplain Management Overlay Zone

Section 13.6-1: Statutory Authorization, Findings of Fact, Purpose and Methods

- A. Statutory Authorization: The Legislature of the State of Arizona has in ARS § 48-3601 through 48-3627 delegated the responsibility to each County Flood Control District to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Board of Directors of the Flood Control District of Coconino County, Arizona, do ordain as follows:
- B. Findings of Fact:
1. The flood hazard areas of Coconino County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
 2. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.
- C. Statement of Purpose: It is the purpose of this Ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:
1. To protect human life and health;
 2. To minimize expenditure of public money for costly flood control projects;
 3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 4. To minimize prolonged business interruptions;
 5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
 6. To help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
 7. To insure that potential buyers are notified that property is in an area of special flood hazard;
 8. To insure that those who occupy the areas of special flood hazard assume responsibility for their actions; and
 9. To maintain eligibility for disaster relief.

Revised 11/83, 4/87, 12/00

Section 13.6-1: Statutory Authorization, Findings of Fact, Purpose and Methods (Continued)

D. Methods of Reducing Flood Losses: In order to accomplish its purposes, this Ordinance includes methods and provisions for:

1. Restricting and prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

Section 13.6-2: Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

ACCESSORY USE means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

ALLUVIAL FAN FLOODING means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and, unpredictable flow paths.

APEX means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

APPEAL means a request for a review of the Floodplain Administrator's interpretation of any provision of this Ordinance or a request for a variance.

AREA OF SHALLOW FLOODING means a designated AO, AH, or VO Zone on the Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Revised 4/87, 12/00

AREA OF SPECIAL FLOOD HAZARD means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. These areas are designated as Zone A, AO, AH, and A1-30 on the FIRM and other areas determined by the criteria adopted by the Director of Water Resources.

BACKFILL means the placement of fill material within a specified depression, hole or excavation pit below the surrounding adjacent ground level as a means of improving flood water conveyance or to restore the land to the natural contours existing prior to excavation.

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT means any area of the building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building supporting foundation system.

COMMUNITY means any state or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or authorized native organization which has authority to adopt and enforce floodplain management regulations for the area within its jurisdiction.

CRITICAL FEATURE means an integral and readily identifiable part of a flood protection system without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of materials and equipment located within the area of special flood hazard.

ENCROACHMENT means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

EROSION means the process of the gradual wearing away of land masses. This peril is not per se covered under the program. (See FLOOD-RELATED EROSION.)

EXISTING MANUFACTURED HOME PARK or SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs) is completed before the effective date of the floodplain management regulations adopted by the community.

FINANCIAL ASSISTANCE means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance, other than general or special revenue sharing or formula grants made to States.

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FLOOD or FLOODING means a general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of flood waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source, and/or (3) the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this definition.

FLOOD BOUNDARY and FLOODWAY MAP (FBFM) means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazard and the floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM) means the official map on which the Federal Emergency Management Agency of Federal Insurance Administration has delineated the areas of flood hazards.

FLOOD INSURANCE RATE MAP (FIRM) means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means the official report provided by the Federal Insurance Administration that includes flood profiles, the FIRM, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

FLOODPLAIN or FLOOD-PRONE AREA means any land area susceptible to being inundated by water from any source (see definition of “flood”).

FLOODPLAIN ADMINISTRATOR means the Director of Community Development who is hereby authorized by the Floodplain Board to administer and enforce the provisions of this Ordinance.

FLOODPLAIN BOARD means the Board of Directors of the Flood Control District of Coconino County at such times as they are engaged in the enforcement of this Ordinance.

FLOODPLAIN MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOOD PLAIN MANAGEMENT REGULATIONS means this Ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other applications or police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

FLOOD PROTECTION SYSTEM means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards. **Revised 4/87, 12/00**

FLOOD PROOFING means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOOD-RELATED EROSION means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water,

accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

FLOOD-RELATED EROSION AREA MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including, but not limited to, emergency preparedness plans, flood-related erosion control works, and floodplain management regulations.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as “Regulatory Floodway”.

FLOODWAY FRINGE is that area of the floodplain on either side of the “Regulatory Floodway” where encroachment may be permitted.

FREEBOARD means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

GOVERNING BODY is the local governing unit, i.e. county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

HARDSHIP as related to Section 13.6-9, Variances, of this Ordinance means the exceptional hardship that would result from a failure to grant the requested variance. The governing body requires that the hardship be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one’s neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

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HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either;
 1. By an approved state program as determined by the Secretary of the Interior; or
 2. Directly by the Secretary of the Interior in states without approved programs.

LEVEE means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

MARKET VALUE shall be determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed. The cost of replacement of the structure shall be based on a square foot cost factor determined

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by reference to a building cost estimating guide recognized by the building construction industry. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the floodplain administrator, but shall not include economic or other forms of external obsolescence. Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.

MEAN SEA LEVEL means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

MUDSLIDE (i.e., mudflow) describes a condition where there is a river, flow or inundation of liquid mud down a hillside usually as a result of a dual condition of loss of brush cover, and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A mudslide (i.e., mudflow) may occur as a distinct phenomenon while a landslide is in progress, and will be recognized as such by the Administrator only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.

MUDSLIDE (i.e., MUDFLOW) AREA MANAGEMENT means the operation of an overall program of corrective and preventive measures for reducing mudslide (i.e., mudflow) damage, including, but not limited to, emergency preparedness plans, mudslide control works, and floodplain management regulations.

MUDSLIDE (i.e., MUDFLOW) PRONE AREA means an area with land surfaces and slopes of unconsolidated material where the history, geology and climate indicate a potential for mudflow.

NEW CONSTRUCTION means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the Flood Control District and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK or SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

OBSTRUCTION includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across, or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

ONE HUNDRED YEAR FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year (see "BASE FLOOD").

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PERSON means an individual or his agent, firm, partnership, association or corporation, or agent of the aforementioned groups, or this state or its agencies or political subdivisions.

PROGRAM means the National Flood Insurance Program authorized by 42 U.S.C. 4001-4128.

PROGRAM DEFICIENCY means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the NFIP standards.

RECREATIONAL VEHICLE means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. designed to be self-propelled or permanently towable by a light duty truck; and
- d. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel or seasonal use.

REGULATORY FLOOD ELEVATION means an elevation one foot above the base flood elevation for a watercourse for which the base flood elevation has been determined and shall be as determined by the criteria developed by the director of water resources for all other watercourses.

REGULATORY FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

REMEDY A VIOLATION means to bring the structure or other development into compliance with State or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provision of this Ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

REPETITIVE LOSS STRUCTURE means a structure, covered by a contract for flood insurance issued pursuant to the National Flood Insurance Act, that has incurred flood-related damage on two occasions during any 10-year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

RIVERINE means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SHEET FLOW AREA (see “AREA OF SHALLOW FLOODING”).

SPECIAL FLOOD HAZARD AREA means an area having special flood or flood-related erosion hazards, and shown on a FHBM or FIRM as Zone A, AO, A1-30, AE, A99 or AH.

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START OF CONSTRUCTION includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the

structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

VARIANCE means a grant of relief from the requirements of this Ordinance which permits construction in a manner that would otherwise be prohibited by this Ordinance.

VIOLATION means the failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

WATERCOURSE means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

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WATERCOURSE MASTER PLAN means a hydraulic plan for a watercourse that examines the cumulative impacts of existing development and future encroachment in the floodplain and future development in the watershed on potential flood damages, and establishes technical criteria for subsequent development so as to minimize potential flood damages for all flood events up to and including the one hundred-year flood.

Section 13.6-3: General Provisions--FPM Zone

- A. Lands to Which This Ordinance Applies: This ordinance shall apply to all areas of special flood hazards within the boundaries of Coconino County except those incorporated cities and town which have adopted a resolution in accordance with ARS § 48-3610.
- B. Basis for Establishing the Areas of Special Flood Hazard: The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled “The Flood Insurance Study for Coconino County, dated November 16, 1983” with accompanying Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFM), dated November 16, 1983 and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ordinance. This Flood Insurance Study (FIS) and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this Ordinance and which are recommended to the Floodplain Board by the Floodplain Administrator. The Board, within its area of jurisdiction shall delineate (or may by rule require developers of land to delineate) for areas where development is ongoing or imminent, and thereafter as development becomes imminent, floodplains consistent with the criteria developed by the Federal Emergency Management Agency and the Director of Water Resources. The FIS, FIRMs

and FBFMs are on file at the Department of Community Development, 2500 N. Fort Valley Road, Flagstaff.

- C. Compliance: All development of land, construction of residential, commercial or industrial structures or future development, or uses of any kind conducted on land areas located within the Floodplain Management overlay zone shall be accomplished in complete conformance with the provisions of this Section and other applicable regulations. Proposed actions which may divert, retard or obstruct flood waters or in any way threaten public health, safety or the general welfare must first be reviewed and approved by the County Engineer and may be initiated only after a finding has been made that serious detrimental impacts will not occur.
- D. Abrogation and Greater Restrictions: This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- E. Interpretation: In the interpretation and application of this ordinance, all provisions shall be:
1. Considered as minimum requirements;
 2. Liberally construed in favor of the governing body; and,

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Section 13.6-3: General Provisions--FPM Zone (Continued)

3. Deemed neither to limit nor repeal any other powers granted under state statutes.
- F. Warning and Disclaimer of Liability: The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of Coconino County, any officer or employee thereof, the State of Arizona, the Federal Insurance Administration, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.
- G. Statutory Exemptions:
1. In accordance with ARS § 48-3609.H, regulations herein adopted for the FPM Zone shall not affect:
 - a. Existing legal uses of property or the right to continuation of such legal uses. However, if a nonconforming use of land, building or structure is discontinued for 12 months or destroyed to the extent of 50 percent of its value, as determined by a competent appraiser, any further use shall comply with this Ordinance and regulations of Coconino County.
 - b. Reasonable repair or alteration of property for the purposes for which the property was legally used on May 6, 1987, or the effective date of any regulations affecting such property,

except that any alteration, addition or repair to a nonconforming building or structure which would result in increasing its flood damage potential by fifty per cent or more shall be either floodproofed or elevated to or above the regulatory flood elevation.

- c. Reasonable repair of structures constructed with the written authorization required by ARS §48-3613.
 - d. Facilities constructed or installed pursuant to a certificate of environmental compatibility issued pursuant to Title 40, Chapter 2, Article 6.2.
2. In accordance with ARS § 48-3613, written authorization shall not be required, nor shall the Floodplain Board prohibit:
- a. The construction of bridges, culverts, dikes and other structures necessary to the construction of public highways, roads and streets intersecting or crossing a watercourse.
 - b. The construction of storage dams for watering livestock or wildlife, structures on banks of a watercourse to prevent erosion of or damage to adjoining land if the structure will not divert, retard or obstruct the natural channel of the watercourse, or dams for the conservation of flood waters as permitted by ARS Title 45, Chapter 21.

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Section 13.6-3: General Provisions--FPM Zone (Continued)

- c. Construction of tailing dams and waste disposal areas for use in connection with mining and metallurgical operations. This paragraph does not exempt those sand and gravel operations which will divert, retard or obstruct the flow of waters in any watercourse from complying with and acquiring authorization from the Board pursuant to regulations adopted by the Board under this Section.
 - d. Other construction if it is determined by the Board that written authorization is unnecessary.
 - e. Any flood control district, county, city, town, or other political subdivision, from exercising powers granted to it under Title 48, Chapter 21, Article 1.
 - f. The construction of streams, waterways, lakes and other auxiliary facilities in conjunction with development of public parks and recreation facilities by a public agency or political subdivision.
 - g. The construction and erection of poles, towers, foundations, support structures, guy wires, and other facilities related to power transmission as constructed by any utility whether a public service corporation or a political subdivision.
3. Before any construction authorized by subsection 13.6-3.G.2 of this Section may begin, the responsible person must submit plans for the construction to the Floodplain Board for review and comment.
4. In addition to other penalties or remedies otherwise provided by law, this State, a political subdivision or a person who may be damaged or has been damaged as a result of the unauthorized diversion, retardation or obstruction of a watercourse has the right to commence, maintain and prosecute any appropriate action or pursue any remedy to enjoin, abate or otherwise prevent any person from violating or continuing to violate this Section or regulations adopted

pursuant to ARS Title 45, Chapter 10, Article 4. If a person is found to be in violation of this section, the court shall require the violator to either comply with this section if authorized by the board or remove the obstruction and restore the watercourse to its original state. The court may also award such monetary damages as are appropriate to the injured parties resulting from the violation including reasonable costs and attorney fees.

H. Declaration of Public Nuisance:

Every new structure, building, fill, excavation or development located or maintained within any area of special flood hazard after August 8, 1973 in violation of this Ordinance is a public nuisance per se and may be abated, prevented or restrained by action of this political subdivision.

I. Abatement of Violations:

Within 30 days of discovery of a violation of this Ordinance, the Floodplain Administrator shall submit a report to the Floodplain Board which shall include all information available to the Floodplain Administrator which is pertinent to said violation. Within 30 days of receipt of this report, the Floodplain Board shall either: Revised 11/83, 1/85, 4/87, 12/00

Section 13.6-3: General Provisions--FPM Zone (Continued)

1. take any necessary action to effect the abatement of such violation; or
2. issue a variance to this Ordinance in accordance with the provisions of Section 13.6-8 herein; or
3. order the owner of the property upon which the violation exists to provide whatever additional information may be required for their determination. Such information must be provided to the Floodplain Administrator within 30 days of such order, and he shall submit an amended report to the Floodplain Board within 20 days. At their next regularly scheduled public meeting, the Floodplain Board shall either order the abatement of said violation or they shall grant a variance in accordance with the provisions herein established; or
4. submit to the Administrator of the Federal Insurance Administration a declaration for denial of insurance, stating that the property is in violation of a cited State or local law, regulation or ordinance, pursuant to Section 1316 of the National Flood Insurance Act of 1968 as amended.

J. Unlawful Acts:

1. It is unlawful for any person to divert, retard or obstruct the flow of waters in any watercourse whenever it creates a hazard to life or property without securing the written authorization of the Floodplain Board. Where the watercourse is a delineated floodplain, it is unlawful to excavate or build any structure affecting the flow of waters without securing written authorization of the Floodplain Board.
2. Any person violating the provisions of this Section shall be guilty of a class 2 misdemeanor.

K. Severability:

This Floodplain Management Overlay Zone and the various parts thereof are hereby declared to be severable. Should any Section of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any portion thereof

other than the Section so declared to be unconstitutional or invalid.

Section 13.6-4: Permitted and Conditional Uses--FPM Zone

Within the floodplain overlay zone, the following uses shall be permitted where the symbol “P” appears and shall be permitted subject to the granting of a conditional use permit where the symbol “C” appears:

A. Agricultural Uses

1. Farms or ranches for orchards, field crops, tree crops, truck gardening, berry and bush crops, flower gardening and the growing of nursery plants. P
2. Raising of horses, sheep, goats, or cattle; provided that no animal shall be kept on a site of less than one acre and no more than two such animals may be kept for each acre of land. P
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Section 13.6-4: Permitted and Conditional Uses--FPM Zone (Continued)

3. Keeping of animals other than as prescribed in A.2 of this Section. C
4. Agricultural experimental facilities. P
5. Agricultural uses wherein a building or structure is proposed within a floodplain. C
6. Agricultural uses conducted for commercial purposes. C

B. Other Uses

1. Flood control facilities (subject to the conditions as outlined in Section 13.6-3.E). P
2. Dredging and filling subject to the approval of the County Engineer. On federal designated waterways, such operations also shall be subject to the approval of the Army Corps of Engineers. P
3. Parking lots. P
4. Parks and open recreational facilities. P
5. All other uses permitted in the underlying zone with which the FPM Zone is combined except that single family residences in the G, AR, RR and RS Zones shall be permitted subject to compliance with these regulations. C

Section 13.6-5: Administration

- A. Establishment of Development Permit: A Development Permit shall be obtained before construction or development, including the placement of manufactured homes, begins within any area of special flood hazard established in Section 13.6-3. Application for a Development Permit shall be made on forms furnished by the Floodplain Administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, and drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures provided by a Certified Professional Engineer or Registered Land Surveyor; in Zone AO, elevation of existing highest adjacent natural grade and proposed elevation of lowest floor of all structures;
2. Proposed elevation in relation to mean sea level to which any non-residential structure will be floodproofed;
4. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 13.6-6.A.3.c; and

Revised 11/83, 1/85, 4/87, 6/00, 12/00

Section 13.6-5: Administration (Continued)

4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- B. Designation of the Floodplain Administrator: The Director of the Department of Community Development is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions.
- C. Duties and Responsibilities of the Floodplain Administrator: Duties of the Floodplain Administrator shall include, but not be limited to:
1. Review all development permits to determine that:
 - a. The permit requirements of this Ordinance have been satisfied;
 - b. All other required state and federal permits have been obtained;
 - c. The site is reasonably safe from flooding;
 - d. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. For purposes of this Ordinance, “adversely affects” means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood more than one foot at any point.
 2. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 13.6-3, for example in A Zones for which detailed studies have not been done, or areas subject to flooding which have not been designated by FEMA on FIRM’s, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer Section 13.6-6. The Floodplain Administrator may require that a hydrologic study which determines base flood elevation be prepared by a Professional Engineer and be submitted by the property owner prior to the submission of a development or building permit application. Any such information shall be consistent with the requirements of the Federal Emergency Management Agency and the Director of Water Resources and shall be submitted to the Floodplain Board for adoption.

3. Obtain and maintain for public inspection and make available as needed for Flood Insurance Policies or effecting Increased Cost of Construction Coverage for repetitive loss structures:
 - a. The certified elevation required in Section 13.6-6.A.3.a;
 - b. The certification required in Section 13.6-6.A.3.b;
 - c. The floodproofing certification required in Section 13.6-6.A.3.c; and
 - d. The certified elevation required in Section 13.6-7.H.

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Section 13.6-5: Administration (Continued)

- e. Permit records for repair of flood-related damage to structures on a cumulative basis over the life of the structure.
4. Whenever a watercourse is to be altered or relocated:
 - a. Notify adjacent communities and the Arizona Department of Water Resources prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration through appropriate notification means;
 - b. Require that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained.

Prior to the alteration of any watercourse the County Engineer shall review and revise as necessary all plans for proposed stream modifications.

5. Within one hundred twenty days after completion of construction of any flood control protective works which change the rate of flow during the flood or the configuration of the floodplain upstream or downstream from or adjacent to the project, the person or agency responsible for installation of the project shall provide to the governing bodies of all jurisdictions affected by the project a new delineation of all floodplains affected by the project. The new delineation shall be done according to the criteria adopted by the Director of Water Resources.
6. Advise in writing and provide a copy of any development plan, to any city or town which has assumed jurisdiction over its floodplains in accordance with ARS § 48-3610, of any application for a floodplain use permit or variance to develop land in a floodplain or floodway within one mile of the corporate limits of such city or town. The District shall also advise such city or town in writing and provide a copy of any development plan of any major development proposed within a floodplain or floodway which could affect floodplains, floodways, or watercourses within such city's or town's area of jurisdiction. Written notice and a copy of the plan of development shall be sent to such city or town no later than three working days after having been received by the District.
7. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 13.6-9.
8. Take actions on violations of this Ordinance as required in Section 13.6-3.I herein.

9. Notify the Administrator and director of water resources of acquisition by means of annexation, incorporation, or otherwise, of additional areas of jurisdiction.

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Section 13.6-6: Provisions for Flood Hazard Reduction

A. Standards of Construction: In all areas of special flood hazards the following standards are required:

1. Anchoring

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b. All manufactured homes shall meet the anchoring standards of Section 13.6-6.E below.

2. Construction Materials and Methods

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. All new construction, substantial improvement and other proposed new development shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- d. Require within Zones AH or AO that adequate drainage paths around structures on slopes guide flood waters around and away from proposed or existing structures.

3. Elevation and Floodproofing

- a. New construction and substantial improvement of any structure shall have the lowest floor, including basement, elevated to or above the regulatory flood elevation. Nonresidential structures may meet the standards of Section 3.c below. Upon the completion of the structure the elevation of the lowest floor, including basement, shall be certified by a registered professional engineer or registered land surveyor and provided to the Floodplain Administrator.
- b. New construction and substantial improvement of any structure in Zone AO shall have the lowest floor, including basement, higher than the highest adjacent grade at least one foot higher than the depth number on the FIRM, or at least two feet if no depth number is specified. Nonresidential structures may meet the standards in Subsection 13.6-6.A.3.c below. Upon completion of the structure a registered professional engineer or registered land surveyor shall certify to the Floodplain Administrator that the elevation of the structure meets this standard.

Section 13.6-6: Provisions for Flood Hazard Reduction (Continued)

- c. Nonresidential construction shall either be elevated in conformance with Subsections a or b above or together with attendant utility and sanitary facilities:
 - i. be floodproofed so that below the regulatory flood level the structure is watertight with walls substantially impermeable to the passage of water;
 - ii. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - iii. be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Floodplain Administrator.
- d. Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by either a registered professional engineer or architect to meet or exceed the following minimum criteria:
 - i. A minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- e. Manufactured homes shall meet the above standards and also the standards in Section 13.6-6.E.

B. Standards for Storage of Materials and Equipment:

- 1. The storage or processing of materials that are, in time of flooding, buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.
- 2. Storage of other material or equipment may be allowed if not subject to major damage by floods, and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

C. Standards for Utilities:

1. All new or replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from systems into flood waters.

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Section 13.6-6: Provisions for Flood Hazard Reduction (Continued)

2. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
3. All new and replacement sanitary sewage systems for development projects in identified floodplain areas shall meet all requirements of the State and/or County Health Departments and shall be designed to minimize or eliminate infiltration of flood waters. On-site effluent disposal systems shall not be installed wholly or partially within the designated regulatory floodway. On-site waste disposal systems shall be located so as to avoid their impairment during flood conditions as well as to preclude contamination from them during flooding. Waste disposal systems shall not be installed in a regulatory floodway.

D. Standards for Subdivisions:

1. All preliminary subdivision proposals shall identify the special flood hazard area and the elevation of the base flood.
2. All final subdivision plans will provide the elevation(s) of proposed structure(s) and pads. If the site is filled above the base flood, the final lowest floor and pad elevation shall be certified by a registered professional engineer or surveyor and provided to the Floodplain Administrator.
3. All subdivision proposals shall be consistent with the need to minimize flood damage.
4. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
5. All subdivisions shall provide adequate drainage to reduce exposure to flood hazards.

E. Standards for Manufactured Homes: All manufactured homes that are placed or substantially improved shall:

1. Be elevated so that the bottom of the structural frame or the lowest point of any attached appliances, whichever is lower, is at or above the regulatory flood elevation; and
2. Be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and Local anchoring requirements for resisting wind forces.

F. Standards for Recreational Vehicles: All recreational vehicles placed on site will either:

1. Be on site for fewer than 180 consecutive days, and be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

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Section 13.6-6: Provisions for Flood Hazard Reduction (Continued)

2. Meet the permit requirements of Section 13.6-5 of this ordinance and the elevation and anchoring requirements for manufactured homes in Section 13.6-6.E (or 13.6-6.A.3.e).
- G. Floodways: Located within areas of special flood hazard established in Section 13.6-3 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:
1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
 2. If Section 13.6-6.G.1 is satisfied, all new construction and substantial improvements shall comply with all other applicable flood hazard reduction provisions of Section 13.6-6.
- H. Flood-related Erosion-prone Areas:
1. The Floodplain Administrator shall require permits for proposed construction and other development within all flood-related erosion-prone areas as known to the community.
 2. Permit applications shall be reviewed to determine whether the proposed site alterations and improvements will be reasonably safe from flood-related erosion and will not cause flood-related erosion hazards or otherwise aggravate the existing hazard.
 3. If a proposed development is found to be in the path of flood-related erosion or would increase the erosion hazard, such improvements shall be relocated or adequate protective measures shall be taken to avoid aggravating the existing erosion hazard.
 4. Within Zone E on the Flood Insurance Rate Map, a setback is required for all new development from the lake, bay, riverfront or other body of water to create a safety buffer consisting of a natural vegetative or contour strip. This buffer shall be designated according to the flood-related erosion hazard and erosion rate, in relation to the anticipated “useful life” of structures, and depending upon the geologic, hydrologic, topographic, and climatic characteristics of the land. The buffer may be used for suitable open space purposes, such as for agricultural, forestry, outdoor recreation and wildlife habitat areas, and for other activities using temporary and portable structures only.

Section 13.6-7: Property Development Standards--FPM Zone

- A. All performance, development and maintenance standards, including screening and landscaping, off-street parking and sign regulations, shall be as set forth in the underlying zone with which the FPM Zone is combined.
- B. Such other performance, development and maintenance standards as may be specified in a Conditional Use Permit required for any use also shall be applicable.

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Section 13.6-7: Property Development Standards--FPM Zone (Continued)

- C. In a floodplain where no floodway is identified, all structures, except as authorized by Section 13.6-3.C, shall be set back five feet from the bank(s) of the watercourse as determined by the County Engineer.
- D. All development proposals for land areas greater than five acres, wherein at least a portion of the subject property is located in an identified floodplain area, shall clearly indicate the base flood elevation data as shown on the Flood Insurance Rate Maps (FIRMs).
- F. Flood retarding or protection structures such as walls or berms may be constructed in identified floodplain areas if, in the opinion of the County Engineer, such structures will ensure the protection of properties, buildings and public safety. Such structures shall be constructed in accordance with plans and specifications prepared by an engineer registered and licensed to practice in the State of Arizona and as approved by the County Engineer. Such structures shall not create any detrimental impact or increase flood hazards on upstream or downstream properties.

Section 13.6-8: Variance Procedure

a. Nature of Variances:

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of Coconino County to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the regulatory flood elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

Variances from the provisions of this Section shall be issued only upon consideration and review of technical documentation, prepared by a registered engineer and acceptable to the Floodplain Administrator showing that the objectives of flood hazard reduction would not be contradicted by the granting of a variance and that the variance is the minimum necessary, considering the flood hazard, to afford relief.

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Section 13.6-8: Variance Procedure (Continued)

B. Appeal Board:

1. Application procedures for a variance shall be on a form prescribed by the Floodplain Administrator and shall be accompanied by a variance application fee as set by the Board of Supervisors.
2. The Floodplain Board of Coconino County shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
3. The Floodplain Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this Ordinance.
4. In passing upon such applications, the Floodplain Board shall consider all technical evaluations, all relevant factors, standards specified in other sections of this Ordinance, and:
 - a. the danger that materials may be swept onto other lands to the injury of others;
 - b. the danger of life and property due to flooding or erosion damage;
 - c. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. the importance of services provided by the proposed facility to the community;
 - e. the necessity to the facility of a waterfront location, where applicable;
 - f. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - g. the compatibility of the proposed use with existing and anticipated development;
 - h. the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. the safety of access to the property in time of flood for ordinary and emergency vehicles;
 - j. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and,
 - k. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

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Section 13.6-8: Variance Procedure (Continued)

5. Upon consideration of the factors of Section 16.6-8.B.4 and the purposes of this Ordinance, the Floodplain Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Ordinance.

6. Any applicant to whom a variance is granted shall be given written notice over the signature of a County official that:
 - a. the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 - b. such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with a record of all variance actions as required in Section 13.6-8.B.7 of this Ordinance. Such notice will also state that the land upon which the variance is granted shall be ineligible for exchange of land pursuant to any flood relocation and land exchange program. A copy of the notice shall be recorded by the Floodplain Board in the office of the Coconino County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

7. The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

C. Conditions for Variances:

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the procedures of Sections 13.6-5 and 13.6-6 of this Ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the repair, rehabilitation or restoration of structures listed in the National Register of Historic Places or the State Inventory of Historic Places, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Revised 11/83, 1/85, 4/87, 12/00

Section 13.6-8: Variance Procedure (Continued)

5. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

- c. a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 13.6-2 of this Ordinance in the definition of “Functionally Dependent Use”; and
- d. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

Revised 11/83, 1/85, 4/87, 12/00

Section 13.7: RC-Resort Commercial Zone

Section 13.7-1: Purposes

In addition to the objectives outlined in Section 1 (Purposes and Scope), the RC--Resort Commercial Zone is designed to achieve the following purposes:

- A. To provide for the exclusive development of resort facilities in a more creative and imaginative fashion than generally is possible under conventional zoning.
- B. To provide for a zone wherein various styles of residential uses designed for occupancy by guests of limited duration can be established in conjunction with service commercial and recreational uses in a coordinated, comprehensive and harmonious design.

Section 13.7-2: Uses Permitted--RC Zone

- A. Those uses designated on the development plan for the particular RC Zone as approved by the Board of Supervisors including residential units of various types, commercial uses designed to serve and provide for the convenience of resort guests, and recreational facilities designed primarily for and limited to use by guests of the resort.
- B. The continuation of all land uses which existed in the zone at the time of adoption of the development plan. Existing land uses shall be either incorporated as part of the development plan or shall be terminated in accordance with a specific abatement schedule submitted and approved as part of the development plan.
- C. Public utility installations.
- D. Accessory uses and structures incidental to permitted uses.
- E. Temporary uses as prescribed in Section 14.1.
- F. Wireless Telecommunication Facilities subject to the provisions of Section 14.5.

Section 13.7-3: General Requirements--RC Zone

The following requirements shall apply to all RC Zoned areas:

- A. An application for a zone change to permit the establishment of an RC Zone shall include and be accompanied by a development plan for the entire property.
- B. An application for a zone change to establish an RC Zone must be for a parcel or parcels of land under the control of the person or corporation proposing the development.
- C. The area proposed to be contained within an RC Zone shall be not less than five (5) acres.

Revised: 4/01

Section 13.7-4: Development Plan--RC Zone

The development plan of a proposed RC Zone should consist of maps, plans, reports, schedules, development standards and schematic drawings and such other documents deemed necessary by the Director of Community Development in accordance with the following requirements:

- A. The development plan submitted in a form approved by the Director of Community Development.
- B. Location of each existing and each proposed structure in the development area, the use or uses to be contained therein, the number of stories, the gross building and floor areas, approximate location of entrances and loading points thereof.
- C. All streets, curb cuts, driving lanes, parking areas, loading areas, public transportation points, and illumination facilities for the same.
- D. All pedestrian walks, malls and open areas.
- E. Location and height of all walls, fences and screen planting, including a plan for the landscaping of the development and the method by which such landscaping is to be accomplished.
- F. Types of surfacing, such as paving, turfing or gravel to be used at the various locations.
- G. The location and type of proposed recreational facilities and utility facilities.
- H. A preliminary report and plan describing proposed provisions for storm drainage, sewage disposal, water supply and such other improvements and utilities as the County Engineer may require.
- I. A topographic map and conceptual grading plan of the subject property.
- J. A plan of the proposed signing program.

Section 13.7-5: Adoption of Development Plan--RC Zone

The development plan and supporting statements and documents submitted with the application for a resort commercial use shall be approved and adopted by the Board of Supervisors and included in the Ordinance establishing the RC Zone. All development within the RC Zone shall comply substantially with the development plan as approved and adopted by the Board of Supervisors.

Section 13.7-6: Amendments to the Development Plan--RC Zone

Any amendments to the adopted development plan shall be accomplished in the same manner as an amendment to the Zoning Regulations as prescribed in Section 20.4.

Section 13.7-7: Building Permits – RC Zone

A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration or change in use of any building or other structure.

Revised: 7/89, 6/00, 3/02

Section 13.8: P--Parking Zone

Section 13.8-1: Purposes

In addition to the objectives outlined in Section 1 (Purposes and Scope), the P--Parking Zone is intended to provide and identify areas reserved and developed exclusively for public or private off-street parking areas and to accommodate the establishment of parking districts which provide an alternate means of meeting the off-street parking requirements for multiple businesses in a defined area.

Section 13.8-2: Permitted and Conditional Uses--P Zone

- A. Public or private open parking lots including incidental control gates, pay boxes or guard sheds shall be permitted as a matter of right.
- B. Public or private garages or other parking structures including incidental appurtenances shall be permitted subject to the granting of a conditional use permit.
- C. Wireless Telecommunication Facilities subject to the provisions of Section 14.5.

Section 13.8-3: Property Development and Performance Standards--P Zones

- A. A minimum 10 foot wide front and street side setback area shall be required in the P-Parking Zone. Said setback areas shall be landscaped except for necessary walks and drives.
- B. The design and configuration of the parking lot shall comply with the site development standards prescribed in Section 15.3.
- C. The design and configuration of the parking garage or structure shall comply with the site development standards prescribed in Section 15.3 or as specified in the conditional use permit.
- D. Wherever off-street parking lots abut property in any general, agricultural residential, rural residential, or residential zone, a masonry wall six feet in height as measured from the highest adjacent grade and screen landscaping shall be erected and maintained between the parking lot and said zones.
- E. Wherever off-street parking lots are situated across the street from property in any general, agricultural residential, rural residential, or residential zone, a masonry wall or berm three feet in height shall be erected and maintained between the parking lot and the required front yard setback area.
- F. All required landscaping shall consist predominantly of plant materials and shall be permanently maintained in a neat and orderly condition.
- G. A parking garage or structure shall maintain a minimum setback of five feet from any property in a general, agricultural residential, rural residential, or residential zone.

Revised: 6/00, 4/01

Section 13.8-4: Signs--P Zones

No sign, outdoor advertising structure or display of any character shall be permitted except as prescribed in Section 16 (Signs) or as authorized under a conditional use permit.

Section 13.9: MR--Mineral Resource Zone

Section 13.9-1: Purposes

In addition to the objectives outlined in Section 1 (Purposes and Scope), the MR-Mineral Resource Zone is intended for application to those areas of the County where it is desirable and necessary to provide for the extraction of minerals and other natural resources.

Section 13.9-2: Permitted and Conditional Uses--MR Zone

The following uses shall be permitted where the symbol "P" appears and shall be permitted subject to the granting of a conditional use permit where the symbol "C" appears opposite the use.

A. Agricultural Uses

1. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, and growing of nursery plants. The sale of products raised on the premises shall be permitted. P
2. Raising and grazing of horses, sheep, goats, or cattle; provided, that no animal shall be kept on a site of less than one acre. No more than two such animals may be kept for each one acre of land. P
3. Keeping of animals except as prescribed in A.2 of this Section; dairies, feeding lots and ranches. C
4. Agricultural experimental facilities. C

B. Excavation, processing and stockpiling of minerals and the back-filling or resultant excavations with inert materials. C

C. Concrete batching plants. C

D. Flood control facilities. C

E. Manufacture of block, brick, pipe, tile, cement or asphalt. C

F. Public or private parks, golf courses, golf driving ranges, and other similar open recreational facilities. P

G. Public utility installations. C

H. Rock crushing plants, aggregate washing, screening and drying facilities and equipment. C

I. Accessory Uses:

1. Offices and maintenance buildings or structures. P

Section 13.9-2: Permitted and Conditional Uses--MR Zone (Continued)

- 2. Residences (including use of mobile homes) for caretakers or watchmen. P
- 3. Retail or wholesale commercial operations incidental or accessory to or in conjunction with permitted or conditional uses. P
- 4. Storage of materials or machinery used in conjunction with permitted or conditional uses. P
- 5. Weigh stations. P
- J. Wireless Telecommunications Facilities subject to the provisions of Section 14.5 C

Section 13.9-3: Property Development Standards--MR Zone

- A. When a MR Zone abuts or is situated across the street from property in any G, AR, RR, RS or RM Zone, a minimum building setback of 100 feet shall be required from such residential zone; provided, however, that the 20 feet of said setback nearest the street or zone boundary line shall be landscaped and the remainder may be used for off-street parking purposes as provided in Section 15. A three foot high wall, fence or berm shall be constructed in back of the landscaped area along street setbacks; along all other lot lines adjacent to G, AR, RR, RS or RM Zones, a six foot high wall or fence as measured from the highest adjacent grade and screen landscaping shall be erected and maintained.
- B. Additional property development standards such as, setbacks, lot coverage requirements, height restrictions, screening and landscape requirements may be imposed by the Commission or Board in their approval of a conditional use permit.
- C. A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration or change in use of any building or other structure.

Section 13.9-4: Performance Standards--MR Zone

- A. Trash receptacles enclosed with solid masonry walls and with gates shall be provided for each industrial use. Said receptacles shall be set back a minimum of 20 feet from any G, AR, RR, RS or RM Zone boundary and shall be maintained in a neat and sanitary condition in order to safeguard the health, safety and general welfare of adjacent properties, subject to the approval of the Director of Community Development.
- B. All mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be completely screened from surrounding properties by use of a wall or fence or shall be enclosed within a building.
- C. Electrical Disturbance, Heat and Cold, Glare. No use except a temporary construction operation shall be permitted which creates changes in temperature or direct glare, detectable by the human senses without the aid of instruments, beyond the boundaries of the site. No use shall be permitted which creates electrical disturbances that affect the operation of any equipment beyond the boundaries of the site.

Revised: 6/00, 4/01

Section 13.9-4: Performance Standards--MR Zone (Continued)

- D. Fire and Explosive Hazards. All storage of and activities involving inflammable and explosive materials shall be provided with adequate safety and fire fighting devices to the specifications of the State Fire Marshal. All incineration is prohibited.
- E. Odor. No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the site.
- F. Vibration. No use except a temporary construction operation shall be permitted which generates inherent and recurrent ground vibration perceptible, without instruments, at the boundary of the lot in which the use is located.
- G. Outdoor Storage Areas shall be entirely fenced with a material not less than six feet in height. Those areas visible from a public street shall be adequately screened by masonry walls or a substitute acceptable to the Director of Community Development.
- H. Noise shall not be generated by any use to the point of disturbing the peace and comfort of neighboring residences.
- I. Rehabilitation. Any pit resulting from depletion of the mineral resource, or from abandoned or terminated mineral extraction operations shall be filled to ground level and such pits or any depleted hillside areas shall be treated in accordance with the following standards:
1. Filling. On property where the mineral resource thereon is in fact depleted by reason of extraction operations, or on property where the production of any such resource is in fact abandoned or terminated, said property shall be filled and landscaped to conform with the surrounding properties. Said filling and landscaping treatment shall be commenced within one month from the date of depletion, abandonment or termination of mineral resource production on the property and diligently prosecuted to the completion thereof.
 2. Grading. Slopes, overburden stockpiles, abandoned spoil piles and the general premises shall be graded and smoothed so as to control erosion, prevent the creation of potentially dangerous areas and present a neat and orderly appearance. No hillside shall remain with an average grade steeper than one foot horizontal to one foot vertical with a 10 foot wide terrace for not more than each 50 feet of vertical height, unless a permanent steeper slope, without terraces, is approved by the County Engineer.
 3. Water-Filled Areas. Upon termination of operations, all excavations made to a level below the existing ground water table shall be filled with inert materials as approved by the County Engineer to a level above the existing ground water table. This requirement shall not apply, however, to any water-filled excavations scheduled to be in an integral part of future development of the property. All such water-filled areas remaining shall be treated with effective mosquito control measures, as required by the County Health Department.

Revised: 6/00

Section 13.9-4: Performance Standards--MR Zone (Continued)

- J. Hazardous and Non-Hazardous Waste Materials. No hazardous material shall be disposed on the premises. All such materials shall be transported to a landfill site officially designated by the State of

Arizona for hazardous materials disposal. Only non-hazardous materials produced on the premises may be disposed of on the premises, provided that such disposal be contained in a manner so as to prevent entry of such materials into the surface water system.

- K. Conformance Testing. Whenever there is a question of conformance with the performance standards of this Section, the Director of Community Development shall require the property owner or operator to engage the services of a certified testing firm. Copies of all such tests shall be furnished to the Director.
- L. Solid Waste Disposal. All solid waste which is not disposed on-site shall be transported to a County landfill site for proper disposition.

Section 13.9-5: Off-Street Parking--MR Zone

Off-street parking facilities shall be provided for each use as prescribed in Section 15 (Off-Street Parking) or as specified in a conditional use permit.

Section 13.9-6: Signs--MR Zone

No sign or outdoor advertising structure shall be permitted in a MR except as provided in Section 16 (Signs).

Section 13.10: Design Review Overlay Zone--DRO Zone

Section 13.10-1: Purposes

In order to protect and enhance the visual quality of certain areas of the County, the Board of Supervisors, upon recommendation by the Planning and Zoning Commission, may in addition to an existing zone classification as specified in this Ordinance, apply the Design Review Overlay Zone to such area to accomplish the following purposes:

- A. To ensure that the development, buildings or structures will conserve the values of adjacent properties and will not prove detrimental to the character of buildings or uses already established in the area.
- B. To ensure that the proposed development will be properly related to its site and to surrounding sites and structures, and to prevent the construction of structures that would be inharmonious with their surroundings.
- C. To ensure that sites, projects and structures subject to Design Review are developed with due regard for the environmental qualities of the natural terrain and landscape, and, that trees and shrubs are not indiscriminately destroyed.
- D. To ensure that the design and exterior architecture of proposed structures will not be so at variance with either the design or exterior architecture of the structures already constructed or being constructed in the immediate neighborhood as to cause a substantial depreciation of property values in the neighborhood.
- E. To ensure that open spaces, parking areas, and landscaping are designed to enhance the visual and physical use of the property and to screen deleterious uses.
- F. To ensure that the proposed development complies with all of the provisions of this Ordinance and the goals and objectives of the General Plan or any amendment or element thereof or specific plan for the area.

Section 13.10-2: Special Provisions

- A. The provisions of this Section shall be applicable only to multiple-family developments, commercial or industrial establishments, and public or semi-public uses and all signing for such uses.
- B. Upon application of the Design Review Overlay Zone to a specific area of the County, the Board of Supervisors, upon recommendation of the Planning and Zoning Commission, shall establish design guidelines for that area. Said guidelines may include exterior design, materials, textures, colors, and means of illumination.
- C. All development or redevelopment described in Subsection A above, including buildings, structures, signs, landscaping, site layout and use relationships, to be located within the Design Review Overlay Zone shall be first approved under the provisions of this Section by the Planning and Zoning Commission prior to the letting of permits for and/or initiation of such development. Redevelopment shall include, but not be limited to, any remodeling or change in appearance of the exterior of any structure, or the appearance of any site.

Revised: 6/00

Section 13.10-2: Special Provisions (Continued)

- D. Approval of all development to be located within the Design Review Overlay Zone shall be based upon a finding by the Commission that such development conforms to the applicable design guidelines as required by Subsection A, above.
- E. Within the Design Review Overlay Zone, all uses permitted in the underlying zone with which the DRO Zone is combined are permitted.

Section 13.10-3: Application Required

Any proponent, agent or sponsor of development or redevelopment to be located in the Design Review Overlay Zone shall first file a Design Review application for consideration by the Commission. Said application shall contain the following:

- A. A site plan, drawn to scale, showing the proposed location of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences, and walls. The site plan shall indicate the locations of off-street parking areas including entrances and exits and the direction of traffic flow into and out of off-street parking areas.
- B. A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and proposed to be retained on the site, the location and design of landscaped areas and the varieties and sizes of plant materials to be planted therein, and other landscape features including sprinkler and irrigation systems.
- C. Architectural drawings or sketches, drawn to scale, including floor plans in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials and colors shall be specified.
- D. Accurate scale drawings of all signs indicating their size, material, color, and illumination, if any.
- E. Grading and drainage plans.
- F. Such other data as may be required to permit the Planning and Zoning Commission to ensure that the purposes of this Section are satisfied.

Section 13.10-4: Action by the Planning and Zoning Commission

Within 45 days of the date the drawings are submitted, the Planning and Zoning Commission shall act on the proposal. Failure of the Commission to act within 45 days shall be deemed approval of the drawings unless the applicant shall consent to an extension of time.

Revised: 6/00

Section 13.10-5: Effective Date of Design Review Decision

A decision of the Planning and Zoning Commission on a Design Review shall be effective immediately upon receipt by the Department of Community Development of a signed agreement to the conditions of approval; provided, however, that the applicant may appeal said decision to the Board of Supervisors within fifteen (15) days from the date of such decision.

Section 13.10-6: Appeal to the Board of Supervisors

A decision of the Planning and Zoning Commission on a Design Review may be appealed to the Board of Supervisors by the applicant as prescribed in Section 20.6-1 (Appeal of Decision of Planning and Zoning Commission).

Section 13.10-7: Action by Board of Supervisors on Appeal

At its next regular meeting following the filing of an appeal from a decision of the Planning and Zoning Commission on a Design Review, the Board of Supervisors shall approve, conditionally approve, or disapprove the plans and drawings or shall request the applicant to revise the plans and drawings. Failure of the Board to act within the time period prescribed by this Section shall be deemed approval of the plans and drawings unless the applicant shall consent to an extension of time.

Section 13.10-8: Lapse of Design Review Approval

Design Review approval shall lapse and shall be void one year following the date upon which the plans and drawings were approved unless prior to the expiration of one year a building permit is issued and construction is commenced and diligently pursued toward completion.

Revised: 7/89, 3/02

Section 13.11: RMH -- Residential and Manufactured Home Zone

Section 13.11-1: Purposes

In addition to the objectives outlined in Section 1 (Purpose and Scope), the RMH-Residential and Manufactured Home Zone is intended to provide and identify residential areas and developments where either conventionally constructed single family residences or manufactured homes may be located within the same subdivision and thereby provide for opportunity for a greater range of housing styles for existing and future residents.

Section 13.11-2: Permitted and Conditional Uses -- RMH Zone

The following uses shall be permitted where the symbol “P” appears and shall be permitted uses subject to the granting of a conditional use permit where the symbol “C” appears. All uses not listed are prohibited. For uses similar to those listed, see Section 20.1.

<u>A. Residential Uses</u>	<u>RMH Zone</u>
1. Conventionally constructed single family dwellings	P
2. Manufactured or modular homes	P
3. Mobile homes	See Section 13.11.3.A.4
<u>B. Agricultural Related Uses</u>	
1. All types of agriculture and horticulture	P
2. Sale of products raised on the premises	P
3. Soil and water conservation projects	C
<u>C. Public and Semi-Public Uses</u>	
1. Pre-schools	C
2. Hospitals	C
3. Churches, convents, monasteries and other religious institutions	C
4. Educational institutions, public or private	C
5. Libraries and museums	C
6. Public parks and recreational facilities	C
7. Public utility and public service substations, reservoirs, pumping plants, and similar installations, not including public utility offices	C
8. Recreational facilities such as rodeos, country clubs, tennis and swim clubs, golf courses, with incidental limited commercial uses which are commonly associated with and directly related to the primary use	C
9. Day care centers	P

Revised: 1/84, 7/91, 6/00, 3/02

Section 13.11-2: Permitted and Conditional Uses -- RMH Zone (Continued)

D. Home Occupations

Home occupations subject to the provisions of Section 14.2 P

E. Accessory Uses

1. Accessory uses and structures located on the same site as a permitted use P
2. Accessory uses and structures located on the same site as a conditional use C

F. Temporary Uses

1. Temporary uses as prescribed in Section 14.1 P
2. Model homes and subdivision sales offices C

Section 13.11-3: Property Development Standards - RMH Zone

The following property development standards shall apply to all land and buildings, other than accessory buildings, except that any lot shown on an official subdivision map duly approved and recorded, or any lot for which a bona fide deed was duly recorded in conformance with the zoning in effect prior to the date of adoption of this Ordinance, may be used as a building site; excepting therefrom any lot having an area of less than 4,000 square feet. For access purposes each building site shall have a minimum 30 foot wide easement or right-of-way. A turnaround with a minimum radius of 25 feet shall be provided at the end of each easement over 150 feet in length. No fences or other obstructions shall be placed in the easement area except with written permission of all other property owners served by the easement. For any parcel of land created after January 3, 1995, an access road to the parcel must be provided prior to the delivery of any combustible building materials. Said access road must be constructed to the standards found in Ordinance Number 95-1, the Ordinance for Road Standards.

A. Special Requirements

1. In the RMH Zone, front yard setbacks in subdivision developments may be reduced by 25 percent provided the average of all such setbacks is not less than the minimum required for the zone.
2. In the RMH Zone, a building used for public or semi-public uses shall maintain a minimum setback of 50 feet from any single family uses.
3. In the RMH Zone, as a precaution against unauthorized use, swimming pools when located within 300 feet of a neighboring residence shall be enclosed by a wall or fence not less than 5 feet in height to the specifications of the Department of Community Development.

Revised: 1/84, 1/95, 6/00

A. Special Requirements (Continued)

4. The establishment of a pre-HUD mobile home may be permitted subject to the rehabilitation of that unit in accordance with the Arizona Office of Manufactured Housing administrative rules and subject to an insignia of approval having been placed by the state on the home. Mobile homes shall not be relocated and placed on-site prior to renovation and rehabilitation as provided for in this Ordinance.

5. A building permit, as required by the Building Code, shall be obtained prior to the construction, reconstruction, alteration or change in use of any building or other structure.

B. General Requirements

The following requirements are minimum unless otherwise noted:

1. Density, maximum dwelling units per acre	6.0
2. Building site, net area in square feet	6,000
3. Lot width	50 feet
4. Lot depth	100 feet
5. Front yard	15 feet
6. Side yard	5 feet
7. Side yard, street side	10 feet
8. Rear yard	10 feet
9. Lot coverage, maximum	40%
10. Building height	35 feet
11. Off-street parking	2 spaces
12. Distance between buildings	10 feet

Section 13.11-4: Performance Standards - RMH Zone

- A. Air conditioners, heating, cooling, ventilating equipment, swimming pool pumps and heaters and all other mechanical devices shall be screened from surrounding properties and streets and shall be so operated that they do not disturb the peace, quiet, and comfort of neighboring residents. Facilities for the operation of alternate energy systems shall be exempted from the screening requirements when such screening will clearly restrict the efficient operation of such systems.
- B. Required front and street side yards shall be landscaped except for necessary walks, drives and fences. Said required front and street side yards shall not be used for the parking or storage of any motor vehicle or vehicle accessory such as camper shells, trailers, motor bikes, or other wheeled accessory or convenience, except that operable motor vehicles may be parked upon the driveway or access way to the garage or carport. One motor vehicle or travel trailer for sale may be parked on or adjacent to the driveway but not elsewhere in the front or street side setback areas.
- C. All required landscaping shall be permanently maintained in a neat and orderly condition.

Revised: 1/84, 6/00

Section 13.11-4: Performance Standards - RMH Zone (Continued)

- D. A maximum area of 200 square feet may be used on any one lot or parcel for the outdoor storage of any used or secondhand materials, including but not limited to lumber, auto parts, household appliances, pipe, drums, machinery or furniture, unlicensed travel trailers or utility trailers; provided, however, that such outdoor storage shall be located to the rear of the main dwelling and be screened from surrounding properties and streets by a wall, non-transparent fence, landscaping or structure. Any wall or fencing shall not exceed six (6) feet in height. Stored secondhand materials, vehicles, vehicle parts, etc., shall not be stacked so as to be visible above the required screening, or more than

six (6) feet high. All permitted screened outdoor storage areas shall meet the minimum required building setbacks as prescribed by this Section. The provisions of this paragraph shall not be so construed as to restrict the storage of firewood maintained for fuel purposes and use by the occupant of the premises.

- E. Where public or semi-public uses are established, a masonry wall six feet in height as measured from the highest adjacent grade and screen landscaping shall be erected and maintained between such uses and adjacent residential uses or properties.
- F. Apparatus needed for the operation of active or passive solar energy systems or other alternative energy systems, including but not limited to, overhangs, movable insulating walls and roofs, attached or detached solar collectors, reflectors and piping shall be permitted for any use subject to the approval and specifications of the Director of Community Development.

Section 13.11-5: Signs -- RMH Zone

No sign or outdoor advertising structure shall be permitted in any RMH Zone except as provided in Section 16.

Section 13.11-6: Accessory Structures -- RMH Zone

- A. Attached Structures An accessory structure that is attached to a main structure shall meet all of the requirements for location of the main structure except as provided in "C" of this Section.
- B. Canopies Canopies, or roofs attached to the main building or connecting the main building with a detached accessory building, may extend into a required rear or interior side yard provided that portions of such structure extending into the yard:
 - 1. Shall not exceed 15 feet in height nor project closer than five feet to an interior side or rear lot line;
 - 2. Shall be entirely open on at least three sides except for necessary supporting columns; except that a roof connecting a main building and an accessory building shall be open on at least two sides.

Revised: 1/84, 6/00

Section 13.11-6: Accessory Structures -- RMH Zone (Continued)

- C. Detached Structures
 - 1. A detached structure shall meet the setback requirements of the main building for the front and street side yard areas.
 - 2. Although not requiring a building permit, accessory structures that have a floor area of 120 square feet or less on parcels one-half acre or smaller shall meet the front and street side setbacks but may be within six feet of the main dwelling and three feet from any interior side or rear property line. Structures that are 64 square feet or less and eight feet or less in height measured to

the highest peak may have a 0 foot separation from the main dwelling and a 0 foot interior side or rear setback as long as the roof does not drain onto an adjacent property. If there is more than one shed on a property, there must be at least a six foot separation between sheds.

3. A detached accessory structure which does not exceed 15 feet in height and 600 square feet in area may be located within an interior side yard or rear yard; provided, however, that such structure shall not be located closer than five feet to an interior side or rear lot line.
4. A detached accessory structure which exceeds 15 feet in height, or 600 square feet in area, shall maintain the same side and rear setbacks for the main dwelling.
5. A detached structure (over 120 square feet) shall maintain a minimum 10 foot separation from the main structure.
6. For the purpose of administering this Section, swimming pools shall be considered to be a detached structure.
7. The use of mobile homes, semi trailers, railroad cars, shipping containers, travel trailers, camper shells, or similar units as accessory structures is prohibited.

D. Other Structures

1. Steps, architectural features, such as eaves, awnings, chimneys, stairways, wing walls or bay windows, may project not more than six feet into any required front, street side or rear yard area, nor into any required side yard area more than one-half (1/2) of said required side yard. Greater projections may be permitted when it is demonstrated that such additional projections are needed for solar or alternate energy purposes, subject to the approval of the Director of Community Development.
2. Balconies, porches or decks shall not encroach or project into any required setback area.
3. For the purpose of this Section, swimming pools shall be considered to be a detached structure. Swimming pools including all accessory or appurtenant structures and equipment shall maintain a minimum setback of five feet from all property lines and buildings. As a precaution against unauthorized use, swimming pools shall be enclosed by a wall or fence not less than 5 feet in height to the specifications of the Department of Community Development.

Section 13.11-7: Walls and Fences - RMH Zone

- A. In any required front or street side yard, an opaque or solid wall or fence shall not exceed three feet in height. Non-opaque fences, which are at least 50% transparent, may be established in any required front or street side yard area to a maximum height of six feet.

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Section 13.11-7: Walls and Fences - RMH Zone (Continued)

- B. A wall or fence not more than six feet in height, as measured from the highest adjacent grade, may be maintained along the interior side or rear lot lines; provided, that such wall or fence does not extend into a required front yard or street side yard. Extensions of walls or fences into required front or street side yards may not exceed three (3) feet in height. Stacking firewood along a property line shall be considered a wall or fence and must meet height limits.
- C. Walls or fences exceeding six feet in height may be permitted only through the variance procedure set forth in Section 20 and subject to the granting of a building permit.

- D. A wall or fence adjacent to a driveway providing vehicular access to an abutting lot shall not exceed three feet in height within fifteen feet of the intersection of said driveway and the street right-of-way so as not to obstruct visibility.
- E. The provisions of this Section shall not apply to a wall or fence required by any law or regulation of the State of Arizona or any agency thereof.
- F. Tires may not be used to construct walls, unless they are fully encapsulated so as to prevent the accumulation of water inside the tires, and subject to the granting of a building permit.

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