

Coconino County Zoning Ordinance Update 2019

Summary of Major Changes

Chapter 1 General Provisions. This chapter acknowledges State enabling statutes that give authority to the zoning ordinance (ZO) and sets forth the purpose and intent of the code, including establishment of zoning districts, conformity of the ZO with the Comprehensive Plan, application, permit fees and requirements, and powers, duties and establishment of the Planning and Zoning Commission, Board of Adjustment, and Board of Supervisors (to the ZO).

Section 1.1 **NEW** Short Title and Authority section describes State statute granting authority for the County to establish a zoning ordinance.

Section 1.13 **NEW** Planning and Zoning Commission section describes powers, duties, membership, terms.

Section 1.14 **NEW** Board of Adjustment section describes powers, duties, membership and terms.

Section 1.15 **NEW** Board of Supervisors section describes specific powers and duties in relation to the ZO.

Chapter 2 Zoning Districts. This chapter describes the purpose, intent and use of all zoning districts, including permitted, conditional or prohibited land uses within each district, and the property development and performance standards that are specific to each district.

Section 2.2 General, Agricultural Residential, and Rural Residential Zones (G, AR, RR)

Conditional Uses (CUP) changed to **permitted** uses for:

- Bed and Breakfast
- Accessory Structures greater than 3,000 SF in G, AR, except parcels less than 2 acres require a CUP.
- Commercial Vehicle/Equipment parking in G, except parcels less than 10 acres require a CUP.
- Recreational vehicle as a permanent residence in G (requires an administrative permit)
- Educational Institutions, Fire Stations, Model Homes and subdivision sales offices and Parks, Trails and Open Space (when approved with subdivision plat)

NEW Land Uses added, or titles revised with **NEW** definitions for:

- Forest Products Processing as CUP in G, AR
- Community Centers, Recreational Facilities, Indoor and Recreational Facilities, Outdoor (**NEW** category out of “recreation facilities”)
- Solid Waste Transfer Facility as CUP
- Transit Stop Center
- Campgrounds as CUP in G
- Kennel, Commercial as CUP in G, AR (reinserted)
- Distributed Renewable Energy Systems

Section 2.3 Single Family Residential Zones (RS)

Performance Standards are modified to allow first floor porches and decks to project up to 8 feet into front setback in RS 6,000, 10,000 and 18,000 zones.

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Section 2.4 Multi-family Residential Zones (RM)

Conditional Uses changed to **permitted** uses for:

- Apartments are permitted and condensed into one category; previously five or more required CUP
- Condominiums and conversions, and conversion process substantially updated.

NEW Land Uses added, or titles revised with **NEW** definitions for:

- Duplex, townhouse

Property Development Standards modified to:

- Add minimum net site, lot width and depth area, and parking for SFD
- Clarify front, side, rear site setbacks for multi family units, SFD's, duplex and ADU's

Performance Standards modified to allow first floor porches and decks to project 8 feet into front setback.

Section 2.6 Manufactured Home Park Zone (MHP)

Conditional Uses changed to **permitted** uses for:

- RV's as a permanent residence with administrative permit

NEW Land Use added to allow SFD as a caretaker/owner's residence

Section 2.7 **NEW** consolidated Residential Zones Permitted and Conditional Land Use Table

Modified Performance Standards common to residential zones permit shower in Accessory Structure bathrooms.

Section 2.8 Commercial Zones

Conditional Uses changed to **permitted** uses for:

- Campgrounds & RV/Travel Trailer Parks in CG and CH, with administrative permit.
- Cocktail lounges and bars NOW Bars, Micro-breweries, Craft Distilleries, Wineries, Tasting and Tap Rooms; permitted in CG and CH; added as a CUP in CN.
- Hotels, Motels and Resorts in Commercial General zone.
- Restaurants, except with outdoor seating next to residential zone is a CUP.

NEW Land Uses added, or title revised with **NEW** definitions for:

- Forest Products Processing as CUP.
- Manufacturing, Light as a permitted use in CH and CG
- Mixed Use Development, in an activity center, as a permitted use
- Mixed Use Development, not in an activity center, as a conditional use
- Residential Uses outside of Area Plan and Regional Plan boundaries, as a CUP
- Park and Ride
- Parking Garages, Lot or Structure as CUP in CG, CH
- Solid Waste Transfer Facility
- Transit Stop Center

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Performance Standards modified:

- Screening between zones, landscaping and additional setbacks combined into **NEW** Section 4.8, Performance Standards Between Zones.

Section 2.9 Industrial Zones (abbreviations for Industrial changed from M to I)

Conditional Uses changed to **permitted** uses for:

- Manufacturing, Light

NEW Land Uses added, or title revised with **NEW** definitions for:

- Adult Use and Entertainment as CUP in IH (Heavy Industrial)
- Bars, Micro-breweries, Craft Distilleries, Wineries, Tasting and Tap Rooms as CUP.
- Forest Products Processing as CUP in IP (Industrial Park); permitted in IL and IH (Light and Heavy Industrial)
- Manufacturing, Light, Medium and Heavy. The three new categories consolidate many existing manufacturing uses, and many are changed from conditional to permitted.
- Motor Vehicle, boat and RV Storage are permitted in IL and IH.
- Park and Ride
- Parking Garages, Lot or Structure
- Solid Waste Transfer Facility
- Transit Stop Center

Performance Standards modified:

- Screening between zones, landscaping and additional setbacks combined into **NEW** Section 4.8, Performance Standards Between Zones

Section 2.10 **NEW** consolidated Commercial and Industrial Use Land Use Table.

Section 2.11 **NEW** Planned Districts, Special Purpose and Overlay Zones.

The existing RC, PRD and PC are consolidated into this **NEW** section, with common administrative requirements and performance standards grouped into this section.

Existing land use tables in the RC, PRD and PC zones are deleted, and the purpose statement of each planned districts is expanded. This change is intended to guide each planned development project toward the specific purpose of that district, versus listing a prescriptive set of specific land uses that may not anticipate the land uses appropriate for a specific project.

Section 2.12 Public and Quasi-Public is renamed from Public and Semi-Public

Section 2.13 Parking is DELETED

The parking zone is deleted with this update. It is an outdated zoning district that is actually a performance standard, versus a type of zoning. The listed land uses are incorporated into the remaining zoning districts, and as seen in the **NEW** land use definition of Parking Garage, Lot or Structure.

Section 2.14 Mineral Resource – No significant changes (formerly numbered Sec. 2.14).

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Section 2.15 **NEW** consolidated Special Purpose Zones Permitted and Conditional Land Use Table.

Section 2.16 Overlay Zones –Floodplain Management and Design Review Overlay zones.

The Bellemont Area Plan is **NEW** to the listed Design Review Guidelines.

Updates include the types of modifications to approved Design Review Overlay projects that are allowed with an administrative approval.

Use tables are deleted from the Floodplain Management Overlay zone, and minor text edits included.

Chapter 3 Special Uses and Conditions. This chapter provides special standards and conditions for specific uses that require greater attention to development standards. Special standards are provided for both commonly listed and permitted land uses, as well as land uses that require additional review and approval through the conditional use permit process.

Section 3.2 Temporary Uses.

Expanded temporary permit timeframe, operating hours and special event types for seasonal stables, holiday sales lots, temporary retail food sales, temporary occupancy of an RV or travel trailer (added RS 40,000 SF or larger), and storage of a mobile or manufactured home.

Section 3.3 Agriculture and Animal Keeping

Reorganized performance standards into sections for agricultural and animal keeping

Included performance standard for manure management

Added a definition for composting

Section 3.4 Accessory Dwellings

Performance standards allow manufactured homes as an ADU if permitted as a primary.

Expanded separation distance from primary from 60' to 100' for detached unit on lots less than 4 acres; from 100' to 200' on lots greater than 4 acres.

Updated waiver requirements to account for site and infrastructure constraints, such as location of wells, driveways and utilities.

Section 3.6 Cottage Industries

Number of employees may be increased from three to a number approved by the Planning Commission.

Expanded the use of Cottage Industries to all RS zones (currently only allowed in RS-36,000).

Added findings that are required to approve waivers for site access.

Section 3.7 Bed and Breakfast Establishments.

These are changed to permitted from conditional uses, and a provision for a sign is added.

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Section 3.9 Wireless Telecommunication Facilities

Disfavored sites expanded to include sites in wildlife or migration corridors near a water source, and facilities with guy wires.

Radar-activated safety lights required for towers exceeding 199'

Standards for bird flight diverters required on guy wires are clarified.

Section 3.10 Metal Storage Container Boxes

Temporary container added: one 320 SF container in G, AR, RR and RS zones.

Permanent container added: one 160 SF container to RM, RMH and MHP zones.

Section 3.11 Accessory Wind Energy Systems

Performance standards for bird flight diverters are added.

Related - **NEW** use and definition for Distributed (Individual) Renewable Energy Systems.

Section 3.13 Nonconforming Uses.

The title was modified to address only nonconforming uses.

Sections 3.14, Walls and Fencing, and 3.15, Storage and Screening MOVED to Chapter 4.

Section 3.15 **NEW** Recreational Facilities, Outdoor

This **NEW** section provides standards and a **NEW** definition for large outdoor facilities such as arenas, fairgrounds, amusements parks etc. It is a result of consolidating and updating the current code that contains a variety of recreation definitions and distinguishing between indoor and outdoor facilities.

Section 3.16 **NEW** Animal Shelters and Kennels, Commercial

This **NEW** section provides standards to address each type of use, including considerations that address noise for outdoor kennels, climate control and waste management.

Section 3.17 **NEW** Recreational Vehicles as a Permanent Residence

This **NEW** section outlines standards for RV's used as a permanent residence, with a CUP, such as wastewater disposal, permits needed for solid fuel burning appliances, and equipment screening.

RV's may be permanent residence in the G and MHP zone with an administrative permit.

Section 3.18 **NEW** Campgrounds and Recreational Vehicle Parks

Campgrounds are added as a conditional use on 10-acre parcels in the G residential zone, changed to a permitted use in Commercial zones, and to conditional use in Open Space zone.

NEW performance standards for all zoning districts where allowed, e.g. in commercial zones.

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Chapter 4 Performance Standards. This chapter establishes performance, or development standards, that are commonly required for permitted and conditional land uses. Projects developing to these standards are reviewed either with an administrative, building or conditional use permit.

Section 4.1 Parking

The parking table standards have been updated and categories modernized.

An administrative waiver for off-street parking requirements has been added with criteria.

Adjustments up to 20 % of the number of off-street parking requirements, based on shared parking and site constraints, may be approved by the Director or Planning Commission.

Updated parking lot graphic.

Section 4.2 Signs

Wayfinding signs and a definition are added as exempt types.

Reorganized to differentiate between permanent and temporary signs.

Portable and sandwich board signs are **NEW** temporary sign allowed in commercial zones.

Updated and **NEW** graphics.

Section 4.4 Landscaping

This section applies to commercial, industrial, multi-family and single-family subdivision development, and there are significant updates to this section that address:

- Irrigation waivers
- Retention and protection of existing native trees and shrubs, with landscape credit based on size for retaining existing trees.
- Landscaping units condensed from three to one plant unit, and cacti are permitted to be used in lieu of trees in appropriate climate zones.
- **NEW** waivers approved by Director for up to 20 percent of landscape requirements, with findings.
- **NEW** table consolidating landscape area requirements (parking lots, street frontage, building perimeter.)
- **NEW** section with specific standards to address fire protection and weed mitigation.
- **NEW** graphics.

Section 4.5 Projections into Required Yards

Separation between structure requirement is removed, reference is made to building code.

NEW projections for energy efficient improvements - cisterns, rain barrels, insulated walls.

Section 4.6 Walls and Fencing is RELOCATED FROM CHAPTER 3

Section 4.7 Outdoor Storage and Associated Visual Screening is RELOCATED FROM CHAPTER 3 AND RENAMED

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Section 4.8 **NEW** Performance Standards Between Zones

This **NEW** section consolidates setback and screening requirements listed throughout Chapter 2 for commercial, industrial, public/quasi-public, commercial or highway commercial within residential zones, and mineral resource zones; redundant Chapter 2 sections deleted.

Chapter 5 Administration. This chapter details the permitting and approval requirements, processes and procedures for all types of planning permits and amendments to the zoning ordinance or Comprehensive Plan. Includes findings that are required for each permit type by each approving entity – the Planning and Zoning Commission, Board of Supervisors or Board of Adjustment. Procedures related to enforcement of the zoning ordinance and the duties of the zoning inspector and compliance manager are outlined.

Section 5.3 Citizen Participation

Section is reorganized to clearly distinguish between the citizen participation plan and report.

Section 5.6 Administrative Adjustments

Additional types of adjustments are allowed 20 % increase in appurtenance height; 10% decrease in animal keeping setbacks and lot sizes, and lot size reduced for eminent domain.

NEW Section 5.6.C describes permits, findings and administration of these adjustments, including how to make a Minor Change to a Planned District Zone. This requires notification of the Planning and Zoning Commission when a request has been made.

Section 5.7 Conditional Use Permits

The types of conditions applicable to a decision of the Planning Commission is expanded to include protection for environmentally sensitive features, access from public rights of way, and requirements for public safety and emergency services.

Waiver findings are added for the Planning Commission.

Allowances for administrative renewals now include an increase in permit time frame.

Section 5.8 Variances

Board of Adjustment findings for approving a variance have been updated.

Section 5.13 Comprehensive Plan

A process for amending the Comprehensive Plan was added.

Chapter 6 Definitions. This chapter provides the adopted and official definition and meaning of the major land uses, zoning terms, documents and processes used throughout the zoning ordinance, and contains significant updates.

Section 6.2 Definitions

The definitions were reorganized to separate floodplain management overlay and lighting definitions from the main body of definitions.

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Overall

The entire Zoning Ordinance has been newly formatted with headers, footers, colors, section and page numbering, hyperlinked definitions, terms and section references. A “Sustainability Symbol” 🌿 is added throughout the ZO to identify sections that feature allowed to support sustainable building.

Future Code Updates

Utility Scale Energy Ordinance will be crafted with working group of experts, per Comprehensive Plan implementation strategy.

Transfer of Development Rights (TDR) Ordinance, per Comprehensive Plan implementation strategy.

Section 4.3, Lighting, will be updated in coordination with City of Flagstaff and JLUS recommendations.