

ORDINANCE NUMBER 680

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, RELATING TO TINY HOUSES.

WHEREAS, the City desires to update its Zoning Ordinance to allow the placement of Tiny Houses in certain zoning areas within the City; and

WHEREAS, The City of Cottonwood Planning and Zoning Commission has recommended that the City Council amend the Zoning Ordinance to add requirements for tiny homes; and

WHEREAS, the City Council finds that the amendment recommended by the Planning and Zoning Commission is appropriate and in the City's best interests.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

**Section 1:** Amending SECTION 201. GENERAL, of the Zoning Ordinance by deleting the definitions of BUILDING, FACTORY-BUILT; DWELLING, SINGLE-FAMILY; PARK TRAILER; RECREATIONAL VEHICLE in their entirety and adding new definitions for the same and also adding a new definition, TINY HOUSE, as follows:

**BUILDING, FACTORY-BUILT** - A residential or nonresidential building, including a dwelling unit or habitable room thereof, which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site and is built to an International Residential Code or International Building Code standard as applicable. It does not include a manufactured home, recreational vehicle, or mobile home as defined herein. A factory-built building used for residential purposes shall be considered a single-family dwelling unit.

**DWELLING, SINGLE-FAMILY** - A detached site-built or factory-built building designed exclusively for occupancy by or occupied by one family for residential purposes.

**PARK TRAILER** - (See Recreational Vehicle)

**RECREATIONAL VEHICLE** - A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use; which either has its own motive power or is mounted on or drawn by another vehicle, including the following types of

vehicles: (a) a portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping; (b) a motor home designed to provide temporary living quarters for recreational, camping or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle; (c) a park trailer or tiny house built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, except that it does not include fifth wheel trailers; (d) a travel trailer or tiny house mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle, and has a trailer area of less than three hundred twenty (320) square feet. This includes fifth wheel trailers. If a unit requires a size or weight permit, it must be manufactured to the standards for park trailers in the American National Standards Institute Code; or (e) a portable truck camper constructed to provide temporary living quarters for recreational, travel or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck. A recreational vehicle shall not be considered a dwelling or occupied as such, and is not a manufactured home.

TINY HOUSE - A building or vehicle designed for permanent or temporary residential use with a floor area no greater than 400 square feet excluding any loft area, built off-site or on-site.

**Section 2:** Amending SECTION 404. GENERAL PROVISIONS., of the Zoning Ordinance by deleting Section G. YARD, LOT, AND REQUIREMENTS, 6., d., (8) in its entirety and adding a new Section 6., d., (8) as follows:

- (8) Manufactured homes, mobile homes, travel trailers, recreational vehicles and similar structures shall be prohibited for use as guest homes in all districts, except tiny houses as permitted per Section 404.CC.

**Section 3:** Amending SECTION 404. GENERAL PROVISIONS., of the Zoning Ordinance by adding a new Section CC., as follows:

CC. TINY HOUSES.

- 1. For purposes of this Code, a tiny house built off-site and mounted on a mobile chassis is a recreational vehicle.
- 2. A tiny house built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a

permanent foundation is permitted as a dwelling unit in the R-4 and MH zones, and as a guest house in the GA, AR-70, AR-43, AR-20, R-1, and CR zones, subject to the requirements for the zone. Certification that the structure was built to current manufactured housing codes or International Residential Codes shall be provided at the time of permit application. Fire sprinklers shall be installed in accordance with adopted fire codes.

3. A tiny house that is a site-built or factory-built building permanently affixed to a permanent foundation and built to current International Residential Code standards (including special provisions for tiny houses) is permitted as a single-family dwelling in the GA, AR-70, AR-43, AR-20, R-1, R-2, R-3, R-4, and CR zones, and as a guest house in the GA, AR-70, AR-43, AR-20, R-1, and CR zones, subject to the requirements for the zone. Fire sprinklers shall be installed in accordance with adopted fire codes.

**Section 4:** Amending SECTION 410. "GA" ZONE, GENERAL AGRICULTURE., B. PERMITTED USES., of the Zoning Ordinance by deleting Section B. 2., in its entirety and adding a new Section B. 2., as follows:

**B. PERMITTED USES.**

2. One (1) guest house. Guest house may be a site-built or factory-built building, or a tiny house built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation.

**Section 5:** Amending SECTION 411. "AR-43" ZONE, AGRICULTURAL RESIDENTIAL., B. PERMITTED USES., by deleting Section B. 2., in its entirety and adding a new Section B. 2., as follows:

**B. PERMITTED USES.**

2. One (1) guest house. Guest house may be a site-built or factory-built building, or a tiny house built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation.

**Section 6:** Amending Section 412., "AR-20" ZONE, AGRICULTURAL RESIDENTIAL, C., CONDITIONAL USES., 1., by deleting Section C. 1., in its entirety and adding a new Section C. 1., as follows:

**C. CONDITIONAL USES.**

1. One (1) guest house provided the minimum lot area is one (1) acre. Guest house may be a site-built or factory-built building, or a tiny house that is built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation.

**Section 7:** Amending SECTION 413. "R-1" ZONE, SINGLE FAMILY RESIDENTIAL., C. CONDITIONAL USES., 5., by deleting Section C. 5., in its entirety and adding a new Section C. 5., as follows:

C. CONDITIONAL USES.

5. One (1) guest house provided the minimum lot area is 15,000 square feet. Guest house may be a site-built or factory-built building, or a tiny house that is built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation.

**Section 8:** Amending SECTION 416. "R-4" ZONE, SINGLE FAMILY/MULTIPLE FAMILY/MANUFACTURED HOME., B. PERMITTED USES., of the Zoning Ordinance by deleting Section B. 3., in its entirety and adding a new Section B. 3., as follows:

B. PERMITTED USES.

3. One (1) manufactured home, or one (1) tiny house that is built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation, per lot or space within a manufactured home park.

**Section 9.** Amending SECTION 417. "MH" ZONE, MANUFACTURED HOME., B. PERMITTED USES., of the Zoning Ordinance by deleting Section B. 2., and 4., in their entirety and adding a new Section B. 2., and 4., as follows:

B. PERMITTED USES.

2. One (1) manufactured home, or one (1) tiny house that is built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation, per lot in a manufactured home subdivision.
4. One (1) manufactured home, or one (1) tiny house that is built off-site on a chassis where the suspension/axle components have been removed and the

chassis is permanently attached to a permanent foundation, per space in a manufactured home park.

**Section 10.** Amending Section 420. "CR" ZONE, COMMERCIAL RESIDENTIAL DISTRICT, B. PERMITTED USES, by deleting Section B. 9., in its entirety and adding a new Section B., 9., as follows:

9. One (1) guest house, as defined in Section 201 of this ordinance, for properties with no more than one (1) existing single-family dwelling. Guest house may be a site-built or factory-built building, or a tiny house that is built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation.

**Section 11.** Amending Section 425. "AR-70 ZONE, AGRICULTURAL RESIDENTIAL., B. PERMITTED USES, of the Zoning Ordinance by deleting Section B., 2., in its entirety and adding a new Section B., 2., as follows:

**B. PERMITTED USES**

1. One (1) guest house. Guest house may be a site-built or factory-built building, or a tiny house built off-site on a chassis where the suspension/axle components have been removed and the chassis is permanently attached to a permanent foundation.

**Section 12.** That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unlawful, invalid or unenforceable by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 21ST DAY OF JULY 2020.

  
Michael Mathews, Vice Mayor

APPROVED AS TO FORM:

ATTEST:

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Steven B. Horton, Esq., City Attorney

  
Marianne Jiménez, City Clerk

