

Article I

GENERAL PROVISIONS

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Section 101 Citation of Code

This Code shall be known and may be cited as the City of Coolidge Zoning Code, except that when cited herein, it shall be referred to as “this Code”.

Section 102 Adoption of this Code

This Code is adopted as the City of Coolidge’s Zoning Code relating to comprehensive planning and zoning, pursuant to provisions of Arizona law, including, without limiting the generality of the foregoing, Section 9.462 and 9-462.01 to 9-462.07, inclusive, Arizona Revised Statutes, as amended.

Section 103 Purpose of provisions

It is the intent and purpose of this Code to protect the public health, safety and general welfare of the community and the people of Coolidge through the establishment of minimum regulations governing development and use of land. This Code shall divide the City into districts and establish regulations in regard to location, erection, construction, reconstruction, alteration and use of structures and land. The regulations are established to promote orderly development and redevelopment; to provide adequate light, air and access to property; to prevent congestion in the public rights-of-way; to prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards and density of population; to provide for compatibility of different land uses; to provide for administration of this Code; to provide for amendments; to prescribe penalties for violation of the regulations; and to define the powers and duties of the City staff, the Planning and Zoning Commission, the Board of Adjustment, and the City Council in relation to this Code.

Section 104 Provisions to coordinate with general plan

The enforcement of, amendments to, and the administration of this Code shall be accomplished in accordance with the recommendations contained in the Coolidge

General Plan, as developed and amended on a regular basis by the Planning and Zoning Commission and City Council for the City of Coolidge.

Section 105 Severability

It is hereby declared to be the intention of the City that the provisions of this Code are severable in accordance with the following:

- A. If any court of competent jurisdiction shall adjudge any provision of the Code to be invalid, such judgment shall not affect any other provisions of this Code not specifically included in said judgment.
- B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Code to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

Section 106 More restrictive regulations to govern in case of conflict

In the case of a conflict between this Code and/or any part thereof, or any other Code of the City of Coolidge, the more restrictive provision in all cases shall apply.

Section 107 Private agreements

The provisions of this Code are not intended to interfere with or abrogate or annul any easements, covenants or other agreements between private parties when such easements, covenants or other agreements are more restrictive or otherwise not in conflict with this Code. When such easements, covenants or other agreements are less restrictive or otherwise in conflict with this Code, this Code shall prevail.

Article II ADMINISTRATION

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Section 201 Administrative bodies designated

The following will have primary responsibility of administering this title as established and described in this title:

- A. Planning and Zoning Commission
- B. Board of Adjustment
- C. Zoning Administrator

Section 202 Planning and Zoning Commission

A. Established

There is created a Planning and Zoning Commission of the City which shall promote the health, safety, order, beauty, prosperity and general welfare of the City, and shall secure efficiency, economy and concerted effort in its growth and development.

B. Membership

The Planning and Zoning Commission shall consist of seven members, who shall represent, insofar as possible, different professions or occupations. Members shall be appointed by the Mayor with the approval of a majority vote of the City Council. Insofar as possible, appointment of members shall be made so as to constitute equal representation for all areas within the City. Members of the Planning and Zoning Commission shall serve without pay or compensation of any kind except actual expenses and shall hold no other municipal or county office.

C. Term of office

The term of office of members of the Planning and Zoning Commission shall be two (2) years. Members may be reappointed. All members shall hold office until their successors are appointed and qualified. Any member of the Planning and Zoning Commission may be removed by the Mayor with the consent of a majority

vote of the City Council for inefficiency, neglect of duty, malfeasance in office, or other good and sufficient cause. Vacancies occurring other than through the expiration of the term shall be filled for the unexpired term by the Mayor with the approval of a majority vote of the City Council.

D. Organization—Meetings

1. The Planning and Zoning Commission shall elect a chairperson from the members of the Planning and Zoning Commission and shall create and fill such other of its offices as it may determine. The chairperson shall be eligible for reelection.
2. The Planning and Zoning Commission shall hold at least one (1) regular meeting in each month at such time and place as may be fixed by the Planning and Zoning Commission. Special meetings of the Planning and Zoning Commission may be called by the chairperson, or by any three (3) members of the Planning and Zoning Commission. A majority of the Planning and Zoning Commission shall constitute a quorum for the transaction of business. The Planning and Zoning Commission shall adopt such other rules and regulations governing its organization and procedures as it may deem necessary, which rules and regulations shall be subject to the approval of the governing body of the City and shall not be inconsistent with the ordinances of the City and the laws of Arizona. The Planning and Zoning Commission shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

E. Duties

It shall be the duty of the Planning and Zoning Commission to:

1. Submit and recommend to the City Council a zoning map dividing the City into districts of such number, shape and area as may be determined best suited to carry out the purposes of this Code and the provisions of Arizona State Statutes and within such districts, it shall recommend such regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land as it shall deem to be in the best interests of the City and its inhabitants;
2. Determine and recommend to the City Council decisions regarding the classification of parcels of land from one zoning district to another;
3. Recommend to the City Council changes in any of the regulations of this Code as to the use of land in any district, or as to the restrictions upon buildings or structures, therein, by amendment to this Code;
4. Review or delegate review of site plans for multiple-dwelling residential structures or developments, commercial development and industrial development and to determine the appropriate action and requirements for each site plan of the development, as called for in this Code;
5. Determine and make decisions regarding conditional uses as provided for

- under this Code;
6. Determine and make decisions regarding special temporary uses as provided under this Code;
 7. Make, and recommend to the City Council for adoption, a general plan to guide the physical development of the City;
 8. Make recommendations to the City Council on matters regarding the interpretation, enforcement, and administration of the City of Coolidge Subdivision Regulations;

Section 203 Board of Adjustment

A. Established

The City Council shall serve as the Board of Adjustment unless a Board of Adjustment is hereby established consisting of five (5) members to be appointed by the Mayor and with the consent of the City Council. Such members shall be residents of the City of Coolidge.

B. Membership

Each member of the Board of Adjustment shall be appointed for a term of three (3) years. Vacancies shall be filled by appointment for the unexpired term of any member whose term becomes vacant. Members shall not serve more than two (2) consecutive three (3) year terms. Before entering upon the duties of his or her appointed position, each member may be required to take and subscribe an oath to support the Constitution and laws of the United States and the State of Arizona, and the Codes of the City of Coolidge.

C. Adoption of rules to govern—Meetings

The Board of Adjustment shall adopt bylaws and rules governing its organization and meetings, and the bylaws shall be subject to the approval of the governing body of the City and shall not be inconsistent with the codes of the City of Coolidge and the laws of the State of Arizona. It shall be the duty of the chairperson to call a meeting of the Board to pass upon and determine all variances and appeals and all other matters upon which it is the duty of the Board to act. The Board shall meet at any other times as it may prescribe in its rules. The chairperson of the Board, or in his/her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of all its proceedings, showing the vote of each member upon each question, or if absent, or failing to vote, indicating such fact, and shall keep records of its examination of other artificial actions, all of which shall be immediately filed in the offices of the Board and shall be of public record.

D. Appeals

Appeals to the Board of Adjustment may be taken by any person, or by any officer, department, board or commission of the City, aggrieved or affected by the decision of any administrative officer. Such appeal shall be taken within thirty (30) days of the aggrievement by filing with the officer from whom the appeal is taken, and with the Board of Adjustment, a notice of appeal specifying the grounds. The officer from whom the appeal is taken shall forthwith transfer to the Board all of the papers constituting the record upon which the appealed action is taken.

E. Duties

The Board of Adjustment shall be, and it is, endowed with the following enumerated duties:

1. To hear and decide appeals where it is alleged that an error exists in any order, requirement, decision or determination made by an administrative official in the enforcement of this Code or of any ordinance adopted pursuant to this Code;
2. To vary or adjust the strict application of the requirements of this Code in the case of an irregular, narrow, shallow, or steep lot or other physical condition applying to a lot or building as a result of which strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved. Any such variance granted shall be granted according to the requirements and procedures established by this Code. Variances may be granted only for hardships related to the physical characteristics of land. Variances to this title related to permitted, accessory and/or conditional uses in any use district shall not be allowed. No variance or adjustment in the strict application of any provision of an ordinance may be granted unless:
 - a. Special circumstances or conditions, fully described in the Board's findings, are peculiar to the land or building for which the adjustment is sought and do not apply generally to land or buildings in the neighborhood and have not resulted from any act of the applicant subsequent to the adoption of this Code,
 - b. For reasons fully set forth in the board's finding, the circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of the reasonable use of the land or building, the granting of the adjustment is necessary for the reasonable use thereof and the adjustment as granted is the minimum adjustment that will accomplish this purpose, and
 - c. The granting of the adjustment is in harmony with the general purpose and intent of this title and will not be injurious to the neighborhood or otherwise detrimental to the public welfare;

3. To grant exceptions and variances upon request where, after a showing that an illegal construction or a nonconforming building or use existed for a period of at least five (5) years in violation of zoning ordinances and the city, with knowledge of the existence of the condition, has not taken any steps toward elimination of the violations.

Section 204 Zoning Administrator

A. Established

The staff position of Zoning Administrator shall be, and is established for the general and specific administration of this Code. The Zoning Administrator shall be appointed by the City Manager and shall perform such duties as set forth in this Code.

B. Duties

It shall be the responsibility of the Zoning Administrator to perform the following duties:

1. Receive, process, record and administer all requests for approvals and permits, as governed by this Code;
2. Advise and recommend to the Planning and Zoning Commission, the Board of Adjustment and the City Council regarding requests for approvals and permits as required by this Code;
3. Direct such inspections, observations and analyses of any and all erection, construction, reconstruction, alteration, repair or use of buildings, structures or land within the City relating to the regulations and restrictions as set forth by this Code;
4. To take action as is necessary for the enforcement of this Code relating to violations of the regulations and restrictions;
5. To pass upon all building permits to determine if the proposed construction, remodeling or alterations are in conformity with the provisions of this Code.

Section 205 Method of documenting amendments

Any official amendments to this Zoning Code of the City of Coolidge shall be incorporated in a timely manner. Such amendments shall be added to or deleted from the appropriate place. Where additional pages are required due to any amendment, the necessary pages shall be paginated using the proceeding page number followed by the appropriate alphabetical designation (5a, 5b, etc.).

Amendments will be followed by the code number and date of adoption which shall appear in parentheses.

The Table of Contents shall be amended as necessary to reflect the amendments.

Section 206 Administrative liability

The City shall hold harmless the officials of the Growth Management Department, the City Manager, other City agencies, officials and boards and their official agents and representatives, when acting in good faith and without malice, from all personal liability for any damage that may occur to any person or property as a result of any act required by this Code, or for the omission of any act on the part of the Department, agency, official board or their authorized agents in the discharge of their duties hereunder. Any suit brought against the City or the City Administration because of such act or omission in the carrying out of the provisions of these regulations shall be defended by the City's legal department through final determination of such proceedings.

Article III

RULES OF CONSTRUCTION AND DEFINITIONS

Section 301 Rules of construction

Section 302 Definitions

Section 301 Rules of construction

- A. Except as specifically defined herein, all words in this Code shall have their customary dictionary definitions. For the purpose of this Code certain words and terms used herein are defined as set out in subsection B of this section.
- B. Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular; the word “shall” is always mandatory, and the word “person” includes a firm, association, organization, partnership, trust, corporation or company, as well as an individual; the word “lot” includes the words “plot” or “parcel”; the word “building” includes the word “structure”; the words “used” or “occupied,” as applied to any land or building, shall be construed to include the words “intended, arranged, or designed to be used or occupied”; the words “map” or “zoning map” mean the zoning map(s) of the City of Coolidge that delineate the area to be governed by these regulations.

Section 302 Definitions

Accessory building or use: A subordinate building, or portion of the principal building, located on the same lot as the principal building, or a subordinate use of land, either of which is customarily incidental to the principal building or to the principal use of land. Where part of an accessory building is connected to a part of the principal building in a substantial manner as by a roof, such accessory building shall be counted as part of the principal building. Individual public utility installations above ground are considered accessory buildings.

Adult use: A retail establishment whose primary business is that of selling or leasing publications and other material of a sexual nature, including adult bookstores and theaters.

Agricultural/ranching: The cultivation of the soil or the raising of livestock and all activities incidental thereto. The terms “farming” and “ranching” shall be interchangeable for purposes of this title.

Airport: A licensed facility where commercial, military and private aircraft may land or take off and where additional space is provided for repairs, services, storage facilities, offices, and buildings for administration and passenger convenience.

Alley: A permanent public thoroughfare providing a secondary means of access to abutting lands.

Apartment building: A building other than a hotel or motel containing five (5) or more dwelling units which have the primary entrances from common hallways, whether interior or exterior.

Area of shallow flooding: A designated AO Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one (1) to three (3) feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident.

Automobile detailing establishment: A building or portion thereof containing facilities on the property for cleaning the interior and exterior of automobiles using hand held equipment and not drive-through full vehicle mechanical washing equipment.

Automobile reduction yard: Any area of land where two (2) or more motor vehicles not in running condition and/or two (2) or more unlicensed motor vehicles, or parts thereof are stored in the open and are not being restored to operation; or any land, building or structure used for the wrecking, dismantling, storage or abandonment of motor vehicles or parts thereof.

Automobile salvage yard: A junkyard primarily containing inoperable vehicles. (See Junkyard).

Automobile service station: An establishment with the primary business function of the retail sale of gasoline for passenger car use with or without minor service and repair work incidental to the operation of passenger automobiles.

Automobile washing establishment: A building which has as its primary purpose washing automobiles. Such facilities shall be considered incidental to automobile service stations if not more than one (1) auto may be washed at one time and if the service station is clearly the principal use.

Base flood, 100-year: The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

Basement: A portion of a building located partly underground but having not less than half its floor-to-ceiling height below the average grade of the adjoining ground.

Bed and breakfast: A dwelling in which the occupants of the dwelling provide, for compensation, the short term lodging and meals for guests occupying not more than five (5) guest rooms located within the dwelling.

Block frontage: All of the property of a given lot or any portion thereof lying adjacent to a public street or highway.

Board: The Board of Adjustment of the City of Coolidge, Arizona.

Building: Any structure having enclosed space and a roof for the housing and/or enclosure of persons, animals or chattels, except manufactured homes, recreational vehicles and mobile offices.

Building area: The maximum horizontal projected area of the principal and accessory building, excluding open steps, terraces, unenclosed porches of one story, and architectural appurtenances projecting not more than two (2) feet. Building area, as that portion of a lot upon which construction is permitted, is as follows: That area of a lot that lies within the boundaries of the front, side and rear yard setback requirements measured from the actual lot line.

Building envelope: That area of a lot lying between the front, rear, and side yard

setback lines and between ground level and the maximum allowable building height, amounting to a three dimensional area available for potential building construction.

Building, front line of: The line of the face of a building nearest the front lot line.

Building, height of: The vertical distance of a building as measured from the average elevation of the finished grade within twenty feet of the structure to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridges for gable and hip or gambrel roofs.

Building line, front: The line nearest to the front and across a lot establishing the minimum open space to be provided between the front line of a building and the front lot line.

Building line, rear: The line nearest to the rear and across a lot establishing the minimum open space to be provided between the rear line of a building and the rear lot line.

Building, nonconforming: A legally existing building which fails to comply with the regulations set forth in this Code applicable to the zone in which the building is located.

Building, principal: A building which is conducted in the main, or principal, use of the lot on which the building is situated.

Building, public: A building, supported by government funds, to be used in an official capacity on behalf of the entire community.

Business: The engaging in of the purchase, sale, barter or exchange of goods, wares, merchandise or service; the maintenance or operation of offices or recreational or amusement enterprises.

Campground: An area of land used to temporarily accommodate two (2) or more camping parties, including cabins, tents, recreational vehicles or other camping outfits.

Carport: A structure, open on at least two (2) sides, consisting of a roof and either walls or columns for the purpose of housing automotive vehicles and other chattels. The structure shall be considered as an accessory building when detached from the principal building and as a part of the principal building when attached to the principal building along one (1) or more sides of the carport or principal building.

Cemetery: Land used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Charity dining facilities, homeless shelters and similar services:

1. Charity dining facilities are defined as facilities that provide regular on-going charitable meal services.
2. Homeless shelters are regular on-going facilities designed to provide temporary, charitable shelter.
3. Similar services are defined as services other than a charity dining hall or homeless shelter, that provides essentially similar services related to shelter and meals as defined above.

Specifically exempted are any services provided to victims of a county, state or federally declared disaster.

Church: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized

to sustain public worship.

City: The City of Coolidge.

City attorney: The attorney of the City of Coolidge or any assistant or special counsel of said City.

Clinic or medical center: An establishment where patients are admitted for special study and treatment by one or more licensed physicians and/or dentists and their professional associates, as distinguished from a “professional office” for general consultation purposes.

Club, private (nonprofit): A nonprofit association of persons who are bona fide members paying annual dues which owns, hires, or leases a building, or a portion thereof; the use of such premises being restricted to members and their guests.

Commercial recreation: Recreation for profit such as resorts, amusement parks, entertainment complexes, and health, golf and fitness clubs.

Commission: The City of Coolidge Planning and Zoning Commission.

Comprehensive master plan: The City of Coolidge comprehensive master plan. Also referred to as general plan.

Convenience-food restaurant: An establishment whose principal business is the sale of foods, frozen desserts, or beverages to the consumer in a ready-to-eat state for consumption either within the premises or for carry-out with consumption either on or off the premises and whose design or principal method of operation includes both of the following characteristics:

1. Foods, frozen desserts, or beverages are usually served in edible containers or in paper, plastic, or other disposable containers;
2. The customer is not served food at his/her table by an employee but receives it at a counter, window, or similar facility for carrying to another location for consumption either on or off the premises.

Conditional use permit: Legal authorization to undertake a conditionally permitted use as defined by this Code.

Council: The City Council of the City of Coolidge.

Day care: The care, supervision and guidance of a child or children, unaccompanied by parent, guardian or custodian, on a regular basis for periods of less than twenty-four (24) hours per day, in a place other than the child's or children's own home or homes.

Day care center: Any facility in which day care is regularly provided for compensation for three (3) or more children not related to the proprietor subject to the requirements of the State of Arizona.

Density, gross: The number of residential dwelling units per unit of land.

Density, net residential: The number of residential dwelling units per unit of land, excluding any land used or to be used as arterial street rights-of-way or private non-residential uses except parks, open space and recreational areas. For calculating net residential density, the formula shall apply:

$$D = \frac{du}{A-(c+i+s+a)}$$

Where:

D = Residential density

du= Total number of dwelling units in project

- A = Total site area (acres)
- c = Total commercial land area (acres)
- i = Total industrial land area (acres)
- s = Reserved but undedicated school sites or other public sites (acres)
- a = Arterial rights-of-way (acres)

Development: Any manmade change to improve or alter real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Drive access: That area between the curb of a street, or edge of the traveled portion of a street when no curb exists, and the right-of-way/property line over which the city will permit vehicular travel from the traveled portion of a street to an individual property, or off-street parking space(s).

Drive-in business: Any business in which people are provided a service or a product, where a sale is made without the customer being required to leave the vehicle. Such businesses include, but are not limited to, the following: drive-in theater, drive-in bank, drive-in laundry or dry cleaning pickup station, drive-in restaurant, and any business offering “take-home” food services.

Duplex: See Dwelling, two-family.

Dwelling: A building, or portion thereof, used primarily for residential occupancy, including single-family, two-family, multiple-family dwellings and group homes, but not including hotels, motels, or tourist homes.

Dwelling, attached: A dwelling that has a wall, roof and/or floor in common with any other dwelling.

Dwelling, detached: City dwelling that does not have a wall roof and/or floor in common with any other dwelling.

Dwelling, multiple (multi-family): A building or portion thereof, used for occupancy by three (3) or more families living independently of each other, with the units completely separated by a common wall, floor and/or ceiling.

Dwelling, single-family: A building used for residential occupancy by one (1) family.

Dwelling, two-family: A building or portion thereof, used for occupancy by two (2) families living independently of each other, with the units completely separated by a common wall, floor and/or ceiling.

Dwelling unit: A dwelling, or portion of a dwelling, used by one household for residential purposes.

Family: Any number of individuals customarily living together as a single housekeeping unit and using common cooking facilities as distinguished from a group occupying a hotel, motel, club, fraternity, sorority, lodging house, or nursing home.

Fence: A barrier constructed of standard fencing materials erected for the purpose of protection, confinement, enclosure or privacy. Fences should not be broken dilapidated, unsightly, leaning or having missing blocks or slats.

Flood Insurance Rate Map: The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and risk premium zones applicable to the community.

Flood Insurance Study: The official report in which the Federal Insurance Administration has provided flood profiles as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodplain: That area encompassing the floodway area and the floodway fringe.

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures and contents of buildings.

Floodway, 100-year: The channel of a river or other watercourse and the adjacent land areas which must be kept free of encroachment in order to carry out and discharge a flood of 100-year magnitude without substantial increases in flood height.

Floodway fringe, 100-year: The area between the floodway and the 100-year flood boundary.

Food Bank: A building or a portion of a building from which foods stuffs are distributed to indigent individuals of families.

Garage, private: A detached accessory building, or portion of a main building, used for the storage of self-propelled vehicles where the capacity does not exceed three (3) vehicles per family housed in the building to which such garage is accessory and not more than one-third (1/3) of the total number of vehicles stored in such garage shall be commercial vehicles.

Garage, public: Any building or premises, except those defined herein as a private garage, used for the storage or care of motor vehicles; or where such vehicles are equipped for operation, repaired, or kept for rental, hire, or sale.

Grade: The average level of the finished ground surfaces surrounding a building.

Greenhouse: A building or structure constructed chiefly of glass, glass-like translucent material, cloth, lath or similar materials which is devoted to the protection or cultivation of flowers and other plants.

Ground floor area: The square foot area of a building within its largest outside dimension computed on a horizontal plane at the ground floor level, exclusive of open porches, breezeways, terraces, garages, exterior stairways, and secondary stairways.

Group home: A single, residential structure having common kitchen facilities occupied by more than five (5) persons having physical, mental, emotional, or social problems and living together for the purpose of training, observation, and/or common support on a twenty-four (24) hour per day basis, except that a residential facility shall not be included in the definition of group home.

Habitable floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof.

Home occupation or profession: Any use conducted entirely within a dwelling and carried on solely by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes and which meets the requirements of this Code.

Hospital: An institution for the diagnosis, treatment, or other cure of human ailments and includes sanitarium or clinic, provided such institution is operated by, or treatment is given, under direct supervision of a physician licensed to practice by the State of Arizona.

Hotel or motel: A building or portion thereof, or a group of buildings, in which lodging is provided and offered to transient guests for compensation; shall not include a

lodging house.

Incidental: Any action or use of less importance, or secondary to, any other action or use.

Industry, heavy: Those industries whose processing of products may result in the emission of any atmospheric pollutant, light flashes, or glare, odor, noise, or vibration which may be heard and/or felt off the premises and those industries which constitute a fire or explosion hazard.

Industry, light: Those industries whose processing of products results in none of the conditions described for heavy industry.

Junkyard: Any place at which personal property is or may be salvaged for reuse, resale, or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or sorted, including but not limited to: use of salvaged base metal or metals, their compounds or combinations; use of salvaged rope, bags, rags, glass, rubber, lumber, millwork, brick, automobiles, and similar property which are used, owned, or possessed for the purpose of wrecking or salvaging parts therefrom.

Large multiple use shopping center: A “large multiple use shopping center” shall mean any grouping of two or more retail uses, whether on a single lot or on abutting lots under multiple or single ownership and whether contained in one building or multiple buildings where the aggregate square footage of building coverage primarily devoted to, or intended for, the sale or display of goods and merchandise for consumption by the general public, including any outdoor sales and display area(s) and storage/stockroom area(s), but excluding any outdoor area for the sale of cars, trucks, boats, recreational vehicles, or manufactured homes in excess of two-hundred fifty thousand (250,000) square feet.

Large single retail use: A “large single retail use” shall mean any single use building, whether stand alone or within a multi-building development, wherein said single use building occupies at least one-hundred thousand (100,000) square feet of building coverage primarily devoted to, or intended for, the sale or display of goods and merchandise for consumption by the general public, including any outdoor sales and display area(s) and storage/stockroom area(s), but excluding any outdoor area for the sale of cars, trucks, boats, recreational vehicles, or manufactured homes. For the purposes of this definition, calculation of such building area(s) shall include all other indoor and outdoor sales areas or customer service area(s) that may be incidental with the large single retail use operator, whether or not such area(s) are under the same management as the large single retail use operator.

Landfill, sanitary: A site for solid waste disposal in which the solid waste is spread in thin layers, compacted to the smallest practical volume and covered with soil. Disposal of liquid waste or chemicals or other potentially toxic substances is not permitted.

Loading and unloading bays: The off-street area required for the receipt of or distribution, by vehicles, of material or merchandise.

Lodging house: A building with more than two (2) but not more than ten (10) guest rooms where lodging with or without meals is provided for compensation.

Lot: A piece, parcel, plot, tract, or area of land occupied or capable of being occupied by one or more principal buildings, and the accessory buildings or uses

customarily incidental to them, and including the open spaces required under this Code, and having its principal lot frontage on a street.

Lot area: The total horizontal area within the boundary lines of a lot.

Lot, corner: A lot at a junction of and fronting on two (2) or more intersecting streets.

Lot coverage: The percentage of the lot area covered by buildings.

Lot depth: The horizontal distance of a line measured at a right angle to the front lot line and running between the front lot line and rear lot line of a lot.

Lot, ground level: For buildings having walls fronting on only one (1) street, the elevation at the front lot line at the center of a wall fronting on the street; for buildings having walls fronting on more than one (1) street, the average of the elevation of the lot lines at the center of all walls fronting on the streets; for buildings having no walls fronting on a street, the average level of the ground adjacent to the exterior walls of the building.

Lot, interior: A lot other than a corner or through lot.

Lot, key: A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street that forms the side boundary of the corner lot.

Lot line, front: In the case of an interior lot, a line separating the lot from the street, in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street and in the case of a through lot, a line separating the lot from the street from which a drive access may be permitted by the City.

Lot line, rear: A lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular shaped lot, a lot line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.

Lot line, side: Any lot boundary line not a front lot line or a rear lot line.

Lot, through: A lot having frontage on two (2) parallel or approximately parallel streets.

Lot width: The distance as measured in a straight line, between side lot lines at the points of intersection with the front building line.

Manufactured home (also mobile home): A factory-assembled structure or structures, exceeding eight (8) feet in width, originally equipped with the necessary service connections and originally made so as to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit (s) without a permanent foundation, whether or not said running gear has been removed.

Manufactured Home, abandoned: Means unoccupied, dilapidated and utilities declared delinquent for at least three (3) months.

Manufactured home park: Any plot of ground upon which two (2) or more manufactured homes, occupied or intended to be occupied for dwelling or sleeping purposes, are located.

Manufactured home space: A plot of ground within a manufactured home park designed for the accommodation of one (1) manufactured home.

Manufactured home stand: That portion of an individual manufactured home space which has been reserved for the placement of a manufactured home and structures or additions appurtenant to the manufactured home.

Manufactured office: See Manufactured home.

Manufacturing heavy: The creation of products either with machinery or by and according to an organized plan and with the division of labor.

Manufacturing, light: Fabrication of and/or assembly of goods from previously prepared materials.

Mining: The extraction of sand, gravel, or other material from the land in the amount of 400 cubic yards or more and the removal thereof from the site without processing.

Mobile vendor: “Mobile vendor” shall mean any person engaged in the business of selling prepared, pre-packaged or unprepared, unpackaged food or foodstuffs of any kind, goods, wares, merchandise, or any other thing of value from a mobile vending unit on private or public property.

Model home: A home constructed to display a builder's for sale or lease units but which does not serve as a dwelling unit.

Modular or sectional home: A dwelling unit mass-produced in a factory, designed and constructed for transportation to a site for occupancy when connected to the required utilities and when permanently anchored to a permanent foundation, and whether intended for use as an independent, individual unit or in combination with other units to form a larger building.

New construction: Structures for which the “start of construction” commenced on or after the effective date of this Code.

Noxious matter or material: Material capable of causing injury to living organisms by chemical reaction or capable of causing detrimental effects on the physical or economic well-being of individuals.

Nonconforming use: See Use, nonconforming.

Nursing home: See Group home.

Offices: Structures, or portions of structures, in which commercial activities take place but where goods are not produced, sold, or repaired. These include: banks; general and professional offices; governmental offices; insurance offices; real estate offices; taxicab offices; but not taxi stands; travel agency or transportation ticket offices; telephone exchange; utility offices; radio broadcasting and similar uses.

One-hundred-year flood: The highest level of flooding that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a one percent chance of occurring in any given year).

Open sales (or rental) lot: Any land used or occupied for the purpose of buying, selling, or renting for use away from the premises, any goods, materials, or merchandise, and for the exterior storing of same prior to sale or rental.

Overlay zone: A zone superimposed upon an underlying zone which establishes special requirements in addition to, or in lieu of, those of the underlying zone. Development or use of land or structures must conform to the requirements of both zones or the more restrictive of the two, if in conflict.

Parking area, public: An open area, other than a street or alley designated for use, or used, as a temporary parking for four (4) or more vehicles when available for public use, whether free or for compensation or as an accommodation for clients or customers.

Park model: A trailer built on a single chassis, mounted on wheels, designed to

be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than 320 square feet and not more than 400 square feet when it is set up, except that it does not include fifth-wheel trailers.

Parking space, off-street: A space designated for the temporary parking of a motor vehicle not on the right-of-way or alley but accessible from a street or alley.

Party wall: A wall of a building or structure which is common to two (2) or more buildings.

Paved parking space or surface: An area covered by an impervious dust free surface of asphalt or concrete designed to specifications of the city engineer.

Personal and convenience services: Businesses offering services such as barber shops, beauty shops, laundromats, laundry and dry cleaning pickup and delivery stations, and similar uses.

Persons: Includes any individual or group of individuals, corporations, company, partnerships, associations, or any other organized group of persons, including state and local governments and agencies thereof.

Plant nursery: Facilities for commercial development, growth and sale of plants and/or for the utilization of and storage of equipment for landscaping operation and wholesale and/or retail or commercial supplies.

Property, personal: Property, other than real property, consisting of things temporal and movable.

Property, real: Property consisting of buildings and/or land.

Recreational vehicle: A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven primarily designed as a temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

Recreational vehicle park: A plot of ground upon which two (2) or more sites are located, established or maintained for occupancy by the general public as temporary living quarters for recreation, education or vacation purposes.

Recycling center: A facility for the collection and temporary storage of empty household product containers, such as, but not limited to, aluminum cans, glass and plastic bottles, plastic, glass, cardboard, paper, aluminum, and similar recyclable materials discarded from residential dwelling units. The term "acceptable recyclable materials" does not include equipment and/or mechanical components. All recycling activities, including compacting and packaging necessary to transport the materials, must occur within an enclosed building or buildings. Outside storage of the materials either prior to processing or after processing is permissible only in enclosed containers.

Research laboratory: An establishment or facility for carrying on investigation in the natural, physical or social sciences, or engineering and development as an extension of investigation with the objective of creating products.

Residential facility: A single residential structure having common kitchen facilities occupied by six or fewer persons having developmental disability and living together for the purpose of residential training, observation, and/or common support, in which care is provided on a twenty-four (24) hour per day basis. The limitation of six or fewer persons does not include the operator of a residential facility, members of the operator's family or persons employed as staff, except that the total number of all persons living at the residential facility shall not exceed eight.

Restaurant: Any restaurant (except a drive-in restaurant or a convenience food restaurant as defined in this section), coffee shop, cafeteria, short-order cafe, luncheonette, tavern, sandwich stand, drugstore, and soda fountain serving food, and all other eating and drinking establishments provided that at least one-half of the total sales are derived from the sale of food.

Retail, big box: Any single use building, whether stand alone or within a multi-building development, wherein said single use building occupies at least one-hundred thousand (100,000) square feet of building coverage primarily devoted to, or intended for, the sale or display of goods and merchandise for consumption by the general public, including any outdoor sales and display area(s) and storage/stockroom area(s), but excluding any outdoor area for the sale of cars, trucks, boats, recreational vehicles, or manufactured homes. For the purposes of this definition, calculation of such building area(s) shall include all other indoor and outdoor sales areas or customer service area(s) that may be incidental to, but nevertheless share customer walking aisles or store entrances with the large single retail use operator, whether or not such area(s) are under the same management as the large single retail use operator.

School: Any pre-primary, primary or grammar, public, parochial or private school, high school; preparatory school or academy, public or founded, or owned or conducted by or under the sponsorship of a religious or charitable organization; private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to college or universities which award B.A. or B.S. degrees; junior college or university, public or founded or conducted by or under the sponsorship of a religious or charitable organization; or private school when not conducted as a commercial enterprise for the profit of individual owners or stockholders.

Screening: A solid or nearly solid barrier (i.e., wall, fence, plantings) constructed or installed for the purpose of visual separation.

Setback: The horizontal distance between the front line of a building and the street right-of-way line or lot line.

Setback line: That line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be placed.

Sewer, public: Any sanitary sewer line owned and maintained by the City, whether or not installed by the City.

Sewer system, community: Any sanitary sewer system, whether treatment plant, septic tank or lagoon designed with a sewer collection system to be used by a legally constituted association of property owners. The system may or may not be a public system.

Sexually oriented business: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center, or any combination of the foregoing.

Shopping center: Any grouping of two (2) or more principal retail uses, whether on a single lot or on abutting lots under multiple or single ownership and whether contained in one (1) building or multiple buildings.

Shopping center, large multiple-use: Any grouping of two (2) or more retail uses, whether on a single lot or on abutting lots under multiple or single ownership and

whether contained in one (1) building or multiple buildings where the aggregate square footage of building coverage primarily devoted to, or intended for, the sale or display of goods and merchandise for consumption by the general public, including any outdoor sales and display area(s) and storage/stockroom area(s), but excluding any outdoor area for the sale of cars, trucks, boats, recreational vehicles, or manufactured homes is in excess of two-hundred fifty thousand (250,000) square feet.

Sign: Any device providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building. Included in this definition are graphic devices such as logos, attention attracting media such as banners or logo sculpture and obtrusive colored fascia or architectural elements.

Sign, free-standing: Any non-movable sign not affixed to a building.

Sign, non-accessory: A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

Sign, wall: A sign fastened to or painted on the wall of a building or structure in such manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve inches from such building or structure.

Site plan: A drawing to scale not less than one (1) inch equals one hundred (100) feet showing the accurate location of all structures, streets, alleys, and parking areas existing and proposed on subject property or any other information as may be required by this Code.

Stable, private: Any building located on a lot which is designed, arranged, used or intended to be used for not more than four (4) horses for the private use of the owner of the lot, but shall not exceed six thousand (6,000) square feet in area.

Stable, public: A stable where horses are kept for remuneration, hire or sale.

Start of construction:

1. The first placement of permanent construction of a structure (other than a manufactured home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. 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 as part of the main structure.
2. For a structure (other than a manufactured home) without a basement or poured footings, the “start of construction” includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation.
3. For manufactured homes not within a manufactured home park or manufactured home subdivision, “start of construction” means the affixing of the manufactured home to its permanent site. For manufactured homes within manufactured home parks or manufactured home subdivisions, “start of construction” is the date on which the construction of facilities for servicing the site on which the manufactured home is to be affixed

(including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

Street: A right-of-way other than an alley, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property.

Street, arterial: A street with access control, signals at important intersections and stop signs on the side streets and restricted parking designed to primarily distribute traffic.

Street, collector: A street which carries (collects) traffic from local streets and connects with minor or major arterial streets.

Street frontage: Any property line separating a lot from a street; the front lot line.

Street, local: A street designed to provide vehicular access to abutting properties and to discourage through traffic.

Street, public: Any street which has been dedicated or is otherwise publicly owned by the City. Any street not a public street shall be deemed a private street.

Structure: Anything constructed or erected which requires location on the ground.

Structural alteration: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any change in the exterior walls or roof.

Substantial improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places.

Tourist home: See Bed and breakfast.

Townhouse: A single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent building and/or buildings by party walls, or are located immediately adjacent thereto without any visible separation between walls or roof; all of which may be located on individual and separate lots, if individually owned, or upon a single lot, if under common ownership

Townhouse cluster: A building consisting of three (3) or more non-communicating, attached one-family units placed side by side and/or back to back having a common wall between each two (2) adjacent dwelling units.

Truck stop: A facility for the servicing of diesel powered trucks and tractor

trailers. A truck stop shall mean any one or more of the following:

1. Four (4) or more diesel fuel dispensers;
2. Two (2) or more bays for truck washing;
3. Facilities for diesel engine repair.

Other uses present at the same facility such as convenience markets or restaurants shall not be determinative of whether or not the facility is a truck stop.

Truck washing establishment: A facility designed to primarily serve to semitrailer and tractor travel as a place to have such vehicles cleaned.

Unsafe Structures and equipment: All buildings structures or existing equipment regulated by this code that are structurally unsafe or not provided with adequate egress, or that constitutes a fire hazard, or are otherwise dangerous to human life are unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is an unsafe use, as defined and addressed in Sections 115.1 through 115.6.6 of the City Building Code.

Use: The employment or occupation of a building, structure or land for a person's service, benefit, or enjoyment.

Use, accessory: See Accessory building or use.

Use, conditionally permitted: Either a public or private use as listed herein which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district. After consideration in each case of the impact of such use upon neighboring land and of the public need for the particular use at the particular location, a permit for such conditional use may or may not be granted, with or without conditions, in addition to any condition specifically stated in this Code for any particular conditional use, including time limits, pursuant to the requirements of this Code. A conditional use may be a principal use or an accessory use.

Use, nonconforming: An existing use of land or building which was legal prior to the effective date of this Code but which fails to comply with the requirements set forth in this Code applicable to the zone in which such use is located

Use, permitted: A use which is lawfully established in a particular district or districts and which conforms with all requirements, regulations, and performance standards of such district. A permitted use may be a principal use or an accessory use.

Use, principal: A use or structure which determines the predominant or major use of the lot on which it is located. The principal use shall be that use which establishes the character of the property relative to surrounding or adjacent properties. A principal use may be either a permitted or a conditional use.

Use, temporary: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Variance: A modification or variation of the provisions of this Code as applied to a specific piece of property. Dimensional variances only may be allowed; no variance regarding use of property shall be permitted; no variance decreasing lot area requirements shall be allowed. Variance may be permitted only by the Board of Adjustment.

Variance, dimensional: Departure from the terms of the zoning regulations pertaining to height or width of structures and size of yard and open spaces where such departure will not be contrary to the public interest and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the

action of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

Warehouse: An enclosed building designed and used primarily for the storage of goods and materials.

Warehouse, residential storage (mini-warehouse): A building or group of buildings in a controlled access and fenced or screened compound that contains relatively small storage spaces of varying sizes and/or spaces of varying sizes and/or spaces for recreational vehicles or boats, having individual, compartmentalized and controlled access for the dead storage of excess personal property of an individual or family generally stored in residential accessory structures, when such building or group of buildings are not located on the lot of the residence.

Wireless communication facilities: Any facility or structure used for the reception or transmission of radio, telephone, television or similar-type signals. Included in this definition are transmission and reception towers of commercial and private radio and television broadcasting and re-broadcasting stations, cable television facilities, cellular and other telephone facilities, paging and personal communication facilities, and public and private utility facilities including attachments.

Wrecking yard: A place, lot or area where the primary function is that of dismantling, storage, abandonment or sale of goods and materials as parts or scraps.

Yard: A space on the same lot with a principal building, which is open and unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar structures, and unobstructed by structures, except as otherwise provided in this Code.

Yard, corner side: A yard on a corner lot the area of which is bounded by a line extending from the front of the principal building (the front building line) to a point intersecting the side street right-of-way line (side lot line), then along the side lot line to a point intersecting the rear lot line, then along the rear lot line to a point intersecting the line formed by extending the wall of the nearest principal building paralleling the side lot line.

Yard, front: A yard extending across the full width of the lot between two (2) side lot lines the depth of which is the least distance between the street right-of-way and the front building line.

Yard, rear: A yard extending across the full width of the lot between the two (2) side lot lines and between the rear line and a parallel line tangent to the rear of the principal building and the depth of which is the least distance between the rear lot line and the parallel line.

Yard, side: A yard extending between the front building line and the rear building line, the width of which is the least distance between the side lot line and the nearest part of the principal building.

Article IV

ESTABLISHMENT OF ZONES

Section 401 Zone classifications designated

Section 402 Zone boundaries interpreted

Section 401 Zone classifications designated

For the purpose of this Code, the City shall be divided into the following zones:

1. AG — Agricultural Zone
2. R-1 — Single-Family Residential Zone
3. R-2 — Single-Family-Duplex Residential Zone
4. R-3 — Two-Four Family Residential Zone
5. R-4 — Multi-Family Residential Zone
6. R-5 — Manufactured Home Residential Zone
7. R-6 — Recreational Vehicle/Park Model Zone
8. C-1 — Neighborhood Business Zone
9. C-2 — General Business Zone
10. C-3 — General Service Zone
11. C-O — Commercial Office Zone
12. C-P — Commerce Park Zone
13. I-1 — Garden Industrial Zone
14. I-2 — General Industrial Zone
15. I-3 — Heavy Industrial Zone
16. PAD — Planned Area Development
17. RMU-PAD — Regional Mixed-Use Planned Area Development
18. F-1 — Floodway Overlay Zone
19. F-2 — Floodplain Overlay Zone
20. MH — Manufactured Home Overlay Zone
21. IO — Infill Overlay Zone
22. DTO - Downtown Overlay Zone

The boundaries of these zones are established as shown on a map entitled “Zoning Map of Coolidge, Arizona,” which has been recommended and certified by the City Council with the signature of the Mayor affixed thereto and is made a part of this Code.

Section 402 Zone boundaries interpreted

Where uncertainty exists with respect to any of the boundaries of the zones as shown on the Zoning Map, the following rules shall apply:

- A. Where zone boundaries are indicated as approximately following the center lines of street, highway, or railroad rights-of-way or such lines extended, such center lines or such lines extended shall be construed to be such boundaries;
- B. Where zone boundaries are indicated as approximately following the corporate limit line of the City, such corporate limit line shall be construed to be such boundaries;
- C. Where zone boundaries are indicated as approximately following property lines or such lines extended, such property lines or such lines extended shall be construed to be such boundaries;
- D. Where zone boundaries are indicated as approximately following the center line of stream beds or river beds, such center lines or such lines extended shall be construed to be such boundaries;
- E. No zone boundary line shall hereinafter be established to divide one (1) lot into two (2) or more zones unless the size of the lot in question is such that division is determined to be essential by the Planning and Zoning Commission and the City Council.

Article V

RESIDENTIAL ZONES

- Section 501** **Agricultural Zone (AG)**
- Section 502** **Single-Family Residential Zone (R-1)**
- Section 503** **Single-Family/Duplex Residential Zone (R-2)**
- Section 504** **Multi-Family Residential Zone (R-3)**
- Section 505** **Multi-Family Residential Zone (R-4)**
- Section 506** **Manufactured Home Residential Zone (R-5)**
- Section 507** **Recreational Vehicle/Park Model Zone (R-6)**

Section 501 Agricultural Zone (AG)

A. Purpose of provisions

1. The purpose of the Agricultural Zone (AG) is to provide principally for the development of single-family detached dwelling units at very low densities and to provide for the establishment and/or maintenance of a wide range of agricultural uses. The primary purpose of requiring larger minimum lot sizes is to assure an adequate area for the very low density residential lifestyles that currently exist within the city limits, and to continue to allow for the various forms of agricultural activities for indefinite periods of time.
2. This zone shall be applied to those city areas which are not only generally rural in character, but also those areas which may undergo more intensive development. In which case, the same zoning district shall be considered as a “holding” classification.

B. Principally permitted uses

1. Agricultural activities
2. Single-family dwellings
3. Public parks

C. Conditionally permitted uses

1. Cemeteries
2. Churches/Civic/Cultural institutions
 - a. Because of the potential impact of these uses, the following factors shall be considered.
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and nearby streets.
3. Day care centers
4. Group homes
 - a. Standards. Group Homes shall be located, developed and operated in compliance with the following standards.
 - i) Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closest property lines. No separation is required when group homes are separated by a utility right-of-way of at least 300 feet in width, or by a freeway, arterial street, canal or railroad;
 - ii) Occupancy. The number of residents, excluding staff, shall not exceed

10;

iii) Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a street;

iv) Compliance with all applicable Building and Fire Safety Regulations. If a group home has one (1) or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents shall apply;

v) Licensing. Group homes shall comply with applicable licensing requirements;

vi) Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations;

vii) Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

5. Public buildings
6. Public utility buildings, structures and equipment
7. Golf courses
8. Temporary sales and office buildings

D. Permitted accessory uses

1. Fences
2. Greenhouses
3. Guest houses
4. Home occupations
5. Private garages
6. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
7. Tool sheds, for storage of domestic supplies

E. Lot area and dimensions

| | | |
|--|---|--------------------------|
| 1. Required Lot Area: | | |
| Use | Minimum Lot Area | |
| Single-family dwelling units | One (1) acre | |
| Other Permitted Uses | To be determined by building area, parking requirements and required setbacks. | |
| 2. Required Lot Dimensions: | | |
| Use | Minimum Lot Width | Minimum Lot Depth |
| Single-family dwelling units | 150 feet | 150 feet |
| Other permitted uses | Lot dimensions to be determined by building area, parking requirements and required setbacks. | |
| 3. Density: | | |
| There shall not be more than one (1) single-family dwelling unit on any one (1) lot. | | |

F. Setbacks, yards and heights

| | | | | |
|---|--------------|----------------------|--------------------|------------------|
| 1. Minimum Setbacks From Property Line: | | | | |
| Use | Front | Interior Side | Corner Side | Rear Yard |
| Single-family dwelling | 35' | 10' | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) and all commercial-agricultural uses | 50' | 50' | 50' | 50' |
| Structures accessory to single-family dwellings | 35' | 10' | 20' | 10' |
| Structures for all other principal, conditional or accessory uses | 50' | 50' | 50' | 50' |
| 2. Maximum Building Height: 28 feet, except that a conditional use may be granted for agricultural use buildings | | | | |

G. Permitted encroachment into required setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.

3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within five (5) feet of a side property line.

H. Additional building and performance standards

Development of any portion of land within the AG Zone shall be subject to all applicable requirements of Article X of this Code.

I. Property in floodplains to comply with certain requirements

Any property located in the AG Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 502 Single-Family Residential Zone (R-1)

A. Purpose of provisions

The purpose of the R-1 Zone is to provide for the development of single-family detached dwellings and directly related complementary uses at a low density. The R-1 Zone is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.

B. Principally permitted uses

1. Single-family dwellings
2. Public parks

C. Conditionally permitted uses

1. Boarding of horses; 1 acre lot minimum: not more than two (2) horses per acre, to a maximum of five (5) horses
2. Churches/Civic/Cultural institutions
 - a. Because of the potential impact of these uses, the following factors shall be considered.
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and adjacent properties.
3. Day care centers
4. Electrical sub-stations
5. Gas regulating stations
6. Golf courses
7. Group homes
 - a. Standards. Group Homes shall be located, developed and operated in compliance with the following standards.
 - i) Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closet property lines. No separation is required when group homes are separated by a utility right-of-way of at least 300 feet in width, or by a freeway, arterial street, canal or railroad;
 - ii) Occupancy. The number of residents, excluding staff, shall not exceed 10;
 - iii) Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a street;
 - iv) Compliance with all Applicable Building and Fire Safety Regulations.

If a group home has one (1) or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply.

v) Licensing. Group homes shall comply with applicable licensing requirements.

vi) Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations;

vii) Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

8. Model homes, temporary
9. Public buildings
10. Schools
11. Sewer lift stations
12. Temporary sales and office buildings, buildings incidental to construction work
13. Water pump stations
14. Water towers

D. Permitted accessory uses

1. Fences
2. Greenhouses
3. Home occupations
4. Private garages
5. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
6. Tool sheds, for storage of domestic supplies
7. Other accessory buildings and structures

E. Lot area and dimensions

| | | |
|--|---|--------------------------|
| 1. Required Lot Area: | | |
| Use | Minimum Lot Area | |
| Single-family dwelling units | 7,000 square feet ¹ | |
| Other Permitted Uses | Minimum area to be determined by building area, parking requirements, and required setbacks. | |
| ¹ This may be calculated as an average lot size for lots within a given subdivision, provided no lot is less than 6,600 square feet in size and that not more than 10 percent of the lots are less than 7,000 square feet in size | | |
| 2. Required Lot Dimensions: | | |
| Use | Minimum Lot Width | Minimum Lot Depth |
| Single-family dwelling | 70 feet | 100 feet |
| Other permitted uses | Lot dimensions to be determined by building area, parking requirements and required setbacks. | |
| 3. Density: There shall not be more than one (1) single-family dwelling unit on any one (1) lot. | | |

F. Setbacks, yards and heights

| | | | | |
|--|--------------|----------------------|--------------------|------------------|
| 1. Minimum Setbacks From Property Line: | | | | |
| Use | Front | Interior Side | Corner Side | Rear Yard |
| Single-family dwelling | 20' | 5'/10'* | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structures accessory to single family residences | 20' | 5' | 20' | 5' |
| Structures for all other principal, conditional or accessory uses | 20' | 10' | 20' | 20' |
| * No side shall be less than five (5) feet; at least one (1) side yard shall be ten (10) feet | | | | |
| 2. Maximum Building Height: Thirty (30) feet. | | | | |

G. Permitted encroachment into required setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.
3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within five (5) feet of a side property line.

H. Additional building and performance standards

Development of any parcel of land within the R-1 Zone shall be subject to all applicable requirements of Article X of this Code.

I. Property in floodplains to comply with certain requirements

Any property located in the R-1 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 503 Single-Family/Duplex Residential Zone (R-2)

A. Purpose of provisions

The purpose of the R-2 Zone is to provide for the development of single-family and duplex dwellings and directly related complementary uses at a moderate density. The R-2 Zone is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.

B. Principally permitted uses

1. Single-family dwellings
2. Duplexes
3. Public parks

C. Conditionally permitted uses

1. Churches/Civic/Cultural institutions
 - a. Because of the potential impact of these uses, the following factors shall be considered.
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and adjacent properties.
2. Day care centers
3. Electrical sub-stations
4. Gas regulating stations
5. Golf courses
6. Group homes
 - a. Standards. Group Homes shall be located, developed and operated in compliance with the following standards.
 - i) Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closet property lines. No separation is required when group homes are separated by a utility right-of-way of at least 300 feet in width, or by a freeway, arterial street, canal or railroad;
 - ii) Occupancy. The number of residents, excluding staff, shall not exceed 10;
 - iii) Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a street.
 - iv) Compliance with applicable Building and Fire Safety Regulations. If a group home has one (1) or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply;

v) Licensing. Group homes shall comply with applicable licensing requirements;

vi) Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations.

vii) Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

7. Model homes, temporary
8. Public buildings
9. Schools
10. Sewer lift stations
11. Temporary sales and office buildings, buildings incidental to construction work
12. Water pump stations
13. Water towers

D. Permitted accessory uses

1. Fences
2. Greenhouses
3. Home occupations
4. Private garages
5. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
6. Tool sheds, for storage of domestic supplies
7. Other accessory buildings and structures

E. Lot area and dimensions

| 1. Required Lot Area: | | |
|---|---|--------------------------|
| Use | Minimum Lot Area | |
| Single-family dwelling units | 5,000 square feet | |
| Duplexes | 5,000 square feet per dwelling unit | |
| Other Permitted Uses | Minimum area to be determined by building area, parking requirements, and required setbacks | |
| 2. Required Lot Dimensions: | | |
| Use | Minimum Lot Width | Minimum Lot Depth |
| Single-family dwelling units | 50 feet | 100 feet |
| Duplexes | 50 feet | 100 feet |
| Other Permitted Uses | Lot dimensions to be determined by building area, parking requirements and required setbacks. | |
| 3. Density: There shall not be more than two (2) dwellings units on any one (1) lot. | | |

F. Setbacks, yards and heights

| 1. Minimum Setbacks From Property Line: | | | | |
|---|--------------|----------------------|--------------------|------------------|
| Use | Front | Interior Side | Corner Side | Rear Yard |
| Single-family dwelling | 20' | 10'* | 20' | 20' |
| Duplex | 20' | 10'* | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structures accessory to single family residences | 20' | 5' | 20' | 5' |
| Structures for all other principal, conditional or accessory uses | 20' | 10' | 20' | 20' |
| * At least one (1) side yard shall be ten (10) feet; the setback for the remaining side may be less than ten (10) feet providing principal building separations are at least ten (10) feet and that in the case of detached units, the other side yard is at least five (5) feet. | | | | |
| Zero lot line development may be permitted which may result in the creation of a two-family residential structure, however individual lots must be retained. | | | | |
| 2. Maximum Building Height: Twenty Eight (28) feet. | | | | |

G. Permitted encroachment into required setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.
3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within five (5) feet of a side property line.

H. Additional building and performance standards

Development of any parcel of land within the R-2 Zone shall be subject to all applicable requirements of Article X of this Code.

I. Property in floodplains to comply with certain requirements

Any property located in the R-2 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 504 Multi-Family Residential Zone (R-3)

A. Purpose of provisions

The purpose of the R-3 Zone is to provide for medium density housing in multiple-family structures and directly related complementary uses. The R-3 Zone is designed to allow economical use of land while creating an attractive, functional and safe residential environment.

B. Principally permitted uses

1. Single-family dwellings
2. Duplexes
3. Three-family dwellings
4. Four-family dwellings
5. Multiple-family dwellings
6. Public parks
7. Townhouse cluster, not to exceed four (4) units or one hundred twenty (120) feet in length

C. Conditionally permitted uses

1. Churches/Civic/Cultural institutions
 - a. Because of the potential impact of these uses, the following factors shall be considered.
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and adjacent properties.
2. Day care centers
3. Electrical sub-stations
4. Gas regulating stations
5. Golf courses
6. Group homes
 - a. Standards. Group Homes shall be located, developed and operated in compliance with the following standards.
 - i) Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closet property lines. No separation is required when group homes are separated by a utility right-of-way of at least 300 feet in width, or by a freeway, arterial street, canal or railroad.
 - ii) Occupancy. The number of residents, excluding staff, shall not exceed 10;
 - iii) Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a street;

iv) Compliance with all Building and Fire Safety Regulations. If a group home has one or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply;

v) Licensing. Group homes shall comply with applicable licensing requirements;

vi) Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations;

vii) Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

7. Model homes, temporary
8. Public buildings
9. Schools
10. Sewer lift stations
11. Temporary sales and office buildings, buildings incidental to construction work
12. Water pump stations
13. Water towers

D. Permitted accessory uses

1. Fences
2. Greenhouses
3. Home occupations
4. Private garages
5. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
6. Tool sheds, for storage of domestic supplies
7. Other accessory buildings and structures

E. Lot area and dimensions

| Use | Minimum Area Per Unit | Minimum Lot Dimensions ¹ | Outdoor Living Area ² |
|---|----------------------------|--|----------------------------------|
| Single-family dwelling | 5,000 sq. ft. | Width: 45' Depth: 90' | 600 sq. ft./ dwelling unit |
| Two-family dwelling | 3,000 sq. ft. | Width: 70' Depth: 90' | 600 sq. ft./ dwelling unit |
| Three-family dwelling | 3,000 sq. ft. | Width: 80' Depth: 90' | 500 sq. ft./ dwelling unit |
| Four-family dwelling | 3,000 sq. ft. | Width: 80' Depth: 90' | 400 sq. ft./ dwelling unit |
| Townhouse cluster | 3,000 sq. ft. ³ | Width: 90' Depth: 90' | 400 sq. ft./ dwelling unit |
| Other Permitted Uses | | Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks. | |
| ¹ These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units. | | | |
| ² Outdoor Living Area in the minimum amount specified above must be provided on any lot occupied by the multiple-residence or townhouse building. This space must be easily accessible for daily recreational use by the occupants of the building. Driveways, parking areas, ornamental landscaped areas (having a width of less than twenty feet), and required side or front yards shall not be considered as an Outdoor Living Area, except in the case of interior townhouse units where said unit is less than twenty feet in width, in which case the minimum width of the outdoor living area shall be the width of the lot. | | | |
| ³ May be calculated as average lot size per unit per structure. | | | |

F. Schedule of allowances

The minimum areas per unit in Table 504.E may be adjusted according to the following, except allowance shall not be made for two (2) or three (3) family dwellings:

1. For each parking stall in or under the residence, or otherwise completely underground, subtract 400 square feet from the total minimum lot area.
2. For each unit with a balcony or patio greater than forty square feet, subtract one-hundred (100) square feet from the outdoor living area.

G. Setbacks, yards and heights

| 1. Minimum Setbacks From Property Line: | | | | |
|--|--------------|----------------------|--------------------|-------------|
| Use | Front | Interior Side | Corner Side | Rear |
| Single-family dwelling structure | 20' | 5'/10'* | 20' | 20' |
| Two-family dwelling structure | 20' | 10' | 20' | 20' |
| Three-family dwelling structure | 20' | 10' | 20' | 20' |
| Four-family dwelling structure | 20' | 10' | 20' | 20' |
| Townhouse cluster structure | 20' | 10' | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structures accessory to two-family dwelling structures | 20' | 3' | 20' | 3' |
| Structures for all other principal or conditional uses | 20' | 10' | 20' | 20' |

* No side shall be less than five (5) feet; at least one (1) side yard shall be ten (10) feet.

2. Maximum Building Height: Thirty (30) feet

H. Multi-family accessory buildings

1. Accessory buildings shall observe the same setback requirements established for the multiple-residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within five (5) feet of the rear or interior side property line. The City Council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten feet.
2. Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the City based on type and use of building materials.

I. Required distance between buildings

When two (2) or more principal buildings are located on one (1) lot, the minimum separation between any two (2) adjacent principal buildings shall be a distance not less than twenty (20) feet.

J. Permitted encroachment into required setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.
3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within five (5) feet of a side property line.

K. Additional building and performance standards

Development of any parcel of land within the R-3 Zone shall be subject to all applicable requirements of Article X of this Code.

L. Property in floodplains to comply with certain requirements

Any property located in the R-3 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 505 Multi-Family Residential Zone (R-4)

A. Purpose of provisions

The purpose of the R-4 Zone is to provide for high density housing in multiple-family structures and directly related complementary uses. The R-4 Zone is designed to allow highly economical use of land while creating an attractive, functional and safe residential environment.

B. Principally permitted uses

1. Three-family dwellings
2. Four-family dwellings
3. Multiple-family dwellings
4. Townhouse clusters, not to exceed four (4) units or one hundred twenty (120) feet in length
5. Townhouse clusters with four or more units, but not to exceed one hundred sixty (160) feet in length
6. Public parks

C. Conditionally permitted uses

1. Churches/Civic/Cultural institutions
 - a. Because of the potential impact of these uses, the following factors shall be considered.
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and adjacent properties.
2. Day care centers
3. Electrical sub-stations
4. Gas regulating stations
5. Golf courses
6. Group homes
 - a. Standards. Group Homes shall be located, developed and operated in compliance with the following standards.
 - i) Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closet property lines. No separation is required when group homes are separated by a utility right-of-way of at least 300 feet in width, or by a freeway, arterial street, canal or railroad.
 - ii) Occupancy. The number of residents, excluding staff, shall not exceed 10.
 - iii) Exterior Appearance. There shall be no sign or other exterior

indication of a group home visible from a street.

iv) Compliance with all applicable Building and Fire Safety Regulations. If a group home has one (1) or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply;

v) Licensing. Group homes shall comply with applicable licensing requirements;

vi) Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations;

vii) Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

7. Model homes, temporary
8. Public buildings
9. Schools
10. Sewer lift stations
11. Temporary sales and office buildings, buildings incidental to construction work
12. Water pump stations
13. Water towers

D. Permitted accessory uses

1. Fences
2. Greenhouses
3. Private garages
4. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
5. Tool sheds, for storage of domestic supplies
6. Other accessory buildings and structures

E. Lot area and dimensions

| Use | Minimum Area Per Unit | Minimum Lot Dimensions ¹ | Outdoor Living Area ² |
|--|---------------------------------|--|----------------------------------|
| Multi-family structure | 2,000 sq. ft./unit | Width: 90' Depth: 90' | 300 sq. ft./unit |
| Townhouse cluster | 2,000 sq. ft./unit ³ | Width: 90' Depth: 90' | 400 sq. ft./unit |
| Other Permitted Uses | | Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks. | |
| ¹ These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units. | | | |
| ² Outdoor Living Area in the minimum amount specified above must be provided on any lot occupied by the multiple residence or townhouse building. This space must be easily accessible for daily recreational use by the occupants of the building. Driveways, parking areas, ornamental landscaped areas (having a width of less than twenty feet), and required side or front yards shall not be considered as Outdoor Living Area, except in the case of interior townhouse units where said unit is less than twenty feet in width, in which case the minimum width of the outdoor living area shall be the width of the lot. | | | |
| ³ May be calculated as average lot size per unit per structure. | | | |

F. Schedule of allowances

The minimum areas per unit in Table 505.E may be adjusted according to the following:

1. For each parking stall in or under the residence, or otherwise completely underground, subtract 400 square feet from the total minimum lot area.
2. For each unit with a balcony or patio greater than forty square feet, subtract one-hundred (100) square feet from the outdoor living area.

G. Setbacks, yards and heights

| 1. Minimum Setbacks From Property Line: | | | | |
|---|--------------|----------------------|--------------------|-------------|
| Use | Front | Interior Side | Corner Side | Rear |
| Three- and Four-family dwellings | 20' | 10'/15'* | 20' | 20' |
| Townhouse cluster | 20' | 10'/15'* | 20' | 20' |
| Multi-Family Structure | 20' | 10'/15'* | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structure accessory to multi-family residences | 20' | 3' | 20' | 3' |
| Structures for all other principal or conditional uses | 20' | 10' | 20' | 20' |
| * Ten (10) feet for one-story building; fifteen (15) feet for buildings over one-story | | | | |
| 2. For apartment buildings (five (5) or more multi-family structures), parking of motor vehicles shall not be allowed within the required front or corner side setbacks, unless such parking is screened from public view by a three and one-half (3 ½) foot earth berm or block wall, or its equivalent, as determined by the City. | | | | |
| 3. Maximum Building Height: Thirty Five (35) feet. | | | | |

H. Permitted encroachment into required setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.
3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within five (5) feet of a side property line.

I. Accessory buildings

1. Accessory buildings shall observe the same setback requirements established for the multiple-residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within five (5) feet of the rear or interior side property line. The City Council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten feet.
2. Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the City based on type and use of building materials.

J. Required distance between buildings

When two (2) or more principal buildings are located on one (1) lot, the minimum separation between any two (2) adjacent principal buildings shall be a distance not less than an amount equal to the height of the taller of the two (2) buildings or twenty (20) feet, whichever is greater when developed as a Planned Area Development. For major and minor site plans, building separation shall be the sum of two (2) interior side yard setbacks.

K. Additional building and performance standards

Development of any parcel of land within the R-4 Zone shall be subject to all applicable requirements of Article X of this Code.

L. Property in floodplains to comply with certain requirements

Any property located in the R-4 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 506 Manufactured Home Residential Zone (R-5)

A. Purpose of provisions

The purpose of the R-5 Zone is to promote affordable housing and make economical use of the land by allowing the development of mobile home communities at medium densities.

B. Establishment of R-5 Zone

No R-5 Zone may be established unless the site contains at least ten acres of land.

C. Principally permitted uses

1. Single-family dwellings
2. Manufactured homes
3. Public parks

D. Conditionally permitted uses

1. Churches/Civic/Cultural institutions
 - a. Because of the potential impact of these uses, the following factors shall be considered.
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and adjacent properties.
2. Day care centers
3. Electrical sub-stations
4. Gas regulating stations
5. Golf courses
6. Group homes
 - a. Standards. Group Homes shall be located, developed and operated in compliance with the following standards.
 - i) Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closet property lines. No separation is required when group homes are separated by a utility right-of-way of at least 300 feet in width, or by a freeway, arterial street, canal or railroad;
 - ii) Occupancy. The number of residents, excluding staff, shall not exceed 10;
 - iii) Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a street;
 - iv) Compliance with all applicable Building and Fire Safety Regulations. If a group home has one (1) or more non-ambulatory residents, building

code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply;

v) Licensing. Group homes shall comply with applicable licensing requirements;

vi) Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations;

vii) Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

7. Model homes, temporary
8. Public buildings
9. Recreational vehicles
10. Schools
11. Sewer lift stations
12. Temporary sales and office buildings, buildings incidental to construction work
13. Water pump stations
14. Water towers

E. Permitted accessory uses

1. Fences
2. Greenhouses
3. Home occupations
4. Private garages
5. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
6. Tool sheds, for storage of domestic supplies
7. Other accessory buildings and structures

F. Lot area and dimensions

| 1. Required Location: | | | |
|---|--|------------|--------------------------|
| Use | Minimum Lot Area | | |
| Manufactured homes to 16' width | 4,400 square feet. | | |
| Manufactured homes over 16' width | 5,000 square feet. | | |
| Single-family dwelling | 5,000 square feet. | | |
| Recreational vehicles* | 3,500 square feet. | | |
| Other Permitted Uses | Minimum area to be determined by building areas, parking requirements and required setbacks. | | |
| <p>* Designated spaces within the mobile home community may be set aside for recreational vehicle use, subject to minor site plan review. These spaces are not to exceed ten percent (10%) of the total number of the spaces within the mobile home community, unless a conditional use permit allowing a greater percentage is obtained. In no case shall a mobile home be allowed on a space designed for a recreational vehicle.</p> | | | |
| 2. Required Lot Dimensions: | | | |
| Use | Minimum Lot Width | Lot | Minimum Lot Depth |
| Manufactured homes to 16' width | 40' | | 110' |
| Manufactured homes over 16' width | 50' | | 100' |
| Single-family dwelling | 50' | | 100' |

G. Setbacks, yards and heights

| A. Minimum Setbacks From Property Line: | | | | |
|--|--------------|----------------------|--------------------|-------------|
| Use | Front | Interior Side | Corner Side | Rear |
| Mobile home to 16' in width | 10' | 5' | 10' | 10' |
| Mobile home over 16' in width | 10' | 5' | 10' | 10' |
| Single-family dwelling | 10' | 5' | 10' | 10' |
| Schools, civic, cultural and religious institutions | 50' | 50' | 50' | 50' |
| Structure accessory to mobile homes and single-family dwellings | 20' | 5' | 20' | 5' |
| Structures for all other principal, conditional, or accessory uses | 20' | 10' | 10' | 20' |
| B. Maximum Building Height: 30 feet. | | | | |
| C. If a mobile home or other recreational vehicle features a carport, patio cover, awning, or other extension, setbacks and/or separations shall be measured from the extension's leading edge. | | | | |

H. Permitted encroachment into required setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.
3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within five (5) feet of a side property line.

I. Required street and right-of-way widths

All streets in a R-5 District shall be public unless approved as private as part of a Planned Area Development.

J. Maintenance of property

1. A site plan showing the location of the proposed unit and a landscaping plan must be submitted prior to the placement of the manufactured housing unit on the property.

2. All manufactured housing shall comply with the National Manufactured Home Construction and Safety Act. (the H.U.D. Code) and bear an insignia indicating such.
3. All manufactured housing must be built in one (1) or more sections and be set at grade.
4. All manufactured housing must have a gabled roof consisting of, shingles, tiles, or composition roof materials (metal roofs are excluded). They must have a minimum twelve (12) inch overhang.
5. All manufactured housing must have wood, hardboard, vinyl, stucco or masonry siding (metal siding is excluded).
6. All housing manufactured off-site must be placed on a foundation system where exterior walls are set at grade level. Where manufactured housing is to be placed on lots with irregular grades, a detailed plan shall be submitted to the Planning and Zoning Commission showing how the above is to be accomplished.
7. Perimeter stem walls must be masonry such as block, brick, or lath and plaster (metal skirting is excluded).
8. Manufactured housing must have drive access and off-street parking as set forth for residential uses pursuant to Article XIII of this Code.
9. All setbacks are subjected and required by the City of Coolidge Zoning Code.
10. Landscaping shall be required as approved by the Planning and Zoning Commission and must be completed and in compliance with Article XII of this Code.
11. The manufactured housing unit shall have been built with the last three (3) years. The Planning and Zoning Commission will review this requirement on an annual basis.
12. A manufactured housing unit may not be parked on a roadway for more than 24 hours.
13. A manufactured housing unit which is abandoned, burned or wrecked may not be kept within a MH Zone or an overlay zone for more than thirty (30) days.
14. All manufactured housing units must be securely anchored to the ground with the tongue and axles removed in a manner acceptable to the city.
15. There shall be no exposed outdoor storage of furniture (except lawn furniture), housing goods, tools, equipment, building materials or supplies.

K. Inspections

1. The City of Coolidge Zoning Administrator or agent is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Code and shall have the authority to enter at reasonable times upon any private or public real property for the purpose of inspection and investigating conditions relating to the enforcement of this Code.
2. It shall be the duty of the owners or occupants of a lot upon which a

manufactured home is placed to allow the City of Coolidge Zoning Administrator or his agent free access to such premises at reasonable times for the purpose of such inspections.

3. It shall be the duty of every occupant of a manufactured home park to allow the owner thereof, or his agents or employees, access to any part of the manufactured home park at reasonable times for the purpose of making repairs or alterations as may be necessary to effect compliance with this Code or with any lawful order issued pursuant to the provisions of this Code.

L. Additional building and performance standards

Development of any parcel of land within the R-5 Zone shall be subject to all applicable requirements of Article X of this Code.

M. Property in floodplains to comply with certain requirements

Any property located in the R-5 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 507 Recreational Vehicle/Park Model Zone (R-6)

A. Purpose of provisions

The purpose of the R-6 Zone is to allow recreational vehicles or park models to be located together in zones designated for said use.

B. Establishment of R-6 Zone

No R-6 Zone may be established unless the site contains at least ten acres of land.

C. Principally permitted uses

1. Park models
2. Recreational vehicles

D. Conditionally permitted uses

1. Buildings incidental to construction work
2. Sewer lift stations
3. Temporary sales and office buildings
4. Water pump stations

E. Permitted accessory uses

1. Fences
2. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
3. Tool sheds, for storage of domestic supplies but no larger than 12'x20'

F. Lot area and dimensions

Each recreational vehicle or park model space shall have an area of not less than two-thousand (2,000) square feet with a minimum lot width of forty (40) feet.

G. Setbacks, yards and heights

1. Recreational vehicles or park models shall be located on spaces so as to provide a minimum setback from the nearest edge of any interior street or roadway of not less than five (5) feet and so as to provide a minimum setback from any RV or park model space boundary not common with the edge of any interior street or roadway of not less than five (5) feet, except in cases of RV or park models spaces having boundaries in common with two (2) or more interior streets or roadways, then the minimum setback from the nearest edge of the interior street or roadway shall be not less than twenty (20) feet on the recreational vehicles or park models entry side and not less than five (5) feet on the non-entry side.

2. The minimum distance between recreational vehicles or park models in the

same park shall be ten (10) feet.

3. Minimum distance or setbacks as required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a recreational vehicle or park model or from the patio cover, cabana, ramada, or similar appurtenances.

H. Required street and right-of-way widths

1. All streets within a recreational vehicle/park model park shall be private for which construction and maintenance shall be the responsibility of the owner.
2. All entrance and exit roadways shall connect to a dedicated public right-of-way and shall not be less than thirty-six (36) feet wide from flow line to flow line. Interior streets shall be at least thirty-one (31) feet wide, back of curb to back of curb, and shall be hard surfaced with asphalt or concrete.

I. Plan approval required/maintenance of property

1. Prior to issuance of permits for construction or development of a recreational vehicle/park model park, at least four (4) copies of the park plans shall be submitted to the Planning and Zoning Commission and shall include:
 - a. Name of park, legal description, ownership, name and address of developer, name and address of civil engineer or surveyor, date of plans and key map showing location of tract.
 - b. All spaces on the plan shall be clearly numbered for identification.

J. Fencing

The exterior boundaries of a recreation vehicle/park model park shall have a fence of not less than five (5) feet nor more than six feet constructed of masonry construction surrounding the park.

K. Inspections

1. The City of Coolidge Zoning Administrator or agent is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Code and shall have the authority to enter at reasonable times upon any private or public real property for the purpose of inspection and investigating conditions relating to the enforcement of this Code.

L. Additional building and performance standards

Development of any parcel of land within the R-6 Zone shall be subject to all applicable requirements of Article X of this Code.

M. Property in floodplains to comply with certain requirements

Any property located in the R-6 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Article VI BUSINESS ZONES

- Section 601** Neighborhood Business Zone (C-1)
- Section 602** General Business Zone (C-2)
- Section 603** General Service Zone (C-3)
- Section 604** Commercial Office Zone (C-O)
- Section 605** Commerce Park Zone (C-P)

Section 601 Neighborhood Business Zone (C-1)

A. Purpose of provisions

The purpose of the C-1 Zone is to provide for the establishment of local centers for convenient retail or service outlets which deal directly with the consumer for whom the goods or services are intended. These centers are to provide services and goods primarily for the surrounding neighborhood and are not intended to draw customers from the entire community.

B. Zone regulations

1. Except as otherwise provided, all permitted uses and storing of materials or supplies shall be conducted entirely within a closed building.
2. Any lighting shall be placed so as to reflect the light away from adjacent residential zones. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.
3. Pay Day Loan Companies shall not be located within 1,320 feet of another Pay Day Loan Company, this would also apply if such a business was also ancillary to another existing or permitted use.
4. Auto Title Loan businesses shall not be located within 1,320 feet of another Auto Title Loan business, this would also apply if such a business was also ancillary to another existing or permitted use.

C. Principally permitted uses

1. Bakeries for on-site sales, less than 3,500 square feet
2. Banks and other savings and lending institutions
3. Barber shops
4. Beauty parlors
5. Candy and ice cream stores
6. Cigar and tobacco stores
7. Convenience food stores of not more than 3,500 square feet
8. Dry cleaning and laundry establishments
9. Essential public service or utility installations
10. Florists
11. Gift shops
12. Laundromats, self-service
13. Newsstands
14. Offices of not more than 4,000 square feet
15. Public buildings
16. Restaurants of not more than 3,500 square feet, excluding convenience food restaurants

D. Conditionally permitted uses

1. Convenience-food stores with not more than four (4) gas pumps:
 - a. Pump stands shall be set back not less than twenty-five (25) feet from any street right-of-way, not less than forty (40) feet from any non-street property line and not less than one hundred (100) feet from any residential district boundary;
 - b. Interior curbs of not less than six (6) inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.
2. Day care centers:
 - a. A minimum of seventy-five (75) square feet of outdoor play space per child shall be provided from which at least fifty (50) square feet of fenced-in play space per child shall be provided. Fenced-in outdoor play space shall not include driveways, parking areas or land unsuited, by virtue of other usage or natural features, for children's play space;
 - b. At least two hundred and fifty (250) square feet of lot area per child shall be provided.
3. Funeral homes
4. Liquor store
5. Model homes, temporary
6. Museum
7. Photographic studio
8. Schools
9. Shoe repair and shoe shine shop
10. Video sales and rental

E. Permitted accessory uses

1. Business signs, consistent with Article XI of this Code;
2. Trash receptacles;
3. Accessory buildings as approved by the Planning and Zoning Commission;
4. Temporary buildings incidental to construction work;
5. Accessory residential uses, single family, when occupied by the owner or lessee, or watchman employed on the premises, and when such occupancy is directly associated to a developed and occupied permitted use, and is located within, or attached to, the principal building(s) of the permitted use. (No freestanding building, manufactured or mobile home, or recreational vehicle shall be permitted for such use.)

F. Access requirements

1. Access to commercial activities shall be allowed only from arterial streets or a street specifically designed for such development and shall meet the

- requirements of Sections 1308 through 1310 of this Code;
2. Commercial development which may not be able to meet the requirements of Sections 1308 through 1310, and are requesting deviations from the noted standards, shall submit to the Public Works Director an engineer's report certified by a professional engineer addressing the following site conditions both present and future:
 - a. Traffic volumes
 - b. Turning movements
 - c. Traffic controls
 - d. Site design
 - e. Site distances
 - f. Location and alignment of other access points
 3. Based upon the above data, the Public Works Director shall determine whether a deviation from the required standards is justified, and if so, what alternative requirements will be necessary.

G. Setbacks and height requirements

| | |
|---|-------------|
| 1. The minimum building setback from any lot line or public right-of-way shall be as set forth in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 20 |
| Interior side and Rear | 15 |
| Corner side | 20 |
| Residential Zone boundary | 45 |
| Parking Lots | |
| Front | 10 |
| Interior side and rear | 3 |
| Corner side | 10 |
| Residential Zone boundary | 3 |
| 2. The maximum height of a structure shall be 30 feet. | |

H. Lot width and area requirements

1. The minimum lot width shall be one hundred (100) feet;
2. Minimum lot area shall be determined by building area, parking requirements and required setbacks.

I. Additional building and performance standards

Development of any parcel of land within the C-1 Zone shall be subject to all applicable requirements of Article X of this Code.

J. Property in floodplains to comply with certain requirements

Any property located in the C-1 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 602 General Business Zone (C-2)

A. Purpose of provisions

The purpose of the C-2 Zone is to provide for low intensity, retail or service outlets which deal directly with the consumer for whom the goods or services are intended. The uses allowed in this district are to provide goods and services on a community market scale and located in areas which are served by arterial street facilities.

B. Zone regulations

1. Except as otherwise provided, all permitted uses and storing of materials or supplies shall be conducted entirely within a closed building.
2. Any lighting shall be placed so as to reflect the light away from adjacent residential zones. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.
3. Pay Day Loan Companies shall not be located within 1,320 feet of another Pay Day Loan Company, this would also apply if such a business was also ancillary to another existing or permitted use.
4. Auto Title Loan businesses shall not be located within 1,320 feet of another Auto Title Loan business, this would also apply if such a business was also ancillary to another existing or permitted use.

C. Principally permitted uses

All uses permitted in the Neighborhood Business Zone (C-1), in addition to the following:

1. Animal hospitals, clinics or kennels providing the establishment and animal runs are completely enclosed in the building
2. Antique shops and stores
3. Apparel and accessory stores
4. Appliance sales and services
5. Art supply stores
6. Athletic clubs and commercial recreation facilities
7. Automobile parking lots or garages (public or private)
8. Automobile supply stores
9. Bicycle sales, service and repair shops
10. Book and stationery stores
11. Business and office machine sales, service and repair shops

12. Clothing and costume rental shops
13. Community centers or meeting halls
14. Convenience food stores
15. Custom dressmaking, furrier, millinery or tailor shop employing five (5) persons or less
16. Dancing or theatrical studios
17. Delicatessen and catering establishments
18. Department stores
19. Drug store/pharmacies
20. Dry goods and notion stores
21. Funeral homes
22. Furniture stores
23. Game rooms/pool halls
24. Grocery stores (including retail markets and produce stores)
25. Hardware stores (no exterior storage)
26. Health and exercise centers
27. Hobby, stamp and coin shops
28. Hospitals
29. Hotels or motels
30. Hunting and fishing supply stores
31. Interior decorator's shops
32. Jewelry and metal craft stores
33. Leather goods and luggage stores
34. Lock and key shops
35. Mail order catalog stores
36. Medical, dental or health clinics
37. Medical and orthopedic appliance stores
38. Messenger or telegraph service stations
39. Museums
40. Music and instrument sales, service, and repair shops
41. Music or dance studios
42. Newspaper offices
43. Offices
44. Office supply and office equipment stores
45. Opticians
46. Package liquor stores, including drive-in
47. Paint and wallpaper stores
48. Pawn shops
49. Pet shops
50. Photographic equipment and supply stores
51. Photographic studios
52. Picture frame shops
53. Private clubs, sororities, fraternities or lodges
54. Radio or television sales, service and repair
55. Radio and television studios
56. Restaurants

57. Sewing machine stores
58. Shoe stores
59. Shoe repair and shoe shine shops
60. Sporting and athletic goods stores
61. Taverns, bar or lounge
62. Theatre, excluding drive-in theatre
63. Toy stores
64. Travel agencies
65. Variety stores
66. Wallpaper stores
67. Watch repair shops

D. Conditionally permitted uses

1. Automobile repair shops:
 - a. Site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen (15) feet;
 - b. Interior curbs of not less than six (6) inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way;
 - c. No automobile, boat or recreational vehicle repair business on a site contiguous to any residential zone shall be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day;
 - d. Any outdoor storage of vehicles, boats, parts or accessories shall be in an enclosed area in the rear yard, and shall be screened from view by a six (6) foot high opaque wall or fence;
 - e. The number of vehicles or boats undergoing repair or that are inoperable which may be stored outside of the building is limited to one (1) vehicle or boat per four (400) hundred square feet of floor area.
2. Automobile service stations:
 - a. Site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen (15) feet;
 - b. The total site area shall not be less than twelve thousand (12,000) square feet;
 - c. Pump islands shall be set back not less than twenty-five (25) feet from any street right-of-way line, not less than forty feet (40) from any non-street property line and not less than seventy-five (75) feet from any residential zone boundary;
 - d. Hydraulic hoists, pits, and all lubrication, greasing, washing, repair and diagnostic equipment shall be used and enclosed within a building;

- e. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way;
 - f. When on a site contiguous to any residential zone, this use shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day.
3. Automobile washing establishments:
 - a. Automobile washing establishments shall be subject to the same limitations and conditions as specified in subsections D.1(a-f) above;
 - b. Sufficient off-street area to provide space for not less than ten automobiles waiting to be washed or three (3) waiting spaces per washing stall, whichever is greater, shall be provided. A space twenty feet by nine feet shall be deemed adequate for each required space;
 - c. All wash-water, disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the City Engineer and shall conform with all City codes regarding sewage and health, and shall be designed so as not to detrimentally affect the city sewer system.
 4. Bus terminals
 5. Business, technical or vocational schools
 6. Charity dining facilities, homeless shelters and similar services
 7. Commercial recreation facilities
 8. Convenience-food restaurants:
 - a. Site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen feet;
 - b. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way;
 - c. When on a site contiguous to any residential zone, this use shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day.

9. Convenience-food stores with gas pumps:
 - a. Pump islands shall be set back not less than twenty-five (25) feet from any street right-of-way line, not less than forty feet (40) from any non-street property line and not less than seventy-five (75) feet from any residential zone boundary;
 - b. Interior curbs of not less than six (6) inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.
10. Day care centers:
 - a. A minimum of seventy-five (75) square feet of outdoor play space per child shall be provided from which at least fifty (50) square feet of fenced-in play space per child shall be provided. Fenced-in outdoor play space shall not include driveways, parking areas or land unsuited by virtue of other usage or natural features for children's play space;
 - b. At least two hundred fifty (250) square feet of lot area per child shall be provided.
11. Exterminator shops
12. Food Banks
 - a. In no case shall a food bank be open to the public at times earlier than 8.00am or later than 8.00pm;
 - b. Outdoor storage is prohibited;
 - c. A food bank shall be dedicated exclusively to the storage and disbursement of foodstuffs. No food bank shall provide overnight accommodations, formal counseling or rehabilitation services, child care or baby sitting, vocational or other schooling or training. Preparation of meals, dining areas, formal worship services, medical services or consultation, or any other similar services or programs.
13. Funeral homes
14. Garden supply stores
15. Liquefied petroleum gas storage and dispensing; provided, that the aggregate capacity of any one installation shall not exceed five hundred (500) gallons of water capacity and subject to Uniform Building and Fire Codes as adopted
16. Mini-warehouses:
 - a. Minimum site size shall be one (1) acre;
 - b. On-site circulation, drives and parking:
 - (1) Each mini-warehouse site shall provide a minimum of two (2) exits;
 - (2) All one-way driveways shall provide for one ten-foot parking lane and one fifteen-foot travel lane. Traffic direction and parking shall be designated by signing or painting;
 - (3) All two-way driveways shall provide for one ten-foot parking lane and two (2) twelve-foot travel lanes;

- (4) The parking lanes may be eliminated when the driveway does not serve storage cubicles;
 - (5) At least one parking space for each ten storage cubicles, equally distributed throughout the storage area shall be provided;
 - (6) All driveways, parking loading and circulation areas shall be paved with concrete, asphalt or asphaltic concrete.
- c. Fencing and screening:
- (1) Fencing shall be required around the perimeter of the property and constructed of decorative concrete block or chain link fence with slats, as approved by the Planning and Zoning Commission;
 - (2) All outdoor storage shall be limited to recreational vehicles and shall be screened from view from surrounding properties.
- d. Setback requirements:
- (1) Any side of a building providing doorways to storage areas shall be set back from the side and rear yard property line not less than twenty-five (25) feet, otherwise may be zero provided the building is of the same material and structure as the fencing. If not of the same material, the rear yard setback shall be at least fifteen feet;
 - (2) Masonry trash enclosures shall be installed subject to the approval of the Planning and Zoning Commission;
 - (3) No auctions, commercial sales, garage sales or similar activities shall be conducted on the premises.
17. Model homes, temporary
18. Mortuaries
19. Printing and publishing houses (including newspapers)
20. Upholstery shops
21. Swap meets, flea markets
22. Tire sales, repair and mounting
23. Mobile vendors subject to the following conditions or limitations:
- a. Mobile vendors or mobile food vendors shall not locate a mobile vending unit or mobile food vending unit less than 1,320', measured in a straight line from another mobile vending unit or mobile food vending unit on the same side of the street. The measurement shall be made from a line drawn around the mobile vending unit or mobile food vending unit with the line being at all points ten feet from the nearest point of the mobile vending unit or mobile food vending unit.
 - b. Notwithstanding the provisions of subsection a above, no more than two (2) mobile vendors, mobile food vendors or a combination of the two shall be permitted on the corner lots at any intersection.
 - c. Mobile vendors and mobile food vendors shall operate only upon surfaces that comply with the dust proofing and paving requirements for

parking and maneuvering areas as set forth in Section 702.A.2.d. of the Zoning Ordinance.

d. Mobile vendors and mobile food vendors shall not be located so as to obstruct parking spaces required by this Code for the operation of any other use on the site.

e. Mobile vendors and mobile food vendors must maintain on the site a minimum of three (3) parking spaces designated for their use.

f. The use of signs by mobile vendors and mobile food vendors shall be governed by the sign regulations contained in Article XI of this Code.

g. Any mobile vendor and/or mobile food vendor located on a vacant lot shall be considered a use and be subject to all of the district regulations relating to users, except that the perimeter landscaping requirements of Article XII of this Code shall not apply.

h. Notwithstanding the provisions of the Subsection I below, a mobile vending unit or mobile food vending unit located on a lot which has another use shall also be considered a use if the mobile vending unit OR mobile food vending unit is located within or under a permanent structure. Such use shall comply with all of the regulations for a use in the district, except that the perimeter landscaping requirements of Article XII of this Code shall not apply. For the purpose of this section, "permanent structure" shall mean a structure that is built or constructed such as an edifice, building walls, benches, shade structure or any piece of work artificially built up or composed of parts joined together in some definite manner, and permanently attached to the ground.

i. If a mobile vendor or mobile food vendor is located on a lot which has another use, the mobile vendor or mobile food vendor shall be considered an accessory use.

j. No mobile vending unit or mobile food vending unit shall be placed within fifteen feet of any street right-of-way.

k. Exemptions. These provisions shall not apply to mobile vendors or mobile food vendors or their respective vending units:

(1) Located at a swap meet;

(2) Used exclusively for the sale of seasonal items such as Christmas trees or pumpkins that are sold prior to holidays or traditional observances such as Christmas or Halloween;

(3) Regulated as a temporary use pursuant to Section 1904 of this Code.

l. Neither the Zoning Administrator nor the Board of Adjustment shall have the jurisdiction to grant variances from the provisions of Subsections a, b, c, d, e and j above.

m. Any parcel upon which a mobile vendor or mobile food vendor use has been legally established shall be considered to be a mobile vendor or mobile food vendor site for the purposes of applying Subsections a and b above. In the event that the mobile vendor or mobile food vendor use ceases on the site for a period of 180 consecutive days and is not legally reestablished by the end of the 180 day period, the site shall no longer be

considered a mobile vendor or mobile food vendor site for the purpose of applying Subsections a and b above.

Application: All applications should be filed with the following supporting information:

1. A background check through the Coolidge Police Department must be obtained for the mobile vendor and each person operating or vending out of the mobile unit;
2. Mailing address for notification purposes. If during the term of the permit, the permit holder has any change in mailing address, the permit holder shall notify the Growth Management department within ten (10) business days.
3. Legal names of the mobile vendor and all persons operating or vending out of the mobile vending unit;
4. Proof of current vehicle registration (for mobile vending unit if applicable).
5. Designation of period of operation (limited to one 180 consecutive day period during the calendar year) if located on a public right of way;
6. Four (4) photographs (showing different exterior views) of each mobile vending unit;
7. Dimensioned sample or rendering of proposed signage;
8. A copy of a current Pinal County Health Department permit;
9. Proof of automobile insurance;
10. If the mobile vendor is operating on private property, the following shall be provided:
 - a. An letter from the property owner (if other than self) permitting the mobile vendor to locate on the site;
 - b. A site plan, including sufficient parking for the primary use and the mobile vendor. Parking spaces shall be indicated.
 - c. A letter from the business or location providing the required restroom facilities for food service workers, stating the hours that those facilities are being made available.

Application Review: Upon receipt of the completed application, all property owners within a three hundred (300) feet radius of the proposed location of the vendor, will be notified of the proposal. If any written protest to a proposal is received from any notified property owner within ten (10) days of the mailing date of notification, the application will go forward to the Planning and Zoning Commission for consideration. If no written protest is received, the Growth Management Director will make a determination on the application.”

E. Permitted accessory uses

1. Business signs, consistent with Article XI of this Code;

2. Trash receptacles;
3. Accessory buildings as approved by the Planning and Zoning Commission;
4. Temporary buildings incidental to construction work;
5. Accessory residential uses, single family, when occupied by the owner or lessee, or watchman employed on the premises, and when such occupancy is directly associated to a developed and occupied permitted use, and is located within, or attached to, the principal building(s) of the permitted use. (No freestanding building, manufactured or mobile home, or recreational vehicle shall be permitted for such use.)

F. Access requirements

1. Access to commercial activities shall be allowed only on arterial streets or a street specifically designed for such development and shall meet the requirements of Sections 1308 through 1310 of this Code.
2. Commercial developments which may not be able to meet the requirements of Sections 1308 through 1310 and are requesting deviations from the noted standards, shall submit to the Public Works Director an engineer's report certified by a professional engineer addressing the following site conditions, both present and future:
 - a. Traffic volumes
 - b. Turning movements
 - c. Traffic controls
 - d. Site design
 - e. Site distances
 - f. Location and alignment of other access points
3. Based upon the above data, the Public Works Director shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

G. Setbacks and height requirements

| | |
|---|-------------|
| 1. The minimum building setback from any lot line or public right-of-way shall be as set forth in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 20 |
| Interior side and rear | 15 |
| Corner side | 20 |
| Residential Zone boundary | 45 |
| Parking Lots | |
| Front | 10 |
| Interior side and rear | 3 |
| Corner side | 10 |
| Residential Zone boundary | 3 |
| 2. The maximum height of a structure shall be 35 feet. | |

H. Lot width and area requirements

1. The minimum lot width shall be 100 feet except that corner lots shall have a minimum width of 150 feet.
2. Minimum lot area shall be determined by building area, parking requirements and required setbacks.

I. Additional building and performance standards

Development of any parcel of land within the C-2 Zone shall be subject to all applicable requirements of Article X of this Code.

J. Property in floodplains to comply with certain requirements

Any property located in the C-2 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 603 General Service Zone (C-3)

A. Purpose of provisions

The purpose of the C-3 Zone is to provide for high intensity, retail or service outlets which deal directly with the consumer for whom the goods or services are intended. The uses allowed in this district are to provide goods and services on a community market scale.

B. Zone regulations

1. Except as otherwise provided, all permitted uses and storing of materials or supplies shall be conducted entirely within a closed building.
2. Any lighting shall be placed so as to reflect the light away from adjacent residential zones. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.
3. Pay Day Loan Companies shall not be located within 1,320 feet of another Pay Day Loan Company, this would also apply if such a business was also ancillary to another existing or permitted use.
4. Auto Title Loan businesses shall not be located within 1,320 feet of another Auto Title Loan business, this would also apply if such a business was also ancillary to another existing or permitted use.

C. Principally permitted uses

All uses permitted in the General Business Zone (C-2), in addition to the following:

1. Automobile, boat or recreational vehicle sales, service and rental
2. Automobile, auto body repair
3. Blueprint shops
4. Boat repair
5. Bowling alleys
6. Building material sales yards, including sand and gravel
7. Bus terminals
8. Business, technical or vocational schools
9. Contractor's storage yard
10. Dry cleaning and laundry establishments
11. Equipment rental or storage yards
12. Exterminator shops
13. Feed stores, including yard
14. Exterior storage of goods and materials provided that all goods and

materials are screened from view and from adjacent properties and rights-of-way

15. Frozen food locker
16. Garden supply stores
17. Golf driving ranges and miniature golf courses
18. Granary, elevator storage
19. Greenhouses
20. Lumber yards, provided that all goods and materials are screened from adjacent properties and rights-of-way
21. Manufacturing, light
22. Monument sales and engraving shops
23. Mortuaries
24. Plant nurseries
25. Plumbing shops
26. Printing and publishing house (including newspapers)
27. Public utility service yards
28. Recreational vehicle repair
29. Research laboratories
30. Swap meets/flea markets
31. Tailor shops, more than five (5) employees
32. Taxidermists
33. Theatre, drive-in
34. Tire sales, repair and mounting
35. Trade schools
36. Upholstery shops
37. Video arcades
38. Warehousing, limited (not to cover more than 40% of floor area)

D. Conditionally permitted uses

1. Adult uses:
 - a. No adult use may be located within 500 feet of a public or private school, public park or residential zone;
 - b. No adult uses shall be located within 750 feet of any other adult use;
 - c. No item for lease, rental or sale within an adult use shall be visible from outside said adult use;
 - d. No Conditional Use Permit issued for an adult use shall be construed as permitting any use or act which is otherwise prohibited or punishable by law.

2. Automobile repair shops:
 - a. Site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen (15) feet.
 - b. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.
 - c. No automobile, boat or recreational vehicle repair business on a site contiguous to any residential zone shall be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day.
 - d. Any outdoor storage of vehicles, boats, parts or accessories shall be in an enclosed area in the rear yard, and shall be screened from view by a six (6) foot high opaque wall or fence.
 - e. The number of vehicles or boats, undergoing repair or that are inoperable, which may be stored outside of the building is limited to one (1) vehicle or boat per four hundred (400) square feet of floor area;
3. Automobile service stations:
 - a. Site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen (15) feet;
 - b. The total site area shall not be less than twelve thousand (12,000) square feet;
 - c. Pump islands shall be set back not less than twenty-five (25) feet from any street right-of-way line, not less than forty (40) feet from any non-street property line and not less than seventy-five (75) feet from any residential zone boundary;
 - d. Hydraulic hoists, pits, and all lubrication, greasing, washing, repair and diagnostic equipment shall be used and enclosed within a building;
 - e. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way;
 - f. When on a site contiguous to any residential zone, this use shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day.
4. Automobile washing establishments:
 - a. Automobile washing establishments shall be subject to the same limitations and conditions as specified in subsections 3 (a-f) above;
 - b. Sufficient off-street area to provide space for not less than ten automobiles waiting to be washed or three (3) waiting spaces per washing stall, whichever is greater, shall be provided. A space twenty feet by nine feet shall be deemed adequate for each required space;

- c. All wash-water, disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the City Engineer and shall conform with all City codes regarding sewage and health, and shall be designed so as not to detrimentally affect the city sewer system.
- 5. Bus terminals
- 6. Business, technical or vocational school
- 7. Charity dining facilities, homeless shelters, and similar services
- 8. Commercial recreation
- 9. Convenience-food restaurants:
 - a. Site improvements such as buildings or structures (permanent or temporary) shall be separated from any residential zone by at least fifty feet. Parking areas shall be separated from any residential zone by at least fifteen (15) feet;
 - b. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way;
 - c. When on a site contiguous to any residential zone, this use shall not be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day.
- 10. Convenience-food stores with gas pumps:
 - a. Pump islands shall be set back not less than twenty-five (25) feet from any street right-of-way line, not less than forty (40) feet from any non-street property line and not less than seventy-five (75) feet from any residential zone boundary;
 - b. Interior curbs of not less than six (6) inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.
- 11. Day care centers:
 - a. A minimum of seventy-five (75) square feet of outdoor play space per child shall be provided from which at least fifty (50) square feet of fenced-in play space per child shall be provided. Fenced-in outdoor play space shall not include driveways, parking areas or land unsuited, by virtue of other usage or natural features, for children's play space;
 - b. At least two hundred fifty (250) square feet of lot area per child shall be provided.
- 12. Exterminator shops
- 13. Food Bank
 - a. In no case shall a food bank be open to the public at times earlier than 8.00am or later than 8.00pm;
 - b. Outdoor storage is prohibited;
 - c. A food bank shall be dedicated exclusively to the storage and disbursement of foodstuffs. No food bank shall provide overnight accommodations, counseling or rehabilitation services, child care or baby sitting, vocational or other schooling or training,

preparation of meals, dining areas, worship services, medical services or consultation, or any other similar services or programs.

14. Funeral homes
15. Garden supply stores
16. Printing and publishing houses (including newspapers)
17. Recreational vehicle parks and overnight campgrounds:
 - a. Recreational vehicle parks shall be screened from view of any residential development, as approved by the Planning and Zoning Commission;
 - b. Internal circulation roads shall be paved with a dust-free surface;
 - c. Individual recreational vehicle parking pads shall be plainly marked and paved with a dust-free surface and shall be at least 1,500 square feet in size;
 - d. Individual recreational vehicle parking pads shall be set back at least thirty feet from the perimeter of the park and thirty feet from any public street right-of-way;
 - e. Approved trash disposal and toilet facilities shall be provided for use of overnight campers;
 - f. Park plans, certified approved by the Pinal Department of Health Services shall be submitted.
18. Swap meets, flea markets
19. Tire sales, repair and mounting
20. Upholstery shops
21. Mobile vendors subject to the following conditions or limitations:
 - a. Mobile vendors or mobile food vendors shall not locate a mobile vending unit or mobile food vending unit less than 1,320', measured in a straight line from another mobile vending unit or mobile food vending unit on the same side of the street. The measurement shall be made from a line drawn around the mobile vending unit or mobile food vending unit with the line being at all points ten feet from the nearest point of the mobile vending unit or mobile food vending unit.
 - b. Notwithstanding the provisions of subsection a above, no more than two (2) mobile vendors, mobile food vendors or a combination of the two (2) shall be permitted on the corner lots at any intersection.
 - c. Mobile vendors and mobile food vendors shall operate only upon surfaces that comply with the dust proofing and paving requirements for parking and maneuvering areas as set forth in Section 702.A.2.d. of the Zoning Ordinance.
 - d. Mobile vendors and mobile food vendors shall not be located so as to obstruct parking spaces required by this Code for the operation of any other use on the site.
 - e. Mobile vendors and mobile food vendors must maintain on the site a minimum of three (3) parking spaces designated for their use.
 - f. The use of signs by mobile vendors and mobile food vendors shall be governed by the sign regulations contained in Article XI of this Code.

g. Any mobile vendor and/or mobile food vendor located on a vacant lot shall be considered a use and be subject to all of the district regulations relating to users, except that the perimeter landscaping requirements of Article XII of this Code shall not apply.

h. Notwithstanding the provisions of the Subsection I below, a mobile vending unit or mobile food vending unit located on a lot which has another use shall also be considered a use if the mobile vending unit OR mobile food vending unit is located within or under a permanent structure. Such use shall comply with all of the regulations for a use in the district, except that the perimeter landscaping requirements of Article XII of this Code shall not apply. For the purpose of this section, “permanent structure” shall mean a structure that is built or constructed such as an edifice, building walls, benches, shade structure or any piece of work artificially built up or composed of parts joined together in some definite manner, and permanently attached to the ground.

i. If a mobile vendor or mobile food vendor is located on a lot which has another use, the mobile vendor or mobile food vendor shall be considered an accessory use.

j. No mobile vending unit or mobile food vending unit shall be placed within fifteen feet of any street right-of-way.

k. Exemptions. These provisions shall not apply to mobile vendors or mobile food vendors or their respective vending units:

(1) Located at a swap meet;

(2) Used exclusively for the sale of seasonal items such as Christmas trees or pumpkins that are sold prior to holidays or traditional observances such as Christmas or Halloween;

(3) Regulated as a temporary use pursuant to Section 1904 of this Code.

l. Neither the Zoning Administrator nor the Board of Adjustment shall have the jurisdiction to grant variances from the provisions of Subsections a, b, c, d, e and j above.

m. Any parcel upon which a mobile vendor or mobile food vendor use has been legally established shall be considered to be a mobile vendor or mobile food vendor site for the purposes of applying Subsections a and b above. In the event that the mobile vendor or mobile food vendor use ceases on the site for a period of 180 consecutive days and is not legally reestablished by the end of the 180 day period, the site shall no longer be considered a mobile vendor or mobile food vendor site for the purpose of applying Subsections a and b above.

(Mobile vendor applications – see section 602)

E. Permitted accessory uses

1. Business signs, consistent with Article XI of this Code;
2. Trash receptacles;
3. Accessory buildings as approved by the Planning and Zoning Commission;
4. Temporary buildings incidental to construction work;
5. Accessory residential uses, single family, when occupied by the owner or lessee, or watchman employed on the premises, and when such occupancy is directly associated to a developed and occupied permitted use, and is located within, or attached to, the principal building(s) of the permitted use. (No freestanding building, manufactured or mobile home, or recreational vehicle shall be permitted for such use.)

F. Access requirements

1. Access to commercial activities shall be allowed only on arterial streets or a street specifically designed for such development and shall meet the requirements of Sections 1308 through 1310 of this Code.
2. Commercial developments which may not be able to meet the requirements of Sections 1308 through 1310, and are requesting deviations from the noted standards, shall submit to the Public Works Director an engineer's report certified by a professional engineer addressing the following site conditions, both present and future:
 - a. Traffic volumes
 - b. Turning movements
 - c. Traffic controls
 - d. Site design
 - e. Site distances
 - f. Location and alignment of other access points
3. Based upon the above data, the Public Works Director shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

G. Setback and height requirements

| | |
|---|-------------|
| 1. The minimum building setback from lot line or public right-of-way shall be as set forth in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 35 |
| Interior side and rear | 15 |
| Corner side | 25 |
| Residential Zone boundary | 45 |
| Parking Lots | |
| Front | 4 |
| Interior side and rear | 3 |
| Corner side | 4 |
| Residential Zone boundary | 3 |
| 2. A structure may be erected to a height over 45' provided buildings over 35 feet in height shall be subject to additional fire protection as determined by the City Fire Chief. | |

H. Lot width and area requirements

1. The minimum lot width shall be one hundred (100) feet except that corner lots shall be one hundred fifty (150) feet in width.
2. Minimum lot area shall be determined by building area, parking requirements and required setbacks.

I. Parking requirements

Parking requirements within the C-3 Zone shall comply with all off-street parking requirements of this Code except that on-street parking can be used to meet the required number of spaces or alternative means of providing parking can be approved by the City, such as off-street parking improvement districts.

J. Additional building and performance standards

Development of any parcel of land within the C-3 Zone shall be subject to all applicable requirements of Article X of this Code.

K. Property in floodplains to comply with certain requirements

Any property located in the C-3 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay.

Section 604 Commercial Office Zone (C-O)

A. Purpose of provisions

The commercial office (CO) zoning district is established to provide for well-designed and attractive professional, administrative, and business offices of a residential scale and character on sites in appropriate locations to serve the nearby residential and commercial areas. The commercial office zoning district is characterized by low volumes of direct customer contact, and is designed to provide a transition of development between residential neighborhoods and more intense land uses, districts, and heavily traveled transportation routes. The principal uses permitted in this district are professional, semi-professional, administrative, business offices, and branch offices for banks and similar financial institutions.

B. Zoning Regulations

1. Pay Day Loan Companies shall not be located within one thousand three hundred twenty (1,320) feet of another Pay Day Loan Company, this would also apply if such a business was also ancillary to another existing or permitted use.
2. Auto Title Loan businesses shall not be located within one thousand three hundred twenty (1,320) feet of another Auto Title Loan business, this would also apply if such a business was also ancillary to another existing or permitted use.

C. Principally permitted uses

Principally permitted uses in the commercial office zone are as follows:

1. Professional, semi-professional, administrative and business offices
2. Banks and similar financial institutions
3. Medical, dental and chiropractic offices, but not including hospitals or medical facilities
4. Studios for photography, commercial arts, or other professional work

D. Conditionally permitted uses

Conditionally permitted uses in the commercial office zone are as follows:

1. Business, technical or vocational school(s)
2. Mobile vendors subject to the following conditions or limitations:
 - a. Mobile vendors or mobile food vendors shall not locate a mobile vending unit or mobile food vending unit less than 1,320', measured in a straight line from another mobile vending unit or mobile food vending unit on the same side of the street. The measurement shall be made from a line drawn around the mobile vending unit or mobile food vending unit with

the line being at all points ten feet from the nearest point of the mobile vending unit or mobile food vending unit.

b. Notwithstanding the provisions of subsection a above, no more than two (2) mobile vendors, mobile food vendors or a combination of the two (2) shall be permitted on the corner lots at any intersection.

c. Mobile vendors and mobile food vendors shall operate only upon surfaces that comply with the dust proofing and paving requirements for parking and maneuvering areas as set forth in Section 702.A.2.d. of the Zoning Ordinance.

d. Mobile vendors and mobile food vendors shall not be located so as to obstruct parking spaces required by this Code for the operation of any other use on the site.

e. Mobile vendors and mobile food vendors must maintain on the site a minimum of three (3) parking spaces designated for their use.

f. The use of signs by mobile vendors and mobile food vendors shall be governed by the sign regulations contained in Article XI of this Code.

g. Any mobile vendor and/or mobile food vendor located on a vacant lot shall be considered a use and be subject to all of the district regulations relating to users, except that the perimeter landscaping requirements of Article XII of this Code shall not apply.

h. Notwithstanding the provisions of the Subsection I below, a mobile vending unit or mobile food vending unit located on a lot which has another use shall also be considered a use if the mobile vending unit OR mobile food vending unit is located within or under a permanent structure. Such use shall comply with all of the regulations for a use in the district, except that the perimeter landscaping requirements of Article XII of this Code shall not apply. For the purpose of this section, "permanent structure" shall mean a structure that is built or constructed such as an edifice, building walls, benches, shade structure or any piece of work artificially built up or composed of parts joined together in some definite manner, and permanently attached to the ground.

i. If a mobile vendor or mobile food vendor is located on a lot which has another use, the mobile vendor or mobile food vendor shall be considered an accessory use.

j. No mobile vending unit or mobile food vending unit shall be placed within fifteen feet of any street right-of-way.

k. Exemptions. These provisions shall not apply to mobile vendors or mobile food vendors or their respective vending units:

(1) Located in a swap meet

(2) Used exclusively for the sale of seasonal items such as Christmas trees or pumpkins that are sold prior to holidays or traditional observances such as Christmas or Halloween;

(3) Regulated as a temporary use pursuant to Section 1904 of this Code.

l. Neither the Zoning Administrator nor the Board of Adjustment shall have the jurisdiction to grant variances from the provisions of Subsections a, b, c, d, e and j above.

m. Any parcel upon which a mobile vendor or mobile food vendor use has been legally established shall be considered to be a mobile vendor or mobile food vendor site for the purposes of applying Subsections a and b above. In the event that the mobile vendor or mobile food vendor use ceases on the site for a period of 180 consecutive days and is not legally reestablished by the end of the 180 day period, the site shall no longer be considered a mobile vendor or mobile food vendor site for the purpose of applying Subsections a and b above.

(Mobile vendor applications – see section 602)

E. Permitted accessory uses

Permitted accessory uses in the commercial office zone are as follows:

1. Accessory residential uses, single-family, when occupied by the owner or lessee, or a watchman employed on the premises, and when such occupancy is directly associated to a developed and occupied permitted use, and is located within, or attached to, the principal building(s) of the permitted use. (No freestanding building, manufactured or mobile home, or recreational vehicle shall be permitted for such use.)
2. Restaurant, cafes, snack shops, coffee shops, and similar eating/refreshment establishments; provided that it is located within, or attached to, the principal building(s) of the permitted use
3. Day care centers, subject to the provisions of Section 601.D.3., and provided that it is located within, or attached to, the principal building(s) of the permitted use
4. Business signs, consistent with the City sign code, and as provided in Section 604.G.4.
5. Trash receptacles constructed, designed and colored to complement the associated development

F. Lot development standards

| | |
|---|-------------|
| 1. The minimum building setback from lot line or public right-of-way shall be as set forth in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 35 |
| Interior side and rear | 15 |
| Corner side | 20 |
| Residential Zone boundary | 45 |
| Parking Lots | |
| Front | 4 |
| Interior side and rear | 3 |
| Corner side | 4 |
| Residential Zone boundary | 3 |
| 2. The maximum height of a structure shall be 30 feet. | |

G. Lot width and area requirements

1. Minimum lot width: one hundred fifty (150) feet (corner lots shall be two hundred (200) feet)
2. Minimum lot area shall be determined by building area, parking, retention, landscaping and setback requirements.

H. Additional building and performance standards

1. All permitted uses, and all activity resulting therefrom, are restricted to closed buildings, except for pass-through windows, employee and customer parking, and any necessary loading/unloading of materials and supplies.
2. No exterior display of materials or supplies, or outdoor storage shall be permitted.
3. A six-foot high, decorative screening wall shall be used as a buffer between any commercial office use and adjacent residential uses or zoning districts.
4. Sign regulations shall be as follows:
 - a. Detached signs: shall be limited to one (1) per public street frontage, and shall be a low- profile, monument-style sign, no

greater than eight (8) feet in height and thirty-two (32) square feet in size. Landscaping shall be provided around the base of the sign. The supporting structure shall be constructed and colored to complement the development.

- b. Attached signs: shall be limited to a combined area, along any public street frontage, to one (1) square foot of sign area per two (2) linear feet of building frontage. Maximum sign area shall be one hundred (100) square feet.
- 5. Landscaping. For purposes of this section, Article XII (Landscape Requirements), the commercial office zone shall be considered a commercial development.
- 6. Fences. For purposes of this section, Article X, Section 1004 (Fences and walls), the commercial office zone shall be considered a business and industrial district.
- 7. Development of any parcel of land within the commercial office zone shall be subject to all applicable requirements of Article X of this Code.

I. Property in floodplains to comply with certain requirements

Any property located in the C-O Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay.

Section 605 Commerce Park Zone (C-P)

A. Purpose of provisions

The purpose of the C-P Commerce Park Zone is to provide for land intensive retail, service, or manufacturing operations. These services should be located in concentrated service areas with good accessibility to the public but should be carefully buffered from other uses and visibly buffered from arterial streets.

B. Zoning Regulations

1. Pay Day Loan Companies shall not be located within one thousand three hundred twenty (1,320) feet of another Pay Day Loan Company, this would also apply if such a business was also ancillary to another existing or permitted use.
2. Auto Title Loan businesses shall not be located within one thousand three hundred twenty (1,320) feet of another Auto Title Loan business, this would also apply if such a business was also ancillary to another existing or permitted use.

C. Principally permitted uses

1. Appliance sales, service
2. Appliance repair
3. Athletic clubs
4. Automobile, boat or recreational vehicle sales, maintenance and rental
5. Automobile, auto body repair, boat, recreational vehicle repair
6. Bakery for on-site sales, less than three thousand five hundred (3,500) square feet
7. Banks and other savings and lending institutions
8. Barber shop
9. Beauty parlor
10. Blueprint shop and photo processing
11. Bowling alley
12. Building material sales yard, including sand and gravel
13. Bus terminals
14. Business and office machine sales, service and repair shop
15. Business, technical or vocational school
16. Clothing and costume rental shop
17. Commercial recreation
18. Community center or meeting hall
19. Contractors storage yard
20. Convenience food store of not more than three thousand five hundred (3,500) square feet
21. Convenience food store of more than three thousand five hundred (3,500) square feet

22. Costume dressmaking, furrier, millinery or tailor shop employing five persons or less
23. Dancing or theatrical studio
24. Delicatessen and catering establishment
25. Dry cleaning and laundry establishment
26. Equipment rental or storage yard
27. Essential public service or utility installation
28. Exterminator shop
29. Exterior storage of goods and materials provided that all goods and materials are screened from view from adjacent properties and rights-of-way
30. Feed store, including yard
31. Florist
32. Frozen food locker
33. Game rooms, pool halls
34. Garden supply store
35. General service uses including business, personal and professional service establishments
36. General retail businesses engaged in direct sales to the ultimate consumer
37. Greenhouse
38. Hospital
39. Hotel or motel
40. Ice and cold storage plant
41. Interior decorator's shop
42. Impound yard
43. Liquefied petroleum gas storage and similar storage areas pursuant to uniform building and fire codes as adopted
44. Liquor store
45. Lock and key shop
46. Machine shop
47. Mail order catalog store
48. Manufacturing, light
49. Medical, dental or health clinic
50. Monument sales and engraving shop
51. Mortuary
52. Museum
53. Music studio
54. Offices
55. Optician
56. Pawn shop
57. Photographic studio
58. Printing and publishing house (including newspapers)
59. Private club, fraternity, sorority or lodge
60. Public buildings
61. Public utility service yard
62. Radio and television studio

63. Recycling center
64. Restaurant, greater than three thousand five hundred (3,500) square feet
65. Restaurants of not more than three thousand five hundred (3,500) square feet, excluding convenience food restaurant
66. Sexually oriented businesses subject to licensing requirements of Chapter 5.24
67. Shoe repair and shoe shine shop
68. Swap meet, flea market
69. Tavern, bar or lounge
70. Taxidermist
71. Theatre, excluding drive-in theatre
72. Theatre, drive-in
73. Tire sales, repair and mounting
74. Truck repairing and overhauling
75. Truck stop
76. Truck washing establishment
77. Trucking yard terminal
78. Upholstery shop
79. Video arcade
80. Video sales and rental
81. Warehousing, limited (not to cover more than 40% of floor area)
82. Watch repair shop
83. Wireless telecommunication facilities (See note below for height limitations)

D. Conditionally permitted uses

1. Automobile washing establishment as per Section 602.D.3 of this Code
2. Convenience-food store with gas pumps as per Section 602.D.10 of this Code
3. Mini-warehouses as per Section 602.D.16 of this Code
4. Wireless communication facilities with a height greater than thirty-five (35)feet
5. Mobile vendors subject to the following conditions or limitations:
 - a. Mobile vendors or mobile food vendors shall not locate a mobile vending unit or mobile food vending unit less than one thousand three hundred twenty (1,320) feet, measured in a straight line from another mobile vending unit or mobile food vending unit on the same side of the street. The measurement shall be made from a line drawn around the mobile vending unit or mobile food vending unit with the line being at all pints ten feet from the nearest point of the mobile vending unit or mobile food vending unit.
 - b. Notwithstanding the provisions of subsection a above, no more than two (2) mobile vendors, mobile food vendors or a combination of the two (2) shall be permitted on the corner lots at any intersection.

- c. Mobile vendors and mobile food vendors shall operate only upon surfaces that comply with the dust proofing and paving requirements for parking and maneuvering areas as set forth in Section 702.A.2.d. of the Zoning Ordinance.
- d. Mobile vendors and mobile food vendors shall not be located so as to obstruct parking spaces required by this Code for the operation of any other use on the site.
- e. Mobile vendors and mobile food vendors must maintain on the site a minimum of three (3) parking spaces designated for their use.
- f. The use of signs by mobile vendors and mobile food vendors shall be governed by the sign regulations contained in Article XI of this Code.
- g. Any mobile vendor and/or mobile food vendor located on a vacant lot shall be considered a use and be subject to all of the district regulations relating to users, except that the perimeter landscaping requirements of Article XII of this Code shall not apply.
- h. Notwithstanding the provisions of the Subsection I below, a mobile vending unit or mobile food vending unit located on a lot which has another use shall also be considered a use if the mobile vending unit OR mobile food vending unit is located within or under a permanent structure. Such use shall comply with all of the regulations for a use in the district, except that the perimeter landscaping requirements of Article XII of this Code shall not apply. For the purpose of this section, “permanent structure” shall mean a structure that is built or constructed such as an edifice, building walls, benches, shade structure or any piece of work artificially built up or composed of parts joined together in some definite manner, and permanently attached to the ground.
- i. If a mobile vendor or mobile food vendor is located on a lot which has another use, the mobile vendor or mobile food vendor shall be considered an accessory use.
- j. No mobile vending unit or mobile food vending unit shall be placed within fifteen (15) feet of any street right-of-way.
- k. Exemptions. These provisions shall not apply to mobile vendors or mobile food vendors or their respective vending units:
 - (1) Located at a swap meet;
 - (2) Used exclusively for the sale of seasonal items such as Christmas trees or pumpkins that are sold prior to holidays or traditional observances such as Christmas or Halloween;
 - (3) Regulated as a temporary use pursuant to Section 1904 of this Code.
- l. Neither the Zoning Administrator nor the Board of Adjustment shall have the jurisdiction to grant variances from the provisions of Subsections a, b, c, d, e and j above.
- m. Any parcel upon which a mobile vendor or mobile food vendor use has been legally established shall be considered to be a mobile vendor or mobile food vendor site for the purposes of applying Subsections a and b above. In the event that the mobile vendor or mobile food vendor use

ceases on the site for a period of one hundred eighty (180) consecutive days and is not legally reestablished by the end of the one hundred eighty (180) day period, the site shall no longer be considered a mobile vendor or mobile food vendor site for the purpose of applying Subsections a and b above.

(Mobile vendor applications – see section 602)

E. Permitted accessory uses

1. Business signs, consistent with Article XI of this Code;
2. Trash receptacles;
3. Accessory buildings as approved by the Planning and Zoning Commission;
4. Temporary buildings incidental to construction work;
5. Accessory residential uses, single family, when occupied by the owner or lessee, or watchman employed on the premises, and when such occupancy is directly associated to a developed and occupied permitted use, and is located within, or attached to, the principal building(s) of the permitted use. (No freestanding building, manufactured or mobile home, or recreational vehicle shall be permitted for such use.)

F. Access requirements

1. Access to general service activities shall be allowed only on arterial streets or a street specifically designed for such development and shall meet the requirements of Sections 1308 through 1310 of this Code.
2. General service developments which may not be able to meet the requirements of Sections 1308 through 1310 and are requesting deviations from the noted standards, shall submit to the Public Works Director an engineer's report certified by a professional engineer addressing the following site conditions, both present and future:
 1. Traffic volumes
 2. Turning movements
 3. Traffic controls
 4. Site design
 5. Site distances
 6. Location and alignment of other access points
3. Based upon the above data, the Public Works Director shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

G. Setback and height requirements

| | |
|--|------------------|
| A. The minimum building setback from any lot line or public street right-of-way shall be as set forth in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 35 |
| Rear | 15 |
| Interior side | Aggregate of 15* |
| Corner side | 25 |
| Residential Zone boundary | 45 |
| *Both side yard setbacks, when added together must total 15 feet. | |
| Parking Lots | |
| Front | 4 |
| Interior side and rear | 3 |
| Corner side | 4 |
| Residential Zone boundary | 3 |
| B. The maximum height of a structure shall be 35 feet. | |

H. Lot width and area requirements

- A. The minimum lot width shall be 150 feet except that corner lots shall be 200 feet in width
- B. Minimum lot area shall be determined by building area, parking, retention, landscaping and setback requirements.

I. Additional building and performance standards

Development of any parcel of land within the C-P Zone shall be subject to all applicable requirements of Article X of this Code.

J. Property in floodplains to comply with certain requirements

Any property located in the C-P Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Article VII
INDUSTRIAL ZONES

- Section 701** **Garden Industrial Zone (I-1)**
- Section 702** **General Industrial Zone (I-2)**
- Section 703** **Heavy Industrial Zone (I-3)**

Section 701 Garden Industrial Zone (I-1)

A. Purpose of provisions

The purpose of the I-1 Garden and Light Industrial Zone is to provide for the accommodation of light manufacturing uses and warehousing in a comprehensively planned and attractive setting and in a manner which will not be detrimental to activities in adjacent commercial or residential neighborhoods by reason of but not limited to excessive noise, odor, smoke, dust, vibrations, fumes or glare. Retail activity is allowed only as an accessory use and provided that the retailing is associated with the principal use at the site.

B. Zone regulations

1. Except as otherwise provided, all permitted uses and storing of materials or supplies shall be conducted entirely within a closed building.
2. Any lighting shall be placed so as to reflect the light away from adjacent residential zones. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.

C. Principally permitted uses

1. Athletic clubs and commercial recreation facilities
2. Automobile parking lots or garages (public or private)
3. Bakeries for on-site sales, less than three thousand five hundred (3,500) square feet
4. Banks and other savings and lending institutions
5. Bowling alleys
6. Bus terminals
7. Business and office machine sales, service and repair shops
8. Business, technical or vocational schools
9. Clothing and costume rental shops
10. Community centers or meeting halls
11. Essential public service or utility installations
12. Furniture stores
13. Health and exercise centers
14. Hotels or motels
15. Manufacturing, light
16. Messenger or telegraph service stations
17. Mini-warehouses
18. Newsstands
19. Offices
20. Office supply and office equipment stores
21. Opticians

22. Public buildings
23. Radio and television studios
24. Research laboratories
25. Restaurants
26. Trade schools
27. Travel agencies
28. Warehousing, limited (not to cover more than 40% of floor area)

D. Conditionally permitted uses

1. Charity dining facilities, homeless shelters and similar services
2. Day care centers:
 - a. A minimum of seventy-five (75) square feet of outdoor play space per child shall be provided from which at least fifty (50) square feet of fenced-in play space per child shall be provided. Fenced-in outdoor play space shall not include driveways, parking areas or land unsuited, by virtue of other usage or natural features, for children's play space;
 - b. At least two hundred fifty (250) square feet of lot area per child shall be provided.
3. Recreational vehicle parks and overnight campgrounds
 - a. Recreational vehicle parks shall be screened from view of any residential development, as approved by the Planning and Zoning Commission;
 - b. Internal circulation roads shall be paved with a dust-free surface;
 - c. Individual recreational vehicle parking pads shall be plainly marked and paved with a dust-free surface and shall be at least one thousand five hundred (1,500) square feet in size;
 - d. Individual recreational vehicle parking pads shall be set back at least thirty (30) feet from the perimeter of the park and thirty feet from any public street right-of-way;
 - e. Approved trash disposal and toilet facilities shall be provided for use of overnight campers;
 - f. Park plans, certified approved by the Pinal Department of Health Services shall be submitted.
4. Wireless telecommunication facilities with a height greater than thirty-five (35) feet

E. Permitted accessory uses

1. Personnel service facilities providing services, education, recreation, entertainment, food and convenience goods primarily for those personnel employed in the principal use;
2. Caretaker or security guard quarters
3. Business signs, consistent with Article XI of this Code
4. Trash receptacles

5. Accessory buildings as approved by the Planning and Zoning Commission
6. Temporary buildings incidental to construction work
7. Accessory residential uses, single family, when occupied by the owner or lessee, or watchman employed on the premises, and when such occupancy is directly associated to a developed and occupied permitted use, and is located within, or attached to, the principal building(s) of the permitted use. (No freestanding building, manufactured or mobile home, or recreational vehicle shall be permitted for such use.)

F. Access requirements

1. Access to development shall be allowed only on arterial streets or streets specifically designed for such development and shall meet the requirements of Sections 1308 through 1310 of this Code.
2. Developments which may not be able to meet the requirements of Sections 1308 through 1310 and are requested deviations from the noted standards shall submit to the Public Works Director an engineer's report certified by a professional engineer addressing the following site conditions both present and future:
 - a. Traffic volumes
 - b. Turning movements
 - c. Traffic controls
 - d. Site design
 - e. Site distances
 - f. Location and alignment of other access points
3. Based upon the above data, the Public Works Director shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

G. Setbacks and height requirements

1. The minimum building setback from any lot line or public street right-of-way shall be as set out in this table.

| Setbacks | Feet |
|---------------------------|-------------|
| Building Setbacks | |
| Front | 35 |
| Interior side and rear | 15 |
| Corner side | 30 |
| Residential Zone boundary | 45 |
| Parking Lots | |
| Front | 4 |
| Interior side and rear | 3 |
| Corner side | 4 |
| Residential Zone boundary | 3 |

2. The maximum height of a structure shall be thirty five (35) feet.

H. Lot width and area requirements

1. The minimum lot width shall be one hundred (100) feet.
2. Minimum lot area shall be determined by building area, parking, retention, landscaping and setback requirements.

I. Additional building and performance standards

Development of any parcel of land within the I-1 Zone shall be subject to all applicable requirements of Article X of this Code.

J. Property in floodplains to comply with certain requirements

Any property located in the I-1 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 702 General Industrial Zone (I-2)

A. Purpose of provisions

The purpose of the I-2 General Industrial Zone is to provide for the development of industries which, because of the nature of their operation, appearance, traffic generation, or emission, would not be compatible with land uses in other zoning districts, but which, nevertheless, are necessary and desirable activities in the City.

B. Zone regulations

1. Except as otherwise provided, all permitted uses and storing of materials or supplies shall be conducted entirely within a closed building.
2. Any lighting shall be placed so as to reflect the light away from adjacent residential zones. No noise, odor or vibration shall be emitted so that it exceeds the general level of noise, odor or vibration emitted by uses outside the site. Such comparison shall be made at the boundary of the site.

C. Principally permitted uses

All uses permitted in the Garden Industrial Zone (I-1), in addition to the following:

1. Animal hospitals, clinics or kennels provided the establishment and animal runs are completely enclosed in the building
2. Antique shops and stores
3. Art supply stores
4. Athletic clubs and commercial recreation facilities
5. Automobile, boat or recreational vehicle sales, service and rental
6. Automobile body repair
7. Automobile parking lots or garages (public or private)
8. Automobile supply stores
9. Bakeries
10. Banks and other savings and lending institutions
11. Barber shops
12. Beauty parlors
13. Blueprint shops
14. Boat repair
15. Book and stationery stores
16. Bowling alleys
17. Building material sales yard, including sand and gravel
18. Bus terminals

19. Business and office machine sales, service and repair shops
20. Business, technical or vocational schools
21. Clothing and costume rental shops
22. Community centers or meeting halls
23. Contractor's storage yards
24. Delicatessens and catering establishments
25. Equipment rental or storage yards
26. Essential public service or utility installations
27. Exterior storage of goods and materials provided that all goods and materials are screened from view from adjacent properties and rights-of-way
28. Exterminator shops
29. Feed stores, including yard
30. Frozen food lockers
31. Furniture stores
32. Game rooms/pool halls
33. Garden supply stores
34. Golf driving ranges and miniature golf courses
35. Granaries, elevator storage
36. Grocery stores
37. Greenhouses
38. Hardware stores, no exterior storage
39. Health and exercise centers
40. Hotels or motels
41. Interior decorator's shops
42. Jewelry and metal craft stores
43. Lock and key shops
44. Lumber yards, provided that all goods and materials are screened from adjacent properties and rights-of-way
45. Manufacturing
46. Manufacturing, light
47. Medical and orthopedic appliance stores
48. Messenger or telegraph service stations
49. Mini-warehouses
50. Monument sales and engraving shops
51. Mortuaries
52. Museums
53. Music and instrument sales, service and repair shops
54. Music or dance studio
55. Newspaper offices
56. Newsstands
57. Offices
58. Office supply and office equipment stores
59. Opticians
60. Package liquor stores, including drive-ins
61. Paint and wallpaper stores

62. Photographic studios
63. Plant nurseries
64. Plumbing shops
65. Printing and publishing houses (including newspapers)
66. Private clubs, fraternities, sororities or lodges
67. Public buildings
68. Public utility service yards
69. Radio or television sales, service and repair
70. Radio and television studios
71. Recreational vehicle repair
72. Research laboratories
73. Restaurants
74. Swap meets/flea markets
75. Tailor shops, more than five employees
76. Taverns, bars or lounges
77. Taxidermists
78. Theatres, drive-in
79. Tire sales, repair and mounting
80. Trade schools
81. Travel agencies
82. Upholstery shops
83. Video arcades
84. Warehousing

D. Conditionally permitted uses

1. Airports, subject to the regulations of the Federal Aviation Administration
2. Automobile dismantling and salvage yards
3. Automobile reduction yards
4. Charity dining facilities, homeless shelters and similar services
5. Cotton gins
6. Excavation of sand, gravel, dirt, ore or minerals
7. Fiberglass manufacturing and processing
8. Heliports, subject to the regulations of the Federal Aviation Administration
9. Junkyards
10. Meat packing
11. Motor freight terminals
12. Oil refineries
13. Racetracks
14. Railroad switching yards
15. Scrap metal or used materials processing, handling, and storage facilities, except recycling centers.
 - a. The facility occupies a minimum lot of size of ten (10) acres;
 - b. All such uses shall be located at least three hundred (300) feet from a property line.

- c. All such uses shall be completely surrounded on all sides by a fence or wall at least eight (8) feet high. The fence or wall shall be of uniform height, uniform texture and color, and shall be so maintained as to ensure maximum safety to the public, obscure the scrap or used material from normal view of the public, and preserve the general welfare of the neighborhood. The fence or wall shall be installed in such a manner as to retain all scrap, or reused material within the yard. No scrap of other materials may be piled so as to exceed the height of this enclosing fence or wall.
- d. No materials shall be loaded, unloaded, or otherwise placed either temporarily or permanently outside the fence or wall.
- 16. Sewage treatment plants
- 17. Wireless communication facilities with a height greater than fifty-five (55) feet
- 18. Any production, testing, processing of goods or products; provided it conforms with the performance standards set forth in Section 1007 for the emission or creation of noise, vibration, smoke, dust or other particular matter, toxic or noxious materials, odors, glare or heat
- 19. Those uses involving the storage, utilization or manufacture of volatile or explosive materials or products

E. Permitted accessory uses

- 1. Accessory structures approved by the Planning and Zoning Commission
- 2. Business signs, consistent with Article XI of this Code
- 3. Caretaker or security guard quarters
- 4. Personnel service facilities providing services, education, recreation, entertainment, food and convenience goods primarily for those personnel employed in the principal use
- 5. Temporary buildings incidental to construction
- 6. Trash receptacles

F. Access requirements

- 1. Access to industrial development shall be allowed only on arterial streets or streets specifically designed for such development and shall meet the requirements of Sections 1308 through 1310 of this Code;
- 2. Industrial developments which may not be able to meet the requirements of Sections 1308 through 1310, and are requesting deviations from the noted standards shall submit to the City Engineer an engineer's report certified by a professional engineer addressing the following site conditions both present and future:
 - a. Traffic volumes
 - b. Turning movements
 - c. Traffic controls
 - d. Site design

- e. Site distance
 - f. Location and alignment of other access points
3. Based upon the above data, the City Engineer shall determine whether a deviation from the required standards is justified and, if so, what alternative requirements will be necessary.

G. Setback and height requirements

| | |
|---|-------------|
| 1. The minimum setback from any lot line or public right-of-way shall be as set forth in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 35 |
| Interior side and rear | 15 |
| Corner side | 30 |
| Residential Zone boundary | 75 |
| Parking Lots | |
| Front | 4 |
| Interior side and rear | 3 |
| Corner side | 4 |
| Residential Zone boundary | 3 |
| 2. The maximum height of any building shall be fifty five (55) feet, except that buildings over thirty five (35) feet in height must be approved by the City and shall be subject to additional fire protection precautions as determined by the City. | |

H. Lot width and area requirements

- 1. The minimum lot width shall be one hundred feet
- 2. Minimum lot area shall be determined by building area, parking, retention, landscaping and setback requirements.

I. Additional building and performance standards

Development of any parcel of land within the I-2 Zone shall be subject to all applicable requirements of Article X of this Code.

J. Property in floodplains to comply with certain requirements

Any property located in the I-2 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 703 Mining-Industrial Zone (I-3)

A. Purpose of provisions

The purpose of the I-3 Zone is to permit those activities related to mineral extraction, which because of the nature of the operations are suitable only in certain locations, and which because they may or may not be considered permanent uses, require land reclamation upon completion of the operation.

B. Principally permitted uses

1. Cotton gins
2. Equipment rental and storage yards
3. Manufacturing
4. Manufacturing, light
5. Mining, mineral extraction
6. Motor freight terminals
7. Sand and gravel operations

C. Conditionally permitted uses

1. Airports, subject to the regulations of the Federal Aviation Administration
2. Asphalt mixing plants
3. Auto salvage yards
4. Cement mixing plants
5. Contractor's storage yards
6. Hazardous materials storage hauling or manufacturing
7. Heliports
8. Landfills, sanitary
9. Oil refineries

D. Permitted accessory uses

1. Accessory structures approved by the Planning and Zoning Commission
2. Business signs, consistent with Article XI of this Code
3. Caretaker or security guard quarters
4. Personnel service facilities providing services, education, recreation, entertainment, food and convenience goods primarily for those personnel employed in the principal use
5. Temporary buildings incidental to construction
6. Trash receptacles

E. Setback and height requirements

| | |
|--|-------------|
| 1. The minimum building setback from any lot line or public street right-of-way shall be as set out in this table. | |
| Setbacks | Feet |
| Building Setbacks | |
| Front | 35 |
| Interior side and rear | 15 |
| Corner side | 30 |
| Residential Zone boundary | 45 |
| Parking Lots | |
| Front | 4 |
| Interior side and rear | 3 |
| Corner side | 4 |
| Residential Zone boundary | 3 |
| 2. The maximum height of a structure shall be fifty five (55) feet, except that any structure over thirty five (35) feet in height must be approved by the City and shall be subject to additional fire protection precautions as determined by the City. | |

F. Lot width and area requirements

1. Minimum lot width shall be determined by the use, buildings and access.
2. Minimum lot area shall be thirty (30) acres.

G. Reclamation plan

Because of the often temporary nature of the uses permitted in the I-3 Zone, a land reclamation plan approved by the Planning and Zoning Commission will be required. The land reclamation plan submitted to the Planning and Zoning Commission shall show the condition of the property after the principal use is terminated and shall include the following:

1. A final grading plan with contours at two (2) foot intervals.
2. A final drainage plan showing drainage flow and any retention or detention basins created, with drainage and collection quantities.
3. A final landscaping plan showing the method and materials for revegetating the property to a level compatible with surrounding uses and equivalent to or better than the original condition of the property prior to

- beginning the principal use.
4. A cost estimate for labor and materials necessary to complete the reclamation plan.

H. Reclamation plan completion guarantee

Prior to approval of any use permitted in the I-3 Zone, the City Council shall accept a bond or other financial guarantee acceptable to the City to assure completion of the Planning and Zoning Commission approved reclamation plan within eighteen (18) months of the termination of the principal use.

I. Time consideration for reclamation plan

Although operational time limits will not necessarily be placed on any principal use in the I-3 Zone, a completion date will be attached to the approved reclamation plan. Extensions for the completion date may be granted by the City Council upon proof that the principal use has continued to be operationally active. The time limit on the bond or financial guarantee will coincide with the approved completion date of the reclamation plan.

J. Additional building and performance standards

Development of any parcel of land within the I-3 Zone shall be subject to all applicable requirements of Article X of this Code.

K. Property in floodplains to comply with certain requirements

Any property located in the I-3 Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Article VIII
PLANNED AREA DEVELOPMENT ZONES

Section 801 Planned Area Development Zone (P.A.D.)

Section 802 Regional Mixed-Use Planned Area Development Zone (RMUPAD)

Section 801 Planned Area Development Zone (P.A.D.)

A. Purpose of provisions

1. As an alternative to conventional zoning and development approaches and processes, the Planned Area Development (P.A.D.) procedures and regulations are set forth to enhance the City's development growth in order that the public health, safety, and general welfare be preserved as Coolidge increasingly urbanizes; to encourage innovations in residential, commercial, and industrial development so that greater opportunities for better housing, recreation, shopping and employment, may extend to all citizens and residents of Coolidge; to reflect changes in the technology of land development; to encourage a more creative approach in the utilization of land in order to accomplish a more efficient, aesthetic, and desirable development which may be characterized by special features of the geography, topography, size or shape of a particular property, and to provide a compatible and stable developed environment, in harmony with that of the surrounding area.
2. The P.A.D. may include any development having one or more principal use or structure on a single parcel of ground or contiguous parcels. The P.A.D. shall consist of a harmonious selection of uses and groupings of buildings, parking areas, circulation and open spaces, and shall be designed as an integrated unit, in such a manner as to constitute a safe, efficient and convenient urban area development.

B. Design standards for Planned Area Developments

That certain document known as “City of Coolidge Design Guidelines”, is hereby referred to, adopted and made a part hereof as if fully set out in this Code.

C. General requirements and standards

1. Ownership:
The tract shall be a development of land under unified control at the time of application and planned and scheduled to be developed as a whole.
2. Conformance with Comprehensive Master Plan:
The land uses and design of the proposed P.A.D. shall be consistent with the City of Coolidge Comprehensive Master Plan.
3. P.A.D. regulations:
 - a. The minimum total P.A.D. shall be no less than fifty (50) acres unless the applicant can show that the minimum P.A.D. requirements should be waived because the waiver would be in the public interest and that one or more of the following conditions exist:
 - (1) Unusual physical features of the property itself or of the

surrounding area are such that development under the standard provisions of this title would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community.

(2) The property is adjacent to or across the street from property which has been developed under the provisions of this section and will contribute to the amenities of the area.

(3) The use of the P.A.D. concept will encourage the use of otherwise undevelopable property, particularly in the case of small undeveloped parcels surrounded or partially surrounded by developed property.

4. Uses in a P.A.D.:
 - a. Recreational vehicle parks, per Section 507; and
 - b. Any use may be allowed in a P.A.D. provided it is consistent with the General Plan.
5. Residential density in a P.A.D.:
 - a. Residential development in a P.A.D. may provide for a variety of housing types allowed in any one of the basic residential zoning districts. In addition, the number of dwelling units allowed may be flexible relative to the number of dwelling units per acre that would be permitted by the zoning regulations otherwise applicable to the site. However, the total number of dwelling units and the resulting density allowed in a P.A.D. shall be consistent with the land use plan of the City's Comprehensive Master Plan.
 - b. In determining the reasonableness of the densities in a P.A.D., the Planning and Zoning Commission and City Council shall consider increased efficiency in the provision of public facilities and services based, in part, upon:
 - (1) The location, amount and proposed use of common open space.
 - (2) The location, design and type of dwelling units.
 - (3) The physical characteristics of the site.
 - (4) Particular distinctiveness and excellence in siting, design, and landscaping.
6. Front, rear and side yard building setback regulations:
 - a. Building setbacks from all property lines which form the perimeter of the P.A.D. shall be no less than twenty (20) feet, except as noted in the design standards adopted in Sections 801.B, above and 801.C.18, below.
7. More than one building per lot:
 - a. More than one building may be placed on one platted or recorded lot in any P.A.D. Areas for single-family detached dwellings and other housing types providing privately owned lots must comply with the City of Coolidge Subdivision Regulations in all respects not specifically noted in this section as appropriate variances or waivers.

8. One housing type not inconsistent with intent:
 - a. A P.A.D. which only involves one housing type such as all detached or all attached units shall not be considered inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.
9. Phasing of development:
 - a. Any P.A.D. plan proposed to be constructed in phases shall include full details relating thereto, and the City Council may approve or modify, where necessary, any such proposals.
 - b. The phasing shall include the Negotiated time for beginning and completion of each phase. Such timing may be modified by the City on the showing of good cause by the developer.
 - c. The land owner or developer shall make such easements, covenants, and other arrangements and shall furnish such financial guarantees as may be determined by the City to be reasonably required to assure performance in accordance with the plan and to protect the public.
10. Street utilities, services and public facilities:
 - a. All P.A.D.s shall be served by public or community water and sewer systems.
11. Open space provision:
 - a. Depending upon the proposed land uses within the P.A.D., a minimum of fifteen percent (15%) of the total P.A.D. shall be set aside for open space. Open space allocation and design shall conform to the design standards adopted in Section 801.B, above except Large Single Retail Uses or Large Multiple Use Shopping Center, which shall be governed by subsection 801.C.18, below. Applicants submitting residential PAD proposals shall specify how much of the open space allocation will be available for recreational purposes. Where possible, areas identified for retention and drainage use should also contain an informal, or formal recreation element.
12. Operating and maintenance requirements for P.A.D. Common Facilities:
 - a. In the event that certain land areas or structures are provided within the P.A.D. for private recreational use or as service facilities, the owner of such land and buildings shall establish an arrangement to assure the City of a continued standard of maintenance. These common areas may be placed under the ownership of one of the following, depending which is more appropriate:
 - (1) Dedicated to public where a community-wide use would be anticipated.
 - (2) Landlord control.
 - (3) Homeowners association, provided all of the following conditions are met:
 - i. The Homeowners association must be established

- e. Grading and drainage
17. Residential Design Standards for a P.A.D.:
Development within a P.A.D. shall conform to the standards adopted in Section 801.B, above.
18. Locational Criteria and Development Standards for Large Single Retail Use and Large Multiple Use Shopping Center:
- a. Locational Criteria: Large Single Retail Use and Large Multiple Use Shopping Centers shall only be located on property zoned as Planned Area Development for such use in accordance with Section 801 of this Code.
 - (1) The building(s) or shopping center shall be located at the intersection of two arterial roadways or have frontage on an arterial roadway and be immediately adjacent to an Interstate highway. The City Council may also consider arterial and collector roadway intersection locations on a case-by-case basis; however, a comprehensive traffic impact analysis approved by the Public Works Director must show that the potential traffic impacts of the proposed site development will be adequately mitigated before the City Council will consider arterial and collector roadway intersection locations.
 - (2) A minimum distance of one hundred (100) feet, as measured on a straight line, shall be required from the nearest property line of any parcel currently developed, zoned or designated by the City's General Plan for residential use, to the exterior building wall of a Large Single Retail Use or Large Multiple Use Shopping Center. The separation distance shall be increased by a ratio of one foot for each additional one thousand (1,000) square feet of building coverage area, whether within a single store or multiple stores, over one hundred thousand (100,000) square feet.
 - (3) A minimum distance of five hundred (500) feet, as measured on a straight line, shall be required from the nearest property line of any parcel currently developed, zoned or designated by the City's General Plan for a private or public school use, to the exterior building wall of a Large Single Retail Use or Large Multiple Use Shopping Centers center. The separation distance shall be increased by a ratio of one foot for each additional one thousand (1,000) square feet of building coverage area, whether within a single store or multiple stores, over one hundred thousand (100,000) square feet. A Large Single Retail Use building or Large Multiple Use Shopping Center shall not be located across from or immediately adjacent to any parcel currently developed, zoned or designated by the

City's General Plan for a private or public school use.

- (4) A Large Single Retail Use or Large Multiple Use Shopping Center may be located within a mixed use Planned Area Development, but only when said use has been expressly identified for such use as part of the Planned Area Development zoning application and Planned Area Development Guide and is in accordance with the requirements of Section 801 of this Code. If such use has not been expressly identified as part of an approved Planned Area Development, but is requested, a major change amendment to the Planned Area Development is required in accordance with Section 1905.I.2 of this Code.

b. Site Development Standards:

In addition to the site development and landscaping standards found elsewhere in this Code, a Large Single Retail Use building or Large Multiple Use Shopping Center shall also be subject to conformance with the following additional standards. The City Council may approve departure from these standards upon finding that such departure is warranted, based upon consideration of mitigating circumstances, design innovation, or other meritorious feature(s).

- (1) Major Site Plan review and approval by the Planning and Zoning Commission is required.
- (2) A thirty (30) foot wide landscape buffer is required along all frontages, broken only by approved driveways. A sixty (60) foot wide landscape buffer shall be provided along all property lines that abut any parcel currently developed, zoned or designated by the City's General Plan for residential use. With the exception of increased setbacks required under Section 605 this Code, minimum building setbacks and maximum building heights shall be used.
- (3) Minimum tree sizes shall be twenty four (24) inch box with a minimum height of eight (8) feet and minimum caliper size of one and one-half (1 ½) inches at ground level. Palm trees shall have a minimum fifteen (15) foot trunk height measured from the base of the trunk to the base of the fronds. Minimum shrub and accent plant sizes shall be five gallon. Minimum groundcover plant size shall be one (1) gallon. Berming and boulders shall be used to create a varied and enhanced topography. Landscape plans shall be prepared by a registered landscape architect.
- (4) Landscaped walkways within the parking lots are required to reduce the impacts of parking areas and increase pedestrian accessibility. Emphasis on landscaping must be placed at the driveway entrances. Landscaped planters must be located along the walkways in front of the building.

- (5) Decorative masonry screen walls, minimum three (3) feet in height, are required to screen all parking areas. Columns and horizontal staggers are required to reduce the linear appearance.
- (6) Loading docks and building service areas must be oriented away from streets and residential areas to mitigate visual and noise impacts. Loading docks and building service areas must be screened from public view with a combination of landscaping and decorative masonry screen walls. Delivery and loading operations shall not be conducted between the hours of 10:00 p.m. and 7:00 a.m. on any site that is adjacent to a residential zoning district, unless adequate noise abatement and mitigation measures are taken.
- (7) A Comprehensive Sign Plan shall be required as part of the PAD. Lower profile detached signs and the consolidation of detached signs is required.
- (8) An outdoor lighting plan is required. The plan must show that the requirements of the City's Light Control Ordinance are met and how the negative impacts of outdoor lighting on adjacent residential properties or zones will be mitigated. Low pressure sodium lighting shall be predominantly used when buildings are adjacent to residential properties or zones.
- (9) A Traffic Impact Analysis prepared by a professional traffic engineer and meeting the approval of the Public Works Director, must be submitted. Traffic impacts on public streets and recommended mitigation measures and plans must be included in the analysis.
- (10) Primary entry drives shall be aligned with any point of access to an arterial street that provides full turning movements, as approved by the Public Works Director. Said entry drives shall include a landscaped median to separate entry/exiting movements.
- (11) The site shall use elements that will enhance the pedestrian scale and accessibility. Pedestrian plazas, including covered seating areas, shade trees, bike racks, and trash receptacles, must be provided near the store. Sidewalks in front of the stores must be at least ten (10) feet wide. All other sidewalks on the site shall be at least six (6) feet wide.
- (12) All outdoor sales must be conducted within areas specifically designated and designed for such use. Products and services displayed outdoors must be those that are customary, accessory, or incidental to those sold and displayed in the primary business being conducted in the building. Outdoor sales and displays must not interfere with

- pedestrian walkways, fire lanes, vehicular circulation, parking areas, landscaping, or driveway visibility.
- (13) The building's exterior building materials and colors used must add to the building's sustainability, durability, character, and aesthetic appearance. Predominate exterior materials must include split-face masonry block and stucco. Stone or other accentuating features shall be provided for additional character. Tilt-up concrete panels and smooth-faced masonry block are acceptable only when used with prominent quantities of split-face block and stone materials. Prefabricated steel panels must not be used for exterior building materials. Low reflective (50 percent or less) building colors must be utilized on the main exterior walls.
 - (14) Emphasis must be placed on providing well-defined highly visible public entrances, covered walkways, and adding design elements that will improve the scale of the building(s) and provide visual interest consistent with the community's identity, character, and scale. The architecture of the building(s) shall demonstrate visual interest on all exterior sides through the use of such techniques, without limitation, as wall plane changes, color and material changes, pop-outs, reveal lines, scoring, varied roof lines and slopes, recessed features, articulated customer entrances, canopies, colonnades, and other elements, all of which effectively integrate the building(s) mass with its surroundings, and bring proportion to its horizontal and vertical dimensions.
 - (15) Roofs will be reviewed to ensure architectural variation and reduction of scale. Parapets with three-dimensional cornice treatments or similar architectural treatments shall be used to conceal flat roofs and rooftop equipment. Roofs and/or parapets must have at least two planes.
 - (16) Steps must be taken to reduce the area dedicated for parking between the front facade of the building(s) and the abutting street, while still meeting City Code parking space requirements. Emphasis shall be made on presenting the architecture of the buildings as part of the streetscape.
 - (17) Any area used for shopping cart containment as may be provided adjacent to the building(s) shall be fully enclosed and screened by a decorative masonry wall. An adequate number of durable, permanent cart corrals shall be provided within parking areas.
 - (18) Portable storage containers shall be prohibited on the site of the development. All storage shall be contained within the principal building(s), unless additional screened storage areas are approved as part of the Planned Area

- Development application.
- (19) All vending machines shall be kept within the building(s), or if kept outside, be completely screened from the view of parking areas, roadways, and neighboring properties by a decorative masonry wall.
 - (20) Overnight parking of recreational vehicles anywhere within the site development shall be prohibited.

D. Additional building and performance standards

Development of any parcel of land within the P.A.D. Zone shall be subject to all applicable requirements of Article X of this Code.

E. Property in floodplains to comply with certain requirements

Any property located in the P.A.D. Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Section 802 Regional Mixed-Use Planned Area Development Zone (RMU-PAD)

A. Purpose of provisions

1. This zoning classification is provided as an alternative to conventional zoning and development approaches to encourage mixed-use developments containing more than two hundred (200) acres and located outside of the traditional central business district. The focus of the RMU-PAD is to develop large-scale projects that will attract Coolidge residents, residents within Pinal County and the entire region between the Phoenix and Tucson metropolitan areas. The mixed-use nature and character of this zoning classification is intended to accommodate a wide range of developments and uses including, but not limited to, those department stores or other uses commonly referred to as Power Center/Big Box retail users of a type and size typically located within a regional commercial shopping area, retail outlets and other complementary and ancillary uses. In all other respects, the purpose of this zoning classification matches that which is set forth in Section 801.A of this Code.
2. RMU-PAD may include all of the uses permitted in the following zoning categories: R-2, R-3, R-4, C-1, C-2, C-3 and P.A.D. Government and quasi-government uses may also be permitted in RMU-PAD zones, including, but not limited to educational facilities, libraries, government offices and institutions and utilities, public and/or private. The RMU-PAD zones may include any development having one or more principal use or structure on a single or contiguous parcels of ground. The RMU-PAD shall consist of harmonious selection of uses and groupings of buildings, parking areas, circulation and open spaces and shall be designated as an integrated unit. Typically, the residential component within an RMU-PAD zone will not exceed fifty percent (50%) of the gross acreage within the entire RMU-PAD zone. Appropriate locations will offer proximity to arterial road access and Roads of Regional Significance. Although special attention will be given to architectural design and site planning techniques, access to and utilization of developments of this magnitude are primarily vehicular and design techniques should be implemented to provide safe, convenient and functional vehicular traffic circulation and parking.

B. General requirements and standards

1. Ownership:
The tract shall be a development of land, two hundred (200) acres or more, under unified control at the time of application and planned and scheduled to be developed as a whole.
2. Conformance with Comprehensive Master Plan:

The land uses and design of the proposed RMU-PAD shall be consistent with the City of Coolidge Comprehensive Master Plan.

3. Uses in RMU-PAD:
All uses permitted in the following zoning categories may be allowed in an RMU-PAD, provided that said uses are consistent with the Comprehensive Master Plan: R-2, R-3, R-4, C-1, C-2, C-3 and P.A.D.
4. Residential density in an RMU-PAD:
 - a. Residential development in an RMU-PAD may provide for a variety of housing types allowed in any one of the following residential zoning districts: R-2, R-3 and R-4. In addition, the number of dwelling units allowed may be flexible relative to the number of dwelling units per acre that would be permitted by the zoning regulations otherwise applicable to the site. However, the total number of dwelling units and the resulting density allowed in an RMU-PAD shall not exceed 50% of the gross acreage within the entire RMU-PAD Zone, and shall be consistent with the land use plan of the City's Comprehensive Master Plan.
 - b. In determining the reasonableness of the densities in an RMU-PAD, the Planning and Zoning Commission and City Council shall consider increased efficiency in the provision of public facilities and services based, in part, upon:
 - (1) The location, amount and proposed use of common open space.
 - (2) The location, design and type of dwelling units.
 - (3) The physical characteristics of the site.
 - (4) Particular distinctiveness and excellence in siting, design, and landscaping.
5. More than one building per lot:
 - a. More than one building may be placed on one platted or recorded lot in any RMU-Pad. Areas for single-family detached dwellings and other housing types providing privately owned lots must comply with the City of Coolidge Subdivision Regulations in all respects not specifically noted in this section as appropriate variances or waivers.
6. One housing type not inconsistent with intent:
 - a. An RMU-PAD which only involves one housing type such as all detached or all attached units shall not be considered inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.
7. Phasing of development:
 - a. Any RMU-PAD plan proposed to be constructed in phases shall include full details relating thereto, and the City Council may approve or modify, where necessary, any such proposals.
 - b. The phasing shall include the anticipated time for beginning and completion of each phase. Such timing may be modified by the City on the showing of good cause by the developer.

- c. The land owner or developer shall make such easements, covenants, and other arrangements and shall furnish such financial guarantees as may be determined by the City to be reasonably required to assure performance in accordance with the plan and to protect the public.
- 8. Street utilities, services and public facilities:
 - a. The uniqueness of each proposal for an RMU-PAD may allow specifications and standards for streets, utilities and services to be subject to minor modifications of the specifications and standards established in this and other City codes governing their construction. The City may, therefore, waive or modify the specifications or standards where it is found that they are not required in the interests of the residents of the RMU-PAD or the City.
 - b. The plans and profiles of all streets, utilities and services shall be reviewed, modified if necessary, and approved by the City prior to the final approval of the RMU-PAD.
 - c. All RMU-PADs shall be served by public, community, or otherwise permitted and approved water and sewer systems.
- 9. Open space provision:
 - a. Depending upon the proposed land uses within the RMU-PAD, a minimum of fifteen percent (15%) of the total RMU-PAD shall be set aside for open space. Open space allocation and design shall conform to the design standards adopted in Section 801.B, except Large Single Retail Uses or Large Multiple Use Shopping Center, which shall be governed by subsection 801.C.18.
- 10. Operating and maintenance requirements for RMU-PAD Common Facilities:
 - a. In the event that certain land areas or structures are provided within the RMU-PAD for private recreational use or as service facilities, the owner of such land and buildings shall establish an arrangement to assure the City of a continued standard of maintenance. These common areas may be placed under the ownership of one of the following, depending which is more appropriate:
 - (1) Dedicated to public where a community-wide use would be anticipated.
 - (2) Landlord control.
 - (3) Landowners association provided all of the following conditions are met:
 - i. The landowners association must be established prior to any sale.
 - ii. Membership must be mandatory for each owner and any successive buyer.
 - iii. The open space restriction must be permanent or tied to a long-term agreement (e.g. ninety-nine

- years).
 - iv. The association must be responsible for liability insurance and the maintenance of recreational, service, and other facilities as deemed necessary by the City.
 - v. Landowners must pay their pro rata share of the cost and the assessment levied by the association that can become a lien on the property in accordance with Arizona Revised Statutes.
 - vi. The association must be required to adjust its assessment to meet changing needs.
 - vii. The association must be required to, at minimum, adjust its assessment on an annual basis by a percentage not less than the previous year's increase in the Consumer Price Index for All Urban Consumers for the Phoenix-Mesa, AZ ("CPI") for the preceding twelve months as published by the Bureau of Labor Statistics.
11. Landscaping:
- a. Landscaping and/or fencing shall be provided according to a plan approved by the City and shall include a detailed planting list with sizes indicated.
12. Utilities:
- a. All utilities, including electricity (except lines exceeding thirteen KV capacity) and telephone, which are on the site of the development property, including those on land which will be dedicated to public use as part of the development, and those utilities lines which must be extended to provide such utility services to the development property from an end point outside the development property lines except those lines along arterial or collector streets, shall be installed underground.
13. Additional Standards:
- Development within a RMU-P.A.D. shall conform to all conditions and standards agreed upon by the applicant and the City at the time of RMU-P.A.D. approval, including but not limited to:
- a. Building and parking setbacks
 - b. Building separation
 - c. Average/maximum densities
 - d. Circulation standards (auto, bicycle, transit, and pedestrian)
 - e. Grading and drainage

D. Additional building and performance standards

Development of any parcel of land within the RMU-PAD Zone shall be subject to all applicable requirements of Article X of this Code.

E. Property in floodplains to comply with certain requirements

Any property located in the RMU-PAD Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

Article IX OVERLAY ZONES

- Section 901 Floodway Overlay Zone (F-1)**
- Section 902 Floodplain Overlay Zone (F-2)**
- Section 903 Infill Overlay Zone (IO)**
- Section 904 Manufactured Home Overlay Zone (MH)**
- Section 905 Downtown Commercial District Overlay Zone (OL)**

Section 901 Floodway Overlay Zone (F-1)

A. Purpose of provisions

The F-1 Floodway Overlay Zone is intended to allow unimpeded passage of water during a flood through those areas of the City of Coolidge identified as the floodway by the Federal Insurance Administration of the National Flood Insurance Program of the U.S. Department of Housing and Urban Development and shown as such on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the City of Coolidge. The purpose of these regulations is to promote the public health, safety and general welfare, and to minimize public and private losses because of flood conditions. Since the floodway is an extremely hazardous area because of the velocity of flood waters, which carry debris and erosion potential, development is closely regulated.

B. Principally permitted uses

Those principally permitted uses which are allowed in the underlying zoning district only if a technical evaluation demonstrates that encroachments, fill, new construction, substantial improvements, or other development shall not result in any increase in flood levels during the occurrence of the base flood discharge.

C. Conditionally permitted uses

Those conditionally permitted uses which are allowed in the underlying zoning district only if a technical evaluation demonstrates that the encroachments, fill, new construction, substantial improvements, or other development shall not result in any increase in flood levels during the occurrence of the base flood discharge.

D. Nonconforming uses

Nonconforming uses in the Floodway Overlay Zone shall not be expanded but may be modified, altered, or repaired to incorporate flood-proofing measures providing such measures do not raise the level of a one-hundred year flood.

Section 902 Floodplain Overlay Zone (F-2)

A. Purpose of provisions

The F-2 Floodplain Overlay Zone is intended to regulate the nature of permitted development in the one-hundred year floodplain as identified by the Federal Insurance Administration of the National Flood Insurance Program of the U.S. Department of Housing and Urban Development and shown as “A” Zones on the City’s Flood Insurance Rate Maps, so as to lessen property damage and hazards resulting from such events.

B. Principally permitted uses

Those principally permitted uses of the underlying zoning district, which may be any of the residential, commercial, or industrial zones defined in this Code, provided, however, that such uses comply with the restrictions of Sections 902.E and 902.F below.

C. Conditionally permitted uses

Those conditionally permitted uses of the underlying zoning district, which may be any of the residential, commercial or industrial zones defined in this Code, provided, however that such uses comply with the restrictions of Sections 902.E and 902.F below.

D. Permitted accessory uses

Those permitted accessory uses of the underlying zoning district, which may be any of the residential, commercial or industrial zones defined in this Code, provided, however that such uses comply with the restrictions of Sections 902.E and 902.F below.

E. General standards for flood hazard reduction

In all floodway and floodplain areas, the following standards are required:

1. Anchoring
 - a. All new construction and substantial improvements shall be anchored to prevent floatation, collapse, or lateral movement of the structure.
 - b. All existing manufactured homes shall be anchored to resist floatation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Special requirements shall be that:
 - (1) Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations; manufactured homes less than fifty

- feet long require only one additional tie per side.
 - (2) Frame ties be provided at each corner of the manufactured home with five additional ties per side at intermediate points with manufactured homes less than fifty feet requiring only four additional ties per side.
 - (3) All components of the anchoring system are capable of carrying a force of 4,800 pounds.
 - (4) Any additions to the manufactured home be similarly anchored.
- 2. Utilities
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 - b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

F. Specific standards for flood hazard reduction

The following standards shall apply in all areas where base flood elevation data has been established by the Federal Insurance Administrator of the National Flood Insurance Program of the U.S. Department of Housing and Urban Development.

- 1. Residential construction
 - a. New construction and substantial improvement of any residential structure shall have the lowest finished floor elevation, including basement, at least one foot above the base flood elevation.
 - b. New construction and substantial improvement of any residential structure located in an A0 Zone as specified on the community's Flood Insurance Rate Map (FIRM) shall have the lowest floor, including basement, elevated above the crown of the nearest street or to the depth number specified in the community's FIRM.
- 2. Non-residential construction
 - a. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one (1) foot above the base flood elevation, or, together with attendant utility and sanitary facilities, shall:
 - (1) Be flood-proofed so that below one (1) foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water.
 - (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - (3) Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied.

Such certifications shall be provided to the Building Department and the Pinal County Flood Control District.

- b. New construction and substantial improvement of any non-residential structure located in an A0 Zone as specified on the community's FIRM shall have the lowest floor, including basement, elevated above the crown of the nearest street or to the depth number specified on the community's FIRM or together with attendant utility and sanitary facilities shall:
 - (1) Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.
 - (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - (3) Be certified by a registered professional engineer that the standards of this subsection are satisfied. Such certifications shall be provided to the Building Department and the Pinal County Flood Control District.
- 3. Manufactured homes
 - a. Existing manufactured homes shall be anchored in accordance with Section 902.E.1.
 - b. No manufactured homes shall be placed in any floodway or floodplain after the effective date of this Code.

Section 903 Infill Overlay Zone (IO)

A. Purpose of provisions

The Infill Overlay Zone is intended to allow for the redevelopment of vacant lots and for the replacement of substandard housing or manufactured homes in areas of need within the City of Coolidge. Properties in an Infill Overlay Zone typically cover older parts of the City where many existing lots were established prior to the implementation of the City's Zoning Code in 1989. At present, redevelopment of lots in the older parts of the City is constrained by the fact that the majority of lots fall below the current minimum setback, lot size or other requirements for single-family and multi-family residential uses. This zone is designed to allow for efficient utilization of such property, promoting interior development within the City.

B. Principally permitted uses

1. Single-family dwellings
2. Two-family dwellings
3. Three-family dwellings
4. Four-family dwellings
5. Multi-family dwellings
6. Townhouse clusters, not to exceed four units or 120 feet in length
7. Public parks

C. Conditionally permitted uses

1. Churches
 - a. Because of the potential impact of these uses, the following factors shall be considered:
 - i) Sufficient area provided for the building, required yards and off-street parking;
 - ii) Location of the site relative to the service area;
 - iii) Site location relative to land uses in the vicinity;
 - iv) Adequacy of access to and from principal streets together with potential effects on traffic volumes of abutting and nearby streets.
2. Day care centers
3. Electric sub-stations
4. Gas regulating stations
5. Golf courses
6. Group homes
 - a. Standards. Group Homes shall be located, developed and operated with the following standards:
 - i. Separation. The minimum separation between group homes shall be 1,200 feet, as measured from the closest property lines. No separation is

required when group homes are separated by a utility right-of-way of at least 300 feet width, or by a freeway, arterial street, canal or railroad;

ii. Occupancy. The number of residents, excluding staff, shall not exceed 10;

iii. Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a street;

iv. Compliance with all applicable Building and Fire Safety Regulations. If a group home has one or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply;

v. Licensing. Group homes shall comply with applicable licensing requirements;

iv. Parking. Any parking for the group home shall be on site and comply with the requirements of Article XIII: Off-street Parking and Loading Regulations;

vii. Tenancy. No group home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

7. Model homes, temporary
8. Public buildings
9. Schools
10. Sewer lift stations
11. Temporary sales and office buildings, buildings incidental to construction work
12. Water pump stations
13. Water towers

D. Permitted accessory uses

1. Fences
2. Greenhouses
3. Home occupations
4. Private garages
5. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
6. Tool sheds, for storage of domestic supplies
7. Other accessory buildings and structures

E. Lot area and dimensions

| Use | Minimum Area/Unit | Minimum Lot ¹ Dimensions | Outdoor Living Area/Unit ² |
|--|--|-------------------------------------|---------------------------------------|
| Single-family dwellings | 4,000 sq. ft. | Width: 40' Depth: 100' | n/a |
| Two-family dwellings | 4,500 sq. ft. | Width: 50' Depth: 90' | 600 sq. ft. |
| Three-family dwellings | 4,500 sq. ft. | Width: 50' Depth: 90' | 500 sq. ft. |
| Four-family dwellings | 4,500 sq. ft. | Width: 50' Depth: 90' | 400 sq. ft. |
| Townhouse cluster | 4,500 sq. ft. ³ | Width: 50' Depth: 90' | 400 sq. ft. |
| Other Permitted Uses | Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks. | | |
| ¹ These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units. | | | |
| ² Outdoor Living Area in the minimum amount specified above must be provided on any lot occupied by the multiple residence or townhouse building. This space must be easily accessible for daily recreational use by the occupants of the building. Driveways, parking areas, ornamental landscaped areas (having a width of less than twenty feet), and required side or front yards shall not be considered as Outdoor Living Area, except in the case of interior townhouse units where said unit is less than twenty feet in width, in which case the minimum width of the outdoor living area shall be the width of the lot. | | | |
| ³ May be calculated as average lot size per unit per structure. | | | |

F. Schedule of allowances

The minimum areas per unit in Section 903.E. may be adjusted according to the following, except allowance shall not be made for two- or three-family dwellings:

1. For each parking stall in or under the residence, or otherwise completely underground, subtract four hundred (400) square feet from the total minimum lot area.
2. For each unit with a balcony or patio greater than forty (40) square feet, subtract one-hundred (100) square feet from the Outdoor Living Area.

G. Setbacks, yards and heights

| 1. Minimum Setbacks From Property Line: | | | | |
|--|--------------|----------------------|--------------------|-------------|
| Use | Front | Interior Side | Corner Side | Rear |
| Single-family dwellings | 20' | 5'5' | 10' | 20' |
| Two-family dwellings | 20' | 5'5' | 10' | 20' |
| Three-family dwellings | 20' | 5'5' | 10' | 20' |
| Four-family dwellings | 20' | 5'5' | 10' | 20' |
| Townhouse clusters | 20' | 5'5' | 10' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures, except fences)* | 50' | 50' | 50' | 50' |
| Structures for all other principal or conditional uses, except fences | 20' | 5'5' | 10' | 20' |
| * If it can be demonstrated that the principal use was established prior to the introduction of the Zoning Code, then the setback requirement for principally permitted uses may apply instead. | | | | |
| For apartment buildings, parking of motor vehicles shall not be allowed within the required front or corner side setbacks unless such parking is screened from public view by a three and one-half (3 ½)foot earth berm or block wall or its equivalent as determined by the City. | | | | |
| 2. Maximum Building Height: Thirty (30) feet | | | | |

H. Encroachment into required front and side yard setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.
3. Normal roof projections (eaves) into required side yards: A house or garage roof may not be constructed within three (3) feet of a side property line.

I. Multi-family accessory buildings

1. Accessory buildings shall observe the same setback requirements established for the multiple-residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within five (5) feet of the rear or interior side property

line. The City Council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten (10) feet.

2. Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the City based on type and use of building materials.

J. Required distance between buildings

When two (2) or more principal buildings are located on one (1) lot, the minimum separation between any two (2) adjacent principal buildings shall be a distance not less than an amount equal to the height of the taller of the two buildings or twenty (20) feet, whichever is greater when developed as a Planned Area Development. For major and minor site plans, building separation shall be the sum of two (2) interior side yard setbacks.

K. Additional building and performance standards

Development of any parcel of land within the Infill Overlay Zone shall be subject to all applicable requirements of Article X of this Code.

L. Property in floodplains to comply with certain requirements

Any property located in the Infill Overlay Zone and any F-1 or F-2 Overlay Zone must comply with the regulations of the applicable Overlay Zone.

M. Boundaries of the Infill Overlay Zone

The boundaries of the Infill Overlay Zone are set forth in Exhibit A hereto.

N. Overlay zoning to govern

The Infill Overlay Zone created by this Section shall overlay the underlying zoning district. In the case of conflict between the provisions of this Section and the provisions governing the underlying district, the provisions of this Section shall govern.

Section 904 Manufactured Home Overlay Zone (MH)

A. Purpose of provisions

The MH Manufactured Home Overlay Zone is intended to provide locations for manufactured homes within the City of Coolidge where residential infill is desired, and where the manufactured homes would be compatible with surrounding or adjacent land uses.

B. Principally permitted uses

1. None

C. Conditionally permitted uses

1. Manufactured homes

D. Permitted accessory uses

1. Fences
2. Greenhouses, non-commercial
3. Home occupations
4. Private garages
5. Private or jointly owned community center recreational facilities, pools, tennis courts, spas
6. Tool sheds, for storage of domestic supplies
7. Other accessory buildings and structures

E. Lot area and dimensions

| 1. Required Lot Area: | | |
|---|--------------------------|--------------------------|
| Use | Minimum Lot Area | |
| Manufactured homes less than sixteen (16) foot width | 4,400 square feet | |
| Manufactured homes greater than sixteen (16) foot width | 5,000 square feet | |
| 2. Required Lot Dimensions: | | |
| Use | Minimum Lot Width | Minimum Lot Depth |
| Manufactured homes less than sixteen (16) feet wide | 40 feet | 110 feet |
| Manufactured homes greater than sixteen (16) feet wide | 50 feet | 100 feet |
| 3. Density: There shall not be more than one (1) manufactured home on any one (1) lot. | | |

F. Setbacks, yards and heights

| 1. Minimum Setbacks From Property Line: | | | | |
|--|--------------|----------------------|--------------------|------------------|
| Use | Front | Interior Side | Corner Side | Rear Yard |
| Manufactured home | 20' | 5'/10'* | 10' | 10' |
| Structure accessory to manufactured homes, except fences | 20' | 5' | 10' | 5' |
| * No side shall be less than six (6) feet; at least one (1) side yard shall be ten (10) feet | | | | |
| 2. Maximum Building Height: Thirty (30) feet. | | | | |

G. Encroachment into required front and side yard setbacks

1. Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.
2. Covered patios, decks, porches or carports shall not be permitted encroachments in any required front or side yard setbacks.

H. Maintenance of property

1. A site plan showing the location of the proposed unit and a landscaping plan must be submitted prior to the placement of the manufactured housing unit on the property.
2. All manufactured housing shall comply with the National Manufactured Home Construction and Safety Act. (the H.U.D. Code) and bear an insignia indicating such.
3. All manufactured housing must be built in one (1) or more sections and be set at grade.
4. All manufactured housing must have a gabled roof consisting of, shingles, tiles, or composition roof materials (metal roofs are excluded). They must have a minimum twelve (12) inch overhang.
5. All manufactured housing must have wood, hardboard, vinyl, stucco or masonry siding (metal siding is excluded).
6. All housing manufactured off-site must be placed on a foundation system where exterior walls are set at grade level. Where manufactured housing is to be placed on lots with irregular grades, a detailed plan shall be submitted to the Planning and Zoning Commission showing how the above is to be accomplished.
7. Perimeter stem walls must be masonry such as block, brick, or lath and plaster (metal skirting is excluded).
8. Manufactured housing must have drive access and off-street parking as set forth for residential uses pursuant to Section 612.
9. All setbacks are subjected and required by the City of Coolidge Zoning Code.
10. Landscaping shall be required as approved by the Planning and Zoning Commission and must be completed and in compliance with Section 609.
11. The manufactured housing unit shall have been built with the last three (3) years. The Planning and Zoning Commission will review this requirement on an annual basis.
12. A manufactured housing unit may not be parked on a roadway for more than twenty four (24) hours.
13. A manufactured housing unit which is abandoned, burned or wrecked may not be kept within a MH Zone or an overlay zone for more than thirty (30) days.
14. All manufactured housing units must be securely anchored to the ground with the tongue and axles removed in a manner acceptable to the city.
15. There shall be no exposed outdoor storage of furniture (except lawn

furniture), housing goods, tools, equipment, building materials or supplies.

K. Inspections

1. The City of Coolidge Zoning Administrator or agent is hereby authorized to make such inspections as are necessary to determine satisfactory compliance with this Code and shall have the authority to enter at reasonable times upon any private or public real property for the purpose of inspection and investigating conditions relating to the enforcement of this Code.

It shall be the duty of the owners or occupants of a lot upon which a manufactured home is placed to allow the City of Coolidge Zoning Administrator or his agent free access to such premises at reasonable times

Section 905 Downtown Commercial District Overlay Zone (OL)

The Downtown Commercial District Overlay Zone is intended to protect, preserve and enhance the character of the original Commercial areas of the City, allowing for the redevelopment and rehabilitation these areas in a manner which respects the original intent of the City's founders.

Within the Historic District no structure shall be built or altered without prior consideration and approval by the Historic Commission.

A. Building Heights

1. The maximum building height for a new or renovated commercial structure or residential structure should not exceed 30 feet
2. The minimum set backs for a new commercial or residential structure shall be:
 - Front: 0 feet
 - Interior side: 0 feet
 - Corner Side: 0 feet
 - Rear: 10 feet

B. Principally permitted uses

1. Hotel or Motel
2. Veterinary Hospital
3. Pet Store
4. Bank and Savings and Loan
5. Eating and Drinking Establishments
6. Live Entertainment Establishment
7. Bar/Microbrewery
8. Bar/Microbrewery with limited retail or wholesale
9. Retail Packaged Food Sales
10. Offices, Business and Professional
11. Offices, medical and dental
12. Personal Improvement businesses
13. Health Studio
14. Retail Sales
15. Retail, Art and Craft Sales
16. Arts and Craft Studios
17. Home Furnishings and Hardware Stores
18. Pharmacies and Medical Supply
19. Seasonal Arts Festival
20. Travel Services
21. Clubs and Lodges
22. Colleges and University Buildings
23. Cultural Institutions/Museums
24. Government Offices

25. Municipal uses
26. Religious Assembly

C. Conditionally permitted uses

1. Catering Services
2. Commercial Recreation and Entertainment
3. Nurseries, plant/flowers

D. Not permitted

1. Single family residential
2. Day Care
3. Group Residential
4. Three family dwelling
5. Four family dwelling
6. Townhouse Cluster
7. Adult Businesses
8. Ambulance services
9. Pet Store
10. Drive-up services
11. Communications Facility
12. Call Center
13. Laboratories
14. Non-vehicle maintenance and repair services
15. Mortuaries
16. Pawnshops
17. Massage Studio
18. Big Box retail
19. Secondhand appliance sales
20. Vehicle equipment sales and services
21. Automobile rentals
22. Automobile washing
23. Commercial Parking facility
24. Service Stations
25. Vehicle/Equipment repair
26. Wireless Communications facility
27. Hospital, Urgent Care Facilities and Clinics
28. Schools; Public/Private/Charter
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Article X
GENERAL BUILDING AND
DEVELOPMENT STANDARDS

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Section 1001 Purpose of provisions

The purpose of this Article is to establish general development standards. These standards are intended and designed to assure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

Section 1002 Use of Lands, Buildings and Structures

A. Conformity with certain use designations required

No building or structure or part thereof shall be erected, altered, or enlarged for a use, nor shall any existing building, structure or part thereof, or land, be used for a purpose or in a manner that is not in conformity with the uses listed as permitted uses for the zone in which such buildings, structure, or land is situated subject to the provisions of Article V through Article IX of this Code, except that any land, building or structure may be erected or used for a purpose listed as a conditional use in such zone provided that a Conditional Use permit therefore is secured in accordance with the provisions of Section 1902 of Article XIX of this Code.

B. Conformity with height limitations required

No building, or part thereof, or structure shall be erected, reconstructed, or structurally altered to exceed in height the limit herein designated for the district in which such building is located, except as is specified in Article XVII of this Code.

C. Conformity with yard and setback regulations required

No building or part thereof, or structure shall be erected, nor shall any existing building be altered, enlarged, or rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except in conformity with the yard and setback regulations designed for the zone in which such building or open space is located, except as specified in Article XVII of this Code.

D. Single yard not to fulfill requirement for multiple sites

No yard provided around any building for the purpose of complying with provisions of this Code shall be considered providing a yard for any other building, and no yard for one building site shall be considered as providing a yard for a building on any other building site.

E. Recreational vehicle parking restricted

No person shall park or occupy any recreational vehicle or manufactured home on the premises of any occupied dwelling or on any lot which is not a part of the premises of any occupied dwelling, either of which is situated outside of any approved manufactured home park or manufactured home subdivision, or recreational vehicle/park model park zone, except that: the parking of only one (1) unoccupied recreational vehicle in any accessory private garage, or in a rear yard in any district is permitted, providing no living quarters shall be maintained or any business practiced in the recreational vehicle while such recreational vehicle is so parked or stored.

F. Dwelling unit restrictions

No cellar, garage, tent, basement with unfinished structure above, or accessory building or any mobile home or recreational vehicle outside of an approved mobile home or recreational vehicle development shall at any time be used as a dwelling unit. The basement portion of a finished home may be used for normal living, eating, and sleeping purposes; provided it is properly damp-proofed and has suitable fire protection and exits.

Section 1003 Accessory Buildings, Uses and Equipment

A. General considerations—Restrictions

1. An accessory building shall be considered an integral part of the principal building if it is connected to the principal building by a roof, except as provided in Section 1003.B.
2. Accessory buildings, uses, or equipment shall not be stored or constructed between the front lot line and front building setback line except as allowed in Section 1003.E.
3. Accessory buildings and garages in residential districts shall not exceed the height of the principal structure and shall not be located within a utility easement.
4. No accessory building or garage for single-family homes shall occupy more than twenty- five percent (25%) of a rear yard nor exceed eight hundred (800) square feet of floor area, except that garages which exceed the aforesaid maximum may be allowed with a Conditional Use Permit.
5. No permit shall be issued for the construction of more than one (1) accessory, detached, private garage structure for each dwelling.
6. No accessory building or use shall be constructed or developed on a lot prior to the time of construction of the principal building to which it is accessory, except by a Conditional Use Permit.
7. Accessory buildings in any business or industrial district may be located only to the rear of the principal building.

8. No accessory building in any business or industrial district shall exceed the height of the principal building except by Conditional Use Permit.

B. Covered patios and walkways

1. Covered patios, or roofs attached to the main building or connecting the main building with a detached accessory building, may extend into a required rear or side yard; provided that portions of such structures extending into that yard:
 - a. Shall not exceed twelve (12) feet in height or project closer than five (5) feet to a side or rear lot line;
 - b. Shall be entirely open on at least three (3) sides except for necessary supporting columns; except that a roof connecting a main building and an accessory building shall be open on two (2) sides. Such covered patio or covered walkway shall be a maximum width equal to ten percent (10%) of the connecting side of the accessory building. In cases where a connecting wall is less than forty (40) feet wide, however, a building permit applicant shall be allowed a maximum covered patio (or covered walkway) width of four (4) feet.

C. Detached structures

1. A detached structure shall meet the setback requirements of the main building for the front yard area.
2. A detached accessory structure may be located within a side yard or rear yard; provided, that when such structure is located closer than five (5) feet to a side or rear lot line, one (1) hour fire walls shall be required.
3. A detached structure shall maintain a minimum of five (5) feet separation from the main structure.

D. Swimming pools

1. A swimming pool, or other contained body of water that will hold water eighteen (18) inches or more in depth at any point and is intended for swimming, shall be protected by an enclosure surrounding the pool. This also pertains to hot tubs and spas as provided in this section, unless the hot tub or spa has a lockable cover.
2. A swimming pool or other contained body of water required to be enclosed per Subsection D.1 whether below-ground or above-ground shall meet the following requirements:
 - a. Be entirely enclosed by a six (6) foot wall or fence as measured on the exterior side of the wall or fence.
 - b. The pool and all structures housing appurtenances thereto shall be not less than five (5) feet from the nearest property line except, however, that such pool or structure shall not be located between

- the front property line and the front building setback line.
- c. The wall or fence shall not contain openings, handholds or footholds accessible from the exterior side of the enclosure that can be used to climb the wall or fence. No openings in the wall or fence through which a spherical object four (4) inches in diameter can pass shall be permitted. The bottom of the wall or fence shall extend to ground or grade level on the exterior side of the enclosure. The horizontal components of any wall or fence shall be spaced not less than forty-five (45) inches apart measured vertically and shall be placed on the pool side of the wall or fence. A chain-link fence shall be of not less than nine (9) gauge wire and have a maximum mesh size of one and three-quarter (1 $\frac{3}{4}$) inches measured horizontally.
 - d. Gates for the enclosure shall:
 - (1) Be self-closing and self-latching with the latch located at least fifty-four (54) inches above the underlying ground or on the pool side of the gate with a release mechanism at least five (5) inches below the top of the gate with no opening greater than one-half (1/2) inch within twenty-four (24) inches of the release mechanism.
 - (2) Open outward from the pool.
 - e. The pool or mechanical equipment shall be located so as to minimize the disturbance to nearby occupants of apartments and houses.
 - f. The wall or fence shall be at least twenty (20) inches from the water's edge. The maximum distance of a wall or fence from the water's edge of any pool or other contained body of water shall be at the discretion of the Building Official so long as the intent of this Ordinance is met.
3. This section does not apply to:
 - a. Public swimming pools.
 - b. A swimming pool or other contained body of water or barrier constructed prior to the effective date of this Ordinance.
 4. A person on entering into an agreement to build a swimming pool or other contained body of water or sell, rent or lease a dwelling with a swimming pool or other contained body of water shall give the buyer, lessee or renter a notice explaining safety education and responsibilities of pool ownership as approved by the Arizona Department of Health Services.
 5. A person who violates this section is guilty of a petty offense except that no fine may be imposed if a sufficient showing is made that the person has subsequently equipped the swimming pool or other contained body of water with a barrier pursuant to the standards adopted in Subsection 2 within forty-five (45) days of the citation and has attended an approved swimming pool safety course.
 6. All swimming pool plans and safety devices proposed to be built or erected in conjunction with swimming pools shall be first presented to the

Building and Zoning Official(s) for approvals.

E. Miscellaneous structures

Porches, steps, architectural features such as eaves, awnings, and chimneys, and balconies or stairways, wing walls or bay windows, may not project within five (5) feet of the property line.

Section 1004 Fences and Walls

A. Permit required

No persons, firm or corporation, except on a farm and related to farming, shall hereafter construct, or cause to be constructed or erected within the City any fence without first making an application for and securing a building permit.

B. Location requirements

All fences shall be located entirely upon the private property of the persons, firms or corporation constructing, or causing the construction, of such fence unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the division line of the respective properties.

C. Construction, maintenance and height requirements

1. Construction and Maintenance
 - a. Every fence shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence which is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance and the Zoning Administrator shall commence proper proceedings for the abatement thereof.
 - b. Link or wire fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top, except in industrial districts and shall be constructed of at least eleven (11) gauge wire or its comparable.
 - c. Electrical or barbed wire fences shall be prohibited, except in I-1, I-2 or I-3 districts.
2. Masonry Walls
 - a. Up to three (3) feet high – no restrictions

- b. Three (3) feet to six (6) feet high – two thousand pounds (2,000 lbs.) concrete footings, eighteen (18) inches below bearing grade, six (6) inches wider and longer than the bearing wall or column it is intended to support. Any non-structural sections (four (4) inches or less) eight (8) inches under bearing grade six (6) inches wider than the wall it is intended to support.
 - c. Six (6) feet and higher – see Uniform Building Code
3. Measuring Fence and Wall Height
- The height of any fence shall be calculated to the uppermost points as follows:
- a. In required yards abutting a street, the height of the fence shall be the total effective height measured from the finished grade on the side nearest the street.
 - b. In other required yards, the height of the fence shall be the total effective height above the finished grade measured on the side nearest the abutting property.
 - c. On property lines, the height may be measured from the finished grade of either side when the abutting property owners are in joint agreements, with the agreement submitted in writing.

D. Residential fences and walls

In all parts of the City zoned residential, no fence or wall shall be erected or maintained more than six (6) feet in height and also:

- 1. No fence or wall shall be allowed in any required residential front yard which has any supporting member measuring more than forty-eight (48) inches in height.
- 2. Fences, walls, or hedges which are erected in any side yard and which run parallel or approximately parallel to the front line of a building or manufactured home shall be set back from the front line of the building or manufactured home a minimum of five (5) feet.
- 3. On corner lots in all districts, fences, walls or planting in excess of thirty (30) inches above the street center line grade shall only be permitted in an area set back in a diagonal line ten (10) feet from the projected curb line of two intersecting streets.
- 4. In those instances where a fence or wall is erected as an enclosure which restricts access from the front to the rear yard, a gate, identifiable collapsible section of fence, or other such means of recognizable ingress shall be installed, shall remain unobstructed and shall be a minimum of three (3) feet in width. The location of such ingress points shall be positioned at any point paralleling the front lot line between the side lot property line and the principal structure.
- 5. In corner side yards, fences or walls up to six (6) feet in height may be permitted; provided, that no fence or wall may be built in a corner side yard that is adjacent to a neighboring front yard.

E. Business and industrial district fences

Fences and walls in all business and industrial districts shall not exceed ten (10) feet in height except that boundary-line fences abutting residential districts shall not be greater than six (6) feet in height. No fence, wall or planting in excess of thirty (30) inches above the street centerline grade shall be permitted within a triangular area defined as follows: beginning at the intersection of the projected curbing lines of two (2) intersecting streets, thence forty (40) feet along one curb line, thence diagonally to a point forty (40) feet from the point of beginning on the other curb lines, then to the point of beginning, and at the intersection of each driveway or alley with a street, a triangular area where corners are defined by two points on the right-of-way line, fifteen (15) feet on each side of the centerline of the driveway or alley and a point on the centerline ten (10) feet outside right-of-way.

F. Special purpose fences

Fences for special purposes and fences differing in construction, height or length may be permitted in any district by issuance of a Conditional Use Permit approved by the Planning and Zoning Commission. Findings shall be made that the fence is necessary to protect, buffer or improve the premises for which the premises for which the fence is intended and will not detrimentally effect adjacent property.

G. Fences in all districts

Any fence constructed so as to have only one (1) elevation “finished,” which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent property.

H. Outdoor storage areas

1. All utility substations, wells, storage facilities, or other utilities shall be screened from view by a wall or landscape screen.
2. All storage for commercial operations shall be conducted within a completely enclosed building or within an area completely enclosed, except for access points, by a wall at least six (6) feet in height.

Section 1005 Setback and Height Encroachments, Limitations and Exceptions

A. Requirements in any yards

Requirements in any yards shall apply to:

1. Posts, off-street
2. Open parking spaces
3. Sills
4. Pilasters
5. Lintels
6. Cornices
7. Eaves
8. Gutters
9. Awnings
10. Open terraces
11. Service-station pump islands
12. Open canopies
13. Steps
14. Flag poles
15. Ornamental features
16. Open Fire Escapes
17. Sidewalks
18. Fences, except as hereinafter amended
19. Also, terraces, steps, exposed ramps (wheelchair), uncovered porches, stoops or similar features; provided, they do not extend above the height of the ground-floor level of the principal structure or to a distance of less than three (3) feet from any lot line nor less than one (1) foot from any existing or proposed access drive. Also, yard lights and nameplate signs in residential districts; trees; shrubs; plants; floodlights or other sources of light-illumination, authorized lights or light standards for illuminating parking areas, loading areas or yards for safety and security reasons; provided, the direct source of light is not visible from the public right-of-way or adjacent, residential property.

B. Requirements in side and rear yards

1. Balconies eight (8) feet above grade may extend into the yards to within five (5) feet of a lot line; provided, the balconies do not extend over nonresidential driveways.
2. Recreational equipment, picnic tables and apparatus needed for the operation of active and passive solar-energy systems.

C. Requirements in rear yards

Laundry, drying equipment; covered but not enclosed porches, breezeways and detached outdoor living rooms may extend twenty (20) feet into the rear yard but not closer than ten (10) feet from the rear lot line. Apparatus needed for the operation of active and passive solar-energy systems are also governed by these provisions.

D. Height requirements

1. Height limitations shall not apply to:
 - a. Chimneys and smokestacks
 - b. Church spires, belfries, cupolas and domes
 - b. Flag poles
 - c. Monuments
 - e. Parapet walls extending no more than four (4) feet above the limiting height of the building except as hereinafter provided
 - d. Public and private utility facilities
 - e. Solar-energy collectors and equipment used for the mounting or operation of such collectors
 - f. Television antennae
 - g. Transmission towers of commercial and private radio broadcasting stations
2. Places of public assembly in churches, schools and other permitted public and semi-public buildings may exceed height limitations otherwise established by this Code provided that:
 - a. These are located on the ground floor of such buildings.
 - b. For each one foot by which the height of such buildings exceed the maximum height otherwise permitted in the zone, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the zone.
3. Elevator and stair penthouses, water tanks, monitors and scenery lofts are exempt from height limitations otherwise established in this title; provided, that no linear dimension of any such structure exceed fifty percent (50%) of the corresponding street frontage line.
4. Towers and monuments, cooling towers, gas holders or other structures, where the manufacturing process requires a greater height and grain elevators and silos are exempt from this Code provided that:
 - a. Any structure above the height otherwise permitted in the zone shall occupy no more than twenty-five percent (25%) of the area of the lot and shall be at least twenty-five (25) feet from every lot line.

E. Side and rear setbacks—Zero lot line provision

Subject to the regulations contained in the Uniform Building Code and other applicable regulations, buildings may be excluded from side and rear setback requirements provided party walls are used and if the adjacent buildings are constructed as an integral unit. This primarily pertains to townhomes and condominium structures.

Section 1006 Screening

A. Purpose and provisions

The purpose of this section is to establish general development standards for screening between uses of differing character, density or intensity. The screening standards are intended to assure compatibility of uses, minimize deterioration or properties and property values, and to enhance the health and safety of the residents of Coolidge.

B. Use of screening

Unless otherwise determined by the Planning and Zoning Commission, a masonry screen wall of six (6) feet in height above grade shall be constructed and maintained between uses of differing intensity or character. This may include between existing and/or future:

1. Large lot and small lot single-family developments
2. Single-family and multi-family developments
3. Multi-family and multi-family developments
4. Residential and non-residential uses
5. Parking areas subject to general public view
6. Rear and/or side lot areas and public rights-of-way

C. Responsible party

The Planning and Zoning Commission shall determine the party responsible for construction and maintenance of screening. Generally it will be either the most intense use or the initial use.

D. Location of screen walls

Screening shall be located adjacent to perimeter property lines, but on the constructing party's property, unless otherwise approved by the Planning and Zoning Commission, which may include public rights-of-way.

E. Exceptions

1. In lieu of screen walls of six (6) feet in height, the Planning and Zoning Commission may require alternative methods for screening uses of differing character, density or intensity. Alternative methods may include:
 - a. Open space with landscaping
 - b. Arterial or collector streets with landscaping
 - c. Landscaped earth berms (particularly with parking lots)
 - d. Lower screen walls with landscaping (particularly with parking lots)
 - e. Other screening approved by the Planning and Zoning Commission
2. Alternative methods of screening shall be implemented when it is in the best interest of the affected properties and deemed by the Planning and Zoning Commission to provide more acceptable screening than provided by a screen wall.

Section 1007 Miscellaneous Requirements

A. Glare and lighting facilities

Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets. In addition, all lighting facilities shall comply with the City's Dark Sky Ordinance, Chapter 19 of the City Code.

B. Surface-water ponding to be retained where possible

Natural ponding in areas shall be retained as much as possible or, if necessary, enlarged or modified as directed by the City Engineer to restrict the off-site runoff; subject to City subdivision requirements for stormwater runoff control, the Pinal County Drainage Manual and City Code Chapter 18 "Flood Control".

C. Storage and exterior display requirements

All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate customer or user shall be stored within the confines of a one hundred percent (100%) opaque wall or fence not less than six (6) feet tall. Merchandise which is offered for sale as described may be displayed beyond the confines of a building in any general commercial district, but the area occupied by the outdoor display shall not constitute a greater number of square feet than ten percent (10%) of the ground floor area of the building housing the principal use, unless such merchandise is a type customarily displayed outdoors such as automobiles and garden supplies. No storage of any type shall be permitted within the one-half of the required front or side street setback nearest the street nor within any required interior side or rear setback.

D. Exterior incineration or storage of trash prohibited

No exterior incineration of trash or garbage is permissible. No exterior storage of trash or garbage is permissible except in an accessory building enclosed by walls and a roof or in closed containers within a totally screened area.

E. Provision of refuse containers required

It shall be the duty of the owner or developer of all new single-family residential construction and development within the City, when such development is not subject to the provisions of the City Subdivision Ordinance with respect to refuse containers, to provide at his/her expense refuse containers which shall become the property of the City and that will remain with the residence. The type of such containers shall be approved by the Public Works Director.

F. Public street frontage

Except as otherwise allowed or required by this title, no lot shall contain any building unless such lot abuts for at least fifty (50) feet on a public street or private street approved as part of a city approved Planned Area Development.

G. Emission of particulate matter to be in compliance

The emission of smoke, dust and other particulate matter shall be in compliance with the Pinal County Air Quality Control District as regulated by the Pinal County Health Services Department.

H. Bulk storage to comply with certain requirements

All uses associated with bulk storage of all gasoline, liquid fertilizer, chemicals, flammable and similar liquids shall comply with Uniform Building and Fire Code requirements and county regulations.

I. Discharge of hazardous waste to comply with certain requirements

Discharge of hazardous waste, chemicals or wastewater will be subject to Arizona Department of Environmental Quality (ADEQ).

J. Emission of odors

The emission of odors by any use shall be in compliance with city standards and regulations.

K. Emission of noise

The emission of noise from any use shall be in compliance with city standards and regulations.

L. Electrical disturbance

No activity shall be permitted which causes electrical disturbances affecting the operation of any equipment located beyond the property line of the activity.

M. Liquid or solid waste

No discharge at any point into any public or private disposal system or stream, or into the ground, materials in such a way, nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements, except in accordance with the standards approved by the Arizona Health Department.

N. Radioactivity

The use shall conform to the regulations of the Federal Atomic Energy Commission with regard to sources of ionizing, radiation and radioactive materials, and to any other applicable city, county and state regulations.

Article XI

SIGN REGULATIONS

- Section 1101 Purpose and application**
- Section 1102 Nonconforming and discontinued signs**
- Section 1103 Repeal and severability**
- Section 1104 Violations and enforcement**
- Section 1105 Definitions**
- Section 1106 Signs permitted by zoning district**
- Section 1107 Temporary signs**
- Section 1108 General provisions**

Section 1101 Purpose and application

A. Purpose of provisions

1. Preserve and protect the public health, safety, and welfare within the City of Coolidge.
2. Encourage development of private property in harmony with the desired character of the City while providing due regard for the public and private interests involved.
3. Promote the effectiveness of signs by preventing their overconcentration, improper placement, deterioration, and excessive size and number.
4. Enhance the flow of traffic and the convenience, ease, and enjoyment of travel within the City of Coolidge.
5. To protect travelers in the City of Coolidge from injury or damage as a result of distraction or obstruction of vision attributable to signs.

B. Intent and application

1. Reduce advertising distractions which may contribute to traffic accidents.
2. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets and other public structures and spaces shall be protected by exercising reasonable control over the character and design of sign structures.
3. Provide an improved visual environment for the citizens of and visitors to the City of Coolidge.
4. Require that signs are properly maintained for safety and visual appearance.
5. This Code establishes procedures for the enforcement, interpretation, and processing of variances, Use Permits, Special Use Permits, and appeals, and for violations and penalties for infractions of the sign regulations.
6. It is not the intention of this Code to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this Code.
7. All buildings, structures, and uses of land shall be subject to the provisions of this Code.

Section 1102 Nonconforming and discontinued signs

A. Signs for a legal nonconforming use

1. New or additional signs for a nonconforming use shall be permitted in accordance with permitted signage for the zoning district in which the nonconforming use is located after the effective date of this Code.
2. A nonconforming sign for a nonconforming use which is discontinued for a period exceeding ninety (90) days, or is superseded by a conforming use, shall be considered a prohibited sign and shall be removed or brought into conformance upon establishment of a conforming use. A nonconforming use shall be deemed discontinued when such use is suspended as evidenced by the cessation of activities or conditions which constitute the nonconforming status of the use.

B. Signs rendered nonconforming

1. If at the time of the adoption of this Sign Code, or amendments thereto, or of any extension resulting from annexation, or of any amendment to the Coolidge City Code, any sign which is being used in a manner or for a purpose which was otherwise lawful, but does not conform to the provisions of this Code, shall be deemed nonconforming. Such sign may continue only in the manner and to the extent that it existed at the time of such adoption, amendment, or extension.
2. Any sign which becomes nonconforming subsequent to the effective date of this Code, either by reason of annexation to the City, or amendment of this Code, the Zoning Code, or other provisions of the City Code so as to render such sign nonconforming, shall be subject to the provisions of this Code.
3. Notwithstanding any other provision of this Section, legal nonconforming signs that are located on a parcel of property which is severed from a larger parcel of property and acquired by a public entity for public use by condemnation, purchase, or dedication may be relocated on the remaining parcel without extinguishing the legal nonconforming status of that sign provided that the nonconforming sign:
 - a. Is not increased in area or height;
 - b. Remains structurally unchanged except for reasonable repairs or alterations;
 - c. Is placed in the same relative position on the remaining property that it occupied prior to the relocation; and
 - d. Is relocated in a manner so as to comply with all applicable safety requirements.

4. After relocation pursuant to Subsection B.3 of this section, the legal nonconforming sign shall be subject to all provisions of this Code in its new location.

C. Signs rendered discontinued

1. The use of any sign which is located on property which becomes vacant and unoccupied for a period exceeding six months shall be deemed to have been discontinued. Any sign whose use has been discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises. Sign structures shall be deemed discontinued if left vacant and unoccupied for a period exceeding six (6) months.
2. Sign structures which remain vacant, unoccupied, devoid of any message, or display a message pertaining to a time, event, or purpose that no longer applies shall be deemed to be discontinued.
3. A sign whose use has been discontinued is prohibited and shall be removed by the owner of the sign or owner of the premises.

D. Alteration or removal of nonconforming signs

1. A nonconforming sign structure shall not be re-erected, relocated, or replaced unless it is brought into compliance with the requirements of this Code, except as provided in Subsection B.3 of this section.
2. Any construction permit which invokes Certificate of Occupancy requirements shall specify and require that any nonconforming sign located within the boundaries of the development site authorized by said permit shall be brought into conformance with the provisions of this Code, provided that if the nonconforming sign is a type of sign that is prohibited under Section 1108.C of this Code, it shall be removed.
3. Any nonconforming sign shall be removed or rebuilt in full conformity to the terms of this Code if it is damaged or allowed to deteriorate to such an extent that the cost of repair or restoration is fifty percent (50%) or more of the cost of reconstruction of such sign.
4. Any sign permit for a detached sign within the boundaries of a Commercial Office Zone development shall specify and require that any nonconforming detached sign within the boundaries of said development shall be modified or removed to conform with the provisions of this Code.
5. Detached signs existing within the future width line as specified in Section 1108.D shall not be subject to the conditions specified in paragraphs a through d above provided such signs are in compliance with all other applicable provisions of this Code.

Section 1103 Repeal and severability

- A. All Codes or parts of Codes contained within Article VI, Section 610 of the Coolidge Zoning Code prior to this Sign Code are hereby repealed.
- B. Should any portion or provision of this Code be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Code.
- C. Nothing contained in this Ordinance shall affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date, notwithstanding the provisions of Section 1103.A.

Section 1104 Violations and enforcement

- A. It is hereby declared unlawful for any person, firm, or corporation to construct, place, install, alter, change, maintain, use, or to permit the construction, placement, installation, alteration, change, maintenance, or use of any sign contrary to or in violation of any provisions of this Code, or of any provision designated as a condition of approval either by the plan review process or through an amendment, special use permit, variance, site plan review, design review, or appeal by an office, board, commission, or the City Council, as established by this Code.
- B. The installation, construction, or display of any illegal or prohibited sign is hereby declared unlawful and a violation of this Code.
Enforcement of the provisions of this Chapter shall be pursuant to the provisions contained in Article XX of this Code.
- C. Variances, Conditional Use Permits and Interpretations
 - 1. An application for a request for variance from the provisions of this Code shall be submitted with the Growth Management Department in accordance with Article XIX, the Administrative Procedures chapter of the Coolidge Zoning Code. A variance may only be granted upon a finding by the Zoning Administrator or Board of Adjustment that:
 - a. There are special circumstances or conditions applying to the land, building, or use referred to in the application; and
 - b. That such special circumstances or conditions are preexisting and not created by the property owner or appellant; and
 - c. The authorizing of the variance is necessary for the preservation and enjoyment of substantial property rights; and
 - d. The authorizing of the variance will not be materially detrimental to persons residing or working in the vicinity of the property, to the neighborhood, or the public welfare in general.

2. Applications for Conditional Use Permits required by this Code, shall be filed with the Growth Management Department in accordance with Article XIX, the Administrative Procedures chapter of the Coolidge Zoning Code. A Conditional Use Permit may only be granted upon a finding by the Zoning Administrator or Board of Adjustment that the sign covered by the permit and any related use or building will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general.
3. Requests for interpretations of the provisions of this Code shall be filed with the Growth Management Department in accordance with Article XIX, the Administrative Procedures chapter of the Coolidge Zoning Code. The terms and provisions of this Code cannot be changed through an interpretation.

Section 1105 Definitions

Animated: The movement of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously.

Attached sign: Any sign which is fastened, attached, connected, or supported in whole or in part as a building.

Awning sign: A sign placed on, affixed to, or incorporated into the surface of an awning, canopy, or similar device.



Awning

Banner: A temporary sign of fabric, plastic, paper, or other light pliable material.

Billboard: Same as off-site sign.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Cabinet sign: A sign that contains all the text and/or logo symbols within a single enclosed case.

Contributing property to a historic district: A building contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling, and association adds to the district's sense of time and place and historical development. Typically reserved for those structures that are at least fifty (50) years old, in good condition and with their architectural integrity substantially intact. Ordinarily, buildings that have been built within the past fifty (50) years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than fifty (50) years old.

Copy: The words, letters, symbols, illustrations, or graphic characters used to convey the message of a sign.

Detached sign: Any sign permanently anchored to the ground which stands alone on its own foundation and structural supports, and detached from any supporting elements of a building.

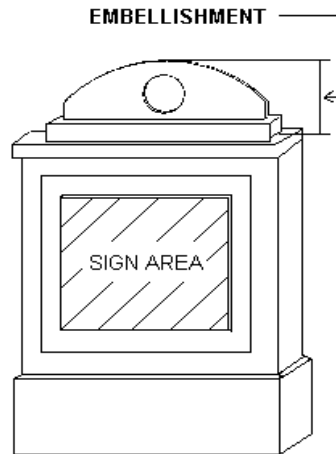
Directional sign: A sign which includes copy offering pertinent directional information for the purpose of assisting in the flow of vehicular or pedestrian traffic.

Directory sign: A sign listing name, use, and/or location within a building, building complex, or multi-tenant development.

Electronic message display: A sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means. Such signs shall include the following modes of operations:

1. Static. Signs which include no animation or effects simulating animation.
2. Fade. Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.
3. Dissolve. Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
4. Travel. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.
5. Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

Embellishment: Structural or decorative elements of a sign incorporating representations of the significant architectural features of the associated building or development. Embellishment shall not include letters, numerals, figures, emblems, logos, colored bands, or other features conveying a commercial advertising message.



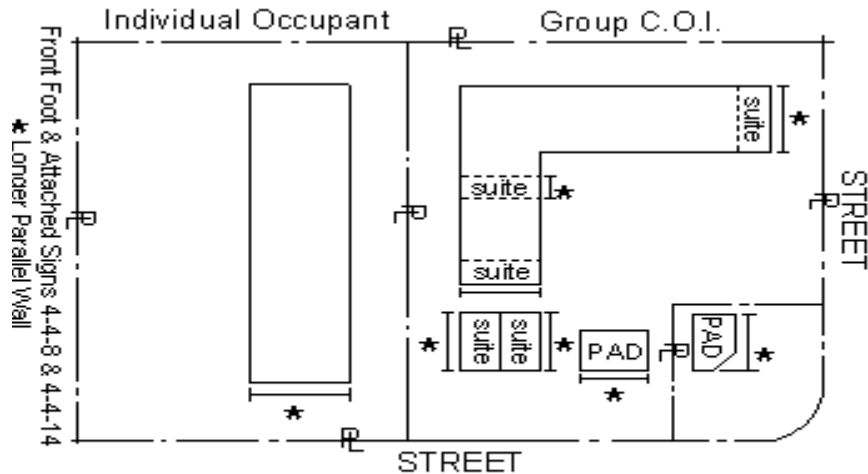
Fixed balloon: Any lighter-than-air or gas-filled inflatable object attached by a tether to a fixed place.

Freestanding sign: Same as detached sign.

Freeway: A controlled access highway as defined in A.R.S. §28-602(1), and all rights-of-way associated therewith.

Freeway landmark monument: A sign structure of architectural quality which exceeds twelve (12) feet in height or eighty square feet in area, intended to be viewed from an adjacent freeway for purposes of identifying an associated commercial or non-commercial development.

Front foot: The maximum lineal dimension of an exterior wall, excluding canopies and projections, measured on a straight line parallel to a fronting street. For purposes of this definition, all pad buildings and pad occupancies within a group commercial-office-industrial development, located on a corner parcel, are defined as having exterior walls fronting on both streets.



Grade: The top of curb or edge of pavement where no curb exists.

Group C-O-I development: A commercial, office, or industrial development where there are located several separate business activities having appurtenant shared facilities, such as driveways, parking, and pedestrian walkways, and which is designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a group C-O-I development may, but need not, include common ownership of the real property upon which the development is located, common wall construction, and multiple occupant use of a single structure.

Hanging sign: A sign suspended from, and located entirely under a covered porch, covered walkway, or an awning (see figures below).

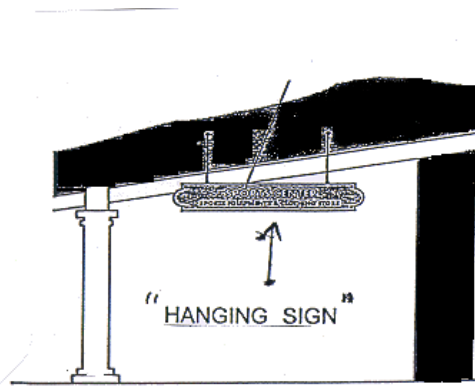
Height: The vertical distance to the top of a sign, excluding embellishment, measured from the nearest curb, sidewalk, or street grade.

Historic district: Seven (7) or more contiguous properties with at least three hundred (300) feet of street frontage composed of buildings that contribute to the historic significance of a district by location, design, setting, materials, workmanship, feeling, and association that creates a sense of time and place and historical development. The buildings must be at least fifty (50) years old, in good condition, and with their architectural integrity substantially intact. Ordinarily, buildings that have been built within the past fifty (50) years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than fifty (50) years old.

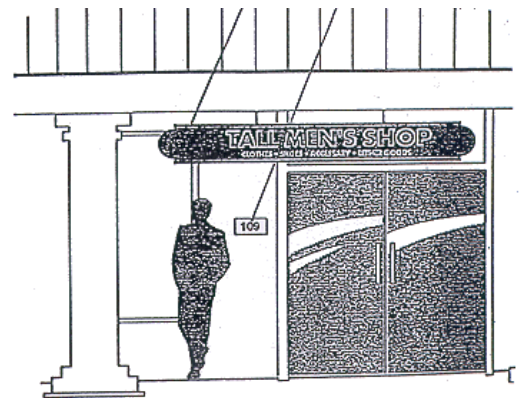
Internal illumination: A source of illumination entirely within the sign which makes the sign content visible at night by means of the light being transmitted through a translucent material, but wherein the source of the illumination is not visible.

International Building Code (IBC): The current edition of the International Building Code adopted by the City of Coolidge.

Kiosk Structure: A free standing structure with one or more surfaces used to provide directional information to community facilities or residential developments.



(Perpendicular to Building)



(Parallel to Street)

Level I historic structures: Include buildings that meet National Register criteria; i.e., architectural integrity has been retained or modified in an acceptable manner, association has been established with a prominent person, place, or event in Coolidge's history; and the structure is at least fifty (50) years in age. These structures can be nominated to the National Register on their individual merit.

Maintenance: The repair or replacement in-kind of individual sign components including paper, fabric, or plastic copy panels; electrical wiring and bulbs; or paint, stucco, or other exterior finishes. This definition shall not include the replacement of metal or wood cabinets, structural faces, supporting structural members, primary uprights, posts and poles, or the sign in its entirety.

Menu sign: A sign used to inform the public of the list of entrees, dishes, foods, and entertainment available in a restaurant.

Menu board: A permanently mounted sign displaying the bill of fare for a drive-thru restaurant.

Monument sign: A detached sign mounted on or incorporated into a solid base, and shall be a self-supporting structure.

Multi-occupant sign: A sign that includes as copy only the names of two (2) or more businesses, places, organizations, buildings, or persons it identifies.

Mural: A painting or pictorial representation applied to or incorporated into a structure or wall, that can be viewed from public places, alleys, rights-of-way.

Noncontributing property to a historic district:

1. A building not contributing to the historic significance of a district is one which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, feeling, and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.
2. Ordinarily, buildings that have been built within the past fifty (50) years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or

architectural merit is given or the historical attributes of the district are considered to be less than fifty (50) years old.

Off-site sign: A sign which directs attention for a commercial purpose to a business, commodity, a service, entertainment, or product not related to the other commercial uses existing on the premises upon which the sign is located. Nothing contained in this definition shall be construed to apply to noncommercial messages or information placed on any sign.

Parapet wall: The vertical extension of the exterior building wall above the plate line.

Parcel: A unit of land shown on a subdivision map, record of survey map, parcel map, or a lot described by metes and bounds, which constitutes a development site whether composed of a single unit of land or contiguous units under common ownership or development.

Plate line: The point at which any part of the roof structure first touches or bears upon an external wall.

Pole sign: A detached sign supported by one (1) or more uncovered or exposed uprights, supports, or braces.

Portable sign: Any sign or advertising device not secured in place, such as an A-frame or spring-loaded sign.



Portable sign height: The vertical distance to the top of the sign when it is erect, measured from the grade of the sidewalk.

Projecting sign: A sign attached to a building or other structure and extending in whole or in part more than fifteen (15) inches beyond the building.



Public message changer: Same as "Time and Temperature Unit."

Reader panel: A sign designed to permit immediate change of copy.

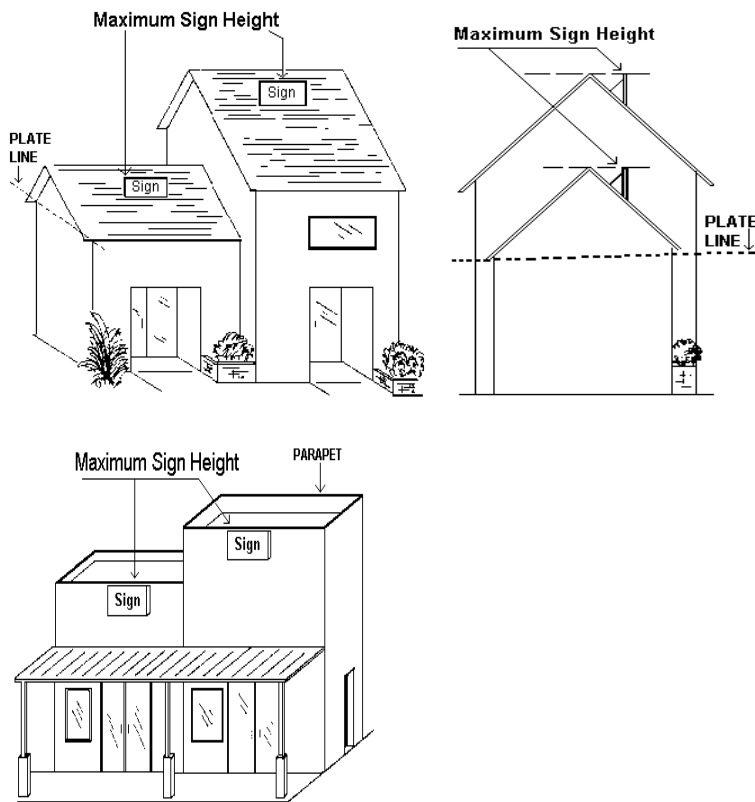
Roof sign: An attached sign extending above the plate line or on the parapet of a building or structure, as depicted below.

Sign: Any device conveying either commercial or noncommercial messages or

both commercial or noncommercial messages for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public; but not including any lawful display of merchandise.

The term "sign" shall also mean and include any display of one or more of the following:

1. Any letter, numeral, figure, emblem, picture, outline, character, spectacle delineation, announcement, trademark, logo; or
2. Multiple-colored bands, stripes, patterns, outlines, or delineations displayed for the purpose of commercial identification; or
3. Anything specified above in part or in combination by any means whereby the same are made visible from beyond the boundaries of the lot or parcel of property on which the same are displayed for the purpose of attracting attention outdoors to make anything known.



Sign area: The area of a sign is the entire area within a single continuous perimeter composed of parallelograms, circles, ellipses, trapezoids, and triangles, or a

combination of two (2) of the above or regular portions thereof per sign panel which encloses the extreme limits of the advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space of a similar nature, together with any frame or other material, color, or condition which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed: excluding the necessary supports or uprights on which such sign is placed. Where a sign has two (2) faces, the area of both faces shall be included in determining the area of the sign, except that only one (1) face of a double-faced sign shall be considered in determining the sign area, provided both faces are parallel and the distance between faces does not exceed two feet. Where a sign has three (3) or four (4) faces, the area of the sign shall be calculated as fifty percent (50%) of the total area of all faces, provided the interior angle between adjacent faces is ninety (90) degrees or less.

Where statuary, either genuine or simulated, is used as a sign, the area of said sign shall be the three (3) vertical sides of the smallest right rectangle enclosing the figure that are most visible from the public right-of-way.

“Embellishment”, as defined in this Section, does not constitute sign area.

Sign structure: The supports, uprights, braces and framework of a sign.

Special use permit: A discretionary authorization issued by the Zoning Administrator/Board of Adjustment only upon a finding, through a public hearing, that the proposed activity permitted by such Special Use Permit is in conformance with the intent of this Code, the General Plan, and/or other specified plans or Council policies; and will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general; and may be limited by specific conditions, restrictions, terms, or time periods.

Structure: Anything which is built or constructed or any piece of work artificially built up or composed of parts, including, but not limited to, buildings, fences, towers, overhead transmission lines, and mechanical equipment.

Subdivision directional sign: A temporary sign intended to convey the location of an approved subdivision.

Temporary sign: A sign either portable or stationary used to display information relating to a land use or event of limited duration, which is intended to be removed upon termination of said land use or event.

Time and temperature unit: A sign or portion of a sign displaying only current time and temperature in an electronic, digital fashion.

Use permit: A discretionary written authorization issued through the Growth Management Department upon a finding that the proposed activity permitted by such Use Permit is in conformance with the intent of this Code. Such Use Permit may be limited to a specific period of time.

Variance: Authorization to depart from the literal requirements of the City Code generally involving dimensional and locational provisions, but excluding land use.

Vehicle sign: A sign mounted, painted, placed on, attached or affixed to a trailer, watercraft, truck, automobile, or other form of motor vehicle so parked or placed so that the sign thereon is discernable from a public street or right-of-way as a means of communication. The term shall not include a symbol, mark, or other medium of identity that is intrinsic, inherent, or otherwise belonging to the vehicle by nature of its manufacture, or a license plate frame, bumper sticker, spare tire cover, or similar appurtenance displaying a commercial message, when placed in the number, amount,

location, and manner customarily found on a vehicle, or messages painted directly on, or adhesive vinyl film affixed to, the interior or exterior surface of a vehicle window.

Wall-mounted sign: A sign mounted flat against and projecting less than fifteen (15) inches from, or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of the wall. This does not include window signs.

Window sign: Any sign placed on, affixed to, painted on, or located within the casement or sill area of a mineral glass window.

Window sign area: The window sign area shall be computed by calculating each windowpane or panel. A group of windowpanes or panels may be considered one (1) window if they are adjoining or are not separated by more than six (6) inches. The area shall be separate for each building face, and for each window. For purposes of this definition the building face shall include any doors or walls with varying wall planes.

Section 1106 Signs permitted by zoning district

A. Purpose and intent

The purpose of this Chapter is to provide for reasonable signage for purposes of identification of buildings, developments, and individual occupancies that is compatible with the associated land use and neighboring developments. It is the intent of this Chapter that attached and detached signs are permitted in scale with the intensity of the land use and the size of the development.

B. AG districts

1. One (1) non-illuminated sign per lot or parcel not exceeding six (6) square feet in area or six (6) feet in height.
2. Such sign shall convey only the use conducted on the property, and/or the name and address of the occupant, lessee, or owner of the premises on which such sign is displayed.

C. R-1 and R-2 districts

1. One (1) non-illuminated sign per lot or parcel not exceeding six (6) square feet in area or six (6) feet in height.
2. Said sign shall convey only the name and address of the occupant, lessee or owner of the premises on which such sign is displayed.

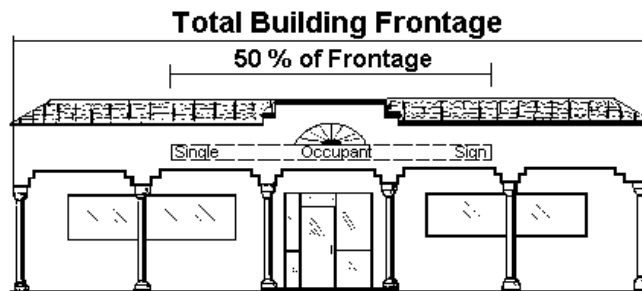
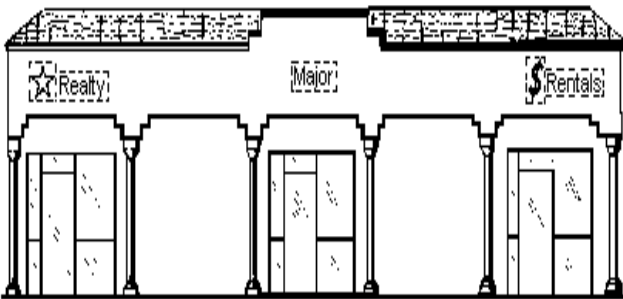
D. R-3, R-4, R-5, and R-6 districts

1. Two (2) signs per parcel or development not exceeding a combined area of one (1) square foot per each five (5) lineal feet of street frontage of the lot or development site. Parcels having frontage on more than one (1) street shall be permitted signage based on each street frontage.

2. No sign shall exceed thirty-two (32) square feet in area and, if detached, shall not exceed eight (8) feet in height.
3. Developments in the R-6 district shall be permitted at least twenty-four (24) square feet of sign area.

E. C-1, C-2, C-3, C-O, I-1, I-2, and I-3 districts

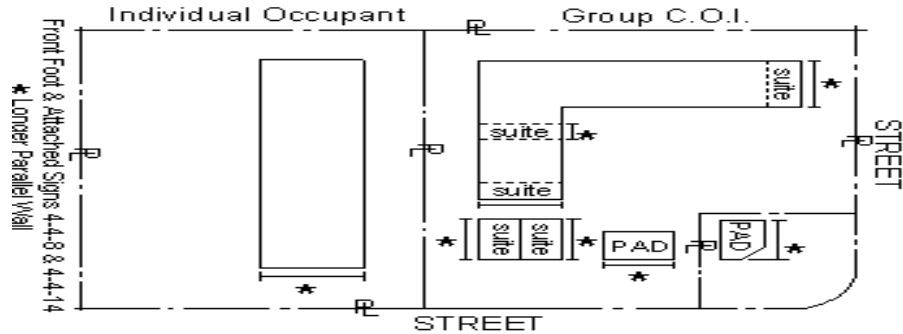
1. Attached signs
 - a. Occupancies with less than one hundred (100) front feet: two (2) signs for each occupancy not to exceed two (2) square feet of total sign area for each front foot of building occupancy.
 - b. Occupancies with more than one hundred (100) front feet: three (3) signs for each occupancy not to exceed two (2) square feet of total sign area for each front foot of building occupancy.
 - c. Total attached signage shall not exceed one hundred sixty (160) square feet per occupancy.
 - d. Attached signage shall not extend horizontally a distance greater than fifty percent (50%) of the width of the building wall on which it is displayed, except for buildings containing multiple occupancies (see figure below).



- e. Each occupancy shall be permitted at least twenty-four (24) square feet of attached signage.
- f. Occupancies having no exterior wall parallel to a fronting street shall be permitted signage based on two (2) square

feet of sign area for each lineal foot of exterior wall of the front of such occupancy.

- g. Occupancies having an exterior building wall parallel to more than one (1) fronting street shall be permitted signage based on the longer parallel wall. Signage placed on the shorter parallel exterior wall shall not exceed two square feet of area per front foot of building occupancy of such shorter parallel wall, and this area shall be subtracted from the total allowable sign area (see figure).



h. Attached signage shall be located on the specific occupancy identified therein and is not transferable from one occupancy to another.

- 2. Detached Signs
 - a. One (1) square foot of total sign area per lineal foot of street frontage.
 - b. One (1) foot of total sign height per each ten (10) feet of street frontage.
 - c. Developments, including C-O developments, displaying more than one (1) detached sign per street frontage shall be permitted fifty percent (50%) of total aggregate sign area and sign height specified in a. and b. above.
 - d. No detached sign shall exceed eighty (80) square feet in area or twelve (12) feet in height.
- 3. Window Signs

The following requirement pertains only to those businesses located in the Downtown Infill Overlay Zone Area:

 - a. Maximum of thirty percent (30%) of window coverage is allowed. Seventy percent (70%) of the window must be able to be seen through.
 - b. Window signs are only allowed on the ground floor of the building.

F. All Districts.

Kiosk Structure

1. By Conditional Use Permit as set forth in Article XIX, the Administrative Procedures Chapter of the Coolidge Zoning Code, Kiosk structures that provide directional information to community facilities or residential home developments that have an approved model home complex in place.

Section 1107 Temporary Signs

A. Purpose of provisions

The purpose of this section is to allow temporary signage for specified land uses and events of a limited duration. It is intended that these provisions shall provide for increased flexibility of the ordinance by recognizing the distinction between permanent and temporary signage.

B. Real estate signs

1. Signs pertaining only to the lease, sale, or rental of the land or buildings upon which such signs are displayed are permitted in all zoning districts.

a. One (1) non-illuminated sign per street frontage in conformance with the following schedule:

| Parcel Size | Max. Area | Max. Height | Min. Setback from Prop. Lines |
|---------------------|------------|-------------|-------------------------------|
| Less than 1.0 ac. | 6 sq. ft. | 6 ft. | None |
| 1.0 ac. to 10.0 ac. | 12 sq. ft. | 6 ft. | 10 ft. |
| More than 10.0 ac. | 24 sq. ft. | 8 ft. | 10 ft. |

b. Real estate signs shall be removed within ten (10) days after the lease, sale, or rental of the property or building has been accomplished.

c. Portable real estate signs shall not exceed six (6) square feet in area or four (4) feet in height.

2. Open house directional signs intended to direct traffic to a residence for lease, sale, or rental are permitted in all zoning districts.

a. Three (3) non-illuminated signs per each home or group of homes in a subdivision for sale.

b. No such sign shall exceed six (6) square feet in area.

c. Signs shall only be displayed while a salesperson is on duty at the home for sale.

d. Signs shall not be located in the public right-of-way or be placed so as to create a traffic hazard.

e. The display of such signs for subdivision sales is permitted but not in addition to weekend subdivision directional signs

as specified in Section 1107.E

C. Contractor signs

1. Signs designating the contractors engaged in the construction or repair of the development upon which such signs are displayed are permitted in all zoning districts.
2. One (1) non-illuminated sign per street frontage not exceeding eight (8) square feet in area and six (6) feet in height.
3. Signs shall not be placed closer than ten (10) feet to the public right-of-way.

D. Development signs

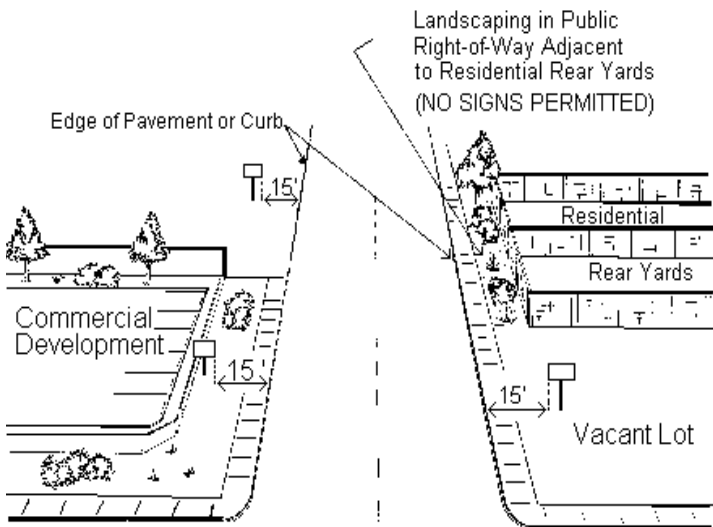
1. Signs pertaining only to the proposed development of the property on which such signs are located are permitted in all zoning districts.
2. Development sites less than one (1) acre: one (1) non-illuminated sign per street frontage not exceeding thirty-two (32) square feet in area and eight (8) feet in height.
3. Development sites more than one (1) acre: one non-illuminated sign per street frontage not exceeding eighty (80) square feet in area and twelve (12) feet in height.
4. Signs shall be placed at least ten (10) feet from any public right-of-way, and shall be promptly removed upon completion of the development.

E. Subdivision Signs

1. Signs pertaining to the sale of lots, tracts, or homes within a recorded subdivision are permitted on the site of such subdivision in all zoning districts in conformance with the following:
 - a. One (1) sign per recorded subdivision per perimeter abutting street up to a maximum of three signs per subdivision. Such signs shall not be transferable from one street frontage to another.
 - b. A Use Permit shall be required for the placement of a subdivision sign. Such Use Permit shall be valid for two (2) years or until all lots in the subdivision have been sold, whichever occurs first.
 - c. Signs shall be placed at least ten (10) feet from any public right-of-way and shall be promptly removed upon completion of the sale of the lots or the expiration date specified by the Use Permit, whichever is sooner.
 - d. Signs shall not exceed forty-eight (48) square feet in area or ten (10) feet in height.
2. Subdivision directional signs, located beyond the boundary of the

subdivision, are permitted only in the C-1, C-2, C-3, I-1, I-2, and I-3 zoning districts, in conformance with the following:

- a. A maximum of two (2) signs per recorded subdivision.
 - b. Signs shall not be placed within the public right-of-way nor within fifteen (15) feet from the existing curb or from the edge of pavement where no curb or sidewalk exists.
 - c. A Use Permit shall be required for the placement of a subdivision directional sign. Such Use Permit shall be valid for two (2) years or until all lots in the subdivision have been sold, whichever occurs first.
 - d. Signs shall not exceed forty-eight (48) square feet in area or ten (10) feet in height.
3. Subdivision weekend directional signs are permitted in all zoning districts in accordance with the following:
- a. A maximum of ten (10) signs including open house directional signs as provided in Section 1107.B are permitted per each recorded subdivision having an on-site sales office within the City of Coolidge.
 - b. Signs shall not exceed three (3) square feet in area or four (4) feet in height.
 - c. Signs shall be set back at least fifteen (15) feet from the existing curb or from the edge of pavement where no curb or sidewalk exists.
 - d. Signs shall not be placed in any landscaped portion of the public right-of-way located between a street or sidewalk and a property line fence (i.e. residential lot backup to an arterial street--see figure below), except when such signs are located within the boundaries of the recorded subdivision plat.



- e. Such signs shall be displayed only during the hours between 2:00 P.M. Friday and 8:00 A.M. on the following Monday.
- f. A Use Permit shall be required for the display of weekend subdivision directional signs. Such Use Permit shall be valid for one (1) year or until all lots in the subdivision have been sold, whichever occurs first. The display of weekend subdivision directional signs in violation of these provisions shall result in immediate revocation of such Use Permit.

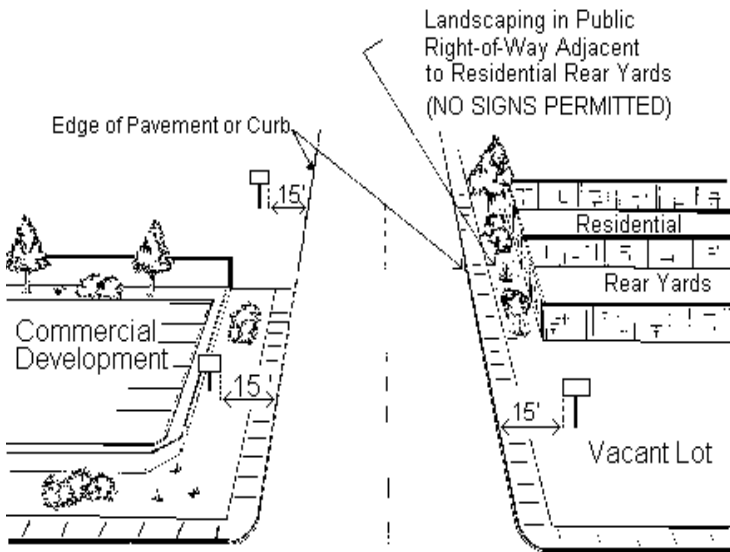
F. Banners and non-rigid signs

- 1. Canvas signs, banners, advertising flags, pennants, streamers, garlands, whirly-gigs, and similar devices are permitted only for the initial opening of a new business, new occupancy, or new proprietor or management.
 - a. A Use Permit shall be required for the display of banners and non-rigid signs.
 - b. Such Use Permits shall be valid for a maximum period of thirty (30) consecutive days.
- 2. Banners are permitted within the public right-of-way in existing approved locations for informational messages concerning civic and cultural programs within the Town Center Redevelopment Area, subject to the approval of the Redevelopment Director. Sponsorship shall be allowed no more than fifteen percent (15%) coverage on a streetlight banner. Sponsorship shall be allowed no more than thirty percent (30%) coverage on an over-the-street banner.

G. Political and campaign signs

- 1. Signs pertaining to candidates for public office, measures, or issues on primary, general, or special election ballots are permitted in all zoning districts.
- 2. In Single Residence districts on lots smaller than one (1) acre, one (1) sign per street frontage for each candidate or measure not exceeding eight (8) square feet in area and six (6) feet in height.
- 3. In Single Residence districts on lots larger than one (1) acre and in all other zoning districts, one (1) sign per street frontage per lot or parcel for each candidate or measure not exceeding thirty-two (32) square feet in area or eight (8) feet in height.
- 4. Signs shall not be displayed earlier than sixty (60) days prior to an election and shall be removed within ten (10) days following said election. Signs for successful primary election candidates eligible for the general election may remain after the primary election.

5. Signs shall be set back at least fifteen (15) feet from the existing curb or from the edge of pavement where no curb or sidewalk exist (see figure below).



6. Signs shall not be placed in any portion of the public right-of-way located between a street or sidewalk and a property line fence (i.e., residential lot backup to an arterial street).
7. The person, party, or parties responsible for the distribution and display of such signs shall be individually and jointly responsible for their removal.

Section 1108 General Provisions

A. Purpose of provisions

The purpose of this section is to allow for consideration of unusual situations or special circumstances that require additional provisions and regulations. It is also the intent to provide procedures for the administration of this section, to identify prohibited signs, to establish procedures for obtaining permits, and to provide for the removal of dangerous and discontinued signs.

B. Exceptions and signs not requiring a permit

1. Exceptions. The provisions of this section shall not apply to the following, and are therefore excepted: (Note: Electric permit required for all exterior electric signs.)
 - a. Flags, pennants, or insignia of any nation, state, county, city, or other political unit, or any church or religious organization.

- b. Works of fine art, statuary, sculpture, or depictions of persons, places, or events noncommercial in nature and not used for purposes of commercial identification.
 - c. Temporary decorations or displays associated with traditional patriotic, religious, or local holidays, festivals, or events. Said signs may be displayed thirty (30) calendar days prior to the event and ten (10) calendar days after the event.
 - d. Temporary signs for events of a general City-wide civic or public benefit.
 - e. Signs not discernable beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
 - f. The placement and maintenance of official traffic, fire, and police signs, signals, and devices and markings of the State of Arizona and the City of Coolidge or other authorized public agency, and the posting of notices as required by law.
 - g. Non-illuminated directional or informational signs of a noncommercial public or quasi-public nature, including street, building, or suite numbers which do not exceed six (6) square feet.
 - h. Signs displayed during recognized holidays as identification of temporary sales areas for trees, pumpkins, and similar holiday items, provided such signs are displayed only within thirty (30) days prior to the recognized holiday.
 - i. Signs displayed within the interior, or on the inside of the windows, of a building.
 - j. Messages painted directly on, or adhesive vinyl film affixed to, the exterior surface of existing mineral glass windows.
 - k. Menu signs.
 - l. Signs which have been designated a historic landmark by the City of Coolidge.
2. Permits Not Required. Sign permits are not required for the following signs provided that such signs are subject to all other provisions of this section. (Note: Electric permit required for all exterior electric signs.)
- a. Any sign not exceeding six (6) square feet in area and not otherwise prohibited by this section.
 - b. Temporary signs not exceeding thirty-two (32) square feet in area and specifically permitted by this section.
 - c. Standard sign maintenance.
 - d. Relocation as required by the City.
 - e. Window signs.

C. Prohibited signs

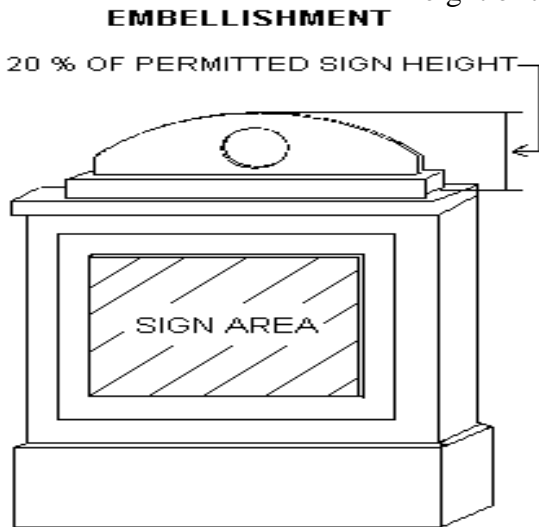
1. The following signs and conditions are prohibited:
 - a. A-frame and all other portable signs, except as permitted in Sections 1107.B and 1108.D of this Code.
 - b. Vehicle signs which are displayed for the purpose of exhibiting commercial advertising, identifying an on-site business, or supplying directional information to an off-site business, by means of any of the following which proves a violation:
 - (1) The absence of a current, lawful license plate affixed to the vehicle on which the sign is displayed; or
 - (2) The vehicle being inoperable; or
 - (3) The vehicle on which the sign is displayed is not parked in a lawful or authorized location, or is on blocks or other supports, or is parked in a manner that is distinct or different from the pre-determined parking area design; or
 - (4) The vehicle on which the sign is displayed is not used for business activities associated with the product(s) or service(s) designated by the vehicle sign for two consecutive business days; or
 - (5) The vehicle on which the sign is displayed is a part, section, or element of an outdoor display by a dealership or business of transportation vehicles such as motor vehicle, recreational vehicle, watercraft, manufactured home, motorcycle, or utility trailer.
 - c. Balloons, banners, advertising flags, and non-rigid signs, except as permitted in Sections 1107.F and 1108.D of this Code.
 - d. Off-site signs (billboards), except as permitted in Section 1107.E of this Code.
 - e. Signs that employ intermittent or flashing illumination, animation, stereopticon, motion picture, or laser projection, sound emission, rotation or other movement, visible moving parts, or any device creating the illusion of motion (except time and temperature units and electronic message displays as defined in this Section).
 - f. Signs located within a public right-of-way or attached signs which project more than fifteen (15) inches into a public right-of-way or are less than eight (8) feet above grade, except political signs placed in conformance with 1107.G of this Code.

- g. Signs displayed in a location prohibited by this section.
- h. Signs placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the Coolidge Building Code or by Fire Department regulations.
- i. Signs attached to any public utility pole or structure, streetlight, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, bus bay, or other location on public property.
- j. Signs placed in a location which obstructs the view of any traffic sign, signal, or other traffic-control sign, or of a vehicle operator entering, exiting, or traveling upon the public right-of-way.
- k. Signs that by way of shape, color, or position may be confused with any authorized traffic-control or public directional sign.
- l. Discontinued signs under Section 1102.C of this Code.
- m. Pole signs.

D. Supplemental provisions

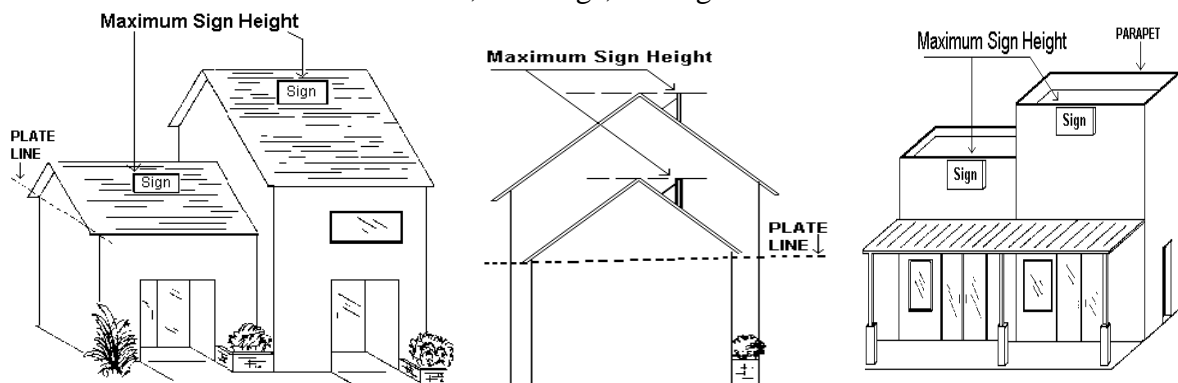
- 1. Schools, churches, or other places of worship located in the AG and single-family residential districts are permitted signage in accordance with Section 1106.D of this Code.
- 2. If a sign is externally illuminated, the source of illumination shall not be visible from any adjacent residential zone district, and shall comply with the Coolidge Electrical Code.
- 3. Buildings exceeding three (3) stories shall only be identified by the building, building complex, or development name.
- 4. No detached sign shall be located within fifty (50) feet of any other detached sign on the same parcel or development site.
- 5. No sign shall be placed within the future width line of a public street.
- 6. When a sign is placed at the street intersection of a corner parcel, and is situated at an angle so as to be visible from both streets or both frontages, such sign shall not exceed the maximum area allowed for the longest street frontage. The area of such sign shall be deducted from the total area and number of signs permissible on said corner parcel.
- 7. A detached sign may consist of more than one (1) sign panel provided all such sign panels are attached to one (1) common integrated sign structure.

8. Detached sign structures may extend above the allowable height for purposes of embellishment, as defined in this Code, up to a maximum extension of twenty percent (20%) of the permitted height of the sign (see figure below).



9. Roof signs are permitted in all commercial and industrial districts provided:
- a. Signs shall not exceed a height of thirty percent (30%) of the height of the building on which said sign is located.
 - b. Signs shall be installed in such a manner that there are no visible angle iron supports, guy wires, braces, or secondary supports. Signs shall appear to be an architectural or integral part of said roof.
 - c. No portion of such sign shall extend above the highest portion of the building or roof where such sign is attached (see figures below).
10. Statues, either sculptures, or other three-dimensional figures, used for commercial identification purposes are permitted in all multi-residential commercial, and industrial districts subject to approval of a Special Use Permit. The area of such statues, sculptures, or figures shall be deducted from the total allowable sign area.
11. Residential subdivisions may display permanent entry identification signs provided such signs:
- a. Are limited to one (1) wall-mounted sign on each side of said entry; and
 - b. Shall not exceed twelve (12) square feet in area per sign; and
 - c. Shall consist of low-maintenance materials such as metal or ceramic tile; and
 - d. Shall be located on private property, not within the public right-of-way.

12. On-site directional or similar informational signs are permitted in conjunction with any multiple- residence, commercial, office, or industrial development provided such signs:
 - a. Do not exceed three (3) square feet in area and three (3) feet in height; and
 - b. Are utilized only when necessary for traffic directional or other informational purposes; and
 - c. Do not display corporate colors, logos, or other commercial messages.
13. A Comprehensive Sign Plan for a proposed or existing development/ building may be approved by the Zoning Administrator/Board of Adjustment in conjunction with the granting of a Special Use Permit under Article XIX, the Administrative Procedures chapter of the Coolidge City Code. The purpose of a Comprehensive Sign Plan is to provide for the establishment of signage criteria that are tailored to a specific development or location, and which may vary from specific Code provisions. The intent is to provide for flexible sign criteria that promote superior design through architectural integration of the site, buildings, and signs.



A Comprehensive Sign Plan shall include the location, size, height, construction material, color, type of illumination, and orientation of all proposed signs, either permanent or temporary.

A Comprehensive Sign Plan containing elements which exceed the permitted height, area, and number of signs specified in this Chapter may be approved by the Zoning Administrator/Board of Adjustment only upon a finding that:

- a. The development site contains unique or unusual physical conditions, such as topography, proportion, size, or relation to a public street that would limit or restrict normal sign visibility; or
- b. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest, or other distinguishing features that represent a clear variation from conventional

development; or

- c. The proposed signage incorporates special design features such as logos, emblems, murals, or statuary that are integrated with the building architecture.

The construction and placement of individual signs contained in the approved Comprehensive Sign Plan shall be subject to the issuance of sign permits in accordance with Section 1108.E of this Code.

- 14. Notwithstanding any other provision of this Code to the contrary, any noncommercial message may be substituted for the message on any commercial sign permitted by this Code, and any other noncommercial message may be substituted for any noncommercial message on any sign permitted by this Code.
- 15. Special event signs intended to support, promote, identify, or advertise a licensed special event are permitted in all zoning districts, in accordance with the following:
 - a. Such signs are located entirely upon the property authorized by the special event license.
 - b. Such signs shall not occupy any portion of a public right-of-way, nor be placed in a location prohibited in Section 1108.C of this Code.
 - c. Such signs are not displayed prior to nor after the dates of the special event as specified in the Special Event license.
 - d. Such signs are permitted in addition to signage otherwise permitted by this Code.
 - e. Such signs may include balloons, banners, flags, and portable signs only when displayed in full conformance with the provisions of Subsection 1108.D.15.
- 16. Multiple colored bands, stripes, patterns, outlines, or delineations displayed for the purpose of commercial identification which constitute a sign as defined in Section 1105 of this Code, and which exceed the maximum permitted signage as specified in this Code shall only be permitted upon a finding by the Downtown Committee or Historic Commission, if in Historic District, in accordance with Article XIX, the Administrative Procedures chapter of the Coolidge Zoning Code, that such signs:
 - a. Clearly serve as an architectural embellishment to the building or development;
 - b. Are compatible and harmonious with the primary color(s), style, and architecture of the building or development;
 - c. Are integrated into the primary physical elements of the building or development;
 - d. Are constructed or composed of architectural-grade materials such as ceramic tile, metal, glass, or masonry.
- 17. Changeable Copy/LED Readerboard Signs
 - a. By Conditional use Permit as set forth in Section 705 of the

Zoning Ordinance only, changeable copy/LED readerboard signs shall be permitted on any lot or parcel having a minimum of 100 feet of street frontage and the minimum depth of the parcel is at least twice the sum of the required front and back building setbacks for the zoning category in which the parcel is located. For purposes of this subsection, street frontage is to be calculated by measuring the length of the property line (net of right-of-way) adjacent to the street. Parcels with 300 feet of street frontage are permitted to have two changeable copy/LED readerboard signs, with one additional sign being permitted for each 150 additional feet of street frontage.

- b. Changeable copy/LED readerboard signs must maintain a minimum spacing of 100 feet from any other low-profile freestanding sign on the same street frontage.
- c. Such signs may be either wall or freestanding monument types only.
- d. Freestanding monument changeable copy/LED readerboard signs are subject to the same other requirements as freestanding signs except as follows: such signs (a) may have a maximum of two thirds of the total allowable sign area utilized for changeable copy/LED readerboard purposes and (b) may include advertising copy that is directly related to the predominant use of the property.
- e. Wall mounted changeable copy/LED readerboard signs shall be a maximum of 64 square feet and are subject to the same height and landscaping requirements as all wall or fascia-mounted signs (Section 610 M.2.j).
- f. Such signs may be illuminated only internal lighting or by indirect lighting.

| INTENSITY LEVEL (NITS) | | |
|------------------------|---------|-----------|
| COLOR | DAYTIME | NIGHTTIME |
| Red Only | 3,150 | 1,125 |
| Green Only | 6,300 | 2,250 |
| Amber Only | 4,690 | 1,675 |
| Full Color | 7,000 | 2,500 |

Prior to the issuance of a sign permit, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the chart above, and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Building Safety Director.

E. Sign Permits

1. Except as provided in 1108.B, it shall be unlawful for any person to place, display, alter, or relocate a sign without first obtaining a permit or permits from the Building Official. All signs shall conform to the following design standards:
 - a. Signs should be compatible with the style and character of the development and should be an integral design component of the building architecture, landscaping, and overall site development.
 - (1) Attached Signs. Attached signs should be integrated with the primary physical features of the building and should not be incongruous to the building architecture. Signs should be composed of individual letters such as pan channel, or other durable material, and should be mounted so that the attachment device is not visible or discernible.
 - (2) Detached Signs. Freestanding signs should incorporate design features associated with the buildings or structures, and should constitute an architectural component of the overall development.
 - b. Sign structures should be monument-style with a base of metal or masonry construction.
 - c. Exterior materials, finishes, and colors should be the same or similar to those of the building or structures on site.
 - d. The sign structure should reflect the general architectural style or design theme of the development.
 - e. Embellishment should be used as a method to incorporate the primary design elements or unique architectural features of the buildings or structures.
 - f. The sign copy area should not exceed a horizontal- to-vertical ratio of two to one (2:1).
 - g. Internally illuminated signs should provide an opaque background so that only the sign copy is illuminated.
2. No person shall construct, place, display, or maintain any sign upon any property without the consent of the owner, owner's agent, or other authorized representative.
3. The Building Official shall withhold permits for the use, construction, reconstruction, or alteration of any sign structure unless adequate information is submitted to determine the proposed action is in conformance with the provisions of these sign regulations.
 - a. Application for a permit shall be on the official form provided therefore and accompanied by the following information: scale drawings; the sign legend or commercial message; sign location; dimensions, construction

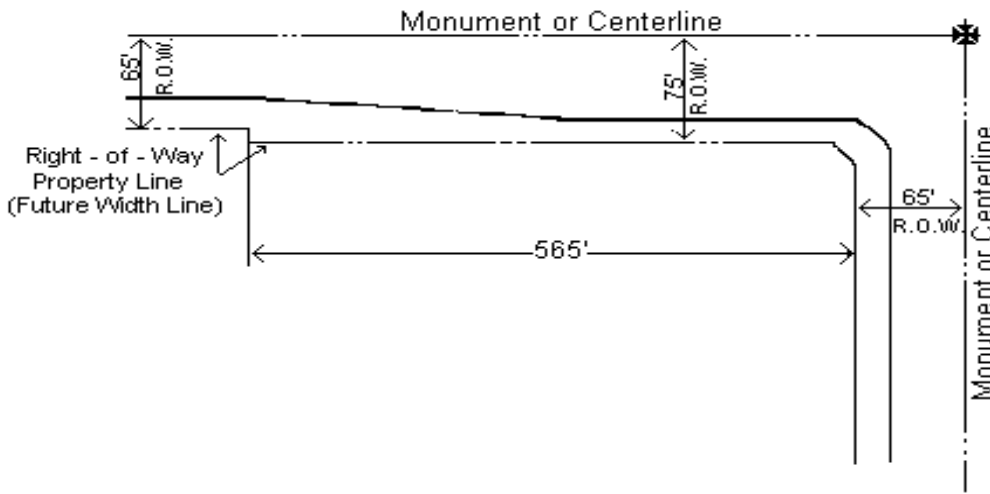
specifications; electrical components and wiring; method of attachment and design of structured members to which attachment is to be made; and location of the foundation or post hole location in relation to the property line, future width line, and public right-of-way.

- b. The Building Official shall not be compelled to issue a permit for the use, construction, reconstruction, or alteration of any sign structure if such use, construction, reconstruction, or alteration is found to be in conflict with the provisions of this Code.
4. Every permit issued by the Building Official under the provisions of this Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of one hundred twenty (120) days or more at any time after the work is commenced. Before such work can be commenced or resumed thereafter, a new permit shall first be obtained and the fee shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made in the original plans and specifications for such work and provided further that such suspension or abandonment has not exceeded one (1) year.
5. The Building Official may, in writing, suspend or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of this Code or the Coolidge City Code.
6. No permit for a sign issued by the City shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall any permit issued hereunder constitute a defense in any action to abate a nuisance.
7. Sign permits for new or additional signs shall not be issued for a specific occupancy if such occupancy displays unlawful or nonconforming signs. A sign permit may be issued for a specific occupancy provided the terms thereof specify modification or removal of nonconforming signs resulting in conformity with the provisions of this Code.
8. Sign permits for new or additional detached signs within a C-O development shall not be issued if unlawful or nonconforming detached signs are displayed within the boundaries of the C-O development except as provided in Section 1102.D. A permit for a detached sign may be issued for a specific occupancy or for identification of the development provided the terms thereof specify modification or removal of nonconforming detached signs resulting in conformity with the provisions of this Code.
9. Signs for which a permit has been issued shall not be constructed, installed, maintained, or displayed except in complete

- conformance with all terms, requirements, and stipulations specified by the approved plans and permit, including visual appearance as specified in 1108.H.
10. When the Building Official refuses to issue a permit on the grounds of violation of this Code or the City Code, appeal from such decision may be made to the Zoning Administrator in accordance with the Administrative Procedures chapter of this Code.
 11. Before issuing any sign permit required by this Code, the City shall collect a fee in accordance with the following schedule:
 - a. Three percent (3%) of the sign valuation plus thirty cents (\$0.30) per square foot of sign area.
 12. Whenever any sign for which a permit is required by this Code has been placed or displayed without first obtaining a permit, a special investigation shall be made before a permit may be issued. An investigation fee equal to, and in addition to, the permit fee shall be collected.
 13. All signs for which a permit is required shall be subject to the following inspections, unless waived by the Building Official:
 - a. Footing inspections on all detached signs, including situations where square footage or panels are added to existing detached signs.
 - b. Electric inspections on all signs prior to placement.
 - c. Final inspection which shall cover the sign location, structural members, and placement of the insignia.
 14. Sign permits may be issued for individual signs authorized by an approved Comprehensive Sign Plan in accordance with Section 1108.E, provided:
 - a. Such signs conform to all applicable conditions of the Special Use Permit; and
 - b. Such sign permits are applied for within one (1) year of the date of approval of the Special Use Permit or within a time period specified by the Zoning Administrator or Board of Adjustment; or
 - c. Such sign permits are applied for prior to any subsequent amendment to this Code that is more restrictive than provisions existing when the Special Use Permit was approved where the proposed detached signs do not exceed the provisions of such amendment in terms of sign height, area, or number.

When sign permits may not be issued due to noncompliance with the terms specified above, a modification to the Comprehensive Sign Plan may be requested pursuant to the procedures set forth in Section 1104 of this Code.
 15. Permits for signs to be placed within the future width line shall be issued only upon receipt of a sign agreement specifying that the

sign owner shall be responsible for the cost of relocation of such sign when required by the City in conjunction with public improvements (see figure below).



F. Design and construction specifications

1. Design Specifications
 - a. All signs shall comply with the appropriate detailed provisions of the Coolidge Building Code relating to the design, structural members, and connections. Signs shall also comply with the applicable provisions of the Coolidge Electrical Code.
 - b. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections.
2. Construction Specifications
 - a. No combustible materials other than approved plastics shall be used in the construction of electric signs.
 - b. Nonstructural trim may be of wood, metal, approved plastics, or any combination thereof.
 - c. Signs attached to masonry, concrete, or steel shall be safely and securely fastened thereto by means of metal anchors, bolts, or approved expansion screws of sufficient size and anchorage to support safely the loads applied.

No anchor or support of any sign shall be connected to, or supported by, a parapet wall unless such wall is designed and constructed to support the superimposed load of the sign in accordance with the Coolidge Building Code.

There shall be no visible angle iron supports, guy wires, braces or secondary supports. All sign supports shall be an integral part of the sign design.

- d. All electric signs shall conform in design and construction

to the appropriate sections of the Coolidge Electrical Code and other requirements as deemed necessary by the Building Official.

Electric discharge tubing (neon, argon, etc.) not terminated in an exterior metal sign raceway shall be terminated in receptacles designed and approved for the purpose.

G. Removal of dangerous, discontinued, or illegal signs

1. Removal of Signs
 - a. The Building Official or Code Enforcement Officer may remove or cause to be removed any discontinued, dangerous, defective, illegal, prohibited, or nonconforming sign subject to removal under the provisions of this Code or any other sign maintained in violation of the provisions of this Code.
 - b. Notwithstanding the above, in case of emergency, the Building Official or Code Enforcement Officer may institute the immediate removal of a dangerous or defective sign without notice.
 - c. The Building Official or Code Enforcement Officer may cause the removal of unauthorized advertising signs from the public right-of-way. Such signs may be impounded as evidence, or disposed of as abandoned property unless claimed by the owner within thirty (30) days. Such signs shall be deemed a nuisance and subject to removal without notice.
2. Disposal of Signs

Any sign removed by the Building Official or Code Enforcement Officer pursuant with the provisions of this Code shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. Cost of removal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the City or by assessment against the property as hereafter provided. The cost of abatement or removal shall include any and all incidental expenses incurred by the City in connection with the sign abatement or removal.

H. Sign maintenance

It shall be unlawful for any person to maintain or permit to be maintained on any premises owned or controlled by said person any sign which is in a damaged or deteriorated condition and constitutes a danger or hazard to public safety, or a visual blight. Any damaged, deteriorated, or weakened component, shall be promptly repaired or replaced. Surface materials shall

be kept free of chipping, peeling, fading, or rusting detectable from beyond the lot boundaries. Components constructed of natural or artificial materials shall be free of cracks, holes, buckles, warps, and splinters detectable from beyond the lot boundaries. Maintenance requirements for electrical signs and electrical systems include, but are not limited to, prompt removal and replacement of all defective bulbs, fluorescent tubes, neon or other inert gas light segments, damaged or deteriorated electrical wiring, and malfunctioning control devices and related circuitry. Any sign in violation of this Section shall be removed or repaired by the owner of the sign or the owner of the premises.

Article XII

LANDSCAPE REQUIREMENTS

| | |
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Section 1201 Purpose and intent

The purpose of this Code is to provide standards and requirements for the installation of landscaping and screening walls for all new and expanded development within the City in order to promote the general welfare of the community; to effectuate attractive and logical development; to aid in the enhancement of property values; to create an attractive appearance along city streets; to complement the visual effect of buildings; to provide appropriate buffers between incompatible land uses and protection from intense activities; and to aid in conserving water by encouraging the use of varieties of plants, trees and shrubs indigenous to arid regions which are characterized by low-water consumption. The standards and regulations of this Code shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this Code. In those instances where the minimum standards and requirements are not sufficient to achieve the purpose and objectives of the Code, the Director may impose such other reasonable requirements as may be deemed appropriate

Section 1202 Definitions

The following words, terms and phrases, when used in this Code, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Director: The Growth Management Director or his designated representative.

Landscape materials: Any materials used for the purpose of landscape improvement which may include, but shall not be limited to, the following: trees, shrubs, groundcovers, tufts, vines, walkways, berms, stone groundcover materials, sculptures, foundations, irrigation equipment, street furniture, outdoor lighting, fences and walls.

Landscape plan: A graphic representation of the development site indicating the location of all existing and proposed landscape improvements to be present on the site at the completion of the construction of the project. Such landscaping plan shall consist of preliminary and final plans as set forth herein.

Landscaping: An exterior improvement of property in accordance with an approved landscape plan and utilizing approved landscape materials.

Screening wall: A solid wall designed and constructed so as to conceal areas used for refuse, mechanical equipment, parking, and service and loading bays from street and public view, and to separate potential incompatible land uses.

Section 1203 Scope

The provisions of this section shall apply to all development or construction, all building remodeling, alterations, additions, or expansions, and to all changes of occupancy in the use or development of land which requires the approval of a major site plan or subdivision plat by the City. Agricultural uses and single-family and two-family residences and their accessories shall be exempt from the requirements of this Code.

Section 1204 Compliance

For all development projects included in Section 1203, preliminary and final landscape plans shall be prepared in accordance with the standards and requirements set forth in this Code, and shall be sub-mired and approved in accordance with the procedures set forth in this Code.

Section 1205 Variances

Where there exists extraordinary conditions of topography, land ownership, site boundaries and dimensions, adjacent development characteristics or other circumstances not provided for in this Code, the Board of Adjustment may modify or vary the strict provisions of this Code in such a manner and to such an extent as is deemed appropriate to the public interest, provided that the purpose and intent of this Code is maintained with such modification or variance. Applicants must request a variance in writing stating the reasons why the variance is necessary. This request shall be considered as part of the major site plan or subdivision review.

Section 1206 Enforcement and notice of violations

This Code shall be enforced by the Director or his duly authorized representative. The Director shall have the authority to enter upon the premises, or any part thereof, at any and all reasonable times, for the purposes of performing his official duties. It is unlawful to refuse the Director entry upon such premises. When any condition which would constitute a violation of the provisions of this Code comes to the Director's attention, he shall cause a written notice thereof to be served upon the owner, lessee or other person in control of the premises. The notice shall specify the nature of the violation and shall order the responsible party to correct the violation within thirty (30) days of the date of the notice.

Section 1207 Penalties

Any person in control of any premises who fails to correct a violation of this Code within thirty (30) days after notice thereof by the Director shall be liable to the City pursuant to Article XX of this Code.

Section 1208 Landscape inspections

- A. All projects required by this Code to be landscaped shall pass a landscape inspection prior to a Certificate of Occupancy being issued by the City. Such inspection shall be requested by the applicant at least twenty-four (24) hours prior to being performed.
- B. The City shall have the right to refuse to pass any project not meeting the provisions of this Code. The City shall also have the right to reject landscape materials as being substandard as to size, condition or appearance including a pre-inspection of materials at the supplier if deemed necessary.

Section 1209 Required landscape maintenance

- A. With respect to every lot, parcel, or tract of land within the City containing a use for which the provisions of this Code apply, every owner, lessee, or any other person having the lawful right to possession and control of such premise shall:
 - 1. Maintain all landscape materials and landscaped areas in accordance with the approved landscape plan, including the street right-of-way landscaping required in Section 1222. Such landscaped areas shall be kept free of trash, debris, weeds, and dead plant material, and shall in all respects be maintained in a neat and clean fashion.
 - 2. Replace all dead or removed plants with healthy plants of the same variety and in the size and quality as those removed, up to the fifteen (15) gallon size.
- B. The City shall accept responsibility for the maintenance and operation of all landscaping and appurtenances installed in accordance with the provisions of Section 1228 for any landscaping and appurtenances installed within street rights-of-way, which rights-of-way are described by one of the following categories:
 - 1. Arterial and/or collector street rights-of-way adjacent to single-family residential areas that back onto the arterial and/or collector street, and have a screening wall constructed on the rear property line
 - 2. Arterial and/or collector street rights-of-way adjacent to single family residential areas that side onto the arterial and/or collector street, and which have a screening wall constructed on the side property line
 - 3. Designated and approved bridle trails, bicycle paths and multi-use recreational facilities within City limits
 - 4. Median islands on arterial and collector public streets within the City
 - 5. Street rights-of-way abutting municipal public facilities

6. Street landscaping within districts specifically approved or created by City Council
 7. Flood control facilities which have been accepted for operation and maintenance by the City
- C. Prior to the City accepting for maintenance any landscaping described in Subsection B of this section, the following conditions shall have been satisfied:
1. The landscaping shall be inspected and approved by the City for compliance with the approved landscape plan
 2. The subsequent completion of a sixty (60) day maintenance period wherein the developer shall be responsible for all watering, weeding, and replacement of all dead or dying plant materials
 3. A final inspection called by the developer or his representative at the completion of the sixty (60) day maintenance period resulting in final approval and acceptance by the City.

Section 1210 Landscape plan

- A. A landscape plan consisting of a preliminary plan and a final plan shall be prepared, submitted, and approved for all applicable development projects in accordance with the procedures and requirements set forth in this Code.
- B. All changes in landscape plans before, during, or after preliminary or final landscape plan approval shall be approved by the Director prior to the installation of any such landscape change.
- C. All changes in the landscaping of a site before, during, or after final landscape plan approval and landscape installation shall be approved by the Director as set forth in this Code.

Section 1211 Preliminary landscape plan

- A. Two (2) copies of a preliminary landscape plan shall be submitted along with the required development site plan for review by the Director. The preliminary landscape plan may be shown on the major site plan drawings. The preliminary landscape plan shall be a conceptual plan and shall include the following information in generalized form:
 1. The location and identification of all proposed landscape areas (on-site, street right-of-way, parking area, landscape buffers and others)
 2. Preliminary data pertaining to the amount of net site area, the ground floor areas of all proposed industrial buildings, the number of required and proposed parking spaces, and the amount of all proposed landscaped areas, required and provided
 3. The approximate location of all proposed trees, shrubs, and other landscape materials and improvements

4. Notes or graphical representations adequately showing the intent of the proposed plans and materials and indicating how those plans will comply with this Code
 5. The location, height, type, and general design and finish of all proposed screening walls
 6. The location of all proposed storm water drainage and retention areas
 7. Notes or graphic indications of the proposed type of irrigation system, water source, pressure and supply outlet
- B. The preliminary landscape plan shall be reviewed and approved by the Director as part of the major site plan review or preliminary subdivision review, and may be approved with stipulated changes or additions.

Section 1212 Final landscape plan

- A. Two (2) copies of a final landscape plan shall be submitted along with all other required site improvement and building plans at the time of application for a building permit or prior to recording of the final plan. The final landscape plan shall contain the final calculations, data, and specific details and information of all proposed landscaped areas, landscape materials, screening walls, irrigation system, and other items that were required and identified in conceptual form on the preliminary landscape plan. The final landscape plan shall contain a specific schedule of all plant material identified by common and botanical name, and shall clearly indicate the quantity and size of each tree and shrub, to be installed.
- B. The final landscape plan shall be in conformance with the approved preliminary plan and any stipulated changes or additions, and shall be approved by the Director prior to the issuance of a building permit or the recording of the final plat.

Section 1213 Installation of landscape improvements prerequisite to Certificate of Occupancy--Bond to secure installation

All landscape improvements (landscape materials, irrigation system, screening walls, etc.) shall be installed by the developer on the site in accordance with the approved final landscape plan prior to the issuance of a Certificate of Occupancy for the building or use. When considered advisable, upon presentation of a cash bond, cash deposit, or assured letter of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the Director may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the Director approved a delay in the installation of the required landscape improvements, a temporary Certificate of Occupancy shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape

improvements within the time period approved by the Director.

Section 1214 Low water use plants, minimum size of trees, shrubs, etc., and substitution of cover for shrubs

- A. In order to conserve water, all plant materials installed shall be listed on the low water use plant list as adopted in Article XII Table A and may be amended, by the City of Coolidge, or as approved by the Planning and Zoning Commission at the time of review. Any plants located in public rights-of-way must be listed on the plant list. The requirement for low water use plants may be waived by Variance.
- B. Unless otherwise specified herein, all required trees shall be a minimum of twenty-four (24) gallons in size. All shrubs shall be a minimum of one (1) gallon in size. All twenty-four (24) gallon trees must be a minimum of six (6) to eight (8) feet in height, three (3) to four (4) feet in spread and three-quarters (3/4) to one and one-quarter (1 ¼) inches trunk caliper at ground level. Upon approval of the Director, the installation of twenty (20) square feet of vegetative groundcover in any landscaped area may substitute for one (1) required shrub, up to a maximum of thirty percent (30%) of the required shrubs in any particular landscaped area.
- C. All Mexican Fan Palms (*Washington Robusta*) and California Fan Palms (*Washingtonia Filifera*) shall have a minimum five (5) foot trunk height measured from the base of the trunk to the base of the fronds when located within the public fight-of-way or within twenty-five (25) feet of the street property line.

Section 1215 Natural topping of landscaped areas

All landscaped areas shall be finished with a natural topping material which may include, but not be limited to, the following: turf, groundcover, planting, decomposed granite (two (2) inches minimum depth), river run rock, expanded shale, or bark. No more than forty percent (40%) of the total irrigated landscape area shall be turf. In developments with landscaping greater than 10,000 square feet, no more than ten percent (10%) of the landscapable area shall be turf. A pre-emergent herbicide shall be applied to the ground prior to the placement of natural surface materials (decomposed granite, river run rock, etc.) in any landscaped area to prevent weed growth.

Section 1216 Landscaped areas along street frontage

Landscaped areas along street frontages shall be contoured or bermed to provide variations in grade, visual relief, parking lot screening, and a more pleasing aesthetic value.

Section 1217 Irrigation standards

All landscaped areas shall be supported by an automatic irrigation system which may be a spray, bubbler, or drip type system. A pressure-type vacuum breaker shall be required with the installation of all sprinkler systems. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the street, sidewalk, or parking areas. "PVC" Schedule 40 type or equal irrigation pipe shall be used in any street right-of-way landscaped areas to be maintained by the City pursuant to Section 1209.B.

Section 1218 Obstructions to visibility

All landscaping and landscaped materials established in close proximity to a driveway or street intersection shall be installed and maintained in compliance with the sight visibility requirements set forth in Section 1004.D.3 of this Code.

Section 1219 Protection of landscaped areas from vehicular damage

Protection of plant materials from vehicles in areas adjacent to parking areas, driveways, and vehicular access ways shall include, but not be limited to, concrete curbing.

Section 1220 Use of landscape areas for other purposes

No part of any landscape area shall be used for any other use such as parking or display; except for required on-site retention areas, signs or when such use is shown on the approved final landscape plan

Section 1221 On-site landscaped areas

All development projects covered by Section 1203 shall provide on-site landscaped areas located in accordance with the following standards and requirements:

- A. For all development within the industrial zoning districts, landscaped areas shall be provided on the site in an amount equal to or greater than ten percent (10%) of the ground floor area of all buildings, or seven percent (7%) of the net site area, whichever is greater.
- B. For all development within all other zoning districts, landscaped areas shall be provided on the site in an amount equal to or greater than ten percent (10%) of the net site area.
- C. A landscaped area not less than an average width of fifteen (15) feet throughout a particular street frontage shall be established and maintained along all street frontages between any building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line

equal to the back of a future sidewalk, or the back of the street curb where no sidewalk is required). The area of this landscape strip may be used to satisfy, to the extent provided, the on-site landscaped area and street right-of-way landscaping area requirements set forth in this Code.

- D. All portions of the development site not occupied by buildings, structures, vehicle access and parking areas, loading/unloading areas, and approved storage areas shall be landscaped in accordance with these provisions. Future building pads within a phased development shall be improved with temporary landscaping, or otherwise maintained weed-free in such a manner as may be approved by the Director.

Section 1222 Street right-of-way landscaping

The landscaping of all street rights-of-way contiguous with the proposed development site not used for street pavement, curbs, gutters, sidewalks, or driveways shall be required in addition to the on-site landscaped areas required in Section 1221.

Section 1223 Parking area landscaping

All applicable development projects with on-site parking areas greater than one hundred (100) spaces shall contain at least one (1) landscaped planter, not less than one hundred seventy five (175) square feet in area and with a minimum width of five (5) feet measured from back of curb to back of curb, for every ten (10) parking spaces provided on the site. No shrubs within a planter island of an on-site parking area shall be maintained to a height in excess of three (3) feet, and all trees within such planters shall maintain a minimum clearance of five (5) feet from the lowest branch to the adjacent grade elevation. The required number of landscaped planters shall be distributed or located within the parking areas to enhance the proposed development project. The landscaped area within these planters may be used to satisfy, to the extent provided, the landscape area requirements set forth in Section 1221.

Section 1224 Street frontages

- A. The installation of street trees, shrubs, and vegetative groundcover shall be required for all applicable projects if an amount equal to or greater than one (1) tree and three shrubs for each thirty (30) feet of street frontage, and vegetative groundcover occupying a minimum of sixty percent (60%) of the total street frontage landscaped area. This minimum quantity of trees, shrubs, and vegetative groundcover shall be located in the street right-of-way landscaped area required in Section 1222, or within the front twenty-five (25) feet of the on-site landscaped areas required in Section 1221 and shall be designed and located to enhance the proposed development project and the streetscape.
- B. All street frontage landscaping located adjacent to driveway exits, alleys, and street intersections shall be designed, installed, and maintained in

accordance with the height, location and visibility requirements as set forth in Section 1004.D.3.

Section 1225 Multiple-family residential developments

All multiple-family residential developments shall contain a minimum of one (1) tree and two (2) shrubs for each dwelling unit. For two-story buildings and above, seventy-five percent (75%) of all required trees shall be twenty-four (24) inch box or larger in size. In addition to the foregoing requirement, one (1) tree and two (2) shrubs shall be required within each planter island established within an open parking area as required by Section 1223.

Section 1226 Industrial developments

All development within the industrial zoning districts shall contain a minimum of one (1) tree and three (3) shrubs for every five (5) parking spaces provided on the site.

Section 1227 Commercial and other developments

All development within the commercial zoning districts and all other applicable development projects not specified in Sections 1225 and 1226 shall contain a minimum of two (2) trees and five (5) shrubs for every three (3) parking spaces provided on the site.

Section 1228 Street frontage landscaping

All developments that back or side onto a street and which have a six (6) foot screening wall constructed on the property line shall install within the street right-of-way contiguous with the property three (3) shrubs and one (1) tree for every thirty (30) feet of such street frontage. All such trees and shrubs shall be provided with an automatic drip or bubbler irrigation system. Ground cover shall be one-quarter (1/4) inch minus decomposed granite without plastic liners. A pre-emergent herbicide shall be applied to the ground prior to and after the placement of natural surface materials (decomposed granite, river run rock, etc.) in any landscaped area to prevent weed growth. The foregoing requirement shall apply in lieu of the street frontage landscape improvements required in Section 1224 for those applicable street frontages.

Section 1229 Cumulative totals

Quantities of plants required by each of the Sections 1224 through 1228 which apply to that project submitted to the City for landscape approval shall be added together to calculate the minimum total quantity of plant materials required for that particular project.

Article XII Table A City of Coolidge Low Water Use Plant List

In order to promote water conservation, all plant material installed due to the landscaping requirements of Chapter 17, Article VI of the Municipal Code must be used from the list below.

A. Trees

| Botanical Name | Common Name |
|---------------------------|---|
| Acacia spp. | Acacia/Wattle |
| Agonis flexuosa | West Australia Peppermint |
| Brachychiton populneus | Bottle Tree |
| Brahea spp. | |
| Bursera spp. | |
| Caesalpinia spp. | |
| Callistemon viminalis | Weeping Bottle Brush |
| Casuarina spp. | |
| Celtis reticulata | Western Hackberry |
| Ceratonia siliqua | St. John's Bread Tree/Carob Tree |
| Cercidium spp. | |
| Chamaerops humilis | Mediterranean Fan Palm |
| Chilopsis linearis | Desert Willow |
| Cupressus arizonica | Arizona Cypress |
| Cupressus sempervirens | Italian Cypress |
| Dahlbergia sissoo | Sissoo Tree |
| Dalea spp. | |
| Eucalyptus spp. | |
| Forchammeria watsonii | |
| Geijera parviflora | Australian Willow |
| Gleditsia triacanthos | Honey Locust |
| Leucaena retusa | Golden Ball Lead Tree |
| Lysiloma spp. | |
| Olea Europaea "Swan Hill" | Swan Hill Olive (or other non-pollen producing olive trees) |
| Olneya tesota | Ironwood |
| Parkinsonia aculeata | Mexican Palo Verde |
| Phoenix canariensis | Canary Island Date Palm |
| Phoenix dactylifera | Date Palm |
| Pinus canariensis | Canary Island Pine |
| Pinus eldarica | Afghan Pine |
| Pinus halepensis | Aleppo Pine |
| Pinus pinea | Italian Stone Pine |
| Pinus roxburghii | Chir Pine |
| Pistacia spp. | Pistachio |

| | |
|---------------------------------|-----------------------|
| Pithecellobium spp. | Willow Pittosporum |
| Pittosporum phillyraeoides | Mesquite |
| Prosopis spp. | Oak |
| Quercus spp. | African Sumac |
| Rhus lancea | Brazilian Pepper |
| Schinus terebinthifolious | Texas Mountain Laurel |
| Sophora secundiflora | Athel Tree |
| Tamarix aphylla | Evergreen Elm |
| Ulmus parvifolia “sempervirens” | Chaste Tree |
| Vitex agnus-castus | Fan Palm |
| Washingtonia spp. | Chinese Jujube |
| Ziziphus jujuba | |

B. Shrubs

| <u>Botanical Name</u> | <u>Common Name</u> |
|--------------------------------------|----------------------|
| Acacia spp. | Acacia/Wattle |
| Alousia spp. | |
| Ambrosia deltoidea | Triangleleaf Bursage |
| Ambrosia dumosa | White Bursage |
| Atriplex spp. | Saltbush |
| Baccaris spp. | |
| Berberis haematocarpa | Red Barberry |
| Bougainvillea spp. | Bougainvillea |
| Buddleia marrubifolia | Summer Lilac |
| Caesalpinia spp. | |
| Caliandra californica | Fairy Duster |
| Calliandra eriophylla | Fairy Duster |
| Calliandra peninsularis | Fairy Duster |
| Callistemon citrinus | Lemon Bottle Brush |
| Callistemon viminalis “Captain Cook” | Dwarf Bottle Brush |
| Calothamnus spp. | Cassia spp. |
| Cassia | |
| Celtis pallida | Desert Hackberry |
| Chrysothamnus nauseosus | Rabbit Brush |
| Cistus spp. | |
| Convolvulus cneorum | Bush Morning Glory |
| Cordia boissieri | |
| Cordia parvifolia | Little Leaf Cordia |
| Dalea spp. | |
| Dodonaea spp. | Hopbush |
| Encelia spp. | Brittlebush |
| Ephedra spp. | Mormon Tea |
| Eremaea beaufortoides | Eremaea |
| Eremaea pauciflora | Snow Gum |
| Eremaea violacea | Violet Eremaea |
| Eriogonum spp. | Buckwheat |

| | |
|------------------------------------|--------------------|
| Eucalyptus spp. | |
| Forestiera neomexicana | Desert Olive |
| Genista hispanica | Spanish Broom |
| Grevillea rosmarinifolia varieties | |
| Hakea spp. | |
| Haplopappus Laricifolia | Turpentine Bush |
| Hyptis emoryi | Desert Lavender |
| Jatropha spp. | |
| Juniperus chinensis varieties | Juniper |
| Justicia spp. | |
| Kunzea spp. | |
| Lantana camara | Bush Lantana |
| Leucophyllum spp. | Creosote Bush |
| Lycium spp. | |
| Melaleuca spp. | |
| Mimosa biuncifera | Wait-a-Minute Bush |
| Mimosa dysocarpa | Velvet Pod Mimosa |
| Nerium oleander varieties | Oleander |
| Plumbago scandens | Cape Plumbago |
| Punica granatum varieties | Pomegranate |
| Pyra cantha spp. | Pyracantha |
| Quercus spp. | Oak |
| Rhus ovata | Mountain Laurel |
| Rhus trilobata | Skunkbush |
| Rhus virens | Evergreen Sumac |
| Ruellia californica | Ruellia |
| Ruellia peninsularis | |
| Salvia spp. (shrub only) | Sage |
| Sececio cineraria | Dusty Miller |
| Simmondsia chinensis | Jojoba |
| Sophora arizonica | |
| Sophora formosa | |
| Tecoma stans | Yellow Bells |
| Teucrium fruticans | Bush Germander |
| Vauquelinia spp. | Rosewood |
| Viguiera tomentosa | Golden Eye |
| Ziziphus obtusifolia | Greythorn |

C. **Groundcovers/Herbaceous plants**

| <u>Botanical Name</u> | <u>Common Name</u> |
|-------------------------------------|---------------------------|
| Acaia spp. | |
| Anigozanthos spp. | Kangaroo Paw |
| Artemisia spp. | |
| Asclepias subulata | Desert Milkweed |
| Asparagus densiflorus cv. sprengeri | Sprenger Asparagus |
| Atriplex spp. | |

| | |
|--|--------------------------|
| Baccharis spp. | |
| Carpobrotus edulis | Ice Plant |
| Centaurea cineraria | Dusty Miller |
| Cephalophyllum spp. | Red Spike Ice Plant |
| Clianthus formosus | Sturt's Desert Pea |
| Convolvulus mauritanicus | Ground Morning Glory |
| Dalea spp. | |
| Gazania spp. | Gazania |
| Grevillea crithmifolia | Spider Flower |
| Kennedia coccinea | Coral Vine |
| Kennedia prostrata | Scarlet Runner |
| Lantana montevidensis | Trailing Lantana |
| Malephora crocea | Ice Plant |
| Myoporum parvifolium | Sandalwood |
| Oenothera berlandieri | Mexican Evening Primrose |
| Oenothera drummondii | Baja Primrose |
| Pentzia incana | Karoo Groundcover |
| Romneya coulteri | Matilija Poppy |
| Rosmarinus officinalis "prostratus" | Prostrate Rosemary |
| Salvia chamaedryoides | Blue Sage |
| Salvia farinacea | Mealy Cup Sage |
| Santolina chamaecyparissus | Lavender Cotton |
| Santolina virens | Green Santolina |
| Sesuvium verrucosum | Sea Purslane |
| Sphaeralcea spp. | Globe-Mallow |
| Verbena bipinnatifida | Verbena |
| Verbena peruviana | Peruvian Verbena |
| Verbena pulchella | False sand Verbena |
| Verbena rigida | Verbena |

D. Succulents

| <u>Botanical Name</u> | <u>Common Name</u> |
|-----------------------|---------------------|
| Agave spp. | Century Plant/Agave |
| Aloe spp. | Aloe |
| Cacti (all) | |
| Dasyliirion spp. | Desert Spoon |
| Fouquieria spp. | |
| Hesperaloe spp. | |
| Nolina spp. | Bear Grass |
| Yucca spp. | Yucca |

E. Annuals/Perennials

| <u>Botanical Name</u> | <u>Common Name</u> |
|-----------------------|--------------------|
| Abronia villosa | Sand Verbena |
| Arctotis spp. | African Daisy |

| | |
|-------------------------------|-----------------------|
| Argemone pleicantha | Prickly Poppy |
| Baeria chrysostoma | Goldfield |
| Bahia absinthifolia | Bahia |
| Baileya multiradiata | Desert Marigold |
| Cassia covesii | |
| Catharanthus roseus cultivars | Madagascar Periwinkle |
| Celosia spp. | Cockscomb |
| Cosmos spp. | Cosmos |
| Dimorphotheca spp. | African Daisy |
| Dyssodia pentachaeta | Dyssodia |
| Eschscholzia californica | California Poppy |
| Eschscholzia mexicana | Mexican Gold Poppy |
| Gilia leptantha | Showy Blue Gilia |
| Gomphrena globosa | Globe Amaranth |
| Helichrysum bracteatum | Everlasting Daisy |
| Helipterum spp. | |
| Kallstroemia grandiflora | Arizona Poppy |
| Layia platyglossa | Tidy Tips |
| Lesquerella gordonii | Gold Crucifer |
| Linaria spp. | Toadflax |
| Lupinus densiflorus | Lupine |
| Lupinus sparsiflorus | |
| Matricaria grandiflora | Pineapple Weed |
| Melampodium leucanthum | Blackfoot Daisy |
| Mentzelia spp. | Blazing Star |
| Orthocarpus purpurascens | Owl's Clover |
| Pectis papposa | Chinch Weed |
| Penstemon spp. | |
| Phacelia spp. | |
| Tagetes spp. | Marigold |
| Ursinia spp. | Ursinia |

F. Grasses

| <u>Botanical Name</u> | <u>Common Name</u> |
|------------------------------|---------------------------|
| Aristida purpurea | Red Three Awn |
| Bromus rubens | Red Brome |
| Eragrostis atherstone | Cochise Lovegrass |
| Eragrostis lehmanniana | Lehmann Lovegrass |
| Muhlenbergia dumosa | Giant Muhley |
| Pennisetum setaceum | Fountain Grass |
| Schismus barbatus | Schismus |

G. Vines

| <u>Botanical Name</u> | <u>Common Name</u> |
|--------------------------|--------------------------------|
| Antigonon leptopus | Mountain Rose/Queens Wreath |
| Bougainvillea spp. | Bougainvillea |
| Billardiera ringens | Riverbell Flower |
| Campsis radicans | Common Trumpet Creeper |
| Cissus Trifoliata | Arizona Grape Ivy |
| Clematis drummondii | Virgin's Bower |
| Hardenbergia comptoniana | Wild Wisteria |
| Kennedia nigricans | Black Yellow Vine |
| Macfadyena unguis - cati | Cat Claw |
| Mascagnia lilacaena | Lilac Orchid Vine |
| Mascagnia macroptera | Yellow Orchid Vine |
| Merremia aurea | Yuca |
| Solanum jasminoides | Potato Vine |

Article XIII

OFF-STREET PARKING REQUIREMENTS

| | |
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Section 1301 General provisions

- A. Floor Area. The term “floor area” for the purpose of calculating the number of off-street parking spaces required, shall be determined on the basis of the exterior-area dimensions of the building, structure or use multiplied by the number of floors, minus ten percent (10%), except as may hereinafter be provided or modified.
- B. Change of Use or Occupancy of Buildings. Any change of use or occupancy of any building or buildings including additions thereto requiring more parking shall not be permitted until such additional parking spaces as required by this title are furnished.
- C. Parking Accessory to Residential Use. Only licensed and operable vehicles may be parked on off-street parking areas accessory to residential use. The off-street parking of such vehicles accessory to residential use is subject to the limitations, restrictions, prohibitions, and exceptions contained elsewhere in this code. Off-street parking accessory to residential use shall not be used for the parking of any commercial vehicle exceeding twelve thousand (12,000) pounds gross vehicle weight rating or for the open storage of commercial equipment.
- D. Parking in Residential Setbacks. No motor home or recreational vehicle shall be parked in any front or corner side setback. In rear setbacks motor or recreational vehicles shall be parked on a paved parking surface.
- E. Accessible Parking Required. When parking facilities are required by the issuance of a building permit, accessible parking spaces shall be provided in conformance with this section.
 - 1. Number of Accessible Parking Spaces. All off-street parking areas shall include reserved spaces for use by disabled persons in accordance with the following:

Exception: Nonresidential Occupancies. Areas dedicated only to tenant and employee parking shall not be subject to the requirements of the following table. However, accessible parking space(s) shall be provided upon the request of an employee or tenant.

 - a. Health Care Facilities.
 - i. General Health Care Facilities. Employees and visitor parking to comply with the following table.
 - ii. Outpatient Facilities. Not less than ten percent (10%) of the total parking spaces provided shall be accessible spaces.
 - iii. Spinal Cord Injury Facilities. Not less than twenty percent (20%) of the total employee and visitor parking spaces shall be accessible spaces.
 - b. Multiple-Family Housing. Also see the U.S. Department of Housing and Urban Development's Fair Housing Accessibility Guidelines.
 - i. Accessible parking space shall be provided for two

- percent of the covered dwelling units devoted to housing the physically challenged; and
- ii. Where parking is provided for visitors, two percent of the spaces, or at least one space, shall be accessible.
- c. Accessible parking spaces for uses not listed above shall be provided in accordance with the following table:

| Total Parking Spaces in Lot or Garage | Minimum Required Number of Accessible Spaces |
|--|---|
| 1-25 | 1 |
| 26-50 | 2 |
| 51-75 | 3 |
| 76-100 | 4 |
| 101-150 | 5 |
| 151-200 | 6 |
| 201-300 | 7 |
| 301-400 | 8 |
| 401-500 | 9 |
| 501-999 | 2% of total parking spaces |
| 1000 and over | 20 spaces plus 1 space for every 100 spaces over 1000 |

- d. Existing Parking Lots. Parking areas built before the effective date of the ordinance codified in this section that do not have sufficient accessible parking spaces shall be permitted to allow existing non-accessible parking spaces to be combined and converted to accessible parking spaces. The overall reduction in total parking space availability shall not exceed five percent (5%) below the required quantity of off-street parking spaces.
- 2. Location of Accessible Parking Spaces. Accessible parking spaces shall be located on the shortest route of travel to an accessible building entrance. Wherever practical, the accessible route of travel shall not cross lanes for vehicular traffic.
 - a. Accessible parking spaces shall be located on a surface with a slope not exceeding one (1) vertical foot in fifty (50) horizontal feet.
 - b. Where crossing vehicle traffic lanes is necessary, the route of travel shall be designated and marked by a four (4) foot wide crosswalk.
 - c. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located near accessible entrances.
 - d. In a parking garage or under shade canopies, the ratio of

covered to uncovered accessible parking spaces shall not be less than the ratio of covered to uncovered non-accessible parking spaces.

- e. Parking garages shall have not less than twenty percent (20%) of the accessible spaces designated for high-profile vehicles. A minimum headroom clearance of nine (9) feet six (6) inches shall be provided in all parking, maneuvering and circulation areas serving accessible spaces. Signage shall be provided to identify high-profile accessible parking spaces and to direct users to the location of both high-profile and standard- height accessible parking spaces.

Exception. Signage is not required to identify high profile and standard height vehicle spaces when all accessible spaces are high-profile spaces.

3. Identification of Accessible Parking Spaces.

- a. Accessible parking spaces shall be prominently outlined with paint on four (4) sides and have the international wheelchair symbol displayed on the ground at the entry of the space.
- b. The color scheme of the accessible parking space and access aisle shall be in contrast with that of the surrounding non-accessible parking spaces. Access aisles shall be designated with diagonal striping.
- c. Each accessible parking space shall be identified by a sign on a stationary post or object and meet the following criteria:
 - i. Meet the specifications and drawings as approved by the building official;
 - ii. Be directly in front of the parking space;
 - iii. Sign placement, above adjacent grade shall be: top not more than six (6) feet and the bottom not less than three (3) feet;
 - iv. Contain the following statements: International wheelchair symbol of accessibility, “Reserved Parking” and “Coolidge Municipal Code 1301.E”
- d. Existing nonconforming accessible parking signs may be brought into conformance by attachment of a city-approved decal at the lower left hand corner of the sign.

4. Size of Accessible Parking Spaces. A single accessible parking space shall be not less than eleven (11) feet in width and eighteen (18) feet in length. On the right side of the parking space shall be an adjacent access aisle not less than five (5) feet in width.

Exceptions:

- 1. ***Two(2) accessible parking spaces may share a single access aisle.*
- 2. ***Other parking plans as approved by the building official.*

5. Restricted Parking Area. A restricted parking area for the disabled shall consist of the parking space and access aisle. No person shall park in a restricted parking area identified for use as reserved for persons with physical disabilities.
Exception: A motor vehicle bearing a handicap plate or permit transporting the person eligible for the vehicle's plate or permit.
6. Maintenance. Signs, parking space and access aisle shall be maintained in a good condition. In the event an item becomes damaged, obstructed, or non-readable, such item shall be immediately repaired by the owner and/or tenant.

Section 1302 Minimum parking space dimensions

- A. The minimum parking dimensions are as set out in Table A codified at the end of this section.

Section 1303 Requirements within structures

The off-street parking requirements may be furnished by providing spaces so designed within the principal building or structure attached thereto; however, unless provisions are made, no building permit shall be used to convert the parking structures into a dwelling unit or living area or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Code.

Section 1304 Required circulation between bays

Except in the case of single, two-family, townhouse, three-family and four-family dwellings, parking areas shall be designed so that circulation between parking bays occurs within the designated parking lot and does not depend upon a public street or alley. Except in the case of single, two-family, townhouse, three-family and four-family dwellings, parking area design which requires backing into the public street is prohibited.

Section 1305 Preserving off-site parking

When required, accessory off-street parking facilities are provided elsewhere than on the lot with the same ownership or control, either by deed or long-term lease, than the property occupied by such principal use, the owner of the principal use shall file a recordable document with the city and county clerk requiring the owner and his or her heirs and assigns to maintain the required number of off-street spaces during the existence of the principal use.

Section 1306 Drive access—approval required for alteration

The City encourages sharing access drives between separate parcels. Some of the following standards may be relaxed if shown during the site design review process that more efficient design can be accomplished without jeopardizing the public's health, safety and welfare. All changes are subject to approval by the Planning and Zoning Commission. All drive accesses shall be approved by the Public Works Director for width and location.

Section 1307 Drive access required

All nonresidential off-street parking spaces shall have access from a drive access and not directly from the public street. Access drives shall be not less than twenty-four (24) feet in width for two-way traffic nor less than twelve (12) feet in width for one-way traffic. Residential drive accesses shall be not less than ten (10) feet in width.

Section 1308 Drive access—required distance from intersection

Driveway access distances from street intersections shall be subject to the minimum dimensions set out in Table B codified at the end of this section.

Section 1309 Drive access—required spacing

Drive accesses to a public street except for single, two-family and townhouse dwellings shall be located as measured from inside of drive to inside of drive according to the specified distances, set out in Table C codified at the end of this section, unless granted approval by the Planning and Zoning Commission.

Section 1310 Drive access—number required

Each property shall be allowed at least one (1) drive access for each one hundred (100) feet of street frontage. Single-family uses shall be limited to one (1) drive access per property. These conditions shall apply unless otherwise granted approval by the Planning and Zoning Commission.

Section 1311 Minimum parallel parking space required

Parallel parking spaces shall be a minimum of twenty-two (22) feet in length.

Section 1312 Required grade elevation of parking area

The grade elevation of any parking area shall not exceed three percent (3%).

Section 1313 Surfacing requirements

All areas intended to be utilized for parking space and driveways shall be paved with concrete or asphaltic concrete. Plans for paving and drainage of driveways and stalls for five (5) or more vehicles shall be submitted to the City Engineer for his/her review, and the final drainage plan shall be subject to his/her written approval.

Section 1314 Striping requirements

Except for townhouses and single-, two-, three-, and four-family dwellings, all parking stalls shall be marked with painted lines not less than four (4) inches wide.

Section 1315 Lighting requirements

Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining property, abutting residential uses and public rights-of-way and be in compliance with Chapter 19 of the Coolidge City Code.

Section 1316 Signs not to obstruct—compliance with city regulations

No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking lot. All signs shall conform to the City sign requirements of Article XI of this Code.

Section 1317 Curbing requirements

Except for townhouses and single-, two-, three-, and four-family dwellings, all open off-street parking areas and driveways shall have a concrete curb or other perimeter barrier approved by the Growth Management Director. The perimeter barrier shall be no closer than three (3) feet to property lines. However, the City encourages shared access between parcels which may eliminate the need for the perimeter barrier around the entire perimeter of a parcel. The Growth Management Director will determine whether a perimeter barrier will be needed around the entire perimeter of two (2) or more parcels sharing parking and/or driveway accesses during the design review process, subject to approval by the Planning and Zoning Commission.

Section 1318 Vehicles not to protrude over property lines

All on-site parking stalls which abut property lines shall be designed and constructed such that parked vehicles shall not protrude over property lines.

Section 1319 Screening requirements

Every parking facility abutting property located in a residential district shall be separated from such property by a decorative wall, view obscuring fence, or permanently maintained hedge no less than five (5) nor more than six (6) feet in height.

Section 1320 Maintenance responsibility

It shall be the joint and separate responsibility of the lessee and owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, accessways, striping, landscaping, and required fences.

Section 1321 Required parking areas to be used for parking only

Required accessory off-street parking spaces in any residential district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles, unless approved for use for a special temporary use.

Section 1322 Number of paved parking spaces required

The minimum number of paved off-street parking spaces as set out in Table A codified at the end of this section shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses designated.

Section 1323 Joint use of parking facilities allowed

- A. Up to eighty percent (80%) of the parking facilities required by this section for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
- B. Other joint use of parking by adjacent commercial uses to reduce total paved parking spaces may be allowed with approved parking study submittal by a registered transportation engineer.
- C. Conditions required for joint use:
 1. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of the parking facilities;
 2. The applicant shall show that there is no substantial conflict in the operating hours of the two (2) buildings or uses for which joint use of off-street parking facilities is proposed;
 3. A properly drawn legal instrument, executed by the parties concerned for a joint use of off-street parking facilities, duly

approved as to form and manner of execution by the City Attorney, shall be filed with the City Clerk and recorded with the Pinal County Recorder.

Section 1324 Off-site parking—terms and conditions

- A. Any off-site parking which is used to meet the requirements of this Code shall be a conditional use as regulated by this Code and shall be subject to the conditions listed below.
- B. Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Code.
- C. Reasonable access from off-site parking facilities to the use being served shall be provided.
- D. The site used for meeting the off-site parking requirements of this Code shall be under the same ownership as the principal use being served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the City Clerk and Pinal County Recorder.
- E. Off-site parking for multiple-family dwellings shall not be located more than two hundred (200) feet from any normally used entrance of the principal use served.
- F. Off-site parking for nonresidential uses shall not be located more than three hundred (300) feet from the site of the principal use being used.
- G. Any use which depends upon off-site parking to meet the requirements of this Code shall maintain ownership or prove a long term irrevocable lease agreement for parking utilization of the off-site location.

Section 1325 Off-Street Loading - Affected uses

- A. Every hotel, restaurant, department store, freight terminal or railroad yard, hospital or sanitarium, industrial plant, manufacturing establishment, retail establishment, storage warehouse or wholesale establishment, and all other structures de-voted to similar mercantile or industrial pursuits, which has an aggregate gross floor area of fifteen thousand (15,000) square feet or more shall provide off-street truck loading or unloading berths in accordance with Table E codified at the end of this section.

Section 1326 Off-Street Loading - Standards

All off-street loading facilities shall conform to the following standards:

- A. Unless otherwise specified in these zoning regulations, the first loading berth shall be at least seventy (70) feet in length and additional berths required shall be at least forty-five (45) feet in length and all loading berths shall be at least twelve (12) feet in width and fourteen (14) feet in height, exclusive of aisle and maneuvering space;
- B. Such space may occupy all or any part of any required yard space, except front and exterior side yards, and shall not be located closer than fifty (50)

feet to any lot in any residential zone unless separated from the zone, except at the accesses, by a masonry wall not less than eight (8) feet in height;

- C. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that vehicles shall cross a property line only by driving forward;
- D. Each loading berth shall be accessible from a street or alley or from an aisle or drive connecting with a street or alley;
- E. The loading area, aisles, and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained so as to dispose of surface water without damage to private or public properties, streets or alleys;
- F. Bumper rails shall be provided at locations where needed for safety or to protect property;
- G. If the loading area is illuminated, lighting shall be deflected away from abutting residential sites so as to cause no annoying glare;
- H. No regular repair work or servicing of vehicles shall be conducted in a loading area;
- I. Off-street loading facilities shall be located on the same site with the use for which the berths are required;
- J. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this title for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required but the aggregate gross floor area is greater than the minimum for which loading berths are required, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths;
- K. Off-street loading facilities for a single use shall not be considered as providing required off-street loading facilities for any other use;
- L. At the time of initial occupancy, major alterations or enlargement of a site, or of completion of construction of a structure or of a major alteration or enlargement of a structure, there shall be provided off-street loading berth requirements. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number existing prior to the alteration or enlargement;
- M. Space allocated to any off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facility.

Article XIII – Tables

Table A

| Angle | Width ¹ | | Length | | Aisle Width ² |
|-------|--------------------|------------|----------|------------|--------------------------|
| | Standard | Accessible | Standard | Accessible | |
| 90° | 10' | 13' | 18' | 18' | 25' |
| 60° | 10' | 13' | 18' | 18' | 20' |
| 45° | 10' | 13' | 18' | 18' | 15' ³ |

¹ As measured by a line perpendicular to the stall line at a point on the outside end of the stall, except when the stall is on the inside edge of a curve, in which case the point of measurement shall be on the inside end of the stall.

² For ninety (90) degree parking, aisles are 2-way; for sixty (60) degree and forty five (45) degree parking they are 1-way only.

Minimum parking dimensions

Table B

Minimum Corner Clearances

| Facility | Intersection Control Dimensions | | | | |
|-------------------------------|---------------------------------|------|------|------|------|
| | 1 | 2 | 3 | 4 | 5 |
| Major Arterial (S) | 230' | 120' | 230' | 230' | 100' |
| Minor Arterial/ Collector (S) | 175' | 85' | 175' | 175' | 0' |
| Major Arterial (U) | 120' | 120' | 85' | 120' | 100' |
| Minor Arterial/ Collector (U) | 75' | 85' | 85' | 75' | 0' |

Note: S=Signalized; U=Unsignalized

Table C

| Facility | Land Use | Minimum Spacing |
|----------------|---|-----------------|
| Major Arterial | Commercial; High Density/High Activity | 200' |
| | Industrial/Office Park; Low to Moderate Activity | 275' |
| Minor Arterial | Commercial; High Density/Activity | 150' |
| | Industrial/Office Park; Low to Moderate Activity | 230' |
| | Multifamily Residential; Low to Moderate Activity | 150' |

Table D
Off-street parking spaces required

| 1. Residential Uses | Off-Street Parking Spaces Required | |
|---|--|---|
| Dwelling Types | W/Street Parking | W/O Street Parking |
| Single Family | 2 spaces/unit | 3 spaces/unit |
| Mobile Homes | 2 spaces/unit | 3 spaces/unit |
| Two-Family | 2 spaces/unit | 2.25 spaces/unit |
| Three-Family | 2 spaces/unit | 2.25 spaces/unit |
| Four-Family | 2 spaces/unit | 2.25 spaces/unit |
| Townhouse | 2 spaces/unit | 2.25 spaces/unit |
| Apartments | 1 Space/studio and one bedroom unit; 2 spaces/two bedroom (or more) unit; and 1 guest space for every ten units | 1 space/studio and one bedroom unit; 2 spaces/two bedroom (or more) unit; and 1 guest space for every ten units |
| Boarding Houses | 2.25 spaces/Unit | 2.25 Spaces/Unit |
| Group Homes | 1 space per potential guest room plus one space per staff member | 1 space per potential guest room plus one space per staff member |
| 2. Nonresidential Uses | Off-Street Parking Spaces Required | |
| Use Type | | |
| Automobile Sales | a. 1 space per 200 square feet of indoor floor area, plus b. 2 spaces per 20 outdoor vehicle display spaces | |
| Automobile Service Station | a. 2 spaces per service stall but no less than 4 spaces | |
| Automobile Washing Establishment: -Automatic Drive-Through - Self-Service | a. 3 spaces or one for each employee on maximum shift, in addition to stacking space a. 2 spaces per stall not including washing or drying spaces | |
| Bowling Alley | a. 4 spaces per alley, plus b. 2 spaces per billiard table, plus c. 1 space per pinball and/or electronic game machine d. 1 space per each five visitor gallery seats | |
| Church | a. 1 space per four seats based upon design capacity of main assembly hall | |
| Community or Recreation Center | a. 1 space per 200 square feet of floor area | |

| | |
|---|--|
| Dancehalls, Skating Rinks or Similar Uses | a. 1 space per 300 square feet of floor area |
| Court Clubs, (Racquetball, Handball, Tennis) | a. 1 space per 200 square feet of floor area, plus 3 spaces per court |
| Day Care Centers | a. 1 space per 200 square feet of floor area |
| Elderly (Senior Citizens) Housing | a. 1 space per unit |
| Furniture Stores Over 20,000 Square Feet | a. 3 spaces per 1,000 square feet of floor area |
| Golf Courses | a. 1 space per 200 square feet of main building floor area, plus b. 1 space for every two practice trees in driving range, plus c. 4 spaces per each green in the playing area |
| Hospital | a. 1 space per bed |
| Manufacturing and Industrial Uses | a. 1 space per 450 square feet of floor area, plus b. 1 space for each company owned truck if not stored within the building |
| Medical, Dental, Health Offices/Clinics | 1 space per 200 square feet of floor area |
| Motels, Hotels -Restaurants, Bars, Dining Rooms -Commercial Areas -Public Assembly Areas | a.1.1 spaces per each guest room, plus b.1 space per employee on maximum shift, plus c. Spaces for accessory uses as follows: d. 1 space per 60 square feet e. 1 space per each 400 square feet of floor area f. 1 space for each five seats based upon design capacity, except that g. Total off-street parking for public assembly may be reduced by one space for every four guest rooms. |
| Nursing Homes, Rest Homes or Similar Uses | a. 4 spaces, plus b. 1 space for each three beds, plus c. 1 space for each employee on maximum shift |

| | |
|--|--|
| <p>Offices (Except Medical and Dental)</p> <p>-Floor Area 0- 5,000 square feet</p> <p>-Floor Area 5,000- 20,000 square feet</p> <p>-Floor Area over 20,000 square feet</p> | <p>a. Minimum of 4 spaces and</p> <p>b. 4 spaces per 1,000 square feet</p> <p>c. 3.5 spaces per 1,000 square feet</p> <p>d. 3 spaces per 1,000 square feet</p> |
| <p>Outdoor Sales (Plant Nurseries, Building Materials, Equipment Rental and Similar Uses)</p> | <p>a. 1 space per 300 square feet of sales and/or display area</p> |
| <p>Restaurants, Cafes, Bars and Similar Uses</p> | <p>a. 1 space per 50 square feet of indoor public floor area, plus</p> <p>b. 1 space per 200 square feet of outdoor serving (patio) area</p> |
| <p>Retail Store and Service Establishments</p> | <p>a. 1 space per 250 square feet of floor area</p> |
| <p>Schools</p> <p>-Elementary and/or Junior High</p> <p>-Senior High</p> <p>-Business or Similar</p> | <p>a. 1.5 spaces for each classroom, library, lecture hall and cafeterias, plus</p> <p>b. 1 space per each three fixed seats in the main area of public assembly, or</p> <p>c. 1 space for each 21 square feet of area available for public assembly if fixed seats are not provided.</p> <p>a. 1.5 spaces for each classroom or lecture hall, plus</p> <p>b. 1 space per each five students, plus</p> <p>c. 1 space for each non-teaching employee, plus</p> <p>d. 1 space per each three fixed seats in the area of public assembly, or</p> <p>e. 1 space per 21 square feet of area available for public assembly if fixed seats are not provided.</p> <p>a. 1 space for each 150 square feet of floor area</p> |

| | |
|---|---|
| School | |
| Theater, Auditorium or Similar Place of Public Assembly | a. 1 space per four seats based upon design capacity |
| Warehousing, Storage or Handling of Bulk Goods | <p>a. 1 space per 1,000 square feet of floor area devoted to storage of goods, plus</p> <p>b. 1 space for each employee on maximum shift, plus</p> <p>c. 1 space for each company truck not stored inside of the building, plus</p> <p>d. Appropriate spaces to support accessory office or retail sales facilities, subject to the office and/or retail sales parking requirements</p> |

Table E
Off-street loading or unloading berths required

| Square Feet of Aggregate Gross Floor Area Devoted To Such Use | Berths |
|---|---------------|
| 15,000 square feet up to and including 40,000 square feet | 1 |
| 40,001 square feet up to and including 100,000 square feet | 2 |
| 100,001 square feet up to and including 160,000 square feet | 3 |
| 160,001 square feet up to and including 240,000 square feet | 4 |
| 240,001 square feet up to and including 320,000 square feet | 5 |
| 320,001 square feet up to and including 400,000 square feet | 6 |
| 400,001 square feet up to and including 490,000 square feet | 7 |
| For each additional 90,000 square feet | 1 additional |
| Any office building 100,000 square feet or larger shall have at least one (1) off-street loading berth. | |

Article XIV

WIRELESS COMMUNICATION FACILITIES

A. Purpose

The purpose of this ordinance is to establish general guidelines for the siting of wireless communications towers and antennas. The goals of this ordinance are to:

1. Protect residential areas and land uses from potential adverse impacts of towers and antennas;
2. Encourage the location of towers in non-residential areas;
3. Minimize the total number of towers throughout the community;
4. Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
5. Encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
6. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;
7. Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently;
8. Consider the public health and safety of communication towers; and
9. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures. In furtherance of these goals, The City of Coolidge shall give due consideration to the *City of Coolidge General Plan*, the *City of Coolidge Zoning Code*, existing land use, and environmentally sensitive areas in approving sites for the location of towers and antennas.

B. Definitions

As used in this Section, the following terms shall have the meanings set forth below:

Alternative tower structure: Man-made trees, clock towers, bell steeples, light poles and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna: Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Backhaul network: The lines that connect a provider's towers/cell sites to one or more cellular telephone switching offices, and/or long distance providers or the public switched telephone network.

Existing structure: Light poles, power poles, chimneys, billboards and other similar structures which are placed within the Town at the time of adoption of this Chapter, except existing building.

FAA: The Federal Aviation Administration.

FCC: The Federal Communications Commission.

Height: When referring to a tower or other structure, the vertical distance measured from the natural grade level to the highest point of the structure directly above the natural grade when such structure is not located in a platted subdivision. If the structure is located in a platted subdivision, the height shall be the vertical distance measured from the finished grade as shown on the subdivision grading plans or finished grade as shown on the individual lot's grading plan (whichever is lower) to the highest point of the finished grade structure directly above the. In the event that terrain problems prevent an accurate determination of height, the City Planner shall rule as to height and appeal from that decision shall be to the Board of Adjustment.

Pre-existing towers and preexisting antennas: Any tower or antenna for which a building permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed, so long as such approval is current and not expired.

Site: The physical location upon which wireless telecommunications facilities are located. Unless otherwise stated in this Article, "site" shall be limited to the area occupied by a single tower and its accompanying ground- or roof-mounted equipment.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for telephone, radio and similar communication purposes, including monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like. The term also includes the structure and any support thereto.

C. Applicability

1. New towers and antennas
 - a. All new towers or antennas in the City of Coolidge shall be subject to these regulations.
2. Exceptions
 - a. *Amateur Radio Station Operators/Receive Only Operations.* This ordinance shall not govern any tower, or the installation of any antenna, that is under the maximum building height of the zoning district in which such structure is located and which is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive only operations.
 - b. *Pre-existing Towers or Antennas.* Legally established pre-existing towers and preexisting antennas shall not be required to meet the requirements of this Code.
 - c. *AM Array.* For purposes of implementing this ordinance, an AM array, consisting of one (1) or more tower units and supporting ground system which functions as one AM broadcasting antenna,

shall be considered one (1) tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.

D. General requirements

1. Principal or accessory use
 - a. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
2. Lot size
 - a. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot coverage requirements and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.
3. Inventory of existing sites
 - a. Each applicant for an antenna and/or tower shall provide to the Administrator an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City of Coolidge or within one (1) mile of the border thereof, including specific information about the location, height, and design of each tower. Each applicant shall also provide a one(1) year build out plan for all other proposed wireless communications facilities within the City. The City Planner may share such information with other applicants applying for administrative approvals or conditional use permits under this Code or with other organizations seeking to locate antennas within the jurisdiction of the City of Coolidge, provided, however that the City Planner is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
4. Aesthetics
 - a. Towers and antennas shall meet the following requirements:
 - (1) Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
 - (2) At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings.
 - (3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or

closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

5. Lighting
 - a. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
6. State or federal requirements
 - a. All towers must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
7. Building codes; safety standards
 - a. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association (EIA) and by the Telecommunications Industries Association (TIA), as amended from time to time. If, upon inspection, the City of Coolidge concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
8. Measurement
 - a. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City of Coolidge irrespective of municipal and county jurisdictional boundaries.
9. Not essential services
 - a. Towers and antennas shall be regulated and permitted pursuant to this code and shall not be regulated or permitted as essential services, public utilities or private utilities.

10. Franchises
 - a. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the City of Coolidge have been obtained and shall file a copy of all required franchises with the Growth Management Department.
11. Public notice
 - a. For purposes of this code, any conditional use request shall require public notice pursuant to Section 1902 of this Zoning Code except that the notice required shall include posting of the property, and mailing to all property owners within three hundred (300) feet of the proposed use, and publication in a newspaper of general circulation regardless of any expression to the contrary in Section 1902.
12. Signs
 - a. No signs shall be allowed on an antenna, on a tower or on any portion of the premises leased for wireless telecommunication use.
13. Buildings and support equipment
 - a. Buildings and support equipment associated with antennas or towers shall comply with the requirements of subsection 14 of this Section.
14. Co-location and multiple antenna/tower plan
 - a. The City of Coolidge encourages tower and antenna users to submit a single application for approval of multiple towers and/or antenna sites and to submit applications which utilize co-location with an existing wireless telecommunications provider. Applications for approval of multiple sites or for co-location with an existing provider shall be given priority in the review process.
15. Security fencing
 - a. Towers shall be enclosed by security fencing not less than six (6) feet in height and no more than eight (8) feet in height, shall be constructed of a block or masonry and shall be equipped with an appropriate anti-climbing device; provided, however, that the City Council may waive such requirements as it deems appropriate.
16. Landscaping
 - a. The following requirements shall govern the landscaping surrounding towers; provided, however, that the City Council may waive such requirements if the goals of this code would be better served thereby.
 - (1) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from residential property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.
 - (2) In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or

- waived.
- (3) Existing mature plan growth and natural land forms on the site shall be preserved to the maximum extent possible.

E. Permitted uses

1. **General**
The uses listed in this Section are deemed to be permitted uses and shall not require administrative approval or a conditional use permit.
2. **Permitted uses**
The following uses are specifically permitted:
 - a. Antennas or towers located on property owned, leased or otherwise controlled by the City of Coolidge, provided a license or lease authorizing such antenna or tower has been approved by the City Council. No such license or lease shall be issued for a tower located within three hundred (300) feet of any residentially zoned property until a public hearing has been held at a regular or special City Council meeting. This subsection shall not apply to property presently known as City Hall.
 - b. Antennas or towers located in any Industrial Zoning District (I-1, I-2 or I-3); provided, however, that freestanding towers or antennas shall not exceed forty (40) feet in height without a Conditional Use Permit, and that roof mounted antennas shall not extend more than ten (10) feet above the tallest point on such roof and in no case shall the total combined height of the building and the roof-mounted antenna exceed fifty (50) feet in height.
3. **Amateur Radio Towers**
 - a. Non-commercial, private residential use allowed but subject to an administrative over-the-counter permit; non-residential uses require a conditional use permit.
 - b. Setback and height standards: minimum three (3) feet from property line for towers up to fifteen (15) feet in height. Over fifteen (15) feet in height, then an additional one (1) foot setback for each one (1) foot of tower and antenna height (over fifteen (15) feet) with a maximum height of seventy-five (75) feet.
 - c. Towers are prohibited in the front yard and shall not be placed in front of the front face plane of the principal building.
 - d. Limitation on quantity of towers by zoning district:
 - (1) R1 SFR Zoning District and larger lot zoning districts:
Up to two (2) primary transmission and reception towers per lot of record and subject to the setback and height standards established in Section E.3.b.
 - (2) All other zoning districts: One (1) tower permitted per lot of record.

- (3) Additional towers, greater in number prescribed in E.3.d.(1) and E.3.d.(2), may be permitted in any zoning district but shall be subject to securing a conditional use permit.
- e. Towers are prohibited in any airport clear zone or landing zone designated by FAA.

F. Conditional use permits

1. General

The following provisions shall govern the issuance of conditional use permits for towers or antennas by the City Council:

- a. If the tower or antenna is not a permitted use under Subsection E of this article, then a conditional use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts. The maximum height of any such tower shall be sixty-five (65) feet.
- b. Applications for Conditional Use Permits under this Section shall be subject to the procedures and requirements of Section 1902 of this Zoning Code, except as modified in this Section.
- c. In granting a Conditional Use Permit, the City Council may impose conditions to the extent such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
- d. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by an Arizona licensed professional engineer.
- e. An applicant for a Conditional Use Permit shall submit the information described in this section and a non-refundable fee established pursuant to a Resolution of the City Council.
- f. A Conditional Use Permit issued under this Chapter shall be conditioned upon verification by the own engineer or his designee that such tower structure is structurally sound. Such verification shall be received by the applicant prior to submission and at five (5) intervals from the date of issuance of such permit.

2. Towers

- a. Information required. In addition to any information required for applications for Conditional Use Permits, pursuant to Section 1902 of this Zoning Code, applicants for a Conditional Use Permit for a tower shall submit the following information:
 - (1) A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), General Plan classification of the site and all properties within the applicable separation distances set forth in subsection G.2, adjacent roadways, proposed

means of access, setbacks from property lines elevation drawings of the proposed tower and any other structures, and other information deemed by the City Planner to be necessary to assess compliance with this article;

- (2) The setback distance between the proposed tower and the nearest residential unit and residentially zoned properties;
 - (3) The separation distance from other towers described in the inventory of existing sites submitted, pursuant to subsection D.3 shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known;
 - (4) Method of fencing and finished color and, if applicable, the method of camouflage and illumination;
 - (5) A description of compliance with subsections D.3, D.4, D.5, D.6, D.7, D.10, D.12, D.13, D.14, D.15, and D.16 and G.1 and G.2, and all applicable federal, state or local laws;
 - (6) A notarized statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users;
 - (7) Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality;
 - (8) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower;
 - (9) A description of the feasible alternative location(s) of future towers or antennas within the City of Coolidge based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected; and
 - (10) A statement of compliance with Federal Communications Commission (FCC) Radio Frequency (RF) exposure standards;
- b. Noise. No permit shall be issued for any facility which generates a noise level greater than fifty decibels (50 db) as measured at the edge of the property upon which such facility is sited.
- c. Factors considered in granting Conditional Use Permits for towers. In addition to any standards for consideration of conditional use permit applications pursuant to Section 1902 of this Zoning Code, the City Council shall consider the following factors in determining whether to issue a conditional use permit, although the City Council may waive or reduce the burden on the applicant of

one or more of these criteria if the City Council concludes that the goals of this ordinance are better served thereby:

- (1) Height of the proposed tower;
- (2) Proximity of the tower to residential structures and residentially zoned district boundaries;
- (3) Nature of uses on adjacent and nearby properties;
- (4) Surrounding topography;
- (5) Surrounding tree coverage and vegetation;
- (6) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (7) Proposed ingress and egress; and
- (8) Availability of suitable existing towers, other structures, or alternative technologies not requiring the use of towers or structures, as discussed in subsection F.2.d below.

d. Availability of suitable existing towers, other structures, or alternative technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the City Council that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the City Council related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure, or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

- (1) No existing towers or structures are located within the geographic area which meets applicant's engineering requirements;
- (2) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;
- (3) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
- (4) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;
- (5) The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable;
- (6) The applicant demonstrates that there are other limiting

factors that render existing towers and structures unsuitable; or

- (7) The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

G. Minimum setbacks and separation

1. Setbacks

The following setback requirements shall apply to all towers for which a Conditional Use Permit is required; provided, however, that the City Council may reduce the standard setback requirements if the goals of this chapter would be better served thereby:

- a. Towers shall be set back a distance equal to at least one hundred percent (100%) of the height of the tower from any adjoining lot line; provided, however, that separation distances from residential uses shall be in accordance with **Table XIV-1** set forth below.
- b. Accessory buildings must satisfy the minimum zoning district setback requirements.

2. Separation

The following separation requirements shall apply to all towers and antennas; provided, however, that the City Council may reduce the standard separation requirements if the goals of this chapter would be better served thereby:

- a. Separation from off-site uses/designated areas
 - (1) Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in **Table XIV-1**, except as otherwise provided in **Table XIV-1**.
 - (2) Separation requirements for towers shall comply with the minimum standards established in **Table XIV-1**.

3. Exception

The minimum separation requirements of this section shall not apply to towers which are co-located on a single site.

- a. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in **Table XIV-2**.

Table XIV-1

Separation Requirements from Offsite Uses/Areas

| Off-site Use/Designated Area | Separation Distance |
|---|---|
| Single-family or duplex residential units ¹ | 200 feet or 300% of tower height, whichever is greater |
| Vacant single-family or duplex residentially zoned land which is either platted or has preliminary plat approval which is not expired | 200 feet or 300% of tower height, whichever is greater ² |
| Vacant unplatted residentially zoned land ³ | 100 feet or 100% of tower height, whichever is greater |
| Existing multi-family residential units greater than duplex units | |
| Non-residentially zoned lands or non-residential uses | None, only setbacks apply |

¹ Includes modular homes and mobile homes used for living purposes.

² Separation measured from base of tower to closest building setback line.

³ Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan and any multi-family residentially zoned land greater than a duplex.

Table XIV-2

Minimum Separation Distances between Towers

| | Monopole 65 feet in height or greater | Monopole less than 65 feet in height but greater than 40 feet in height | Monopole less than 40 feet in height |
|---|---------------------------------------|---|--------------------------------------|
| Monopole 65 feet in height or greater | 2,000 feet | 1,500 feet | 1,000 feet |
| Monopole less than 65 feet in height but greater than 40 feet in height | 1,500 feet | 1,500 feet | 1,000 feet |
| Monopole less than 40 feet in height | 1,000 feet | 1,000 feet | 750 feet |

Article XV
HOME OCCUPATIONS

- Section 1501** In general
- Section 1502** Purpose of provisions
- Section 1503** Terms and conditions
- Section 1504** Examples of qualifying uses
- Section 1505** Prohibited uses

Section 1501 In general

A home occupation is an accessory use of a dwelling unit, conducted entirely within the dwelling unit, carried on by one (1) or more persons, all of whom reside within the dwelling unit, and where no persons are employed other than resident and domestic help; anywhere the use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is part. There shall be no outside storage of any kind; any indoor storage, construction, alterations or electrical or mechanical equipment used shall not change the fire rating of the structure or the fire district in which it is located. The use may increase vehicular traffic flow and parking by no more than one (1) additional vehicle at a time. It shall not cause an increase in the use of one or more utilities (water, sewer or garbage) so that the combined total use for dwelling and home occupation purposes of one (1) or more utilities exceeds the average for residences in the neighborhood. A home occupation permit may be approved for a local historic landmark to allow a use that does not meet all of the conditions of Section 1503, upon securing a conditional use permit, per the procedures as outlined in Chapter 17.68, Article XIX, Section 1902 of this Code. However, such use shall be reviewed and favorably recommended by the Historic Preservation Commission prior to consideration of approval by the Planning and Zoning Commission.

Section 1502 Purpose of provisions

It is the intent of this chapter to eliminate as home occupations all uses except those that conform to the standards set forth in this chapter. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. The standards for home occupations in this chapter are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood, and a clearly secondary or incidental status in relation to the residential use of the main building as the criteria for determining whether a proposed accessory use qualifies as a home occupation.

Section 1503 Terms and conditions

- A. Home occupations are permitted accessory uses in residential zones only so long as all the following conditions are observed:
 - 1. Such occupation shall be conducted solely by resident occupants in their residence;
 - 2. No more than one (1) room or twenty-five percent (25%) of the gross area of one (1) floor of the residence, whichever is less, shall be used for such purpose. Use of accessory buildings or garages for these purposes is prohibited;
 - 3. No use shall require internal or external alterations or involve

- construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure or the fire district in which the structure is located;
4. No home occupation shall cause an increase in the use of any one (1) or more utilities (water, sewer, garbage, etc.) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood;
 5. There shall be no outside storage of any kind related to the home occupation;
 6. The use may increase vehicular traffic flow and parking by no more than one (1) additional vehicle at a time;
 7. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists;
 8. No home occupation shall be allowed to post any visible advertising or sign on the premises.
- B. Complaints by citizens or residents may be cause for termination of the home occupation.

Section 1504 Examples of qualifying uses

- A. The following are typical examples of uses which can be conducted within the limits of the restrictions established in this section and thereby qualify as home occupations. Uses which may qualify as “home occupations” are not limited to those named in this section (nor does the listing of a use in this section automatically qualify as a home occupation):
1. Instructions or tutoring in music, dance, home crafts and the arts and sciences; provided, that the total class size does not exceed four (4) students at any one time.
 2. Offices for architects, brokers, engineers, insurance agents, lawyers, real estate agents, accountants, bookkeepers, teachers, urban planners, consultants, election and political campaigns, editors, reporters, publishers, contract management, landscape design, building tradesmen, building contractors, house cleaning services, surveyors, landscapers, tour brokers, travel agents and stamp and coin dealers.
 3. Offices for duly ordained leaders of religious and/or spiritual communities.
 4. Offices for salesmen, sales representatives or manufacturer's representatives; provided, that no wholesale transactions shall be made on the premises except through telephone, telegraph or mail communication; and further provided, that the real estate sales

shall only be permitted at the premises on any one (1) day in each calendar month.

5. Repair services (not including retail sales, and provided further that no repair of motor vehicles shall be permitted), chauffeur services, cartography services, vending machine services, typing services, strike-on or phototype typesetting services, rubber stamp making services, locksmith services.
6. Studios of artists, authors, composers, photographers, sculptors, dress designers and needleworkers.
7. Workrooms of dressmakers, seamstresses and tailors.
8. Workrooms for home crafts such as model making, rug weaving, lapidary work, cabinet carving, etc.; provided, that no machinery or equipment shall be used or employed other than which would customarily be used in connection with a hobby or avocation.

Section 1505 Prohibited uses

- A. The following uses by the nature of the investment of operation have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall not be permitted as home occupations:

1. Auto repair, minor or major
2. Barber shop
3. Carpentry work
4. Dance instruction
5. Dental offices
6. Medical offices
7. Painting of vehicles, trailers or boats
8. Photo developing
9. Photo studios
10. Private schools with organized classes
11. Radio repair
12. Television repair
13. Upholstering

Article XVI

NONCONFORMING USES

Section 1601 Nonconforming uses and structures in general

Section 1602 Applicability to existing lots

Section 1601 Nonconforming uses and structures in general

- A. Any structure or use lawfully existing upon the effective date of this Code may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified.
- B. The right to operate and maintain a nonconforming use shall terminate when the structure or structures housing such use are removed, razed or remodeled to the extent of fifty percent (50%) of the structure's fair market value as determined by the last equalized assessment roll of the county, unless such condition was created as described in subsection D of this section.
- C. When any lawful and nonconforming use of any structure or land in any district has been changed to a conforming use, it shall not hereafter be changed to any nonconforming use.
- D. Whenever a lawful nonconforming use of a building or structure has been damaged by fire, flood, explosion, earthquake, war, riot, or act of nature, to an extent greater than fifty percent (50%) of its originally appraised value, it shall not be reconstructed, but such property shall revert to a conforming use.
- E. Whenever a lawful nonconforming use of a building or structure or land is discontinued for a period of ninety (90) days, any future use of the building or structure or land shall be in conformity with the provisions of this Code.
- F. Normal maintenance of a building or other structure containing or related to a lawful nonconforming use is permitted, including necessary structural repairs provided such structural repairs do not enlarge or intensify the nonconforming use.
- G. A lawful nonconforming use shall not be charged except in conformance with the use requirements of the zone in which it is located.
- H. Alterations may be made to a structure or building containing lawful nonconforming residential units when they will improve the liveability thereof, providing they will not increase the number of dwelling units.

Section 1602 Applicability to existing lots

- A. At the time of enactment of this Code, if any owner of a plot of land consisting of one (1) or more adjacent lots in a subdivision of record does not own sufficient contiguous land to enable him/her to conform to the minimum lot width requirements or does not have sufficient lot width to conform to the minimum lot width requirements, such plot of land may nevertheless be used as a building site. The dimensional requirements of the district in which the piece of land is located may be reduced by the smallest amount that will permit a structure of acceptable size to be built upon the lot, such reduction to be determined by the Board of Adjustment.
 - 1. In the AG, R-1, R-4, R-5 and R-6 Zones, the reduction shall permit only a single-family residence.
 - 2. In the R-2 Zone, the reduction shall permit only a single family home or duplex.
 - 3. In the R-3 Zone, the reduction shall permit only a single family home or townhouse cluster or apartment containing no more than four units.
- B. No lot, even though it may consist of one or more adjacent lots in the same ownership at the time of passage of this Code shall be reduced in size so that the lot width or size of yards or lot area per family or any other requirement of this Code is not maintained. This Code shall not apply when a portion of a lot is acquired for a public purpose.

Article XVII VARIANCES

- Section 1701** Generally
- Section 1702** Application for variance
- Section 1703** Notice of hearing
- Section 1704** Evidence required for variance
- Section 1705** Board of Adjustment action
- Section 1706** Disapproved application
- Section 1707** Conditional approval
- Section 1708** Guarantees

Section 1701 Generally

The Board of Adjustment may allow a departure from the terms of these zoning regulations pertaining to height or width of structures or the size of yard and open spaces where such departure will not be contrary to the public interest, and where, owing to conditions peculiar to the property because of its size, shape or topography, and not as a result of the action of the applicant, the literal enforcement of this Code would deprive the owner of the reasonable use of the land and/or building involved.

Section 1702 Application for variance

- A. A request for variance shall be made by filing at least twenty-eight (28) days prior to the Board meeting an application with appropriate fees with the Zoning Administrator; such application shall be accompanied by a development plan showing such information as the Zoning Administrator may reasonably require for purposes of this Code. The plans shall contain sufficient information for the Board to make a proper decision on the matter. The request shall state the exceptional conditions and the peculiar and practical difficulties claimed as a basis for a variance. In all cases, the application shall include:
1. Name and address of the applicant
 2. The legal description of the property involved in the request for variance, including the street address, if any, of the property
 3. The names and addresses of the owners of the property and any other persons having a legal interest therein
 4. A site plan drawn to scale showing the property dimensions, grading, landscaping and location of utilities, as applicable
 5. Location of all existing and proposed buildings
 6. Drive accesses, driveways, access roads, parking spaces, off-street loading areas and sidewalks as applicable
 7. The variance requested and the reasons for the request
 8. Justification, in writing of Article II, Section 203.
 9. Evidence satisfactory to the Board of Adjustment of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within six months after issuance of permit.

Section 1703 Notice of hearing

Notice of the time, date, place and purpose of the variance hearing shall be published once in a newspaper of general circulation, published or circulated within the City and posted in a conspicuous place close to the property affected at least fifteen (15) days before the hearing, and shall be mailed at least fifteen (15) days prior to the board meeting to each owner of property situated wholly or

partly within three hundred (300) feet of the property to which the variance relates. The Zoning Administrator shall be responsible for mailing such notices. For the purpose of giving mailed notice, the Zoning Administrator shall require the applicant to furnish the names and addresses of all property owners within three hundred (300) feet of the property.

Section 1704 Evidence required for variance

- A. At the public hearing on a variance application, the applicant shall present a statement and adequate evidence in such form as the board may require for the purpose of showing:
1. That there are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that zone.
 2. That the strict application of the regulations would work an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights.
 3. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

Section 1705 Board of Adjustment action

In the event the Board of Adjustment can determine that substantial conformity to the standards previously established in the zone may be secured and that detriment or injury to the neighborhood will not result from the granting of a variance as applied for, it may approve or conditionally approve the issuance of the permit and transmit notice of its action to the Zoning Administrator. Approval may be granted only upon the affirmative vote of three-fourths of all the members of the board. A report of its findings and recommendations and any conditions imposed or required shall also be submitted promptly to the Planning and Zoning Commission and the City Council.

Section 1706 Disapproved application

In the event the Board of Adjustment disapproves an application for a variance, no permit shall be issued pending further action thereon by an appeal to the superior court within thirty (30) days from the date the disapproval is officially entered on the minutes of the Board, if the court shall overrule the action of the Board, then the Zoning Administrator shall issue the requested permit without further action by the Board unless the court orders the Board to hold a further hearing to permit the Board to fix conditions or require guarantees as set forth in Sections 1707 and 1708.

Section 1707 Conditional approval

In approving any variance the Board of Adjustment may designate such conditions in connection therewith as will in its opinion secure substantially the objectives of the regulation or provision to which such variance is granted, to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted, and shall provide the Zoning Administrator with a copy of the same.

Section 1708 Guarantees

Where necessary, the Board of Adjustment may require guarantees, in such form as it may deem proper under the circumstances, to insure that the conditions designated in connection therewith are being or will be complied with. Where any condition under which a variance has been granted is violated, the variance shall cease to exist and the permit shall become null and void.

Article XVIII

HISTORIC PRESERVATION

- Section 1801 Purpose and nature of regulations**
- Section 1802 Relation to General Plan**
- Section 1803 Definitions**
- Section 1804 Historic Preservation Commission**
- Section 1805 Designation of landmarks or historic districts**
- Section 1806 Certificate of no effect or certificate of appropriateness required for alternation, demolition or new construction affecting landmarks or historic districts**
- Section 1807 Criteria for approval of a certificate of no effect**
- Section 1808 Certificate of no effect application procedure**
- Section 1809 Criteria for approval of a certificate of appropriateness**
- Section 1810 Certificate of appropriateness application procedure**
- Section 1811 Hardship criteria**
- Section 1812 Hardship application procedure**
- Section 1813 Maintenance and repair required**
- Section 1814 Appeals**
- Section 1815 Effective date**
- Section 1816 Penalty**

Section 1801 Purpose and nature of regulations

- A. It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts is necessary to promote the economic, cultural, educational and general welfare of the public.
- B. Inasmuch as the identity of a people is founded on its past, and inasmuch as Coolidge has an historic district which reflects it's architectural and cultural heritage, this act is intended to:
 - 1. Protect and enhance the landmarks and historic districts that represent distinctive elements of the City's historic, architectural and cultural heritage;
 - 2. Foster civic pride in accomplishments of the past;
 - 3. Protect and enhance the City's attractiveness to visitors and the support and stimulus to the economy thereby provided; and
 - 4. Ensure the harmonious, orderly and efficient growth and development of the City.

Section 1802 Relation to General Plan

The enforcement of, amendments to, and the administration of this Code shall be accomplished in accordance with the recommendations contained in the City's then-existing General Plan.

Section 1803 Definitions

The following definitions shall apply specifically and exclusively to this Code.

Alteration: Any construction or change of the exterior of a building, object, site or structure designated a landmark. For buildings, objects or structures, "alteration" shall include, but is not limited to, the changing of roofing or siding materials; changing, eliminating or adding doors, door frames, windows, window frames, shutters, fences, railings, porches, balconies, swings or other ornamentation, and the changing of paint color. "Alteration" shall not include ordinary repair and maintenance as defined below.

Building: A structure created to shelter any form of human activity, such as a house, barn, church, hotel or similar structure. "Building" may refer to a historically-related complex, such as a courthouse and jail or a house and barn.

Cemetery: Any site that contains at least one (1) burial, marked or previously marked, considered a dedicated cemetery under Arizona State Statutes, even though suffering neglect or abuse.

Construction: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property that requires a building permit.

Contributing significance: A classification applied to a building site, structure or object within a historic district signifying that it contributes generally to the qualities that give the historic district significance, but without having

exceptional significance as defined below.

Demolition: Any act or process that partially or totally destroys a landmark or a structure within a historic district.

Design guideline: A specific type of design criteria approved by the Commission at the time of designation of a landmark, historic district, historic landscape district or urban conservation district, and to be used in conjunction with other design criteria in the chapter in reviewing alteration, construction, removal or demolition.

Exceptional significance: A classification applied to a building, site, structure or object signifying the individual contribution the resource brings to the community in representation of the qualities that give the community cultural, historic, architectural or archeological distinction. "Exceptional significance" can be applied to either a landmark or to those resources within an historic district that are of individual importance.

Exterior architectural appearance: The architectural character and general composition of the exterior of a structure, including, but not limited to, the kind, color and texture of the building material and the type, design and character of all architectural details and elements, including, but not limited to, windows, doors, walls, roofs, overhangs, signs and yards and/or open spaces.

Historic district: An area with definable boundaries designated as a "historic district" by the City Council, and in which a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity, many of which may qualify as landmarks, and which may also have within its boundaries other properties, sites, structures or objects which, while not of such cultural, historic, architectural or archeological significance to qualify as landmarks, nevertheless contribute to the overall visual characteristics or the significant properties, sites, structures or objects located within it.

Landmark: A property, site, structure or object that is individually designated by the City Council to be worthy of rehabilitation, restoration and preservation because of its cultural, historic, architectural or archeological exceptional significance to the City.

Non-contributing: A designation applied to a site, structure or object within a historic district, indicating that it is not a representation of the qualities that give the historic district cultural, historic, architectural or archeological significance as embodied in the criteria for designating a historic district.

Ordinary maintenance and repair: Regular, customary or usual care, reconstruction or renewal of any part of an existing building, structure or object, for the purposes of preserving the property and maintaining it in safe and sanitary condition.

Property: Land and improvements identified as a separate lot for purposes of City subdivision and zoning regulations.

Repair: Any change that is not alteration, construction, removal or demolition.

Structure: Anything constructed or erected, the use of which requires a permanent or semi-permanent location on or in the ground, including, without limitation, buildings, garages, fences, gazebos, advertising signs, billboards, antennas, satellite sending or receiving dishes, and swimming pools.

Section 1804 Historic Preservation Commission

There is hereby created a commission to be known as the City Historic Preservation Commission.

- A. It is intended that the Commission shall consist of five (5) or more members, who demonstrate an interest in historic preservation and architectural development within the City, to be appointed, to the extent available in the community, by the City Council as follows:
 - 1. At least one (1) shall be a member of the Historical Society with a background in the City's history;
 - 2. At least one (1) shall be a licensed real estate broker or agent, or a licensed contractor;
 - 3. At least one (1) shall be an owner or resident of a designated historic property, or a property listed on the National Register of Historic Places;
 - 4. At least one (1) shall have demonstrated significant interest in, and commitment to, the field of historic preservation, evidenced either by involvement in a local historic preservation group, employment or volunteer activity in the field of historic preservation, or other serious interest in the field;
 - 5. At least one (1) shall be current or former Planning and Zoning Commission member; and
 - 6. An ex officio member, who shall be the Planning Director or his or her designee.
- B. Terms
 - 1. Commission members shall serve for a term of three years, with the exception of the initial term when:
 - a. Two (2) of the five (5) members shall serve for one (1) year;
 - b. Two (2) others shall serve for two (2) years; and
 - c. One (1) member shall serve a full three (3) year term.
 - 2. Commission members may be reappointed to serve consecutive terms following their initial term.
- C. The Chairman and Vice Chairman of the Commission shall be elected by and from among the members of the Commission.
- D. The responsibilities of the Commission shall include:
 - 1. Promulgation of rules and regulations necessary for the conduct of its business.
 - 2. Review of criteria for the identification of significant historic, architectural and cultural landmarks, and for the delineation of

- historic districts.
3. Review existing surveys of significant historic, architectural and cultural landmarks and historic districts within the City, and periodically update the survey.
 4. Recommendations to the City Council concerning the designation of identified structures or resources as landmarks and historic districts.
 5. Recommendations to the City Council concerning the acquisition of facade easements, development rights or other interests in real property as necessary to carry out the purposes of this chapter.
 6. Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs.
 7. Making recommendations to the City Council concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the City.
 8. Recommending acquisition of any landmark structure by the City where its preservation is essential to the purposes of this chapter, and where private preservation is not feasible.
 9. Approval or disapproval of applications for certificates of appropriateness pursuant to this Code.
- E. Meetings
1. The Commission shall meet at least four (4) times per year.
 2. On the written request of any two (2) of the Commission members or on the call of the Chairman or the Mayor, meetings may be held at any time as long as the meeting complies with the open meeting laws of the state of Arizona and the City.
 3. A quorum for the transaction of business shall consist of three (3) of the Commission's members.
 4. Final decisions may be made by a majority of the members present.

Section 1805 Designation of landmarks or historic districts

- A. The Commission may recommend to City Council that an individual property be designated as a landmark if it:
1. Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
 2. Is identified with historic personages; or
 3. Embodies the distinguishing characteristics of an architectural style; or
 4. Is the work of a designer whose work has significantly influenced an age; or
 5. Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of a

- neighborhood.
- B. The Commission may recommend to the City Council that a group of properties has been designated as an historic district if it:
 - 1. Contains several properties that meet one or more of the criteria for designation of a landmark; and
 - 2. By reason of possessing such qualities, it constitutes a district section of the City; and
 - 3. The majority owner(s) of the properties concur with the designation.
 - C. The boundaries of each historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the City Clerk's Office for public inspection.
 - D. Notice.
 - 1. Notice of a proposed designation shall be sent by registered mail to the owner(s) of the property proposed for designation, either by the Commission or by the owner, describing the property proposed and announcing a public hearing by the Commission to consider the designation.
 - 2. Where the proposed designation involves fifty (50) or more property owners, notice may instead be published at least once in a newspaper of general circulation at least fifteen (15) days prior to the date of public hearing.
 - 3. Once the Commission has issued notice of a proposed designation, no permits shall be issued by the Building Official until the Commission has made its decision.
 - E. The Commission shall hold a public hearing prior to designation of any landmark or historic district.
 - 1. The testimony or documentary evidence at the hearing will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district.
 - 2. The record may also contain staff reports, public comments or other evidence offered outside of the hearing.
 - F. The Commission shall forward notice of each proposed property designated as a landmark and of the boundaries of each designated historic district to the City Council for final designation, and subsequently to the Office of the Pinal County Clerk for recordation.

Section 1806 Certificate of no effect or certificate of appropriateness required for alteration, demolition or new construction affecting landmarks or historic districts

No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction or moving of a landmark or property within a historic district, nor shall any person make any material change in the appearance of such a property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from a public street or alley that affect the

appearance and cohesiveness of the historic landmark or historic district, without first obtaining a certificate of no effect or a certificate of appropriateness from the Planning Department or the Historic Preservation Commission.

Section 1807 Criteria for approval of a certificate of no effect

- A. The Growth Management Department shall issue a certificate of no effect if:
 - 1. It is determined the proposed exterior alternation, restoration, reconstruction, demolition, new construction or moving of a landmark (hereinafter referred to as "proposed work" in this section and Section 1808) is minor, and it is determined that such minor proposed work to existing historic landmark properties shall be compatible with its historic character. Any proposed work to existing properties within a historic district shall be compatible with its historic character as well as with the surrounding districts; and
 - 2. If modifications to the proposed work are requested by the Planning Department, they are agreed to by the applicant; and
 - 3. In any case the proposed work will not diminish, eliminate or adversely affect the historic character of the subject property or district.
- B. If a certificate of no effect is not issued, a certificate of appropriateness shall be required.

Section 1808 Certificate of no effect application procedure

- A. Prior to the commencement of any work requiring a certificate of no effect, the owner shall file an application for such a certificate with the City Growth Management Department. The application shall contain:
 - 1. The name, address and telephone number of the applicant;
 - 2. The location and photographs of the property;
 - 3. Elevation drawings of the proposed work, if available and applicable;
 - 4. Perspective drawings, including the relationship of the proposed work to adjacent properties, if available and applicable;
 - 5. Where the proposed work includes signs of lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of the materials to be used, the method of illumination, and a plan showing the sign's location on the property; and
 - 6. Any other information that the Growth Management Department may deem necessary in order to visualize the proposed work.
- B. No permit shall be issued for such proposed work until a certificate of no effect has first been issued by the Growth Management Department. The certificate of no effect required by this act shall be in addition to, and not

- in lieu of, any permit that may be required by any other City Code.
- C. The City Growth Management Department shall approve, approve with modifications, or deny the certificate of no effect at the earliest opportunity, but not longer than thirty (30) days after submission of a complete application.
 - D. All decisions of the City Growth Management Department shall be in writing.
 - 1. A copy of any decision shall be sent to the applicant by regular first class mail to the address contained on the application.
 - 2. The City Growth Management Department's decision shall state the reasons for modifying or denying the application.

Section 1809 Criteria for approval of a certificate of appropriateness

- A. In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to interior spaces, but shall encourage property owner(s) to maintain any interior features that may have historical interest.
- B. The Commission's decision shall be based upon the following principles:
 - 1. Properties that contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
 - 2. Any alteration of existing historic landmark properties shall be compatible with their historic character. Any alteration of existing properties within a historic district shall be compatible with its historic character as well as with the surrounding district; and
 - 3. New construction shall be compatible with the district in which it is located.
- C. In applying the principle of compatibility, the Commission shall consider the following factors:
 - 1. The general design character and appropriateness to the property of the proposed alteration or new construction;
 - 2. The scale of proposed alteration or new construction in relation to the property itself, surrounding properties and the neighborhood;
 - 3. Texture, materials and color, and their relation to similar features of other properties in the neighborhood;
 - 4. Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings with the facade, roof shape, and the rhythm of spacing of properties on streets, including setback;
 - 5. The importance of historic, architectural or other features to the significance of the property.
- D. As a guide to rehabilitation work, the Commission shall utilize the current edition of the Secretary of the Interior's Standards for Rehabilitation.

Section 1810 Certificate of appropriateness application procedure

- A. Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Historic Preservation Commission. The application shall contain:
 - 1. The name, address and telephone number of the applicant;
 - 2. The location and photographs of the property;
 - 3. Elevation drawings of the proposed changes, if available and applicable;
 - 4. Perspective drawings, including the relationship of the proposed changes to adjacent properties, if available and applicable;
 - 5. Where the proposal includes signs of lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of the materials to be used, the method of illumination, and a plan showing the sign's location on the property; and
 - 6. Any other information that Commission may deem necessary in order to visualize the proposed work.
- B. No permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The certificate of appropriateness required by this act shall be in addition to, and not in lieu of, any permit that may be required by any other City Code.
- C. The Commission shall approve, approve with modifications, or deny the certificate of appropriateness at the next regularly scheduled meeting, not to exceed thirty (30) days. The Commission shall hold a public hearing on the application, at which an opportunity will be provided for proponents and opponents of the application to present their views.
- D. All decisions of the Commission shall be in writing.
 - 1. A copy shall be sent to the applicant by registered mail.
 - 2. A copy shall be filed with the City Clerk's Office for public inspection.
 - 3. The Commission's decision shall state the reasons for denying or modifying any application.

Section 1811 Hardship criteria

- A. An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the grounds of hardship. In order to prove the existence of hardship, the applicant shall establish that:
 - 1. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
 - 2. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which could result in a reasonable

3. return; and
 3. Efforts have been made to find a purchaser interested in preserving the property.
- B. An applicant whose certificate of appropriateness for a proposed alteration has been denied may apply for relief on the grounds of hardship.

Section 1812 Hardship application procedure

- A. After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process.
1. Application shall be made in writing and submitted to the Commission within forty five (45) days after receipt of written denial.
 2. No building permit or demolition permit shall be issued unless the Commission makes a finding that a hardship exists.
- B. The Commission shall hold a public hearing on the hardship application within twenty one (21) days after receiving written notification, at which an opportunity will be provided for proponents and opponents of the application to present their views.
- C. The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- D. All decisions of the Commission shall be in writing.
1. A copy shall be sent to the applicant by registered mail.
 2. A copy shall be filed with the City Clerk's Office for public inspection.
 3. The Commission's decision shall state the reasons for granting or denying the hardship application.

Section 1813 Maintenance and repair required

- A. Nothing in this Code shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district, which does not involve a change in design, material, color or outward appearance.
- B. No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature that would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole, or the life and character of the property itself.
- C. Examples of such deterioration include:
1. Deterioration of exterior walls or other vertical supports;
 2. Deterioration of roofs or other horizontal members;

3. Deterioration of exterior chimneys;
4. Deterioration or crumbling of exterior stucco or mortar;
5. Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors;
6. Deterioration of any feature so as to create a hazardous condition that could lead to the claim that demolition is necessary for the public safety.

Section 1814 Appeals

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship may, within fifteen (15) days of the decision, file a written application with the City Council for review of the decision.

Section 1815 Effective date

The provisions of this chapter shall be effective on February 23, 2009

Section 1816 Penalty

- A. Any person found guilty of violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished in accordance with Chapter 1, Section 1-8 of the City Code.
- B. Any person who demolishes, alters, constructs or permits a designated property to fall into a serious state of disrepair in violation of this chapter shall be required to restore the property and its site to its appearance prior to the violation.
 1. Any action to enforce this subsection shall be brought by the City Attorney.
 2. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

Article XIX

ADMINISTRATIVE PROCEDURES

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Section 1901 Procedures for Site Plan Approval

A. Requirements and procedures

1. For the purposes of this chapter, site plans may be classified as major or minor site plans. All developments within the City, except individual single-family and duplex residential units, shall be subject to this article. A major site plan involves one (1) or more of the following:
 - a. Four (4) or more dwelling units in a multiple structure or structures;
 - b. Fifteen thousand (15,000) or more square feet of:
 - (1) Office space,
 - (2) Retail commercial space,
 - (3) Service commercial space,
 - (4) Industrial space;
 - c. One (1) or more new buildings on one existing, vacant site for:
 - (1) Office use,
 - (2) Retail commercial use,
 - (3) Service commercial use,
 - (4) Industrial use;
 - d. Twenty thousand (20,000) or more square feet of exterior storage of materials or goods;
 - e. Parking for more than eighty (80) vehicles.
2. Any other site plan (except for a Planned Area Development) is considered a minor site plan. Any Planned Area Development shall be reviewed according to the regulations of Section 1905. Minor site plans shall be reviewed through the building permit application process.
3. The Planning and Zoning Commission has the right to review, and require revisions to any proposed major site plan. The purpose of this review is to relieve demonstrable adverse impacts of the development upon public safety, health, or welfare; to protect public investments in roads, drainage facilities, sewage facilities, etc.; to conserve the value of buildings; and to ensure that the regulations of the City are upheld.
4. Any needed variances for major or minor site plans must be appealed to the Board of Adjustment.

B. Applicability of procedures

1. The procedures set out in this chapter shall apply to all R-2, R-3, R-4, C-1, C-2, C-3, I-1, I-2, and I-3 rezoning and all non-single family and duplex development within the city.
2. For those rezoning requests that may not comply with the City's General Plan, the site plan shall be submitted in conjunction with the rezoning application.

3. For those rezoning requests that may comply with the General Plan the site plan shall be submitted prior to any construction or development and may be submitted with the rezoning application.
4. For those areas with desired zoning, the site plan shall be submitted prior to any construction or development.

C. Application for major site plan approval—requirements

Applications for major site plan approval shall be on a form provided by the Zoning Administrator. Major site plans shall be submitted at least six (6) weeks prior to the Planning and Zoning Commission at which they will be heard. The application shall be accompanied by the appropriate fee and development plans showing sufficient information for the Planning and Zoning Commission and city staff to determine whether the proposed development will meet the development requirements of the City. In all cases the application shall contain the following:

1. General:
 - a. Name of project/development;
 - b. Location of project/development by street address;
 - c. Location map, including area within one-half (1/2) mile of site;
 - d. Name and mailing address of developer/owner;
 - e. Name and mailing address of engineer/architect;
 - f. Date of plan preparation;
 - g. North point indicator;
 - h. Scale of not less than one (1) inch to one hundred (100) feet; and
 - i. Names and addresses of property owners within three hundred (300) feet of site;
2. Site Plan, including:
 - a. Boundary line of property with dimensions;
 - b. Location, identification and dimension of existing and proposed data, to a distance of one hundred (100) feet unless otherwise stated:
 - (1) Topographic contours at a minimum interval of two (2) feet,
 - (2) Adjacent streets and street rights-of-way to a distance of one hundred fifty (150) feet, except for sites adjacent to major arterial streets where the distances shall be two hundred (200) feet,
 - (3) On-site streets and rights-of-way,
 - (4) Ingress and egress points,
 - (5) Traffic flow on-site,
 - (6) Traffic flow off-site,
 - (7) Utilities and utility rights-of-way or easements:
 - i. Electric,
 - ii. Natural gas,
 - iii. Telephone, cable TV,
 - iv. Water,

- v. Sewer (sanitary treated effluent and storm),
- (8) Buildings and structures,
- (9) Parking facilities, including bicycle racks,
- (10) Water bodies,
- (11) Surface water holding ponds and drainage ditches,
- (12) Surface water drainage arrows,
- (13) Significant rock outcroppings,
- (14) Sidewalks, walkways, driveways, loading areas and docks, bikeways,
- (15) Provision for handicapped accessibility, including but not limited to, wheelchair ramps, parking spaces, hand rails, and curb openings in accordance with A.R.S. 34-404 through 34-439,
- (16) Fences and walls,
- (17) Exterior signs,
- (18) Exterior refuse collection areas,
- (19) Exterior lighting,
- (20) Landscaping (detailed plan showing plantings, equipment, etc.),
 - i. Botanical and common names of vegetation to be used,
 - ii. Size of plantings at time of planting and at maturity,
 - iii. Areas to be irrigated;
- c. Number of employee and non-employee parking spaces, existing and proposed, and total square footage of each; and
- d. Site statistics including site square footage, percent of site coverage (building and parking), dwelling unit density, percent park or open space;
- e. A reproducible copy of the site plan with appropriate signatures shall be submitted upon approval.
- 3. Building Information (on-site):
 - a. Height above mean sea level of the lowest floor when the structure is proposed to be located in a floodway or floodplain area;
 - b. Gross square footage of existing and proposed structures; and
 - c. Front, rear and side elevations, with a description of exterior materials to be used.
- 4. Permits:
 - a. A listing of all required federal, state and city permits and status of applications;
 - b. Certificate of one-hundred-year assured water supply;
 - c. Certificate showing compliance with minimum county and state water quality standards.

D. Application for minor site approval—requirements

Applications for minor site plan approval shall be submitted with the building

permit application. The application must include scaled plans and drawings showing sufficient information for city staff to determine whether the proposed development will meet the development requirements of the City.

E. Notice of major site plan review

A notice of major site plan review shall be mailed at least ten (10) days prior to the Planning and Zoning Commission meeting to each owner of property situated wholly or partly within three hundred (300) feet of the property to which the site plan relates. The Zoning Administrator shall be responsible for mailing such notices. Proof shall be provided signed by a notary public that the notices have been mailed. For the purpose of giving mailed notice, the Zoning Administrator shall require the owner of the property affected to furnish the names and addresses of all property owners within three hundred (300) feet of the property.

F. Notice of minor site plan review

1. If the city staff shall determine that the proposed site plan will not be detrimental to the health, safety, or welfare of the community nor will cause traffic congestion or seriously depreciate surrounding property values and the same time is in harmony with the purposes and intent of this Code, the plan for the area, and the general plan, the staff may grant such site plan approval, and such conditions and safeguards may be imposed as they deem necessary. Staff shall notify the Planning and Zoning Commission at its next regular meeting of any site plan approvals made by staff.
2. Minor site plan approval applications may be denied by city staff upon finding and determination by the staff that the conditions required for approval do not exist.
3. When a minor site plan approval application is denied by city staff, an appeal may be taken to the Planning and Zoning Commission. If unusual or significantly difficult conditions exist which affect the site plan, the Zoning Administrator may determine and require that the site plan be reviewed and acted upon by the Planning and Zoning Commission.

G. Major site plan review—consideration process

1. In considering applications for major site plan approval under this Code, the Planning and Zoning Commission shall consider the following:
 - a. Relationship of the plan elements to conditions both on and off the property;
 - b. Conformance to the City's Zoning Ordinance;
 - c. Conformance to the City's General Plan;
 - d. The impact of the plan on the existing and anticipated traffic and parking conditions;
 - e. The adequacy of the plan with respect to land use;

- f. Pedestrian and vehicular ingress and egress;
 - g. Building location and height;
 - h. Landscaping;
 - i. Lighting;
 - j. Provisions for utilities;
 - k. Site drainage;
 - l. Open space;
 - m. Loading and unloading areas;
 - n. Grading;
 - o. Signage;
 - p. Screening;
 - q. Setbacks; and
 - r. Other related matters.
2. The Planning and Zoning Commission shall consider oral or written statements from the applicant, the public, city staff members, or its own members. It may question the applicant and approve, deny, or table the development proposal. The application may not be tabled for more than two (2) regular meetings of the Commission.
 3. If the Commission shall determine by motion that the proposed site plan will not be detrimental to the health, safety, or welfare of the community nor will cause traffic congestion or seriously depreciate surrounding property values at the same time is in harmony with the purposes and intent of this Code, the plan for the area, and the general plan, the Commission may grant such site plan approval and impose conditions and safeguards as they deem necessary.
 4. Site plan approval applications may be denied by motion of the Commission when such motion or consent shall constitute a finding and determination by the Commission or staff that the conditions required for approval do not exist.
 5. A site plan which has been denied by the Commission shall not be reviewed by the City Council except upon written request by the applicant to the City Council within ten (10) days of the Commission's decision, and placed on next available City Council agenda. At such meeting, the City Council shall consider oral or written statements from the applicant, city staff, and public and its own members.
 6. The City Council, upon reviewing the applicant's request for site plan approval may then approve, deny, or table the site plan request. The request may not be tabled more than two (2) meetings.

H. Duration of site plan approval

Site plan approval shall be valid for one (1) year from its date of approval, or until the zoning on a particular site lapses, whichever occurs first.

I. Procedure for amendment to site plans

1. Any amendment or modification to an approved site plan shall be submitted for approval. All amendments shall be shown on a revised site plan drawing.
2. Amendments to minor site plans shall be submitted to city staff who may approve such amendment(s) if they determine that such amendments meet the development requirements of the City.
3. Amendments to major site plans previously approved by the Planning and Zoning Commission may be approved by the Growth Management Director and the chairperson of the Commission upon finding by the Growth Management Director and chairperson of the Commission that the amended site plan is in substantial compliance with the originally approved site plan. If it is determined that the amended site plan is not in substantial compliance with the originally approved site plan, the application shall be resubmitted and shall be subject to Sections 1901.C, 1901.E and 1901.G of this Code.

Section 1902 Procedure for Conditional Use Permit

A. In general

Certain uses, while generally not suitable in a particular zoning district, may, under certain circumstances, be acceptable. When such circumstances exist, a Conditional Use Permit may be granted. Conditions may be applied to the issuance of the permit and periodic review may be required. The permit shall be granted for a particular use and not for a particular person or firm. No Conditional Use Permit shall be granted for a use which is not specifically designed as such in this Code.

B. Application required

The person applying for a Conditional Use Permit shall fill out and submit to the Zoning Administrator the appropriate form together with the required fee. The request for a Conditional Use Permit shall follow the procedures and applicable requirements for major site plans of Section 1901 of this Code.

C. Planning and zoning considerations and findings

1. Within thirty (30) days after the conclusion of the public hearing, the Commission shall approve, conditionally approve, or deny the Conditional Use Permit application.
2. The Commission, in approving a Conditional Use Permit, shall by resolution adopted by an affirmative vote of not less than the majority of all its voting members, find as follows:

- a. That the site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly relate the use with the land and uses in the vicinity;
- b. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- c. That the proposed use will have no adverse effect upon the abutting property;
- d. That the proposed use shall be in conformance with the general plan;
- e. That the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare. The conditions may include but are not limited to:
 - (1) Regulation of use,
 - (2) Special yards, spaces and buffers,
 - (3) Special fences, solid fences and walls,
 - (4) Surfacing of parking areas,
 - (5) Requiring street, service road or alley dedications and improvements or appropriate bonds,
 - (6) Regulations of points of vehicular ingress and egress,
 - (7) Regulation of signs,
 - (8) Requiring maintenance of the grounds,
 - (9) Regulation of noise, vibrations, odors,
 - (10) Regulation of hours for certain activities,
 - (11) Time period within which the proposed use shall be developed,
 - (12) Duration of use,
 - (13) Requiring the dedication of access rights, and
 - (14) Other conditions as will make possible the development of the City in an orderly and efficient manner;
- f. The Commission shall, in addition to any other conditions, impose the following general conditions upon every conditional use permit granted:
 - (1) The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure,
 - (2) That all of the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors or assigns,
 - (3) That all conditions specifically stated under any conditional use listed in this chapter shall apply and be adhered to by the owner of the land, his successors or assigns,
 - (4) That all of the special conditions shall be consented to in writing by the applicant,
 - (5) That the resolution granting the application, together with

- all consent forms, shall be recorded by the county recorder;
- g. The Commission shall, in addition to any other conditions, impose the following conditions upon every Conditional Use Permit granted for bed and breakfast establishments:
 - (1) The bed and breakfast establishment must be operator-occupied;
 - (2) The length of guests' stays is limited to fifteen (15) days within any thirty (30) day period;
 - (3) On-site (off-street), dust-free surfaced parking is to be provided on the lot in the ratio of one (1) space per potential guest room, plus two (2) spaces for the resident operator;
 - (4) Construction and operation of a bed and breakfast establishment shall comply with all applicable City of Coolidge building, planning, fire and engineering department requirements, plus any requirements of the Pinal County Health Department and state of Arizona;
 - (5) Detached signs are limited to one (1) per parcel, and shall be a wall-mounted or a low-profile, monument-style sign, not to exceed three (3) feet in height above grade, and not to exceed six (6) square feet in area, designed and constructed to complement building's exterior.
 3. Applications for Conditional Use Permits may be approved or denied by motion of the Commission. If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval do exist. No application for a Conditional Use Permit which has been denied wholly or in part shall be resubmitted for a period of six (6) months from the date of the order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the Commission.

D. Notification of commission action

The applicant shall be notified in writing of the action taken by the Commission within seven (7) days of its action. If the application has been granted, the permit shall be issued upon the signature of the chairman of the Planning and Zoning Commission and the Zoning Administrator, and any conditions, automatic termination date, or period of review shall be stated on the permit.

E. Appeals

1. A written appeal shall be taken to the City Council by the applicant or any person, firm, corporation, group or association owning real property within one hundred fifty (150) feet of the conditional use applicant's property, aggrieved or affected by the decision of the Commission with respect to any conditional use.

2. The appeal shall be filed in duplicate with the Zoning Administrator within ten (10) days from the date of action by the Commission.
3. The appeal shall specifically state the grounds therefore and wherein the Commission failed to conform to the requirements of these regulations, appellate has otherwise been aggrieved or affected by the actions of the Commission.
4. The Zoning Administrator shall immediately transmit one (1) copy of the appeal to the Commission.
5. The Zoning Administrator shall inspect the appeal for defects, and validate the appeal within forty-eight (48) hours of receipt. If the appeal is defective in any particular for noncompliance, the Zoning Administrator shall immediately send notice to applicant of the fact and the type and nature of the defect or defects.

F. City council authority

The City Council may by resolution reverse or affirm, wholly or in part, or may modify any decision, determination or requirement of the Commission, but before doing so, the City Council must set the matter for hearing, give notice of the hearing as is provided in Section 1909.E and must make a written finding of fact setting forth wherein the Commission's findings were in error. A majority vote of the membership of the City Council shall be required to grant in whole or in part any appealed application for conditional use permit acted upon by the Commission.

G. Violation

Violations to the conditions of a Conditional Use Permit shall constitute a violation of this Code and shall be subject to the regulations of Article XX, Sections 2001 through 2006 of this Code.

H. Modifications to approved structures

Any proposed additions, enlargements or modifications of the structures approved in any conditional use permit or any proposed extension of the use into areas not approved in any such permit, shall be subject to Sections 1901.C, 1901.D and 1901.F.

Section 1903 Procedure for Operating a Home Occupation

A. Notice of intent to operate required

Any individual applying for a business license with the intent of operating the business from his/her home, shall acknowledge by signature his/her understanding of the requirements and conditions of Article XV of this Code.

B. Complaints cause for termination

As per Section 1503 of this Code, complaints by citizens or residents may be cause for termination of the home occupation. Upon receipt of a complaint, a home occupation may be ordered terminated by the Zoning Administrator upon a finding that the home occupation is incompatible or disruptive to the neighborhood in which it is located.

C. Appeals

Any person may appeal the Zoning Administrator's action to the Board of Adjustment within fifteen (15) days as per Section 1902.

Section 1904 Procedure for Temporary Use Permit

A. In general

Uses permitted subject to special temporary use permit are those temporary uses which are required for the proper function of the community or are temporarily required in the process of establishing a permitted use, or constructing a public facility. Such uses shall be so conducted that they will not be detrimental in any way to the surrounding properties or to the community. Uses permitted subject to a special temporary use permit may include:

1. Christmas tree sales;
2. Carnivals, circuses, special events of not over seventy-two (72) consecutive hours;
3. Garage sales (limited to sixty consecutive hours);
4. Parking and storage of earth moving or construction equipment;
5. Storage of materials incidental to the carrying on of a public works project, subdivision or construction project;
6. Tent revival meetings;
7. Tract home or lot sales office;
8. Construction - garage or shed for subdivision construction;
9. Such other uses as the board may, by resolution, deem to be within the intent and purpose of this section.

B. Application and filing fee

Application for a Temporary Use Permit may be made by the property owner or his authorized agent. The application shall be filed with the Zoning Administrator who shall charge and collect a filing fee for each application, as provided in Article XXI of this Code, except that the filing fee may be waived by the Zoning Administrator for charitable, religious, patriotic or philanthropic organizations. The Zoning Administrator may also require any information deemed necessary to support the approval of a special

temporary use permit including site plans as per Section 1901.C.

C. Decision

Application for Temporary Use Permit shall be reviewed by the Zoning Administrator who shall approve, conditionally approve, or disapprove such application. Approval or conditional approval shall be given only when in the judgment of the Zoning Administrator such approval is within the intent and purposes of this section. Any person aggrieved by the decision of the Zoning Administrator may file an appeal with the Board of Adjustments.

D. Approval made subject to conditions

In approving such permit, the approval shall be subject to a time limit and other conditions deemed necessary to assure that there will be no adverse effect upon adjacent properties. The conditions may include the following:

1. Regulation of hours;
2. Regulation of lights;
3. Requirement of bonds or other guarantees for cleanup or removal of structure or equipment;
4. Such other conditions deemed necessary to carry out the intent and purpose of this Code.

**Section 1905 Procedure for Planned Area Development (P.A.D.)
Approval**

A. In general

Any development proposal which meets the requirements of Article VIII shall be reviewed according to the provisions of this Code. All P.A.D. applications shall be reviewed and approved by the Planning and Zoning Commission and City Council prior to any physical development on the subject property.

B. Application requirements

1. The applicant is encouraged to meet with appropriate city staff prior to making application for P.A.D. approval to discuss the development concept, the review and approval process, and the submittal requirements.
2. The applicant shall obtain the necessary application forms from the Growth Management Director. Application forms properly completed and accompanied by the required fee shall be submitted to the Growth Management Director. Concept plan exhibits shall accompany the application. The concept plan shall be submitted at least seven (7) days prior to meeting with city staff.

C. Concept plan submittal requirements

The concept plan shall indicate proposed land uses, general circulation patterns, property boundaries, existing land uses on adjacent properties, special site conditions or problems. A computation table showing proposed land use allocations in acres and percent of total site area shall be included on the concept plan.

D. Preliminary development submittal requirements

Based upon comments received regarding the concept plan, the applicant shall prepare a preliminary development plan. A preliminary development plan shall be submitted at least six (6) to eight (8) weeks prior to the hearing by the Planning and Zoning Commission. The following information shall be submitted to the Growth Management Director:

1. Legal description of property and indication of gross area;
2. Nature of the applicant's interest in the land to be developed;
3. A generalized location map showing surrounding land use and traffic circulation patterns;
4. Site conditions - an analysis of the existing site conditions which indicates at a minimum:
 - a. Topographic contours with intervals of no more than two (2) feet, to a distance of one hundred (100) feet beyond the property boundary,
 - b. Location and extent of major vegetative cover (if any),
 - c. Location and extent of perennial or intermittent streams and water ponding areas,
 - d. Existing drainage patterns,
 - e. Other information considered relevant by the applicant or city staff;
5. Proposed allocations of land use expressed as a percentage of the total area, as well as in acres. Uses to be indicated include:
 - a. Arterial streets,
 - b. Open space (public),
 - c. Open space (private),
 - d. Residential (if appropriate),
 - e. A stratification of residential uses in terms of single-family detached units, patio homes, townhouses, garden apartments, etc.
 - f. Commercial (if appropriate),
 - g. Industrial (if appropriate);
6. A land use plan at a scale not smaller than one (1) inch equals one hundred (100) feet, indicating land uses, acres and development densities of each land use and the most nearly equivalent zoning categories; all arterial and collector street circulation elements, pedestrian and/or bicycle circulation elements, exact perimeter locations of any/all arterial streets and major collector streets; open spaces; and recreational areas;

7. Plans indicating the approximate alignment and sizing of water lines, sanitary sewers, and storm sewers (if any), as well as easements for all utilities, if necessary. Also indicated should be proposed surface drainage patterns;
8. A final plat of the proposed development;
9. Conceptual architectural renderings indicating the elevations and exterior wall finishes of proposed buildings types where feasible;
10. Conceptual landscaping plans, indicating landscaping theme character of the development;
11. A traffic analysis report, if deemed necessary by the City;
12. Phasing plan, if development is to take more than one year.

E. Planning commission review and hearing

1. Notice of Hearing. The Commission shall hold a public hearing on the preliminary development plan. A notice of the time, date, place and purpose of the hearing shall be published in a newspaper of general circulation, published or circulated within the City at least fifteen (15) days prior to the date of the hearing. A similar notice shall be mailed at least fifteen (15) days before the day of the hearing to each owner of property situated wholly or partly within three hundred (300) feet of the property to which the P.A.D. relates. The Growth Management Director shall be responsible for placing and mailing such notices. For purposes of giving mailed notice, the planning director shall require the applicant to furnish the names and addresses of all property owners within three hundred (300) feet of the property.
2. Review. In considering applications for P.A.D. approval, the Commission shall consider the following:
 - a. Interrelationship with the plan elements to conditions both on and off the property;
 - b. Conformance to the general plan guide;
 - c. The impact of the plan on the existing and anticipated traffic and parking conditions;
 - d. The adequacy of the plan with respect to land use;
 - e. Pedestrian and vehicular ingress and egress, including handicapped accessibility;
 - f. Architectural design, where feasible;
 - g. Landscaping;
 - h. Provisions for utilities;
 - i. Site drainage;
 - j. Open space and/or public land dedications;
 - k. Grading;
 - l. Other related matters.
3. The Commission shall consider oral or written statements from the applicant, the public, city staff, or its own members. It may question the applicant and approve, disapprove, or table the preliminary development

plan. The application may not be tabled for more than two (2) regular meetings of the Commission.

4. If the Commission shall determine by motion that the proposed preliminary development plan will not be detrimental to the health, safety, or welfare of the community, will not cause traffic congestion or depreciate surrounding property values and, at the same time, is in harmony with the purposes and intent of this Code, the plan for the area, and the adopted General Plan, the Commission may recommend granting preliminary development plan approval, along with necessary conditions and safeguards, including provisions, as applicable, for public land dedications.
5. The Commission shall notify the City Council, in writing, of its recommendation.

F. City council consideration and hearing—review and approval

1. **Consideration and Hearing.** The City Council, after receipt of the report and recommendation of the Planning and Zoning Commission, may consider the P.A.D. request. If requested in writing by any member of the public or the City Council, the Council shall hold a public hearing on the request. A notice of the time, date, place and purpose of the hearing shall be published in the official newspaper of the City at least fifteen (15) days prior to the date of the hearing. A preliminary development plan which has been recommended for denial by the Commission shall not be reviewed by the Council except upon written request by the applicant and shall require a public hearing.
2. **Review and Approval.** In its deliberations on the preliminary development plan, the Council shall consider oral or written statements from the applicant, city staff, the public, and its own members. The Council's review shall encompass the same spectrum of considerations as did the Commission's. The City Council may approve the preliminary development plan, deny the request, or table the request. The application may not be tabled for more than two (2) meetings in succession. Conditions may be applied to the approval and/or periodic review of the approval may be required. Approvals, if granted, shall be for a particular development, not for a particular applicant.
3. **Public Protests Against P.A.D.** If there is a written protest against the preliminary development plan signed by the owners of twenty percent (20%) or more of the property within three hundred (300) feet of the proposed P.A.D., the preliminary development plan shall not be approved except upon the affirmative vote of three-fourths (3/4) of all members of the City Council. If the above protest requirements are not met, approval may be by majority vote of the membership of the City Council.
4. **Duration of P.A.D. Zoning.** Approval of a P.A.D. rezoning request shall be conditioned upon the recording of the final subdivision plat and any related material within one (1) year of the date of approval action taken by

the City Council. If, at the expiration of this period, the final subdivision plat and any related material have not been recorded, the property shall revert to its former zoning classification without Council or Commission action.

5. The City may authorize extensions when deemed necessary.

G. Final development plan

1. Approval. Final P.A.D. development plan approval and the issuance of a development permit for any portion of a P.A.D. shall occur only when:
 - a. A reproducible copy of the approved preliminary development plan with appropriate signatures is submitted;
 - b. The design and construction specifications for all utilities, property and street improvements have been approved by the city engineer;
 - c. A site plan, subject to the requirements of Section 1901, for the specific portion of the P.A.D. in question has been submitted and has been approved by the Planning and Zoning Commission, as in conformance with the preliminary development plan. Upon approval of the site plan, a reproducible copy shall be submitted;
 - d. Architectural elevations of the buildings, with materials lists, are submitted and approved by the Planning and Zoning Commission;
 - e. A landscaping plan is submitted and approved by the Planning and Zoning Commission;
 - f. A performance bond, cash escrow agreement, or other acceptable instrument has been deposited with the City in an amount as set by the City Council based upon the city engineer's recommendation. This financial guarantee shall be used to ensure the full completion, as specified, of:
 - (1) Public and private streets and utilities,
 - (2) Landscaping, and
 - (3) Privately-owned and maintained recreational facilities;
 - g. Any land dedication agreements made as part of the preliminary development plan approval are fulfilled.
2. Platting Requirements. All applicants for a P.A.D. permit shall be required to file with Pinal County a final plat of the P.A.D. complying with all of the requirements of the Chapter 13 requirements except to the extent that the Council may give specific permission to the effect that specific portions of the Chapter 13 requirements need not be complied with. Such required plats shall contain on their face a cross-reference to the P.A.D. development plan.

H. Withdrawal of application

Any application for a P.A.D. permit may be withdrawn by the applicant at any time prior to filing the final plat upon written notification to the Growth Management Director and/or City Clerk. The P.A.D. shall be null and void upon

receipt of such notice by the City.

I. Amendments to approval

1. **Minor Changes.** Minor changes in the location and placement of buildings may be authorized by the Growth Management Director and City Engineer where unforeseen circumstances such as engineering requirements, dictate such change. When in question, the Growth Management Director and the City Engineer may determine whether the changes shall be classified as a minor or major, or may refer the question to the Planning and Zoning Commission, if they deem it necessary.
2. **Major Changes.** All changes not considered Minor Changes as defined under Section 1905.I.1, shall be considered Major Changes. All Major Changes shall be submitted to the Planning and Zoning Commission for their review and approval in accordance the procedure and requirements defined under Section 1905 of this Code, except that only Major Changes requesting a change of land use, changes to the proposed arterial or collector roadway transportation circulation system, loss of open space, increase in residential density, the addition of cluster type development, or any request pertaining to a Large Single Retail Use or Large Multiple Use Shopping Centers shall be required to be forwarded to the City Council for final approval. All other Major Changes shall be decided upon by the Planning and Zoning Commission.

J. Denial of application

If an application for a P.A.D. approval is denied at either the preliminary development plan or final development plan stage, a new application for a P.A.D. approval by the same applicant on the same site or portion of the site cannot be filed prior to ninety (90) days after the date of denial.

Section 1906 Procedure for Appeals to Board of Adjustment

A. Application for appeal

1. Any aggrieved person, property owner, or any officer or department of the City affected by a decision of an administrative officer, pertaining to this code, may appeal to the Board of Adjustment by filing an application with the Zoning Administrator. The Board of Adjustment shall serve as the City's hearing officer in appeals of required dedications and exactions. The application shall state the name and address (or city office) of the applicant and the reasons for filing the appeal. The application shall be made within thirty (30) days of the date of the decision which is being appealed. The Zoning Administrator shall then transmit to the Board the complete record of the action for which the appeal is made. Appeals to the

Board may be made only in conjunction with an action.

2. A copy of the City's policy regarding appeals of required dedications and exactions is available at the Growth Management Department. There is no filing fee for an appeal.

B. Stay of proceedings

An appeal to the Board stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the Board that by reason of facts stated in the certificate of stay, the stay would, in his or her opinion, cause imminent peril to life or property. In such cases proceedings shall not be stayed other than by a restraining order granted by the superior court on notice to the Zoning Administrator, with due cause shown.

C. Notice of hearing required

1. No appeal may be granted by the Board until a public hearing has been held on the application. A notice of time, date, place and purpose of the hearing shall be published in a newspaper of general circulation, published or circulated within the city at least fifteen (15) days prior to the date of the hearing.
2. If the appeal relates to a decision on a specific site, a similar notice shall be posted in conspicuous places close to the site affected, and shall be mailed at least fifteen (15) days prior to the hearing to each owner of the property situated within three hundred (300) feet of the property to which the appeal relates. The Growth Management Director shall be responsible for mailing the notice. For the purpose of giving mailed notice, the board may require the applicant to furnish the names and addresses of all property owners within three hundred (300) feet of the property. The failure to receive notice by individual property owners will not necessarily invalidate the proceedings.
3. Notice of the time, date, place and purpose of the hearing shall be sent to the applicant at least ten (10) days prior to the hearing date.

D. Review and decision of board

1. Within thirty (30) days of the date of application, but no sooner than fifteen (15) days from the date of public notice, the Board shall hear and decide arguments for appeal to the decision in question. The Board shall consider oral or written statements from the appellant, his/her agent or attorney, the public and city staff members. The Board shall also study the record of the action from which the appeal is taken.
2. In determining the appeal, the Administrative Officer (City) will bear the burden of proving that the dedications or exactions to be imposed on a property bear an essential nexus between the requirement and a legitimate

governmental interest, and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development proposed by the applicant.

3. The Board may, by three-fourths (3/4) vote of the members present approve or deny an appeal, or, by simple majority, table the appeal. The decision by the Board must be made within five (5) working days after the appeal is heard. If tabled, the Board shall make a decision on the appeal at its next regularly scheduled meeting. A decision shall not be tabled for more than two (2) consecutive meetings. The Board may impose such conditions and safeguards as it deems necessary to satisfactorily correct the situation in question, but it shall not attempt to infringe upon matters not specifically contained in the appeal. The requirement for the three-fourths (3/4) vote of the members present shall also pertain to variance requests outlined in Article XVII of this Code.

E. Notice of board decision

The Board shall issue a written notice of its decision to all concerned parties and to the Growth Management Director and the City Clerk, who shall notify the City Council and make official record of the decision. The notice shall state the facts of the matter as determined by the Board, the reasons for its decisions, and any conditions applied to the decision.

F. Appeal of a decision of the board of adjustment

If the applicant is dissatisfied with any decision of the Board of Adjustment, the applicant may file a complaint for a trial de novo with the Superior Court of Pinal County within thirty (30) days of the Board's decision.

Section 1907 Procedure for Issuance of Building Permits and Certificate of Occupancy

A. In general

No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure in the City, or cause the same to be done, without first obtaining a separate building permit for each building or structure from the Building Official as set forth in the Uniform Building Code of the City. Such Building Official, for the purposes of this Section alone shall be considered to be acting on behalf of, and at the direction of, the Zoning Administrator.

B. Building permit application

In order to facilitate the administration of the provisions of this Code and the Uniform Building Code of the City, each application for a building permit shall comply with the requirements as set forth in the Uniform Building Code at Section 301(b) as follows:

1. Identify and describe the work to be covered by the permit for which application is made;
2. Describe the land on which the proposed work is to be done, by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building or work;
3. Indicate the use or occupancy for which the proposed work is intended;
4. Be accompanied by plans and specifications as required in Subsection (c) of this Section;
5. State the valuation of the proposed work;
6. Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;
7. Give such other information as reasonably may be required by the Building Official;
8. In addition thereto, said application shall contain the following:
 - a. A drawing or plat, in duplicate, drawn to scale and showing the lot, the proposed buildings (to include projection) thereon, the dimensions of lot and building, and the exact location of the proposed building on the lot;
9. The present use of any existing building on the same lot;
10. Such information on front yard depths and other yard sizes on other lots, together with such other information as the Zoning Administrator shall require for the proper enforcement of this Code.

C. Certification of occupancy required prior to certain actions

1. A Certificate of Occupancy, stating that all of the provisions of this Code have been fully complied with, shall have been obtained from the Zoning Administrator before:
 - a. Any structure for which a building permit is required is used or occupied, including any conversion of any building to provide additional dwelling units;
 - b. Any use of an existing structure is changed to a use of a different classification;
 - c. Any use of a nonconforming use is changed.
2. In the case of a structure or use established, altered, enlarged, or moved after conditional approval thereof by the Planning and Zoning Commission, such certificate shall be issued only if all the conditions thereof shall have been satisfied.
3. Application for a Certificate of Occupancy shall be made and filed with the Zoning Administrator when any structure or use for which a certificate

is required is ready for use or occupancy. Within three (3) days after the filing thereof the Zoning Administrator or his designee shall inspect such structure or use, and if found to be in conformity with all provisions of this Code, shall sign and issue a Certificate of Occupancy.

4. No permit or license required by the City or other governmental agency shall be issued by any department, officials or employees of the City or such governmental agency, unless the application for such permit or license is accompanied by a Certificate of Occupancy issued by the Zoning Administrator.

Section 1908 Amendment Procedure

A. In general

In accordance with the provisions of the Arizona State Statutes, the City Council may from time to time adopt amendments to this Code. An amendment to this Code may involve changes in its text or wording, including but not limited to changes in the regulations regarding uses, setbacks, heights, lot areas, definitions, administration, and/or procedures. Code amendments do not, however, include rezoning of property. Amendments may be initiated by the City Council, the Planning and Zoning Commission, or by petition of a person whose property would be affected by the amendment.

B. Application requirements

If an individual or other party initiates a request for an amendment to this Code, the request must be made on a form provided by the Zoning Administrator. The request must state the exact section of the Code proposed for amendment, the proposed substitute wording, and the reasons for requesting the amendment. Graphic material should also be submitted if it will assist in understanding the benefits of the amendment. The submittal must be made to the Zoning Administrator and the processing fee paid at least thirty days prior to the date of public hearing by the Planning and Zoning Commission.

C. Notice of hearing

No amendment to this Code shall be adopted until public hearings have been held thereon by the Planning and Zoning Commission and the City Council. A notice of the time, date, place and purpose of the hearings shall be published at least once in a newspaper of general circulation, published or circulated within the City at least fifteen days prior to the date of the first hearing which shall be held by the Planning and Zoning Commission and at least fifteen (15) days prior to a subsequent hearing by the City Council. The hearing date shall be set for not more than six (6) weeks after the application of amendment has been received by the

Zoning Administrator and all appropriate processing fees are paid in full.

D. Hearing and recommendation by planning and zoning commission

An amendment not initiated by the Planning and Zoning Commission shall be referred to the Commission for study and public hearing. In its deliberations on the matter, the Commission shall consider oral and written statements from the petitioner, the public, city staff, and its own members. The Commission may approve, disapprove, or table an amendment application. The Commission shall notify the City Council, in writing, of its recommendation within sixty (60) days of the public hearing.

E. Hearing and decision by city council

The City Council, after receipt of the report and recommendation of the Planning and Zoning Commission, shall set a date within thirty (30) days for a public hearing on the amendment request. An amendment which has been recommended for denial by the Commission shall not be reviewed by the Council except upon the written request of the applicant. In its deliberations on the matter, the Council shall consider oral or written statements from the petitioner, the public, city staff members, and its own members. The Council may approve the request by ordinance, deny the request, or table the request.

Section 1909 Rezone Procedure

A. In general

In accordance with the provisions of the Arizona Revised Statutes, the City Council may from time to time change the zoning of parcels of and within the municipality. These changes in zoning classification are for the purpose of meeting the land use needs of the residents of the City in conformance with the City's General Plan. Rezoning may be initiated by the City Council, the Planning and Zoning Commission, the owner of the property proposed for rezoning, the lessee having a leasehold interest of not less than five (5) years exclusive of an option to renew, or the agent of any of the foregoing, duly authorized in writing, or by petition of the person whose property would be affected by the rezoning.

B. Application requirements

An application for rezoning shall be made on a form provided by the Zoning Administrator. On the application form shall be indicated the legal description of the property, the present zoning classification, and the recommended use of this property by the City's General Plan. With the application, the applicant shall submit a "one (1) inch equals one hundred (100) feet" scale diagram of the

rezoning and surrounding area. The applicant shall present evidence to the Growth Management Director of ownership or type of controlling interest in the property (e.g., option to purchase). This application shall be completed, verified by a notary public, and submitted along with the established fee to the Growth Management Director at least six (6) weeks prior to the public hearing by the Planning and Zoning Commission.

C. Notice of hearing

1. No rezoning may be adopted until a public hearing has been held on the matter by the Planning and Zoning Commission, and if required under Section 1909.E by the City Council.
2. A notice of the time, date, place, and purpose of the hearings shall be published in a newspaper of general circulation, published or circulated in the City at least fifteen (15) days prior to the date of the first hearing and at least fifteen (15) days prior to the date of any subsequent hearing.
3. A similar notice shall be made at least fifteen (15) days before the day of the first hearing to each owner of property situated wholly or partly within three hundred (300) feet of the property to which the rezoning relates. The Zoning Administrator applicant shall be responsible for placing and mailing such notices. For the purpose of giving mailed notice, the Growth Management Director shall require the applicant to furnish the names and addresses of all owners of property within three hundred (300) feet of the property to be rezoned. The Zoning Administrator shall make a copy of the notice and a list of the owners and addresses to which the notice was sent as a part of the record of proceedings. The failure to receive notice by individual property owners if notices were published and mailed fifteen (15) days prior to the hearing shall not necessarily invalidate the proceedings.
4. In proceedings involving rezoning of land which abuts other municipalities or unincorporated areas of Pinal County, or a combination thereof, copies of the notice of the public hearing shall be transmitted to the planning agency of such governmental unit abutting such land.

D. Hearing and recommendation by planning and zoning commission

A rezoning not initiated by the Planning and Zoning Commission shall be referred to the Commission for study and public hearing. In its deliberations on the matter, the Commission shall consider oral or written statements from the applicant, the public, city staff, and its own members. The Commission may recommend approval or disapproval, or it may table the rezoning application. The application may not be tabled more than two (2) meetings in succession. The Planning and Zoning Commission shall notify the City Council, in writing, of its recommendation. The recommendation shall include the reasons for the recommendation and be transmitted to the Council not more than fifteen (15) days after the public hearing in which the recommendation was made.

E. Hearing and decision by city council

1. The City Council may, after receipt of the report and recommendation of the Planning and Zoning Commission, consider the rezoning request. If requested in writing by any member of the public or of the City Council, the Council shall hold a public hearing on the request. A rezoning which has been recommended for denial by the Commission shall not be reviewed by the Council except upon written request by the applicant, and shall then require a public hearing. Such written request must be made to the Growth Management Director within forty-five (45) days of the Commission's decision. Notice of the time and place of the hearing shall be given in the time and manner provided for giving of notice of the hearing by the Commission as specified in Section 1909.C. During any public hearing on the matter, the Council shall consider verbal or written statements from the applicant, city staff, the public and its own members.
2. The Council may approve any request for rezoning by ordinance, deny the request, or table the request. The application may not be tabled more than two (2) meetings. If approved, the GIS Coordinator shall revise the official zoning map accordingly. If the application is denied there may be no reapplication for the same site for a period of ninety (90) days.

F. Conditional rezoning

1. Approval of a rezoning request shall be conditioned upon the start of construction beginning with one (1) year of the date of approval action taken by the City Council, which shall be thirty (30) days after the second reading. If, at the expiration of this period, the start of construction has not begun for the use based upon the Commission's approved site plan for which the zoning was conditionally approved, the property shall revert to its former zoning classification without Council or Commission action.
2. The City may authorize extensions when deemed necessary.

G. Public protest against amendment

1. If there is a written protest against a change in the zoning classification of a parcel of land, which is signed by the owners of twenty percent (20%) or more of the area of lots included in the proposed change of zoning, or signed by those owners of twenty percent (20%) or more of the area within a distance of one hundred fifty (150) feet of the perimeter of the change of zoning, not including street rights-of-way, the change shall not be approved except upon the affirmative vote of three-fourths (3/4) of all of the members of the City Council.

2. If any members of the governing body are unable to vote on such a question because of conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the Council, provided, that such required number of votes shall in no event be less than a majority of the full membership of the Council.

H. Right-of-way dedication as condition

The Planning and Zoning Commission may require as a condition to the change of zone, the dedication of right-of-way necessary for roadways as prescribed by the circulation plan contained in the City's General Plan. The Commission may also require dedication of land for future roadway construction that is greater than that called for in the circulation plan of the General Plan if it is deemed to be in the best interest of the City.

Article XX ENFORCEMENT

Section 2001 Use of land in violation prohibited

Section 2002 Order to correct violation

Section 2003 Right of appeal

Section 2004 Enforcement authority

Section 2005 Violation—penalty

Section 2006 City held harmless

Section 2001 Use of land in violation prohibited

No person shall locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or structure, or use any land in violation of this Code.

Section 2002 Order to correct violation

The Zoning Administrator, Building Official or designee shall order, in writing, the correction of any violation. Such order shall state the nature of the violation, the Code provision violated, and the time by which the violation must be corrected. After such order has been served, no work shall proceed on any structure or tract of land covered by such an order except to correct such violation or to comply with the order.

Section 2003 Right of appeal

Decisions of the Zoning Administrator may be appealed to the Board of Adjustment in accordance with Section 1906 of this Code.

Section 2004 Enforcement authority

In addition to or in lieu of the procedures outlined above, this Code shall be enforceable in a court of proper jurisdiction, and any or all appropriate remedies at law or in equity shall be available for the enforcement thereof.

Section 2005 Violation—Penalty

Civil Penalties. Upon a finding that a person is responsible for a civil violation of this Code, the Civil Hearing Officer shall impose a civil sanction in an amount not less than Seventy Five Dollars (\$75.00) and not to exceed Twenty Five Hundred Dollars (\$2,500.00). In determining the appropriate sanction the Civil Hearing Officer may assess against the responsible party the City's personnel, mailing, and other costs incurred in investigating and hearing the case.

Section 2006 City held harmless

This Code shall not be construed to hold the City, its Growth Management Director, Zoning Administrator, City Engineer or any other City official, responsible for any damage to persons or property by reason of any inspection or reinspection authorized herein or the failure to so inspect or reinspect or by reason of the issuance to a building permit as herein required.

Article XXI FEES

Section 2101 Purpose of fees

Section 2102 Application fees

Section 2101 Purpose of fees

It is the intent of this Code to require petitioners to pay a portion of the public services that are necessary for processing their request. While the City is not expecting one hundred percent (100%) recovery of all costs, it does feel that all required publication and mailing costs, plus a portion of administrative costs, should be borne by the petitioner.

Section 2102 Application fees

- A. Fees for matters pertinent to the administration of this Code will be set from time to time by ordinance of the City Council, including fees for:

| Application | Fee |
|---------------------------------|--|
| 1. Annexations | 545.00 |
| 2. Appeals | 325.00 |
| 3. Conditional Use Permits | 545.00 residential 1,000.00 commercial |
| 4. Home Occupation permit | 21.00 |
| 5. Housing product review | 1,000.00 (if not part of PAD application) |
| 6. Landscape Plan review | 35.00/sheet |
| 7. Major General Plan amendment | 2,500.00 |
| 8. Minor General Plan amendment | 1,250.00 |
| 9. Major PAD amendment | 820.00 + 36.00/acre |
| 10. Minor PAD amendment | 0 |
| 11. Major Site Plan review | 750.00 |

| | |
|--|--|
| | Industrial 50.00/acre over 5 acres |
| 12. Minor Site Plan review | 250.00 |
| 13. Major Site Plan amendment | 750.00 |
| | Industrial 50.00/acre over 5 acres |
| 14. Minor Site Plan amendment | 250.00 |
| 15. Non SFR Building Plan review | 110.00 |
| 16. Preliminary Plats | 750.00 (up to 15 lots) 1,500.00 + 10.00/lot (over 15 lots) |
| 17. Final Plats | 400.00 (up to 15 lots) 800.00 + 10.00/lot (over 15 lots) |
| 18. Land split | 0 |
| 19. Re-subdivision/Final plat amendment/ Re-plat | 250.00 |
| 20. Protected development right plan | 805.00 + 36.00/acre |
| 21. Research | 30.00 hour + copies |
| 22. Special Use Permit | 545.00 |
| 23. Temporary Use Permit | 110.00 |
| 24. Variance – Owner Occupied Residential | 220.00 |
| 25. Variance – all other | 545.00 |
| 26. Variance – Multi-family | 545.00 |
| 27. Rezoning – R1, R2 | 750.00 + 36.00/acre |
| 28. Rezoning – R3, R4 | 750.00 + 36.00/acre |
| 29. R5, C1, C2, C3 | 750.00 + 36.00/acre |
| 30. I1, I2, I3, MH | 750.00 + 36.99/acre |
| 31. PAD | 2,500.00 + 40.00/acre |

- B. For purposes of this Code, the first site plan filed for a site developed prior to the effective date of this Code or for a site developed prior to annexation shall be considered an amendment to a previously approved site plan.
- C. Filing fee may be waived by the City Council for any application filed by any agency or department of the City or any government organized under the laws of the state of Arizona or of the United States. The exception shall not apply to nongovernmental leases of government land.
- D. The City Council may waive fees to avoid duplication of charges or undue hardship.