



*"Inspiring a Vibrant Community"*

## PLANNING & ZONING COMMISSION

1083 E. RIVER FRONT  
ROAD  
COTTONWOOD, AZ 86326

Monday, March 18, 2024

6:00 PM

[cottonwoodaz.gov](http://cottonwoodaz.gov)

Regular Meeting of the Planning and Zoning Commission

### I. CALL TO ORDER:

1. Roll Call
2. Approval of Minutes

### II. INFORMATIONAL REPORTS AND UPDATES:

*A brief summary of current events by Chairperson, Commission members, and/or Community Development Director. (The public body does not propose, discuss, deliberate, or take legal action on any matter brought up during this summary unless the matter is properly noticed for legal action).*

### III. CALL TO THE PUBLIC:

*This is the time for the public to comment on any matter that does not appear on the agenda. Commission members may not discuss items not identified on the agenda. Pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to criticism, or scheduling the matter for consideration at a later date. Comments are limited to three minutes for each person.*

### IV. OLD BUSINESS:

### V. NEW BUSINESS:

1. Z-24-001 - ZONE CHANGE FROM C-1 TO R-2 - Public Hearing
2. DR-23-010 - Ham Radio Tower/Public Hearing for Height Recommendation
3. DR-24-001 - Burger King Design Review
4. CUP-24-001 Burger King Drive-Through Element - Public Hearing
5. CUP-24-002 - 12-Foot Screening Wall - Public Hearing
6. Zoning Ordinance Amendment - Section 405 Signs - Public Hearing

### VI. DISCUSSION ITEMS:

### VII. ADJOURNMENT:

*Notice is hereby given that pursuant to A.R.S. subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a*

*minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. have been waived.*

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Information on the above agenda items may be obtained in person from the Community Development Department, 111 N. Main Street in Cottonwood, or by calling (928) 634-5505.

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A verbal comment period will be provided during each hearing item. The Chair may impose a time limit on each speaker. The Commission will not consider written materials submitted less than three working days before the meeting.

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Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

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The Riverfront Council Chambers are accessible to the handicapped in accordance with Federal “504” and “ADA” laws. Those with needs for special typeface print or hearing devices may request these from the Community Development Admin at 634-5505 (TDD 634-5526). All requests must be made at least 24 hours before the meeting.

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Members of the Planning Commission will attend either in person or remotely.

City of Cottonwood, Arizona  
Agenda Communication



Meeting Date: March 18, 2024  
Subject: Approval of minutes.  
Department:  
From: Kristina Hayden

REQUESTED ACTION

Consideration of the February 26, 2024 Planning and Zoning Commission regular meeting minutes.

SUGGESTED MOTION

If the Commission desires to approve the minutes, then the suggested motion is as follows:

"I move to approve the February 26, 2024 Planning and Zoning Commission regular meeting minutes."

ATTACHMENTS

[2024-02-26\\_DRAFT Regular MIN PZ.pdf](#)



First Page DRAFT

**CITY OF COTTONWOOD  
PLANNING & ZONING COMMISSION  
CITY COUNCIL CHAMBERS -- RIVERFRONT**  
1086 Riverfront Dr.  
Cottonwood, Arizona 86326

**MINUTES REGULAR MEETING**

Monday, February 26, 2024  
6:00 p.m.

**I. CALL TO ORDER**

Chairwoman Masten called the meeting to order 6:00 p.m.

**A. Roll Call**

**Commission Members Present**

Commissioner DuVernay  
Commissioner Glascott, telephonic  
Commissioner Gehlert  
Chairwoman Masten

**Commission Members Absent**

Vice Chair Garrison

**Staff Members Present**

Scott Ellis, Community Development Director  
Gary Davis, Community Development, Senior Planner  
Clover Pinion, Community Development, Assistant Planner  
Charlotte Page, Recorder  
Michael Goodman, Legal Counsel  
Tricia Lewis, Tourism and Economic Development Director  
Ryan Bigelow, Interim Director of Strategic Initiatives

**B. Approval of Minutes:** January 22, 2024 Regular Meeting.

*Motion: I make a motion to approve the minutes.*

*Made by: Chairwoman Masten*

*Second: Commissioner DuVernay*

*Unanimously carried.*

## **II. INFORMATIONAL REPORTS AND UPDATES:**

Director Ellis said Tom Whitmer is the new Acting City Manager, and that Michael Goodman, Gust Rosenfeld PLC, is attending the meeting as legal counsel for the City. In the past month, two final plats have been submitted and approved by Council, and a new trail has been developed in the Mesquite Hills Subdivision area.

## **III. OLD BUSINESS: NONE**

## **IV. NEW BUSINESS:**

### **1. General Plan Annual Report**

Senior Planner Davis gave a presentation on the requirement to provide an annual report on the existing General Plan and the updates that are proposed for the annual report. Commissioners had no comments or questions on the report.

*Motion: I move to recommend the proposed updates for the annual report on General Plan 2025 be forwarded to the City Council.*

*Made by: Chairwoman Masten  
Second: Commissioner Gehlert*

*Roll Call Vote:*

*Commissioner DuVernay – Aye  
Commissioner Glascott – Aye  
Commissioner Gehlert - Aye  
Chairwoman Masten – Aye*

*Unanimously carried.*

## **V. DISCUSSION ITEMS:**

### **1. Housing Policy**

Senior Planner Davis gave a presentation of objectives and staff ideas to forward the goals of the Housing Element in the proposed General Plan. Potential measures to increase availability and improve affordability were listed and discussed.

Changes in the Zoning Ordinance or incentives for development were identified as ways to help improve the availability and affordability of future housing.

Commissioners were generally supportive, and specifics about financial incentives and amendments to the Zoning Ordinance that may drive more affordable development were discussed.

Commissioner Gehlert asked if this is a staff initiative and if staff is looking for a ‘go ahead’ to advance specifics to Council.

Senior Planner Davis said that there are various areas where changes in the current regulations may impact additional affordable housing; examples given were possibly allowing more lot coverage or loosening up requirements for guest houses to be developed to supplement existing housing.

Commissioner Gehlert said the housing issue is real and suggested a housing study to qualify the needs for future development. Commissioner Glascock commented on how affordability is standardized and how retired residents’ income may not keep up with future increases of the median income definitions.

Commissioner DuVernay said he supported this idea and sees the project as an opportunity to incentivize development.

Director Ellis said the department is going to be reviewing what other communities are currently doing and what results have been realized with specific efforts in other communities.

Senior Planner Davis said some communities offer incentives that help with obtaining property or funding for development. He is exploring if changes in the Zoning Ordinance such as changing requirements for open space, parking, lot coverage, or possibly allowing more areas to explore options for guest house development in the future could result in positive impacts on future housing affordability and availability.

Chairwoman Masten said she agrees with the intent of considering any options that may be supported by staff, the community, and the Commission. She said she would like to see any proposed incentives for infill development be complementary to the City goals of maintaining a vibrant Old Town. She suggested that concessions or changes for development requirements be evaluated by the highest level of impact on the outcome; for example, consider reducing parking requirements before changing open space requirements, and consider accessory dwelling development but also support long term rentals as a priority for new developments in the future.

The Commission was supportive of loosening up regulations and making changes in the Zoning Ordinance in the future that may have significant impact without the City investing funds directly, while also exploring options to incentivize development in the future.

## VI. CALL TO THE PUBLIC: NONE

## VII. ADJOURNMENT: 6:40 p.m.

*Notice is hereby given that pursuant to A.R.S. subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the Planning and Zoning Commission are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. have been waived.*

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*Pursuant to A.R.S. § 38-431.02(B) the Commission may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.*

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*Members of the Historic Preservation Commission will attend either in person or by telephone conference call.*



Meeting Date: March 18, 2024  
Subject: Z-24-001 - ZONE CHANGE FROM C-1 TO R-2 - Consideration of an application for zone change from C-1 (Light Commercial) zone to R-2 (Single Family/Multifamily Residential) zone for a 0.04-acre portion of a parcel approximately 0.08 acres in size, located on the west side of N. 2nd Street, at 906 N. 2nd Street. APN:406-34-060. Applicant: Doug Bartosh.  
Department: Community Development  
From: Kristina Hayden

#### REQUESTED ACTION

Consider the request for zone change of a portion of a parcel from C-1 (Light Commercial) to R-2 (Single Family/ Multifamily Residential) and provide a recommendation to Council.

#### SUGGESTED MOTION

If the Commission desires to recommend approval to the City Council for Z-24-001, the suggested motion is as follows:

"I move to recommend approval to the City Council for Z-24-001 to change the zoning from C-1 (Light Commercial) to R-2 (Single Family/Multiple Family Residential) for an approximately 0.04-acre portion of parcel 406-34-060, subject to the stipulations that staff has read into the record."

#### BACKGROUND

##### **Zone Change:**

The applicant requests a zone change of the northern 0.04-acres (1,742 sq. ft.) of an undeveloped 0.08-acre parcel (3,485 sq. ft.) from the C-1 (Light Commercial) zone to the R-2 (Single Family/Multiple Family Residential) zone.

On April 2, 2023, the City Council authorized the sale of the parcel to co-bidders Douglas L. Bartosh (applicant) and Lisa A. Quam, who own the adjacent developed parcels to the south and north, respectively. In their bid, Mr. Bartosh and Ms. Quam stated their desire to keep the property as undeveloped and to be divided equally between their adjacent properties. On May 2, 2023, the City Council approved Resolution Number 3175 authorizing the sale of the parcel.

Staff received an application for Minor Land Division to split this parcel in two and was informed of the intent to combine the splits with the two adjacent lots. There are some unique

constraints regarding the zone change for the northern portion of the parcel from C-1 to R-2, as follows:

- The zone change for a portion of the parcel would create a dual-zoned parcel until the Minor Land Division is approved.
- The Minor Land Division would create two undersized parcels until the splits are combined with the adjacent lots.
- The current land use designation is GC (General Commercial).

Recognizing the unique constraints, staff proposes a process that would allow for the parcel to be divided and combined as proposed to Council last April. The process involves the following steps:

- Zone change for the northern half of the parcel from C-1 to R-2. Staff recommends a stipulation that would require the Minor Land Division to take place within 90 days, and the zoning could be reverted back, upon Council determination, if proof of the recordation of the Minor Land Division and Lot Combination weren't provided to staff within the timeframe.
- Minor Land Division of the parcel. This process could not be approved until the zone change ordinance takes effect, which would be 30 days after Council approval. The applicant would then have 60 days to provide proof of recordation of the Minor Land Division.
- Lot Combination of the parcel halves into the two adjacent parcels. This would be required to happen concurrently with the Minor Land Division recordation to avoid creating two undersized parcels. The Community Development Director will administratively authorize the land use designation change from GC to MR per Chapter 13 of the Cottonwood General Plan 2025.
- If the applicant does not follow the process, or the stipulations are not met, then staff would initiate procedures pursuant to A.R.S § 9-462.01.E. to have the Council extend, remove, or determine compliance regarding the zone change ordinance.

On February 17, 2024, the applicant held the required neighborhood meeting to which all owners of property within 300 feet of the site were invited. Only one property owner was in attendance and the applicant states that there was no objection to the zone change. Prior to the meeting, the applicant was contacted via email by another property owner who stated their support for the zone change. The applicant further stated that most of the neighbors were previously contacted about the proposed use during the bidding process, and that some of these neighbors had provided letters of support to Council (see attached Meeting Summary Letter).

The applicant has posted the required notice of hearing sign on the parcel, and staff has mailed out notifications to owners of property within 300 feet of the site. A legal ad was posted in the Verde Independent at least 15 days prior to this hearing.

#### **General Plan:**

As per Arizona Revised Statutes (ARS), a change of zoning must conform to the adopted General Plan of the municipality as relates to the range of uses, densities and intensities indicated in the land use element. Such conditions are specifically described through the Land Use Map. The applicable section of ARS Title 9 (Cities) is as follows:

ARS 9-462.01. Zoning regulations; public hearing; definitions

F. All zoning and rezoning ordinances or regulations adopted under this article shall be consistent with and conform to the adopted general plan of the municipality, if any, as adopted under article 6 of this chapter. In the case of uncertainty in construing or applying the conformity of any part of a proposed rezoning ordinance to the adopted general plan of the municipality, the ordinance shall be construed in a manner that will further the implementation of, and not be contrary to, the goals, policies and applicable elements of the general plan. A rezoning ordinance conforms to the land use element of the general plan if it proposes land uses, densities or intensities within the range of identified uses, densities and intensities of the land use element of the general plan.

The land use designation for this parcel is GC (General Commercial), and the land use designation necessary for the C-1 to R-2 Zone Change of the north half of the parcel is MR (Medium Density Residential). Chapter 13-B.1 of the General Plan gives the Community Development Director authority to review and determine if a proposal is exempt from the plan amendment process. In this case, the Director has determined that this proposal is exempt from the plan amendment process based on the following:

- At the time the lot combination takes place, the new Quam parcel would include both GC and MR land use designations, with the predominant designation of MR enabling the General Plan to designate the land use as solely MR.

Staff has reviewed this proposal and finds that the request for Zone Change is subject to review by the Planning and Zoning Commission; and review and approval by the City Council. If the Commission desires to recommend approval to the City Council, staff recommends the following stipulations:

1. The project shall conform to the Code Review Board comment letter dated November 2, 2023.
2. The project shall comply with all applicable sections of the Zoning Ordinance, including, but not limited to, General Provisions, R-2 Property Development Standards, and Outdoor Lighting Code.
3. The applicant shall have 90 days, from Council Approval of the Ordinance for zone change, to provide proof of recordation to staff for the proposed Minor Land Division and Lot Combination.

#### ATTACHMENTS

[Locator Map Bartosh 2nd St Color.pdf](#)

[Letter of Intent.pdf](#)

[Public Mtg Summary.pdf](#)

[Minor Land Division and Lot Combination.pdf](#)

[Conceptual Landscape Design for 906 2nd St.pdf](#)

[CRB-23-055 CRB Comment Letter\\_Zone Change for MLD\\_906 N 2nd.pdf](#)

**Z-24-001**  
**REZONE 906 N. 2ND ST**



- Zoning Boundary
- Proposed Rezone C-1 to R-2

## **Letter of Intent**

The intent of this project is to split parcel # 406-34-060 in half with the south half being combined into parcel # 406-34-059 and the north half being combined with parcel# 406-34-061. Parcel# 406-34-060 is zoned C-1 as is parcel# 406-34-059. Parcel# 406-34-061 is zoned R-2 so the north half of parcel# 506-34-060 will need to be rezoned to R-2.

Douglas Bartosh and Lisa Quam purchased the parcel# 406-34-060 from the City of Cottonwood recently and that purchase has been recorded by the county.

The parcel to be divided is approximately.08 acres located in a residential area. There are no structures on the parcel other than fencing. Landscaping is minimal.

Again, the request involves dividing parcel# 406-34-060 into two equal halves and connecting each half to the parcels north and south of the parcel. It is requested that the north half of the property be rezoned to R-2.

Upon division of the property, the only structural additions will be to add a fence in the middle of the divided property. There are no topographic, historic, code, or easement issues that have been identified.

Once approved by the city, we hope to have the fence installed and landscaping provided within a year. No other improvements are planned at this time.

Submitted by:

Doug Bartosh

**February 18, 2024**

**Tina Hayden  
Community Development Planner  
City of Cottonwood  
111 N. Main Street  
Cottonwood, AZ 86326**

**RE: Summary of Public Meeting for 902 N. 2<sup>nd</sup> Street**

**Dear Tina:**

**As advertised, I conducted a public meeting on February 17, from 2 pm until 4 pm to provide the public with the opportunity to seek information about the planned rezoning of the above referenced property. There was one member of the public who showed up who owns two short term rentals north of the property and who also was a bidder on the subject parcel. The discussion was more about general issues than about the rezoning, but Mr. Slay and his wife said they were glad they were not successful in acquiring the property as they did not really want another project at this point in their life. They had no objections to the rezoning. No one else attended the public meeting.**

**I also received one email inquiry from a “Jared” who thought the subject parcel was next to his property at 901/905 2<sup>nd</sup> Street. Once he saw that it was not near his property, he wrote that he supported the rezoning. His email and my response to him are attached.**

**It should be noted that most neighbors had been contacted by us prior to the purchase of the property and advised as to our planned use of the property. All of those who were contacted were supportive and, in fact, some wrote letters to the City Council supporting our acquisition of the property.**

**Thank you for your assistance with this process.**

**Sincerely,**

**Doug Bartosh**

Re: 906 N. 2nd Street

dlbartosh@gmail.com <dlbartosh@gmail.com>

Sun 2/4/2024 12:37 PM

To:Luposian <luposian@cox.net>

The property was formally part of the church that is currently Three Kings. All of the property, the church, the vacant lot, and the property I own south of the vacant parcel, was all zoned commercial. Lisa Quam, the home owner north of the vacant parcel, and I jointly bought the property to increase the size of our lots and to prevent another short term rental from being constructed. My property to the south has zero set backs which were not required when it was built in 1929. I need more space. Lisa and I are splitting the property in half, but she has to rezone her half to R-2 from C-1 so that her new parcel complies with zoning requirements. My plan is simply to landscape my half for grandkids who live in the house with my son.

Thanks for your support!

*Doug Bartosh*

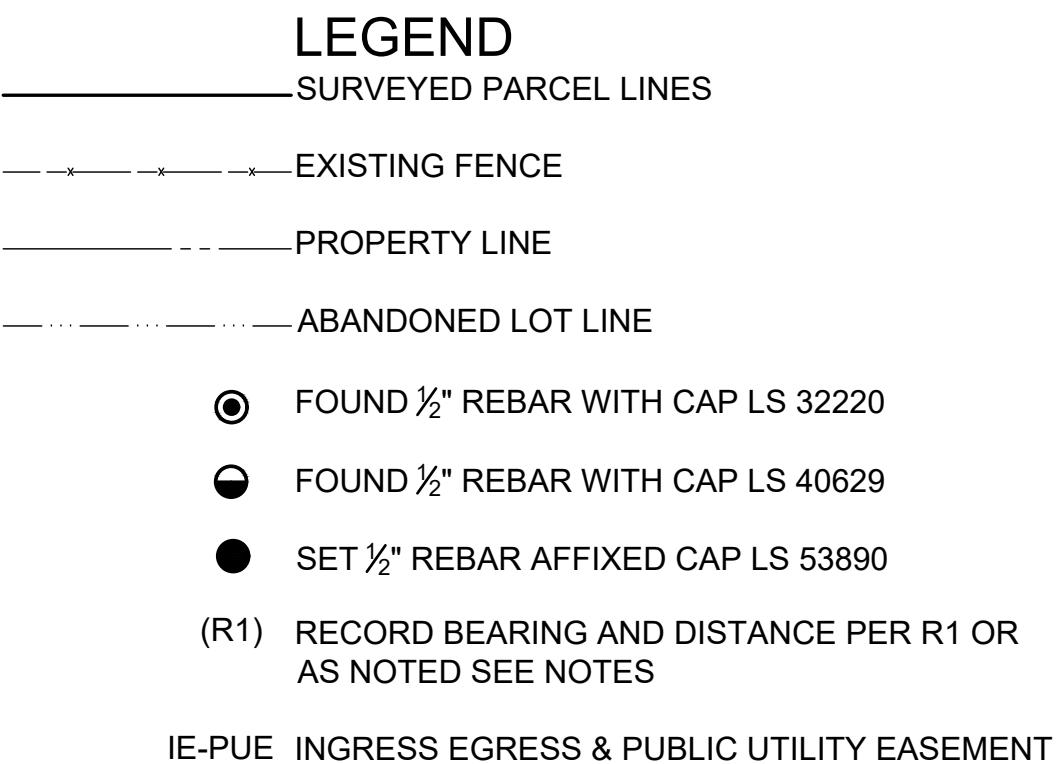
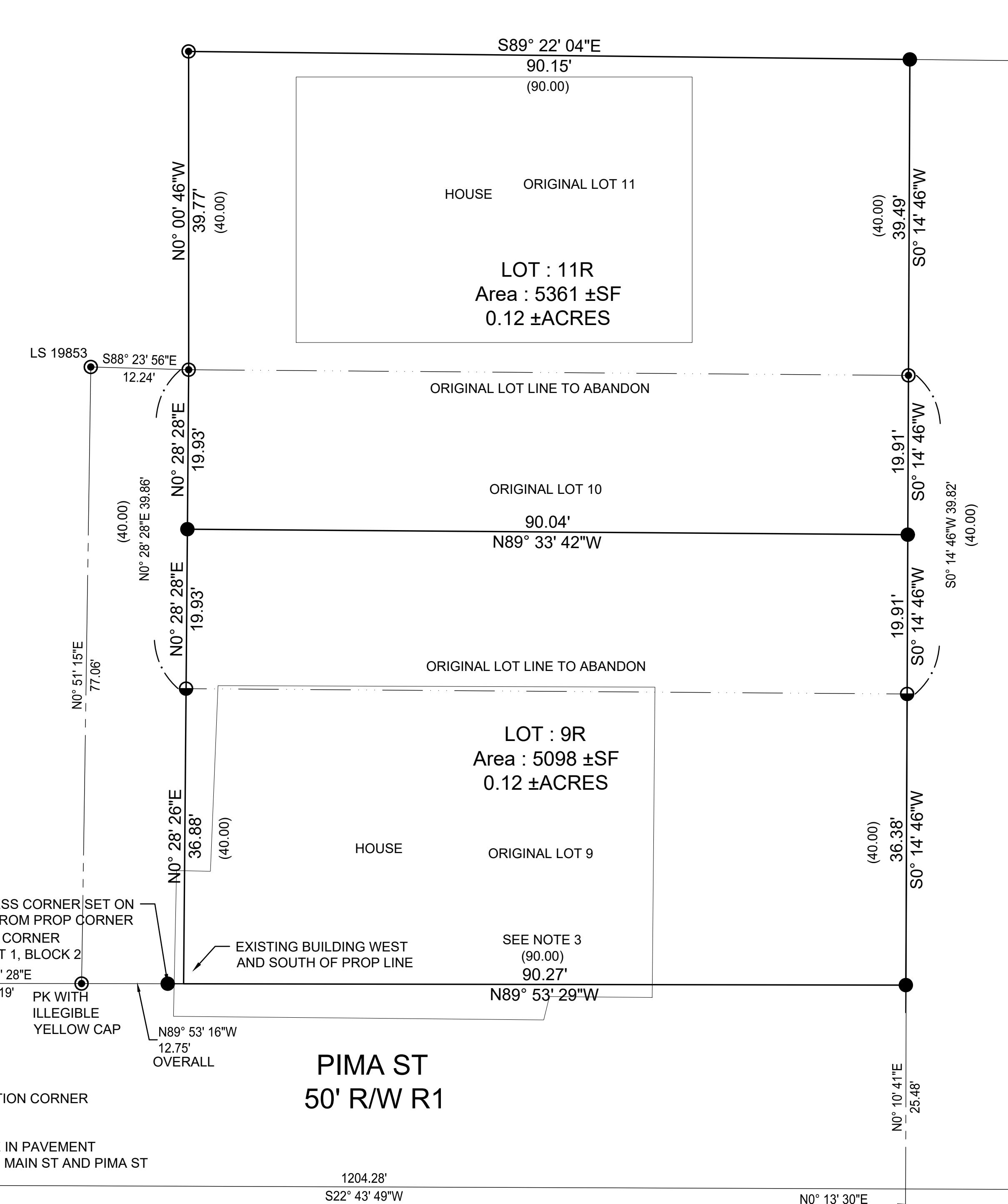
On Feb 3, 2024, at 5:03 PM, Luposian <luposian@cox.net> wrote:

At first, I thought it was next door to my houses (905/901), but (from Google Maps Street View) it looks like it's an empty lot across the street from my houses. I wonder how/why it was originally designated as "Light Commerical", when it's in a housing neighborhood? Well, I've got no problem with rezoning it as Residential, as long as it improves the value/look of the neighborhood! You have my vote for it!

Jared

# MINOR LAND DIVISION

OF PARCELS 9, 10, & 11, BLOCK 2, OF "COTTONWOOD ADDITION" 2/37 MAPS  
 SECTION 27, TOWNSHIP 16 NORTH, RANGE 3 EAST  
 GILA & SALT RIVER BASE & MERIDIAN  
 CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA



**NOTES**

- EXISTING BUILDINGS WERE PRESENT AT TIME OF SURVEY AS SHOWN
- A TITLE REPORT WAS NOT PROVIDED NOT ALL EASEMENTS OF RECORD MAY BE SHOWN HEREON
- SOUTHERN LINE OF LOT 9, BLOCK 2, DETERMINED BY HOLDING FOUND MONUMENTS ALONG THE NORTHERN RIGHT OF WAY OF PIMA STREET
- THE PURPOSE OF THIS PLAT IS TO SPLIT THE ORIGINAL LOT 10, BLOCK 2, COTTONWOOD ADDITION INTO A NORTH AND SOUTH HALF AND COMBINE THE NORTH HALF WITH LOT 11, BLOCK 2 AND THE SOUTH HALF WILL BE COMBINED WITH LOT 9.
- DOCUMENTS OF RECORD REFERENCE FOR SURVEY YCRO  
 R1: COTTONWOOD ADDITION" 2/37 MAPS  
 R2: ROS 2022-0058316

SITE INFORMATION		
LOT : 9	OWNER: DOUGLAS L & DIANA H BARTOSH	APN: 406-34-059
		ADD: 112 E PIMA ST
LOT : 10	OWNER: DOUGLAS L BARTOSH & LISA QUAM	APN: 406-34-060
		ADD: 906 N 2ND ST
LOT : 11	OWNER: LISA QUAM	APN: 406-34-061
		ADD: 908 N 2ND ST

SURVEY PREPARED FOR: DOUGLAS L BARTOSH & LISA QUAM	
<b>VH LAND SURVEY</b> 7585 E PHARLAP LANE PRESCOTT VALLEY, AZ 86315 928-710-9700 VHLANDSURVEY@GMAIL.COM WWW.VHLANDSURVEY.COM	
SURVEYED BY: Brandon Van Horn	
HOR SCALE: 1" = 10'	SHET NO. 1
PROJECT NO.: 2323	OF 1 SHEETS
DATE: 9/4/2023	

Proposed Property  
DIVISION for lot No 2nd St.  
Gate

— Alley —  
Proposed Fence

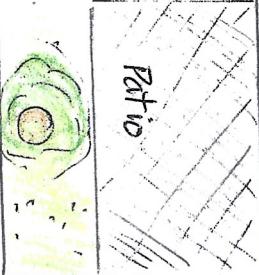
Cement  
Pad

Back yard

rima St.

2nd St.

112 E. Pima



Patio

Existing Property lines

windows

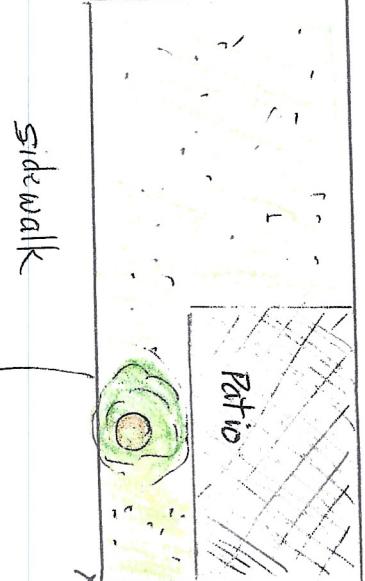
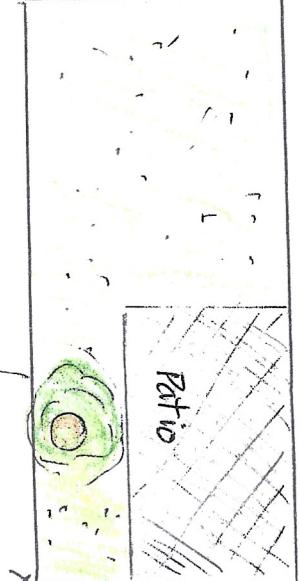


Garden

908 N. 2nd St.

Gate

windows





## VIA APPLICATION PORTAL

November 2, 2023

Douglas Bartosh  
1010 N. Cactus Street  
Cottonwood, AZ 86326  
[dlbartosh@gmail.com](mailto:dlbartosh@gmail.com)

**Re: CRB-23-055 Rezone/Minor Land Division: 906 N. 2<sup>nd</sup> Street  
APN 406-34-060**

Dear Mr. Bartosh:

Thank you for meeting with the Code Review Board on October 3, 2023 regarding the above referenced project. The project as presented is for Zone Change and Minor Land Division of a parcel. As mentioned, this project would require Zone Change review by the Planning and Zoning Commission and City Council approval. Please review the Cottonwood Zoning Ordinance procedural codes for Zone Changes ([Section 301](#)). The following is a process summary:

- 1. Neighborhood Meeting:** A neighborhood meeting to discuss the Zone Change is required. The meeting must be held at least 30 days prior to the scheduled hearing date for Planning and Zoning Commission review. Notices must be mailed to owners of all property within 300 feet of the site at least 15 days prior to the neighborhood meeting. Provide meeting information to staff at least 20 days prior to the neighborhood meeting so staff has adequate time to mail out notices.
- 2. Zone Change Submittal:** A Zone Change application submittal is required, and the application fee is \$1,700. The application and fees should be submitted five to six weeks prior to a Planning and Zoning hearing. The Planning and Zoning Commission meets at 6 PM on the third Monday of each month. After Commission recommendation is granted, staff will schedule two City Council hearings for review of the Zone Change Ordinance. The City Council meets at 6 PM on the first and third Tuesday of each month. The Zone Change Ordinance will take effect 30 days after Council approval (if granted).
- 3. Minor Land Division:** The Minor Land Division (MLD) may not be processed until the Zone Change Ordinance becomes effective. Community Development staff will recommend a stipulation on the Zone Change requiring recordation of the MLD within 90 days after the effective date of the Zone Change Ordinance.

**DEPARTMENT COMMENTS REGARDING SUBMITTAL**

**These comments are only for the project as presented at Code Review. Any additional work may require additional reviews and approvals. Contact staff before starting any work that was not part of this review.**

**Community Development/Planning** – Tina Hayden, [khayden@cottonwoodaz.gov](mailto:khayden@cottonwoodaz.gov)  
(928) 634-5505 x3320

1. There are approximately 50 properties within 300 feet of the parcel that staff will mail neighborhood meeting notices to. Provide information on meeting date, time, and location to staff at least 20 days prior to the scheduled neighborhood meeting.

A written summary of the neighborhood meeting, including a list of attendees and the issues and concerns discussed, must be prepared by the applicant and a copy submitted to the Planning Department within 15 days after the neighborhood meeting.

2. A Hearing Notice sign must be posted along the street frontage at least 15 days prior to the scheduled Planning and Zoning Commission meeting, and an affidavit of sign posting must be provided to staff at the time of posting. The sign must be four feet by four feet, with a white background and black lettering, see Attachment D for an example Hearing Notice sign. Please submit a draft of the sign to staff for review and approval; ensure adequate time for review and printing of the sign.

**Fire Department** Rick Contreras, [rcontreras@cottonwoodaz.gov](mailto:rcontreras@cottonwoodaz.gov) (928) 634-2741 x2145

1. No comments.

**Public Works/Engineering** – James Bramble, [jbramble@cottonwoodaz.gov](mailto:jbramble@cottonwoodaz.gov) (928) 340-2770

1. No comments.

**Risk Management** – Amanda Wilber, [awilber@cottonwoodaz.gov](mailto:awilber@cottonwoodaz.gov) (928) 340-2713

1. No comments.

**Cottonwood Municipal Airport** – Jeffrey S. Tripp, A.A.E. [jtripp@cottonwoodaz.gov](mailto:jtripp@cottonwoodaz.gov)  
928-340-2722

1. The Airport requests all purchasers or renters be provided with a copy of the Cottonwood Airport Traffic Area disclosure notice (reasonable similar to **Attachment A**) in all fair

disclosure documents and CC&Rs. The Airport supports no-cost, reasonable access to airport/aviation-related disclosures and easement information to prospective residents and to the public.

2. Per **A.R.S. § 28-8486 Territory in the Vicinity of a Public Airport**, the Public Airport Disclosure Map (**Attachment B**) notifies owners and potential purchasers of property that is located in the vicinity of a public airport and hospital heliport. The proposed development is located near the flight patterns for the runway and the Verde Valley Regional Medical Center heliport. Residents/occupants will experience aircraft and helicopter overflight noise.
3. A Surface and Overhead Aviation Easement (**Attachment C**) is required and must be recorded by the Yavapai County Recorder's Office before the building permit is issued by the City. Any future owners shall be provided a copy of the recorded "Surface and Overhead Aviation Easement".
4. Airport staff reserves the right to append CRB comments or provide more specific information about requirements, conditions, applicable regulatory/safety processes, etc., as the project evolves.

**Utilities** – Russell Freye, P.E. [rfreye@cottonwoodaz.gov](mailto:rfreye@cottonwoodaz.gov) (928) 634-0186

1. No comments.

**Police Department** – Gareth Braxton-Johnson, [gjohnson@cottonwoodaz.gov](mailto:gjohnson@cottonwoodaz.gov) (928) 634-4246 x 2255

1. No comments.

**Building Department** – Cody Blazer, [cblazer@cottonwoodaz.gov](mailto:cblazer@cottonwoodaz.gov) (928) 634-5505 x3368

1. No comments.

**Yavapai County Community Health Services** – Robert Mumper, [robert.mumper@yavapaiaz.us](mailto:robert.mumper@yavapaiaz.us) (928) 634-6891

1. No comments.

**Housing Manager** – Shannon Boone, [sboone@cottonwoodaz.gov](mailto:sboone@cottonwoodaz.gov) (928) 203-5126

1. No comments.

**NOTE:** Changes to project proposals following approval which have been incorporated into permit submittal must be highlighted in writing and attached to the building permit, or they will not be considered approved.

Please call if you have any questions.

Sincerely,



Tina Hayden  
Community Development Planner

## Attachment A

### **DISCLOSURE OF THE COTTONWOOD AIRPORT TRAFFIC AREA**

The City of Cottonwood (“City”) seeks to provide prospective buyers or renters of property near the Cottonwood Municipal Airport (“Airport”) with notice and information regarding the potential to experience airport noise within the Cottonwood Municipal Airport Traffic Area (“ATA”). In addition, the Airport currently provides recommended noise abatement procedures to all pilots. These procedures are posted at the airport; in various FAA and other aviation-related publications; and are broadcast on the Airport’s Automated Weather Observation System in an attempt to decrease the amount and impact of airport noise on surrounding residential areas whenever possible. The City is sensitive to aeronautical noise over residential areas; however, noise is an inevitable effect of operating a public airport, and cannot be fully eliminated.

In accordance with Arizona Revised Statutes Sections 28-8485 and 28-8486, the City is recording this Notice and the attached Municipal Airport Traffic Area and Noise Contour Maps in the Official Records of Yavapai County, and has also submitted them to the AZ Department of Real Estate for posting on its website.

Prospective buyers and/or renters of property within the Cottonwood Municipal Airport Traffic Area are hereby advised that:

- (a) Cottonwood Municipal Airport is located approximately 1.3 miles southwest of the center of the City of Cottonwood. The Airport is generally located between Route 89A to the north, Mesquite Drive to the south, Willard Street to the east, and Mingus Avenue to the west. The Cottonwood Municipal Airport Traffic Area map indicates the estimated current noise levels, in decibels, of certain areas of the Traffic Area.
- (b) The Airport is operated as a general aviation airport for City of Cottonwood and is used mostly for single engine and twin-engine airplanes, corporate jets, helicopters, unscheduled service of turboprop and jet aircraft, helicopter medical evacuation, and charter services that use both helicopters and fixed wing aircraft of various sizes.
- (c) Aircraft leaving or approaching the Airport may fly over nearby residential areas at varying altitudes depending on meteorological conditions, aircraft type, aircraft performance, and pilot proficiency.
- (d) The Airport encourages aviators to follow the published noise abatement procedures, which may change from time to time. However, the Airport is open 24 hours / 7 days per week per Federal Aviation Administration requirements which means takeoffs and landings may occur at any hour.
- (e) The average number of takeoffs and landings at the Airport in calendar year 2021 was approximately 37,000 per year. However, that number varies, and has steadily increased in correlation with the population growth of the City of Cottonwood and surrounding Verde Valley and flight training activity.

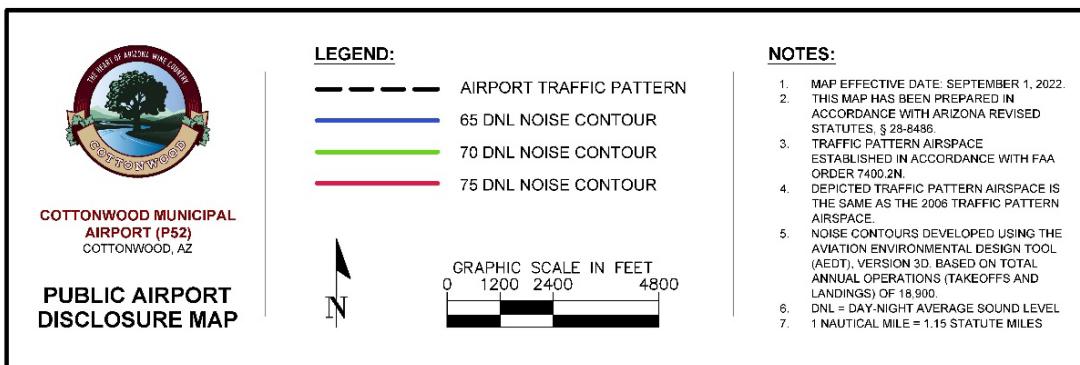
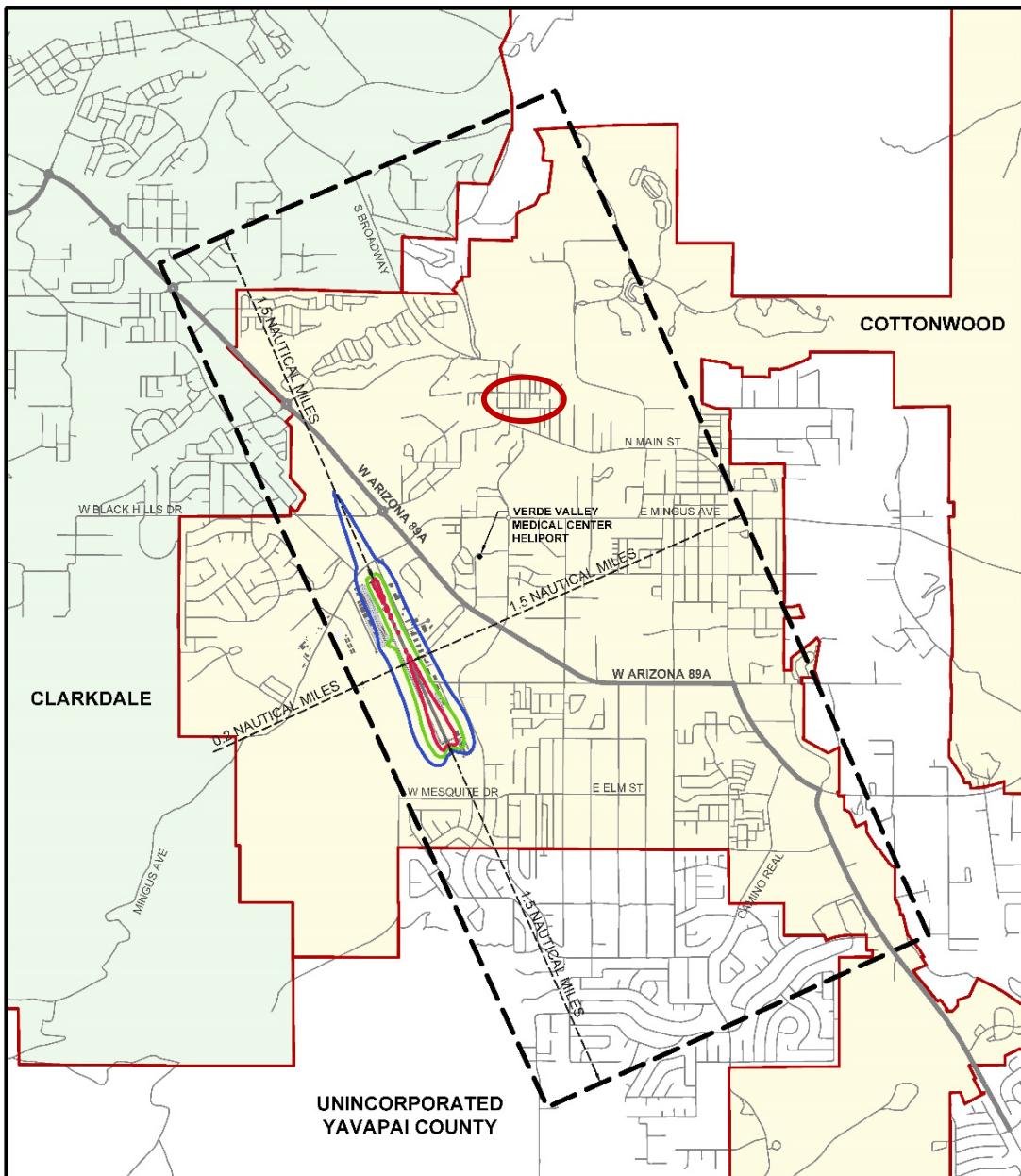
(f) Flights over properties within the ATA may generate noise. The volume, pitch, amount, and frequency of such noise varies depending the altitudes at which the aircraft fly, wind direction and other meteorological conditions, and the number or type of aircraft.

(g) The Airport has, and will continue to implement noise abatement procedures. These procedures include informing aviators of the procedures that may help reduce or minimize aircraft noise within the ATA. These noise abatement procedures are published in various FAA and other aviation publications, and they are also on the Airport's website.

The Arizona Department of Real Estate – <https://azre.gov/public-airports>

## Attachment B

### PUBLIC AIRPORT DISCLOSURE MAP



## Attachment C

### **SURFACE AND OVERHEAD AVIGATION EASEMENT**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, ("Grantor"), and the CITY OF COTTONWOOD, a municipal corporation of the State of Arizona. ("Grantee").

WHEREAS, Grantor is the owner of certain real property in Yavapai County, Arizona, more particularly described as parcel(s) \_\_\_\_\_ on Exhibit A, attached hereto and by this reference incorporated herein ("the Property").

**NOW, THEREFORE**, the Grantor, for themselves, their heirs, administrators, executors, successors and assigns do hereby grant the following appurtenant rights and benefits to the (Cottonwood Municipal Airport) hereinafter called the "Grantee" for the use and benefit of the public.

The appurtenant rights and benefits include the uses, rights and restrictions described as follows:

The unobstructed use and passage of all types of aircraft in and through the airspace at any height or altitude above the surface of the land.

The right of said aircraft to cause noise, vibrations, fumes, deposits of dust, fuel particles (incidental to the normal operation of aircraft); fear, interference with sleep or communication, and any other effects associated with the normal operation of aircraft taking off, landing or operating in the vicinity of Cottonwood Municipal Airport.

As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include jet, propeller-driven, civil, military or commercial aircraft; helicopters, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air, by whoever owned or operated.

In granting this easement, the Grantor agree to construct no buildings taller than one hundred feet (100') in height from the surface of the above listed property.

The Grantor agrees that during the life of this easement, they will not construct, erect, suffer to permit or allow any structure or trees on the surface of the burdened property taller than the height listed above.

The Grantor agrees to keep the easement area free of the following: structures (permanent or temporary) that might create glare or contain misleading lights; fuel handling and storage facilities and smoke generating activities and creation of any means of electrical interference that could affect the movement of aircraft over the easement area.

Grantor agrees to waive all damages and claims for damages caused or alleged to be caused by the Grantors violation of any aspect of this easement document. The (Cottonwood Municipal Airport) has a perpetual right of ingress/egress in the easement area and the right to remove any new

structure or vegetation that is taller than the height listed above.

TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto the Grantee, its successors, and assigns, until said Cottonwood Municipal Airport shall be abandoned and shall cease to be used for public airport purposes. It is understood and agreed that all provisions herein shall run with the land and shall be binding upon the Grantor, their heirs, administrators, executors, successors and assigns until such time that the easement is extinguished.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GRANTORS: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

)

COUNTY OF \_\_\_\_\_ )

)

The foregoing instrument was acknowledged before me, the undersigned notary public, This

\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ as the

of \_\_\_\_\_

IN WITNESS WHEREOF I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

GRANTEE:

City of Cottonwood

By: \_\_\_\_\_

Tim Elinski, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Jenny Winkler, City Attorney

ATTEST:

\_\_\_\_\_  
Tami Mayes, City Clerk

# **City of Cottonwood**

# **ZONING HEARINGS**

## **ZONE CHANGE FROM C-1 to R-2**

Assessor's Parcel Number 406-##-##

**Site Location: 123 N. Main Street**

Southwest corner of N. Main Street and E. Mingus Avenue.

**Acreage:** An approximately #.#-acre portion of a #.#-acre parcel

The Cottonwood Planning and Zoning Commission will hold a public hearing on:

**Monday, Month ##, 202#, 6:00 PM**

The Cottonwood City Council will hold public hearings on:

**Tuesday, Month ##, 202#, 6:00 PM**

**Tuesday, Month ##, 202#, 6:00 PM**

All meetings to be held at the Riverfront Water Reclamation Facility, 1083 E. Riverfront Road, Cottonwood, AZ

Information on this proposal can be obtained from the Community Development Department at 111 N. Main Street, Cottonwood, AZ 928-634-5505



Meeting Date: March 18, 2024  
Subject: Consideration of an application for Design Review to allow a ham radio tower in the AR-20 (Agricultural Residential) zone, and a Public Hearing on recommendation to Council a request to exceed the allowed 60 foot height requirement, located at 1738 Sawmill Road. APN: 406-04-082.  
Applicant: Ronald Rosson.  
Department: Community Development  
From: Kristina Hayden

#### REQUESTED ACTION

Consider an application for Design Review for a ham radio tower on the AR-20 (Agricultural Residential) zone. Also, a public hearing to consider a recommendation to City Council regarding the tower height in excess of 60 feet.

#### SUGGESTED MOTION

If the Commission Desires to approve DR-23-010, the suggested motion is as follows:

"I move to approve DR-23-010 to allow a ham radio tower on parcel 406-04-082, subject to the stipulations that staff has read into the record."

If the Commission desires to recommend approval to City Council to allow the excess tower height, the suggested motion is as follows:

"I move to recommend approval to the City Council to allow an 89-foot tall tower in excess of the allowed 60 feet for parcel 406-04-082."

#### BACKGROUND

<b>Property Owner</b>	Ronald Rosson & Arthelle JT Lovejoy
<b>Representative</b>	Ronald Rosson
<b>Location of Property</b>	On the north side of Sawmill Road, at 1738 Sawmill Road. APN 406-04-082
<b>Present Zoning and Land Use</b>	AR-20 (Agricultural Residential) - Single Family Residential
<b>Description of Request</b>	Design Review approval for a ham radio tower. Recommendation to City Council to allow an 89-foot tall tower in excess of the 60-foot height allowance.

## Adjacent Land Uses and Zoning

**North:** R-1 (Single Family Residential) - Vacant

**South:** AR-20 (Agricultural Residential) - Single Family Residential

**East:** AR-20 (Agricultural Residential) - Single Family Residential

**West:** AR-20 (Agricultural Residential) - Single Family Residential

The applicant requests Design Review approval to allow an 89-foot tall ham radio tower in the AR-20 (Agricultural Residential) zone on a 1.7-acre parcel. Staff has determined that the tower is an accessory use to the principle single family residential use, and is permitted per Section 412.B.5 of the Zoning Ordinance. The tower has a telescoping design that allows the height to be adjusted within the range of 60-89 feet in height. The applicant states in the letter of intent that the tower may be adjusted up to 90 feet as needed, however, the elevation indicates that the tower has a maximum of 89 feet.

The Zoning Ordinance permits wireless communication towers that are no greater than 60 feet in height in the AR-20 zone, subject to Design Review approval by the Planning and Zoning Commission. The City Council may grant approval of tower heights that exceed 60 feet, but are no greater than 90 feet, with consideration of the findings and recommendation made by the Planning and Zoning Commission. The Zoning Ordinance requires the applicant to demonstrate that the tower height in excess of 60 feet is the least intrusive means of filling a significant gap in a wireless communication provider's coverage within the City, per Zoning Ordinance Section 404.H.9.b.

Design Review approval of the project's site plan and building design is required prior to construction. Zoning Ordinance Section 304.B.1.a states, "The provisions of this Section [Design Review] shall apply to the exterior portion of all sites, buildings, structures and signs...which are to be hereafter erected, constructed, or established within the City of Cottonwood."

**Site Plan:** The applicant's site plan shows that the tower would be placed on a concrete pad in the approximate center of the parcel. The applicant indicates that the tower would be located 300 feet back from the front property line, and indicates that the lot width at the location of the tower is 188 feet. The applicant also submitted a boundary survey (see attachment Boundary Survey) which provides a scaled drawing of the parcel boundaries, and the applicant's added dimensions indicate that the width measurement is 188 feet. Based on the submitted site plan and boundary survey, the proposed tower location, extended to the maximum height of 89 feet, would not fall over any property lines.

However, applying a scale to the boundary survey, it appears that the actual width is less than 150 feet at the point where the tower is proposed to be located, and an 89-foot tall tower could fall into adjacent properties (see attachment 'Fall Radius Approximation'). Per Zoning Ordinance Section 404.H.10, the applicant would be required to submit structural engineering plans that demonstrate that the tower will not fall onto occupied buildings or the buildable area of an adjacent property.

**Access:** The tower is proposed to be located approximately in the center of the parcel and can be accessed from Sawmill Road. The tower is proposed to be operated by the property owner.

**Architectural:** The telescoping design of the tower will allow the height to be adjusted within the range of 60-89 feet in height.

**Open Space:** There are no open space requirements.

**Parking:** The tower is to be owned and operated by the property owner. There are no additional parking requirements for the proposal.

**Lighting:** The applicant is not proposing any exterior lighting. Any proposed lighting, not required by FAA, would have to conform to Section 408 of the Zoning Ordinance.

**Landscape Plan:** There are no landscaping requirements for this proposal.

**Signage:** The applicant has not proposed any signage for the tower.

**Utilities:** Water and sewer services are available at this site.

**Screening:** Screening requirements are not applicable for this proposal.

**Staff Analysis:** Staff has reviewed this project and finds that the requested 89-foot tall ham radio tower is subject to Design Review approval. Additionally, it is required that the Planning and Zoning Commission make findings and recommendations to the City Council regarding the tower height in excess of 60 feet. If approved for Design Review, staff recommends the following stipulations:

1. The project shall be developed in conformance with the development plans as reviewed by the Planning and Zoning Commission at the March 18, 2024 meeting.
2. The project shall conform to the Code Review Board comment letter dated May 26, 2023, and any additional Code Review Board comments.
3. The project shall comply with all applicable sections of the Zoning Ordinance, including, but not limited to, AR-20 Property Development Standards and General Provisions.
4. The applicant shall submit structural engineering plans, as part of the building permit submittal, to ensure that the tower shall not fall on any occupied buildings or within the buildable area of adjacent properties.
5. Design Review approval does not grant approval for the tower to extend past 60 feet unless the City Council approves the excess tower height.
6. A building permit application must be submitted within 24 months of Design Review approval. If this requirement is not met, the Design Review approval shall be revoked and new Code Review and Design Review submittals will be required.

**ATTACHMENTS**

[Letter of Intent.pdf](#)

[Site Plan 2-23-24.pdf](#)

[Elevation.pdf](#)

[Fall Radius Approximation.pdf](#)

[Coverage Map 1 of 2.pdf](#)

[Coverage Map 2 of 2.pdf](#)

CRB-23-027 Comment Letter\_Sawmill Ham Radio Tower (6) (1).pdf  
Boundary Survey.pdf  
2023-03-10\_Letter from Concerned Citizen.pdf  
terrain\_map.pdf  
landcover\_map.pdf  
coverage\_map.pdf  
antenna\_map.pdf

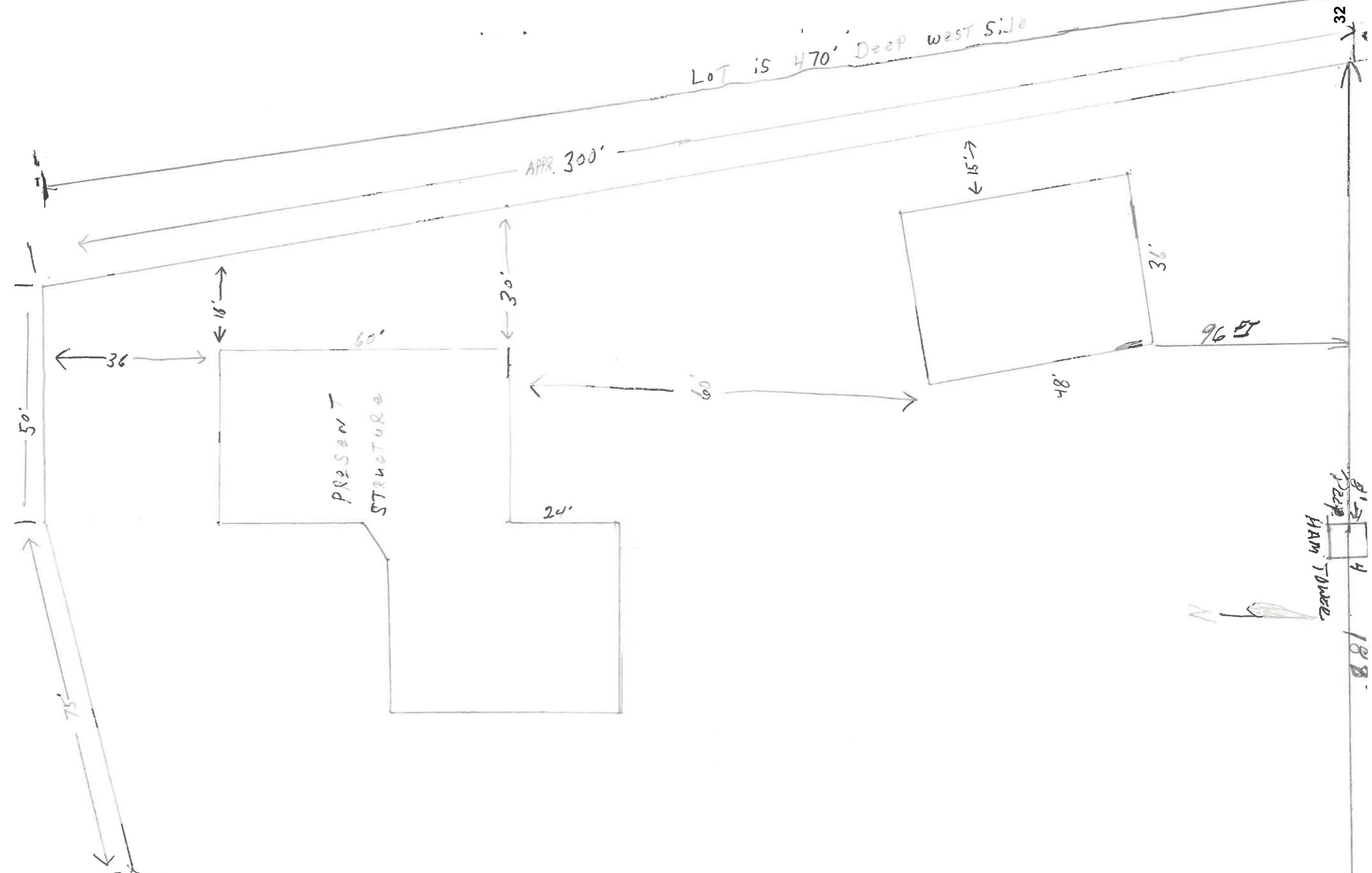
## Letter of Intent

Building Permit Application  
Number: 406-04- 082

Parcel

The performance of the antenna at a height of 60 feet can be seen to be poor, with substantial improvement at height of 90 feet and further improvement at 130 feet. The negative Figures of Merit at 60 feet show that, on average, the antenna is attenuating (reducing) the signal in some directions. From a communication reliability point of view restricting the antenna height to 60f feet will prevent under normal conditions operating conditions. While 90 feet is not the optimum height, it is an acceptable compromise.

# SAW MILL ROAD

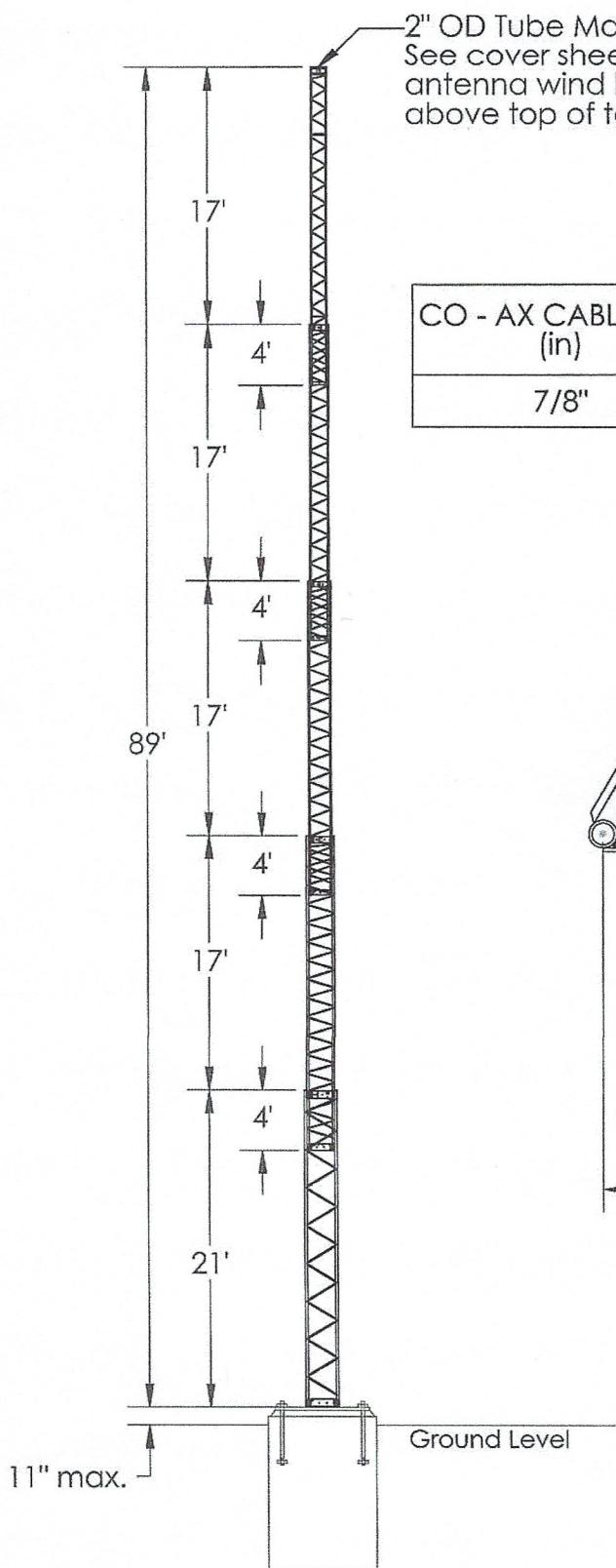




## TX-489 TOWER ELEVATION

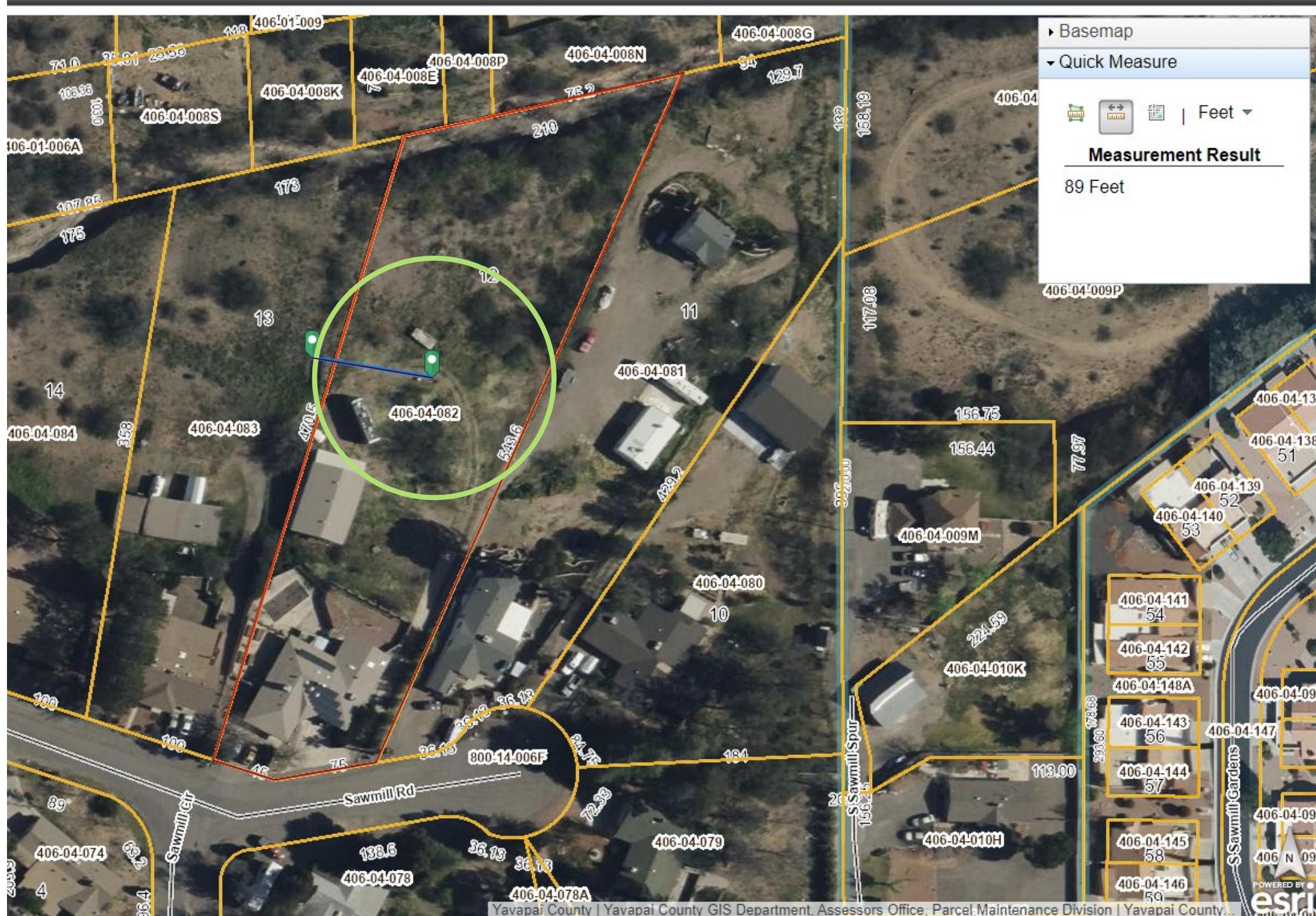
2

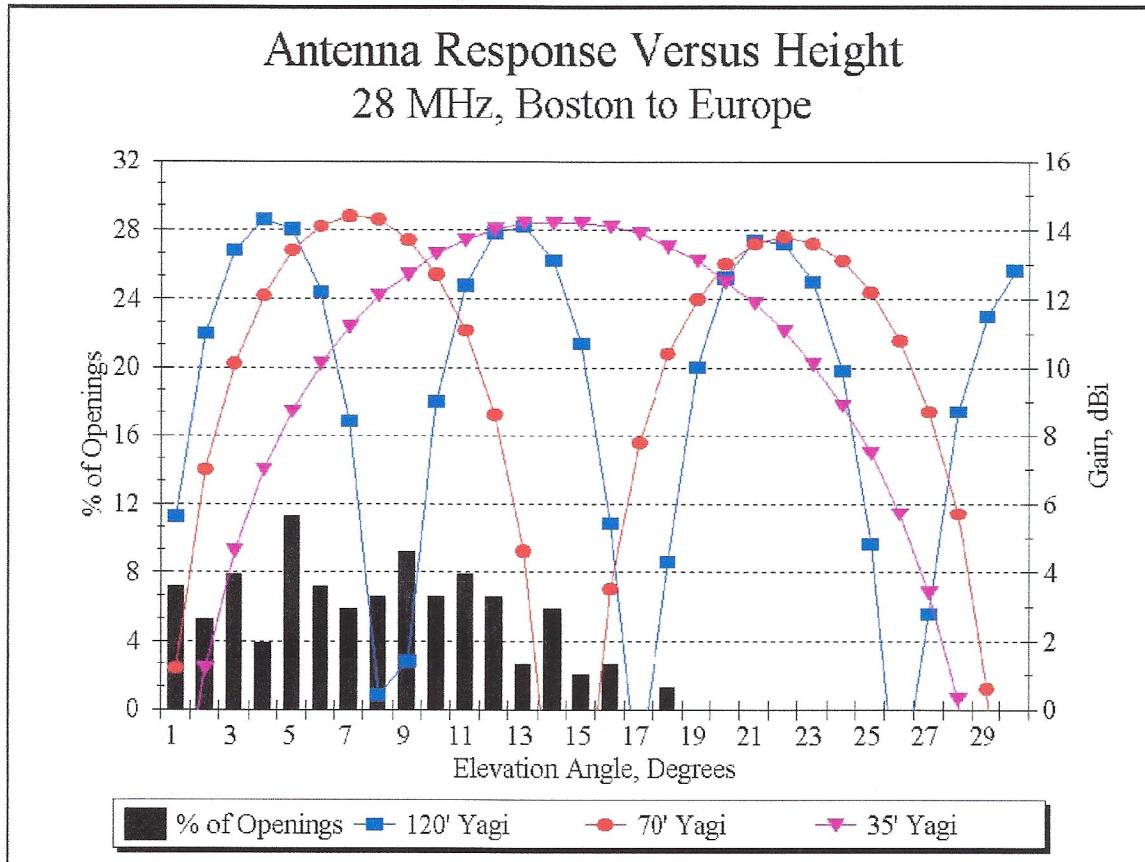
SECTION NO.	NO. 8 BASE	NO. 7	NO. 6	NO. 5	NO. 4 TOP
LEG SIZE	PIPE 1.9" OD X 0.200" WALL	PIPE 1.66" OD X 0.191" PIPE 1.315" OD X 0.179" PIPE 1.05" OD X 0.154" WALL	PIPE 1.05" OD X 0.154" PIPE 1.05" OD X 0.154" WALL	PIPE 1.05" OD X 0.154" PIPE 1.05" OD X 0.154" WALL	2" OD Tube Mast. See cover sheet for max. allowable antenna wind load and area @ 1 FT. above top of tower.
DIAGONAL SIZE	5/8" SOLID ROD	1/2" SOLID ROD	7/16" SOLID ROD	3/8" SOLID ROD	3/8" SOLID ROD



**Elevation View**  
No Scale

**Plan View**  
No Scale





**Figure 6—Elevation angles compared to antenna responses for 28-MHz path from Boston to Europe. The 70-foot antenna is probably the best overall choice on this path.**

During periods of low to moderate sunspot activity (about 50% of the 11-year solar cycle), the 14-MHz band closes down for propagation in the early evening. A radio amateur wishing to continue communication must shift to a lower frequency band. The next most highly used band below the 14-MHz band is the 7-MHz amateur band. **Figure 7** portrays a 7-MHz case for another transmitting site, this time from San Francisco, California, to the European continent. Now, the range of necessary elevation angles is from about 1° to 16°, with a peak statistical likelihood of about 16% occurring at an elevation of 3°. At this low elevation angle, a 7-MHz antenna must be *very* high in the air to be effective. Even the 120-foot antenna is hardly optimal for the peak angle of 3°. The 200-foot antenna shown would be far better than a 120-foot antenna. Further, the 35-foot high antenna is *greatly* inferior to the other antennas on this path and would provide far less capabilities, on both receiving and transmitting.

### What If the Ground Isn't Flat?

In the preceding discussion, antenna radiation patterns were computed for antennas located over *flat ground*. Things get much more complicated when the exact local terrain surrounding a tower and antenna are taken into account. In the last few years,

sophisticated ray-tracing computer models have become available that can calculate the effect that local terrain has on the elevation patterns for real-world HF installations—and *each* real-world situation is indeed different.

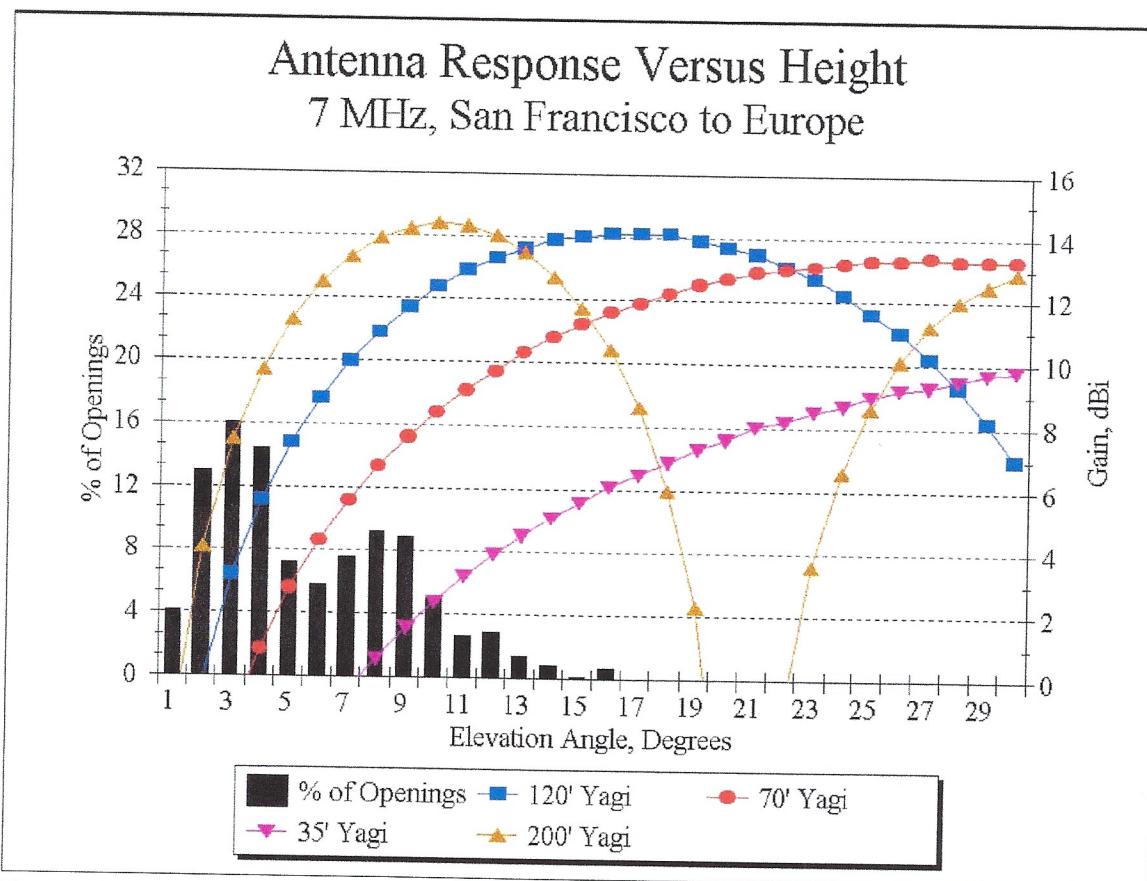


Figure 7—Comparison of antenna responses for another propagation path: from San Francisco to Europe on 7 MHz. Here, even a 120-foot high antenna is hardly optimal for the very low elevation angles required on this very long path. In fact, the 200-foot high antenna is far better suited for this path.

For simplicity, first consider an antenna on the top of a hill with a constant slope downward. The general effect is to lower the effective elevation angle by an amount equal to the downslope of the hill. For example, if the downslope is  $-3^\circ$  for a long distance away from the tower and the flat-ground peak elevation angle is  $10^\circ$  (due to the height of the antenna), then the net result will be  $10^\circ - 3^\circ = 7^\circ$  peak angle. However, if the local terrain is rough, with many bumps and valleys in the desired direction, the response can be modified considerably. Figure 8 shows the fairly complicated terrain profile for Jan Carman, K5MA, in the direction of Japan. Jan is located on one of the tallest hills in West Falmouth, Massachusetts. Within 500 feet of his tower is a small hill with a water tower on the top, and then the ground quickly falls away, so that at a distance of about 3000 feet from the tower base, the elevation has fallen to sea level, at 0 feet.



## ***“Inspiring a Vibrant Community”***

VIA EMAIL

May 26, 2023

Ronald Rosson  
1738 Sawmill Road  
Cottonwood, AZ 86326  
[ron@n6xt.org](mailto:ron@n6xt.org)

**Re: CRB-23-027 Crank-up Tower Install: 1738 Sawmill Road  
APN 406-04-082**

Dear Mr. Rosson:

Thank you for meeting with the Code Review Board on May 16, 2023 regarding the above referenced project. The project as presented is for the building of a ham radio tower. The tower is proposed to extend to a maximum height of 90 feet. As mentioned, this project would require Design Review approval by the Planning and Zoning Commission and further approval by the City Council regarding the tower height in excess of 60 feet. Please review the Cottonwood Zoning Ordinance procedural codes for Design Review ([Section 304](#)). The following is a process summary:

1. **Design Review submittal:** A Design Review application submittal is required; and the application fee is \$350. Upon staff review, it will be determined if the submission will be reviewed internally or if it will be reviewed by the Planning and Zoning Commission. The application and fees should be submitted five to six weeks prior to a Planning and Zoning hearing. The Planning and Zoning Commission meets at 6 PM on the third Monday of each month.
2. **Site Improvement Permits:** Permits may not be issued nor any site work commenced until 15 days after Commission approval. Permit applications may be submitted prior on an “at-risk” basis, subject to advance written request and Staff approval.
3. **Zoning Clearance:** Issuance of Zoning Clearance is required prior to use. All requirements stipulated as part of the Design Review process must be addressed before Zoning Clearance will be issued.

**DEPARTMENT COMMENTS REGARDING SUBMITTAL**

**These comments are only for the project as presented at code review. Any additional work may require additional reviews and approvals. Contact staff before starting any work that was not part of this review.**

**Community Development/Planning** – Tina Hayden, [khayden@cottonwoodaz.gov](mailto:khayden@cottonwoodaz.gov)  
(928) 634-5505 x3320

1. The proposed site is in the AR-20 (Agricultural Residential) zoning district and a 60-foot tower is permitted in this zone, subject to Design Review approval.

The proposed tower has the ability to extend past 60 feet in height and is therefore subject to review by the Planning and Zoning Commission and further review and approval by the City Council regarding the excess height. The applicant is required to show proof that the excess height is the least intrusive means of filling a significant gap in a wireless communications provider's coverage within the City.

If the tower can be built in such a way that the tower height will never exceed 60 feet, then City Council approval is not required.

2. Any exterior lighting shall meet the provisions of the State's Dark Sky Laws as well as the City's Lighting Code, [Section 408](#). Full, cut-off style shielding is required. Please submit a lighting plan with lumen calculations, lighting site plan, and cut sheets on all lighting fixture types.
3. The site plan submitted for Code Review indicates that the tower will be placed so that if it was to fall, the entire reclining length of the tower would fall within the boundaries of the property. If the proposed tower location is to change, then further review will be required prior to the issuance of building permits.

**Fire Department** Rick Contreras, [rcontreras@cottonwoodaz.gov](mailto:rcontreras@cottonwoodaz.gov) (928) 634-2741 x2145

1. No comments

**Risk Management** – Amanda Wilber, [awilber@cottonwoodaz.gov](mailto:awilber@cottonwoodaz.gov) (928) 340-2713

1. No comments.

**Housing Manager** – Shannon Boone, [sboone@sedonaaz.gov](mailto:sboone@sedonaaz.gov) (928) 203-5126

1. No comments.

**Public Works/Engineering** – James Bramble, [jbramble@cottonwoodaz.gov](mailto:jbramble@cottonwoodaz.gov) (928) 340-2770

1. Any and all work required in the City right-of-way, including utilities, will require separate right-of-way encroachment permits from Public Works.

**Cottonwood Municipal Airport** – Jeffrey S. Tripp, A.A.E. [jtripp@cottonwoodaz.gov](mailto:jtripp@cottonwoodaz.gov)  
928-340-2722

1. The proposed radio tower is located in the vicinity of the Cottonwood Municipal Airport and Verde Valley Medical Center heliport, Cell tower height shall coincide and be constrained by Federal Aviation Regulation (FAR) Part 77.
2. FAA's Notice Criteria Tool (available at: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) determines if FAA Form 7460-1 is required for proposed construction or alteration of structures (permanent, temporary, including cranes) on/in the Airport vicinity, and must be submitted to FAA at least 45 days before construction. FAA considers heights, airport proximity, location, frequencies emitted, etc.
3. The Airport requires evidence of FAA Form 7460-1 submittal and final FAA "determination" letter. If FAA determines a hazard exists and/or requires action (i.e., obstruction lights, other), the Airport needs documentation of the action/correction and completion date, prior to project approval.
4. Per **A.R.S. § 28-8486 Territory in the Vicinity of a Public Airport**, the Public Airport Disclosure Map (**Attachment A**) notifies owners and potential purchasers of property that is located in the vicinity of a public airport and hospital heliport. The proposed radio tower is located near the flight patterns for the runway and hospital heliport and will experience aircraft and helicopter overflight noise.
5. A Surface and Overhead Aviation Easement (**Attachment B**) is required and must be recorded by the Yavapai County Recorder's Office before the building permit is issued by the City. Any future owners shall be provided a copy of the recorded Surface and Overhead Aviation Easement".
6. Airport staff reserves the right to append CRB comments or provide more specific information about requirements, conditions, applicable regulatory/safety processes, etc., as the project evolves.

**Utilities** – Russell Freye, P.E. [rfreye@cottonwoodaz.gov](mailto:rfreye@cottonwoodaz.gov) (928) 634-0186

1. No comments

**Police Department** – Gareth Braxton-Johnson, [gjohnson@cottonwoodaz.gov](mailto:gjohnson@cottonwoodaz.gov) (928) 634-4246 x 2256

1. Radio transmission(s) and/or frequencies will not disrupt, diminish, or distort current or future public safety radio transmissions, communications, or frequencies.

**Building Department** - Cody Blazer, [cblazer@cottonwoodaz.gov](mailto:cblazer@cottonwoodaz.gov) (928) 634-5505 x3368

1. All documents shall be submitted through the Community Development SmartGov portal.
2. All change orders which occur following the issuance of a building permit must be approved by city staff or they will be cited as part of the final inspection corrections and must be remedied before a certificate of occupancy will be issued.
3. All plans submitted shall meet the applicable code requirements of the 2018 I-Codes, 2009 A117.1, and the 2017 NEC. 2024 codes are expected to be adopted in 2024.
4. Where required by law all work will be performed by contractors licensed by the State of Arizona and the City of Cottonwood.
5. Address the site per code.
6. Structures and related equipment located within flood hazard areas shall comply with all applicable codes and standards including IBC Appendix G.

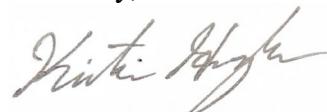
**Yavapai County Community Health Services** – Robert Mumper,  
[robert.mumper@yavapaiaz.us](mailto:robert.mumper@yavapaiaz.us) (928) 634-6891

1. No comments

**NOTE: Changes to project proposals following approval which have been incorporated into permit submittal must be highlighted in writing and attached to the building permit, or they will not be considered approved.**

Please contact us if you have any questions.

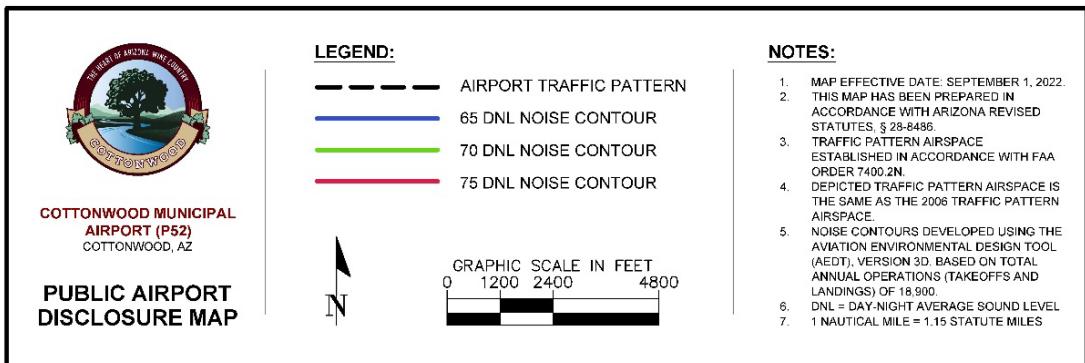
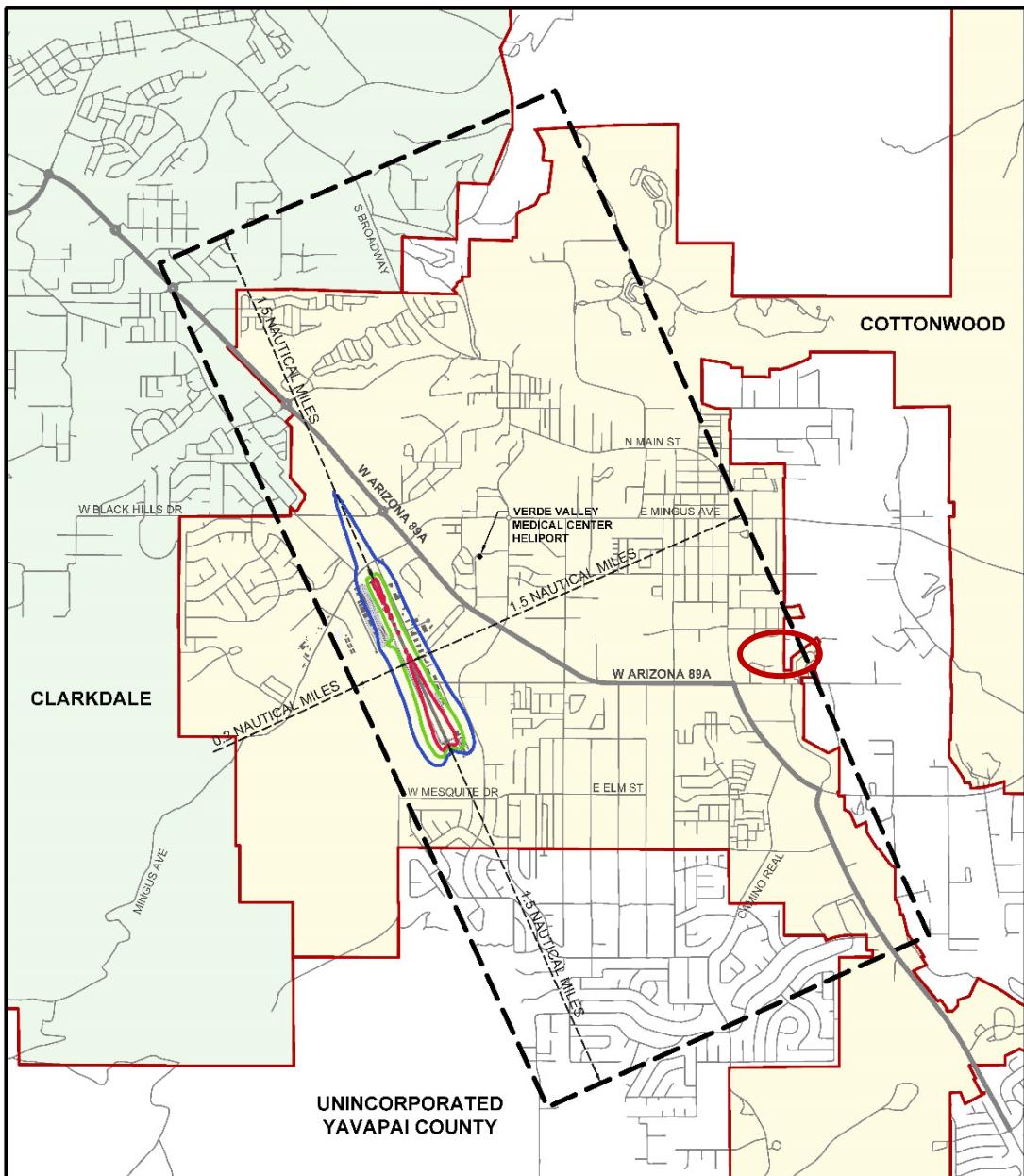
Sincerely,



Tina Hayden  
Community Development Planner

## Attachment A

# **PUBLIC AIRPORT DISCLOSURE MAP**



**Attachment B**

**SURFACE AND OVERHEAD AVIGATION EASEMENT**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, ("Grantor"), and the CITY OF COTTONWOOD, a municipal corporation of the State of Arizona. ("Grantee").

WHEREAS, Grantor is the owner of certain real property in Yavapai County, Arizona, more particularly described as parcel(s) \_\_\_\_\_ on Exhibit A, attached hereto and by this reference incorporated herein ("the Property").

**NOW, THEREFORE**, the Grantor, for themselves, their heirs, administrators, executors, successors and assigns do hereby grant the following appurtenant rights and benefits to the (Cottonwood Municipal Airport) hereinafter called the "Grantee" for the use and benefit of the public.

The appurtenant rights and benefits include the uses, rights and restrictions described as follows:

The unobstructed use and passage of all types of aircraft in and through the airspace at any height or altitude above the surface of the land.

The right of said aircraft to cause noise, vibrations, fumes, deposits of dust, fuel particles (incidental to the normal operation of aircraft); fear, interference with sleep or communication, and any other effects associated with the normal operation of aircraft taking off, landing or operating in the vicinity of Cottonwood Municipal Airport.

As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include jet, propeller-driven, civil, military or commercial aircraft; helicopters, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air, by whoever owned or operated.

In granting this easement, the Grantor agree to construct no buildings taller than one hundred feet (100') in height from the surface of the above listed property.

The Grantor agrees that during the life of this easement, they will not construct, erect, suffer to permit or allow any structure or trees on the surface of the burdened property taller than the height listed above.

The Grantor agrees to keep the easement area free of the following: structures (permanent or temporary) that might create glare or contain misleading lights; fuel handling and storage facilities and smoke generating activities and creation of any means of electrical interference that could affect the movement of aircraft over the easement area.

Grantor agrees to waive all damages and claims for damages caused or alleged to be caused by the Grantors violation of any aspect of this easement document. The (Cottonwood Municipal Airport) has a perpetual right of ingress/egress in the easement area and the right to remove any new

structure or vegetation that is taller than the height listed above.

TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto the Grantee, its successors, and assigns, until said Cottonwood Municipal Airport shall be abandoned and shall cease to be used for public airport purposes. It is understood and agreed that all provisions herein shall run with the land and shall be binding upon the Grantor, their heirs, administrators, executors, successors and assigns until such time that the easement is extinguished.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GRANTORS: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

)

COUNTY OF \_\_\_\_\_ )

)

The foregoing instrument was acknowledged before me, the undersigned notary public, This

\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ as the

of \_\_\_\_\_

IN WITNESS WHEREOF I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

GRANTEE:

City of Cottonwood

By: \_\_\_\_\_

Tim Elinski, Mayor

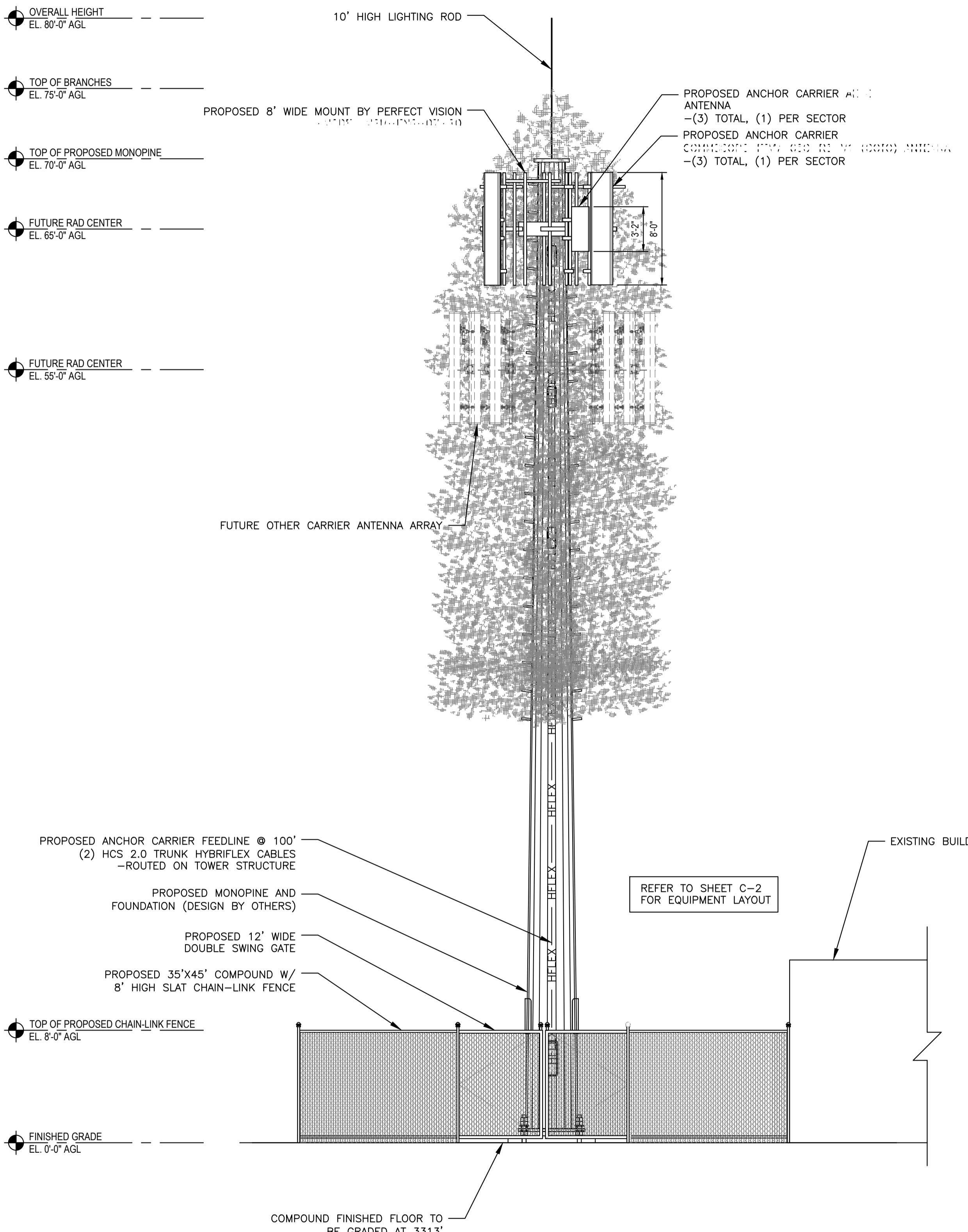
APPROVED AS TO FORM:

\_\_\_\_\_  
Steve Horton, Esq., City Attorney

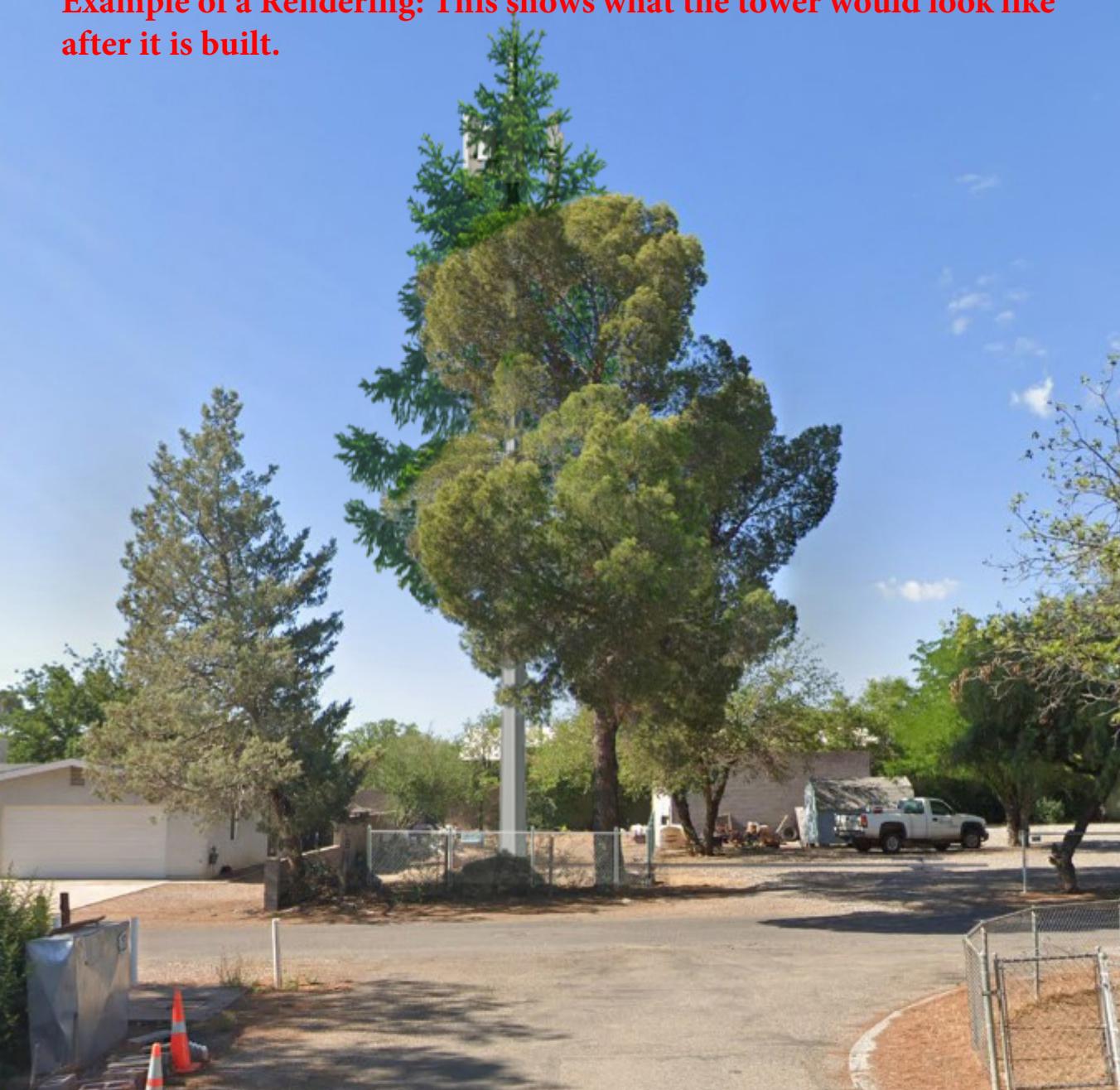
ATTEST:

\_\_\_\_\_  
Marianne Jiménez, City Clerk

Example of an Elevation. This shows the scaled dimensions of the tower.



**Example of a Rendering: This shows what the tower would look like after it is built.**

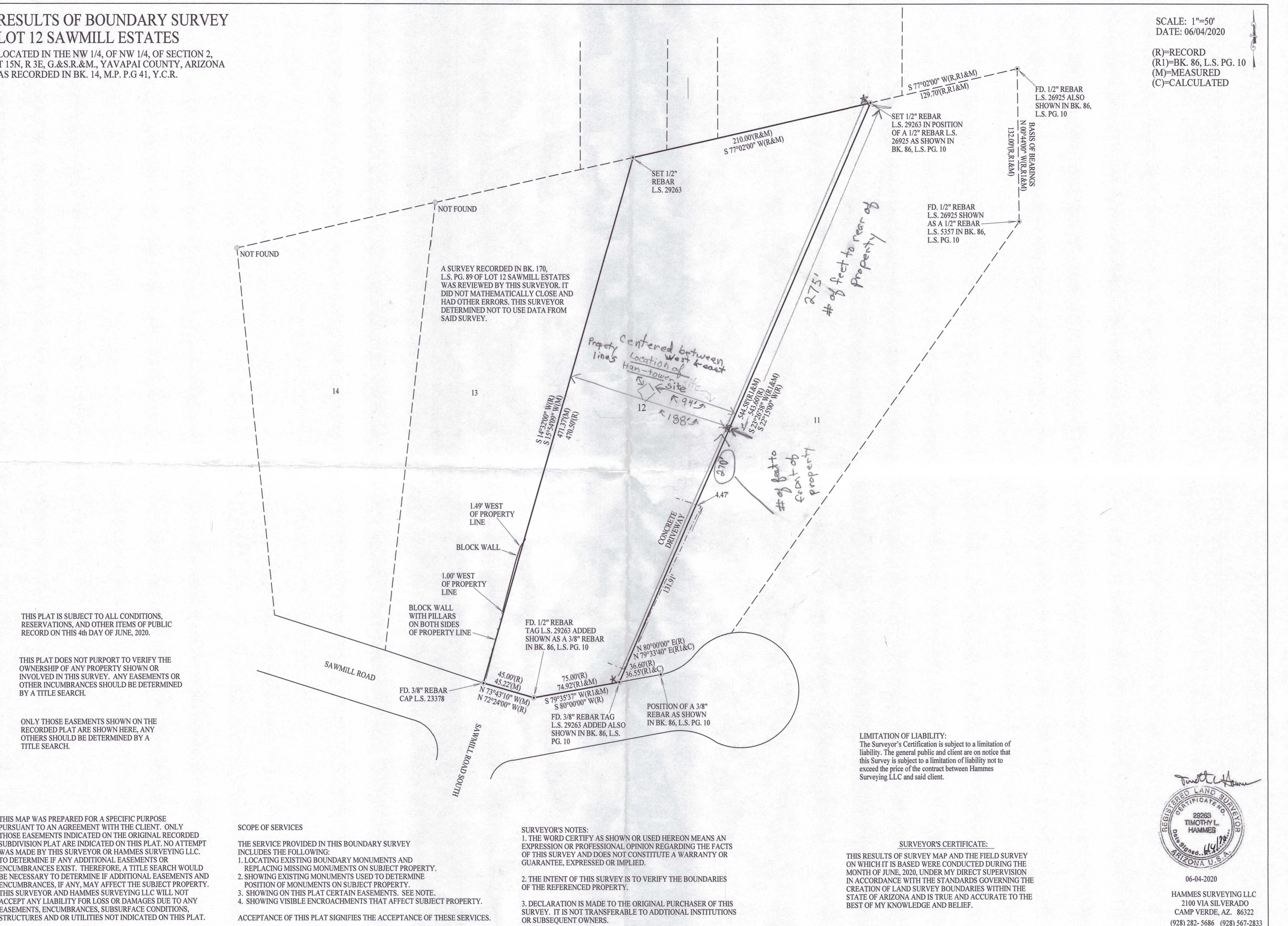


RESULTS OF BOUNDARY SURVEY  
LOT 12 SAWMILL ESTATES

LOCATED IN THE NW 1/4, OF NW 1/4, OF SECTION 2,  
T 15N, R 3E, G.S.R.&M., YAVAPAI COUNTY, ARIZONA  
AS RECORDED IN BK. 14, M.P. PG 41, Y.C.R.

SCALE: 1"=50'  
DATE: 06/04/2020

(R)=RECORD  
(R1)=BK. 86, L.S. PG. 10  
(M)=MEASURED  
(C)=CALCULATED



March 5, 2023

Cody Blazer  
Building Official  
Community Development  
Cottonwood, Az.

R ECEIVE D  
MAR 06 2023  
BY: MW

Regarding property at 1738 Sawmill Rd, Cottonwood, Az.

Dear Mr Blazer,

My neighbor at 1738 Sawmill Rd. intends to erect a wireless tower on his property. I am against this neighbor being allowed to exceed the 60 foot height allowed by city ordinance. The proposed tower is directly in line with my Sedona view.

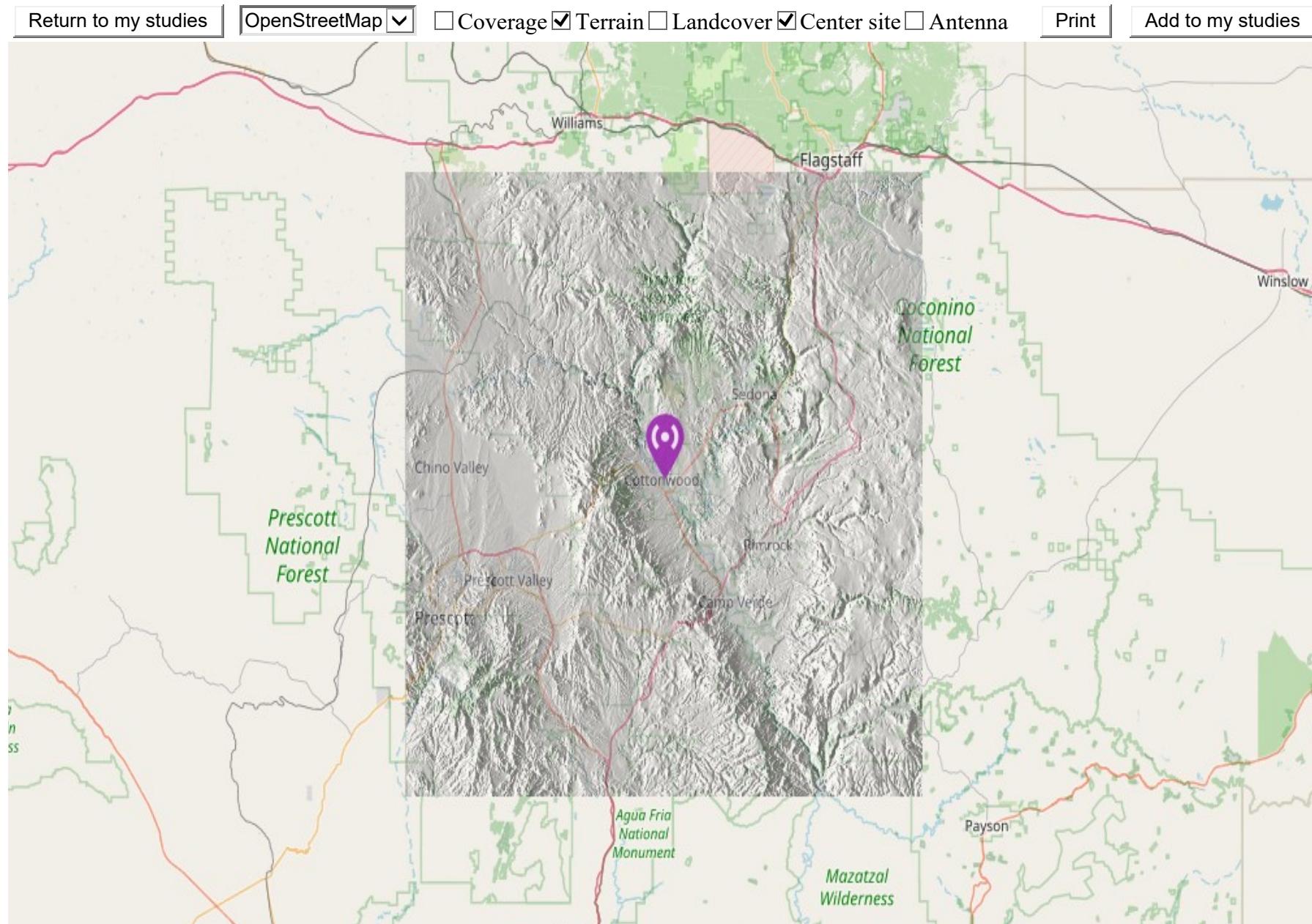
I , with this letter, humbly request to be notified of any proposal for a tower building permit, as well as a permit to increase the height of any tower at 1738 Sawmill Rd. I would be pleased to appear before the city council or any other appropriate body deciding any portion of the request for additional height.

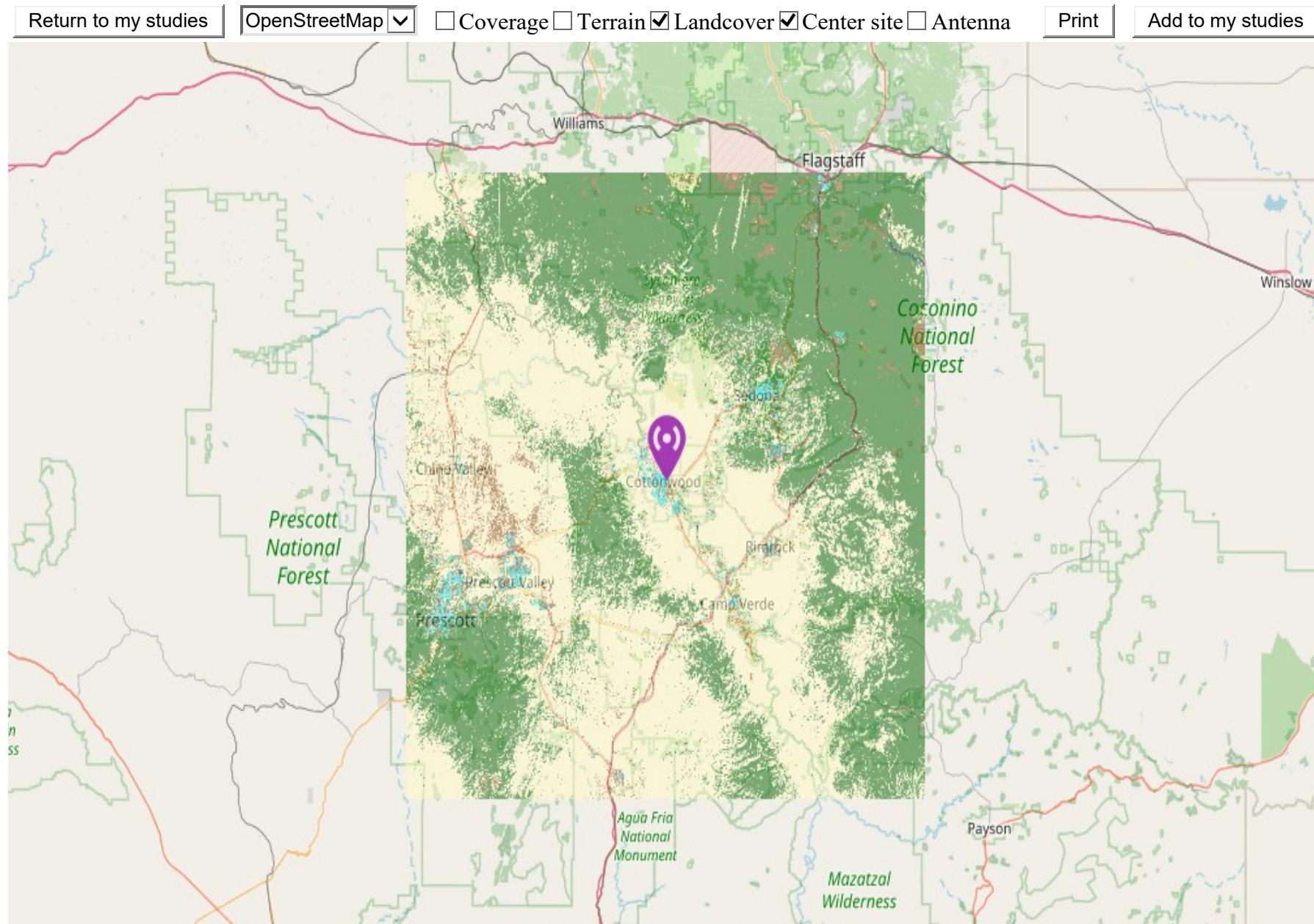
I was told by former city employee Jim Padget that I had to be informed of any permit for a tower, as per city law, which requires the city to notify neighbors within 300 feet of the tower property when there is a permit request for increased height of a tower. Gary Davis, a current city employee, tells me this is not true. I hope I have an opportunity, with your help, to state my case in opposition to the tower's increased height.

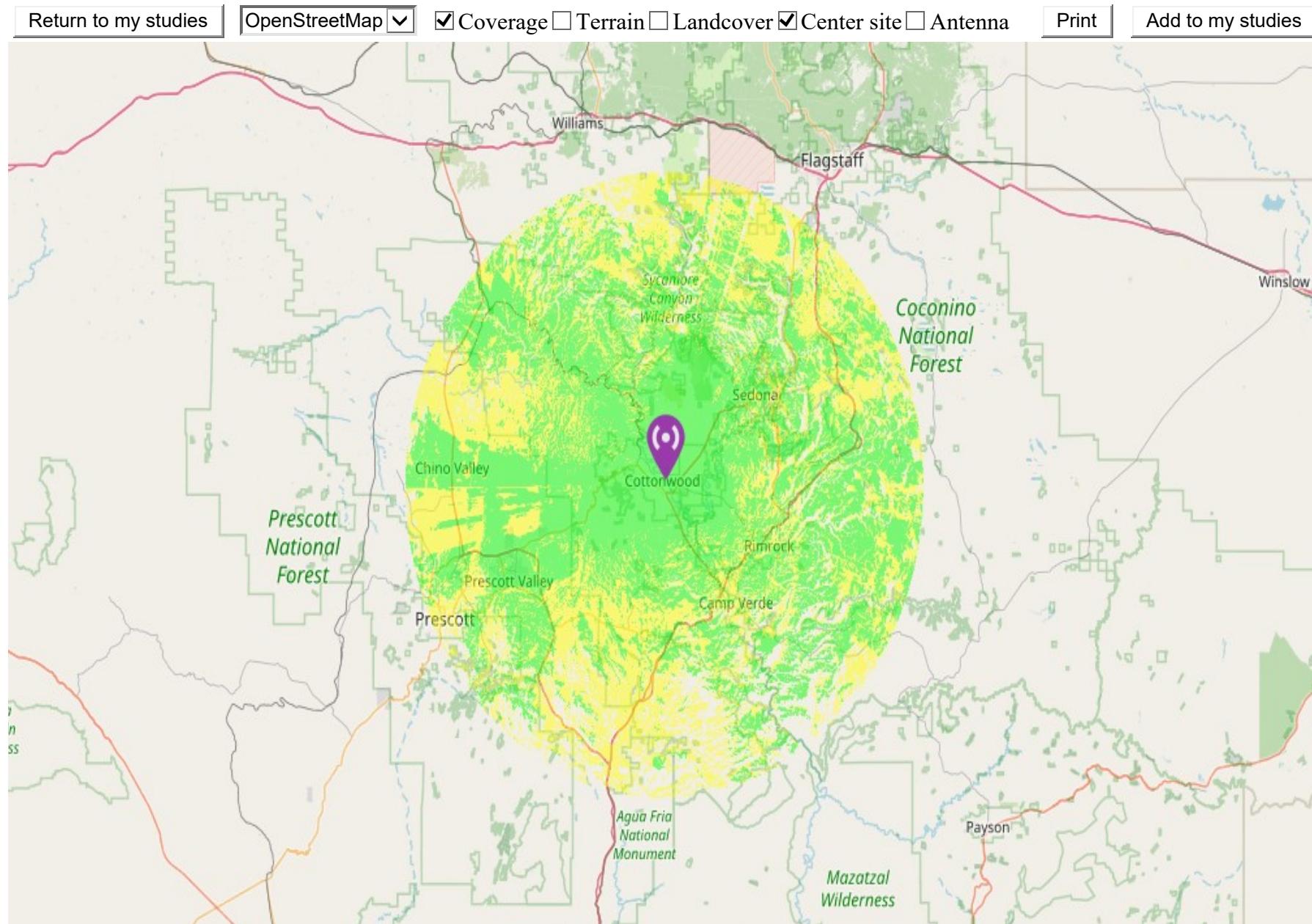
Thank you,

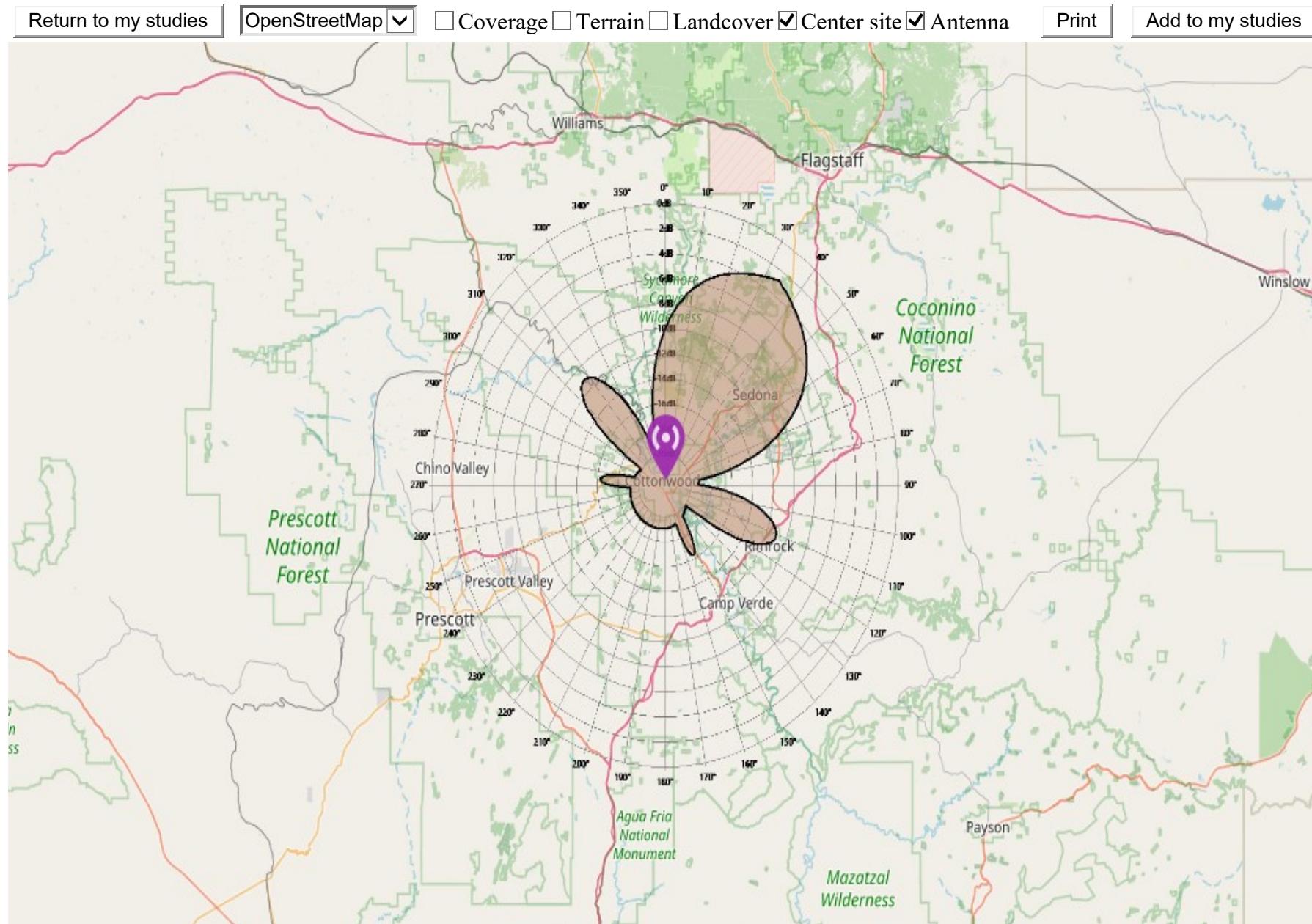


Michael J. Pollard  
1732 Sawmill Rd.  
Cottonwood, Az 86326  
(928) 634-6689  
(NO TEXTS)











Meeting Date: March 18, 2024  
Subject: Consideration of a Design Review application to allow a restaurant in the C-1 (Light Commercial) zone on a 0.9-acre parcel at 888 S. Main Street. APN: 406-04-045R. Applicant: Mark Abel.  
Department: Community Development  
From: Kristina Hayden

#### REQUESTED ACTION

Consider the request for Design Review for a restaurant in the C-1 (Light Commercial) zone.

#### SUGGESTED MOTION

If the Planning and Zoning Commission desires to approve DR-24-001, the suggested motion is:

"I move to approve DR-24-001 to allow a restaurant in the C-1 (Light Commercial) zone located on APN 406-04-045R, subject to the stipulations that staff has read into the record."

#### BACKGROUND

<b>Property Owner</b>	Laird Real Estate LLC.
<b>Representative</b>	Mark Abel
<b>Location of Property</b>	On the west side of S. Main Street, approximately 300 feet northwest of S. Camino Real at 888 S. Main Street. APN:406-04-045R.
<b>Present Zoning and Land Use</b>	C-1 (Light Commercial) - Vacant
<b>Description of Request</b>	Design Review approval to allow a restaurant in the C-1 zone.

#### Adjacent Land Uses and Zoning

**North:** C-1 (Light Commercial) - Office Park

**South:** C-1 (Light Commercial) - Gas Station

**East:** C-1 (Light Commercial) - Multiple Retailers

**West:** C-1 (Light Commercial) - Vacant

The applicant requests Design Review approval for a restaurant in the C-1 (Light Commercial) zone, which is listed as a permitted use for this zone in Section 418 of the Zoning Ordinance. Use of the proposed drive-through element is subject to Conditional Use Permit (CUP) approval by the Planning and Zoning Commission. The applicant has submitted a CUP application that is being reviewed concurrently with this application for Design Review (refer to

the CUP-24-001 staff report).

Design Review approval of the project's site plan and building design is required prior to issuance of building permits. Zoning Ordinance Section 304.B.1.a states, "The provisions of this Section [Design Review] shall apply to the exterior portion of all sites, buildings, structures and signs...which are to be hereafter erected, constructed, or established within the City of Cottonwood."

**Site Plan:** The proposed project site is approximately 39,200 sq. ft. and the site plan proposes a single 2,900 sq. ft. (approx.) building located at the southern portion of the parcel. Parking is located on the east and north portions of the parcel with a two-way circulation route providing access to all parking. A 6-foot tall trash enclosure is located at the northwest corner. The applicant is proposing a drive-through element that wraps around the west and south sides of the building. Use of the proposed drive-through element is subject to CUP approval by the Planning and Zoning Commission. CUP-24-001 is being submitted concurrently for Commission review of the proposed drive-through element.

**Access:** The site plan shows two existing two-way curb cuts which provide access along S. Main Street. The applicant is currently in the review process with ADOT regarding an ADOT right-of-way permit. Per the attached 'ADOT (Site Approval)' document, ADOT is not requiring that a deceleration lane be installed along S. Main Street. The applicant has not received complete ADOT approval for the project, yet has requested to submit for Design Review and Conditional Use Permit approval. Staff has informed the applicant that the applications are submitted at the developer's risk, and that ADOT approval would be required prior to the issuance of building permits (see Stipulation 4).

**Architectural:** The applicant proposes a single-story building with a contemporary, flat-roofed design. The main roofline is proposed to be 20 feet and 6 inches in height, with parapets reaching 24 feet in height. A red accent color is proposed for the parapet band on all sides of the building. The applicant states that design elements are proposed with the intent to unify the new building with the existing buildings and landscaping in the vicinity. The building will be clad in a rustic stone wainscotting with faux plank-wood monument features. The remaining exterior will be a neutral-colored stucco finish. Aluminum storefront windows and doors, with metal canopies, are proposed for the north, east, and south sides of the building.

**Open Space:** There is no open space requirement for this proposal.

**Parking:** A total of 32 parking spaces are required per Section 406 of the Zoning Ordinance. The site plan shows the required 32 parking spaces, two of which are ADA compliant and four of which are RV pull-through parking spaces.

**Lighting:** Any lighting will have to meet the requirements of Zoning Ordinance Section 408 Outdoor Lighting.

**Landscaping:** The applicant proposes a 17-foot wide landscape yard along S. Main Street, and proposes a total of 6 trees and 46 shrubs to be located within the landscape yard. The applicant also proposes parking lot, building area, and interior perimeter landscaping. The proposed landscape plan meets the requirements of Section 407.

**Signage:** Any signs would be subject to a sign permit in compliance with the standards of Zoning Ordinance Section 405. The proposed site plan and elevations indicate a total of nine signs, which includes the proposed merchandising signs. Initial staff determination is that the nine proposed signs exceed what is permitted in the Zoning Ordinance. Staff has advised the applicant that separate Conditional Use Permit approval of the sign package would be necessary.

**Utilities:** Water and sewer services are available at the site.

**Screening:** Perimeter screening is required when adjacent to single-family residential uses or zones. Staff has determined that perimeter screening is not required for this project since the site does not have any adjacent single-family residential uses or zoning.

**Staff Analysis:** Staff has reviewed this project and finds that the requested restaurant use is subject to Design Review approval. If approved for Design Review, staff recommends the following stipulations:

1. The project shall be developed in conformance with the development plans as reviewed by the Planning and Zoning Commission at the March 18, 2024 meeting.
2. The project shall conform to the Code Review Board comment letter dated March 16, 2023, and any additional Code Review Board comments.
3. The project shall comply with all applicable sections of the Zoning Ordinance including, but not limited to, C-1 Property Development Standards, General Provisions, Signs, Parking and Loading Requirements, Landscaping Requirements, and Outdoor Lighting Code.
4. ADOT permit approval is required prior to the issuance of building permits.
5. If ADOT requires significant major changes to the circulation of the site plan, then the applicant will be required to submit for Design Review modification prior to the issuance of building permits.
6. Design Review approval does not grant approval for the use of the drive-through element or the signage that is proposed on the site plan.
7. A building permit application must be submitted within 24 months of Design Review approval. If this requirement is not met, then Design Review approval shall be revoked and new Code Review and Design Review submittals will be required.

#### ATTACHMENTS

- 1) Narrative (DR&CUP) R2.pdf
- Locator Map Burger King CUP color.pdf
- 4A) Site Plan (BW) R2.pdf
- Landscape (BW) R2.pdf
- Elevations (BW) R2.pdf
- Code Rev (CRB-23-012).pdf



**NARRATIVE REQUEST: PLANNING DEPARTMENT  
DESIGN REVIEW & USE PERMIT**

**March 4, 2024**

**PROJECT: NEW BURGER KING RESTAURANT  
888 SOUTH MAIN STREET, COTTONWOOD, ARIZONA 86326**

**Project Description:**

Laird Real Estate, LLC, (an Arizona limited liability company), proposes to develop a new Burger King restaurant, with drive through use, at the above referenced address. Scope of work shall include new building and related site improvements. Proposed building area is approximately 2,930 G.S.F.

Hours of restaurant operation are from 6:00 am until close at 11:00 pm, with the option for extended operation of drive through use until 1:00 am. The restaurant will be operated with six employees during a typical work-shift.

The property will be developed by Laird Real Estate, who owns the property and shall lease it to, MCL Cottonwood Restaurant, LLC, (an Arizona limited liability company), a Burger King Franchisee, headquartered in Phoenix, Arizona. The following is submitted for review and consideration:

**Site Design:**

The subject property is located on a standalone parcel in South Main Street in downtown Cottonwood. Property Zoning is existing C1, (Light Commercial), approved for Restaurant, and drive through allowed with Conditional Use Permit. The site is configured with parking on the North and East sides of the building, providing convenient access to the building entry points. The drive through window is located on the South, interior side of the building, away from the street frontage. The drive through design is configured to maximize vehicle stacking while minimizing traffic conflicts. Vehicular access to the site is available via two existing curb cuts on Main Street. Street frontage improvements are existing with screening proposed to be provided by variegated masonry low-walls, and landscape planting materials. A pedestrian walkway is proposed allowing for accessible access to the public way.

Required parking is satisfied with 32) on-site spaces, including 4) R.V. spaces, and 2) accessible spaces. A refuse enclosure has been provided at the Northwest rear, interior corner of the property, with screening provided by six-foot height, masonry walls and opaque metal gates.

**Building Architecture:**

The proposed building design is intended to integrate with the small-town lightly forested, character of Cottonwood, Arizona. The proposed building design seeks to integrate within the eclectic context of surrounding commercial buildings, while making its own architectural statement. The following design elements are chosen to unify the proposed building within the unique context of the surrounding natural environment and the existing constructed developments.

1. Rusticated stone wainscot with faux plank-wood monument features.
2. Compatible colors and materials.
3. Compatible composition of building masses and material articulations.
4. Compatible landscape palate and planting designs.

**Request Justification:**

Based on the above description it is proposed that approval of this submittal, for Design Review and Conditional Use Permit, will not adversely impact the surrounding property owners, or the adjacent property users, in any significant way. Your consideration of this request is very much appreciated.

Refer to submittal exhibits for detailed design presentation.  
Your consideration of this proposal is very much appreciated.

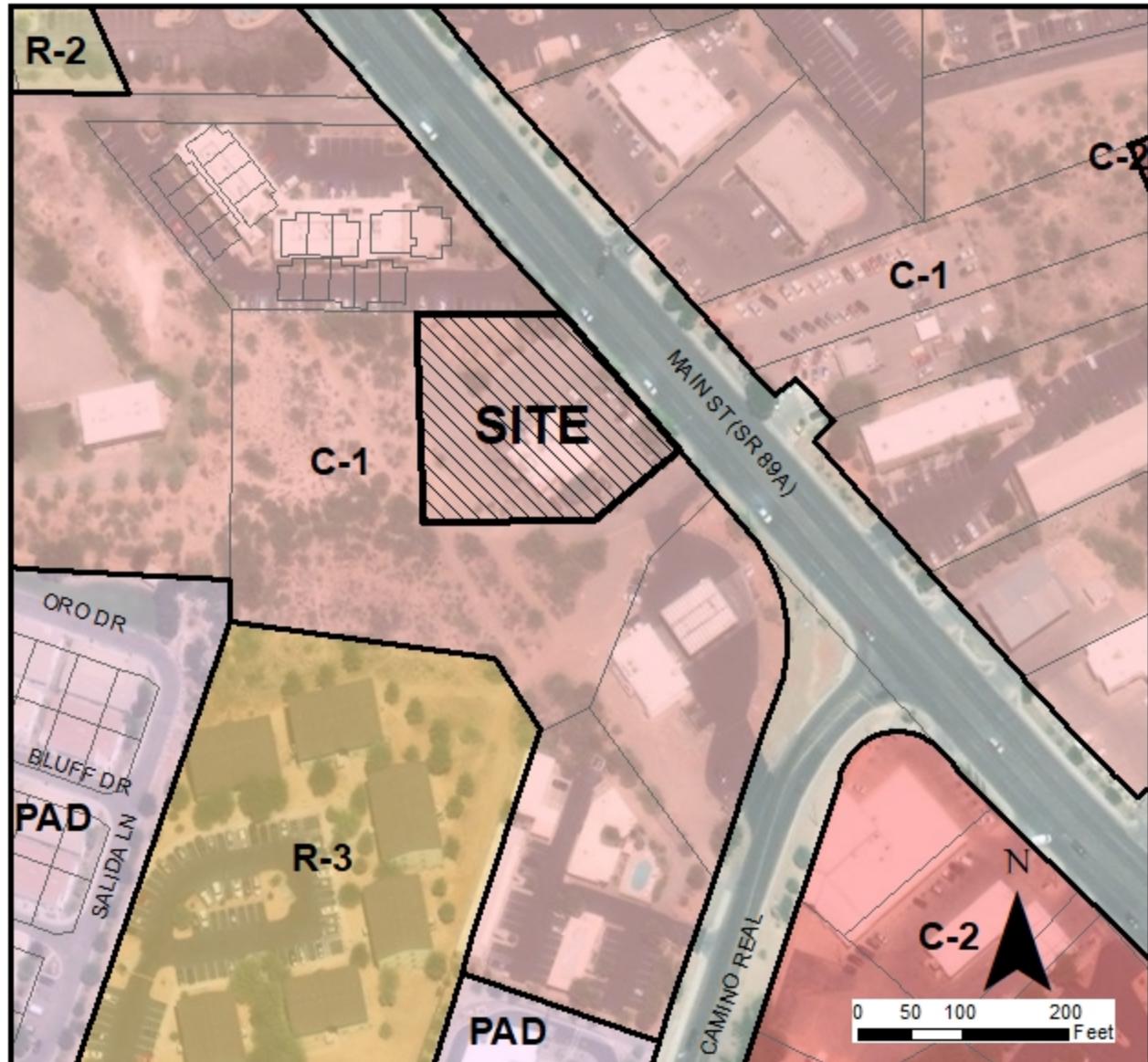
Submitted by:



Mark Abel, Principal  
Mark Abel Architects, P.C.

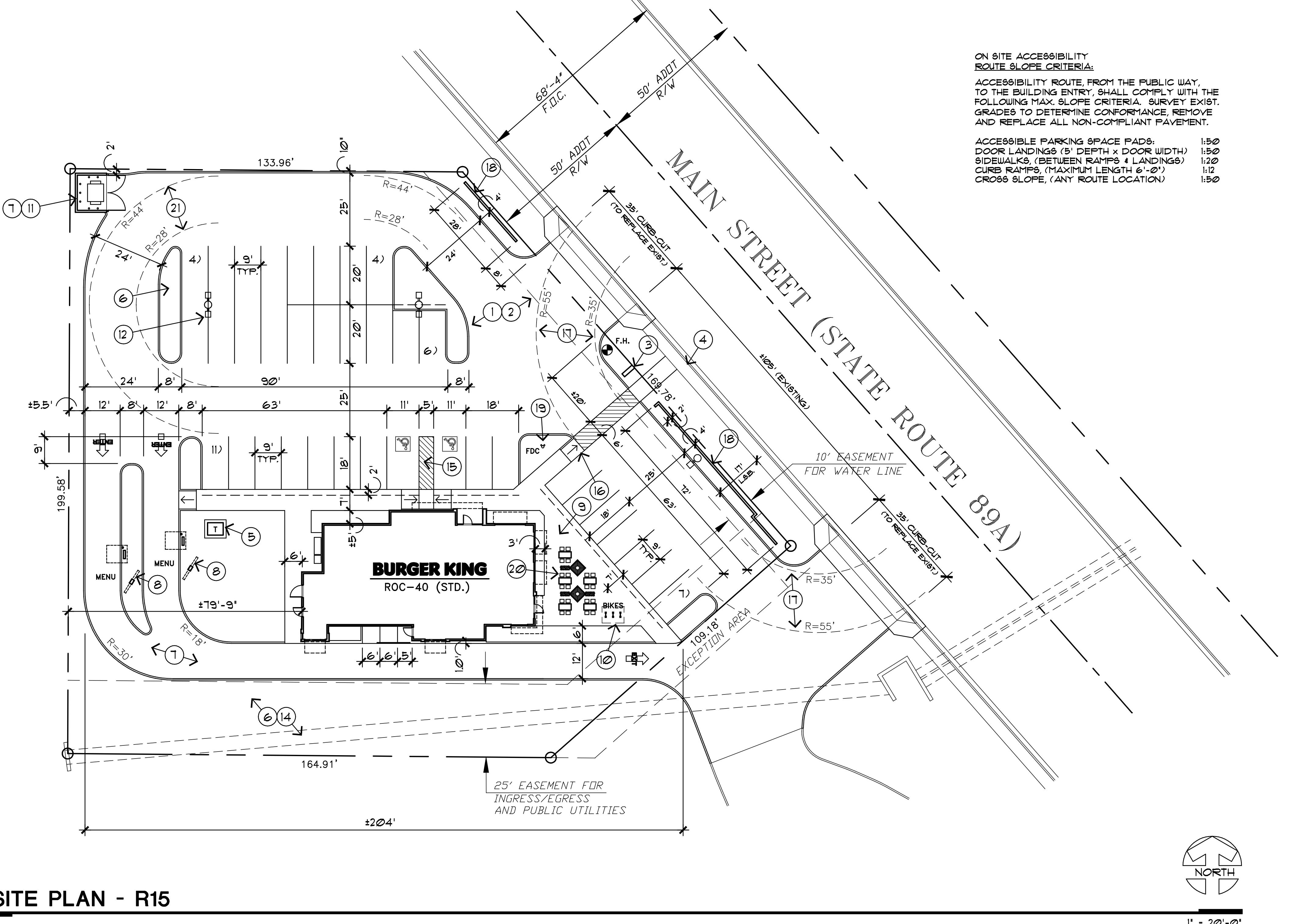
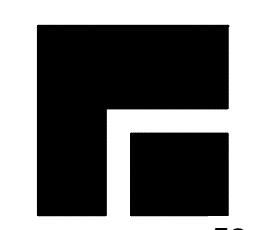
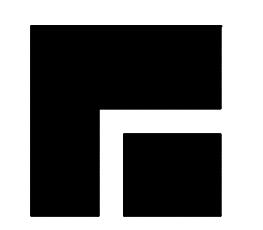
MA/ma

**CUP 24-001**  
**BURGER KING 888 S. MAIN ST**



 Proposed Conditional Use Permit

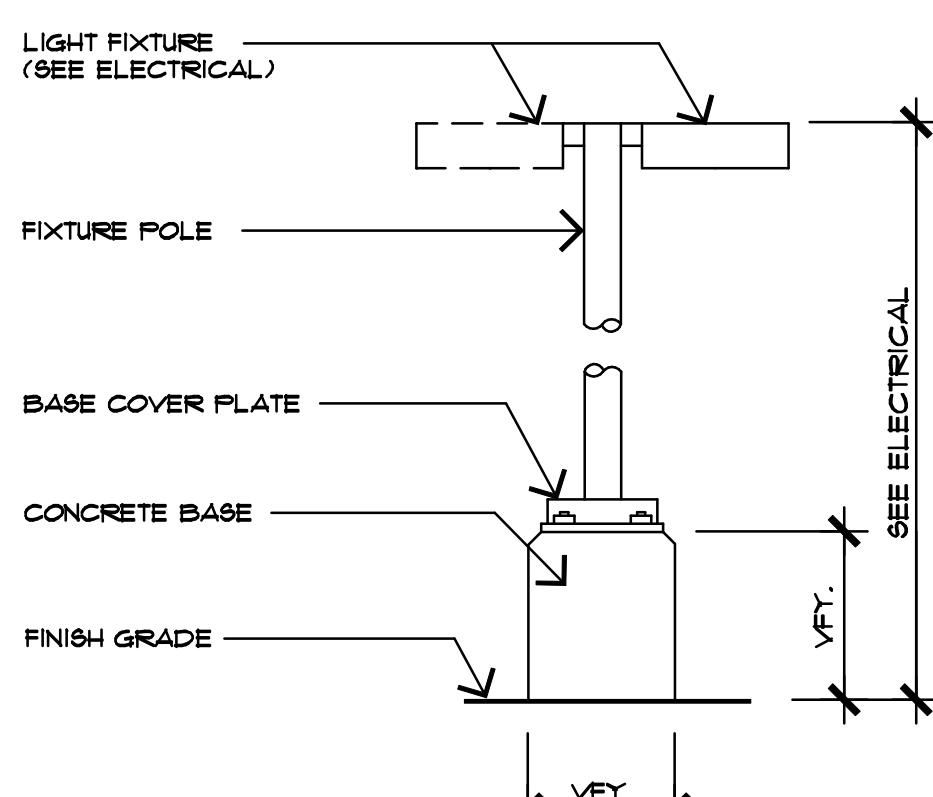
 Zoning Boundary



**SITE PLAN - R15**



1' = 20'-0"



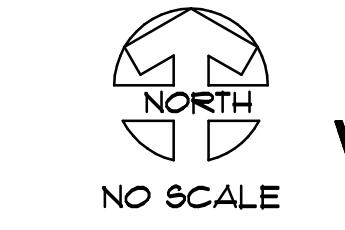
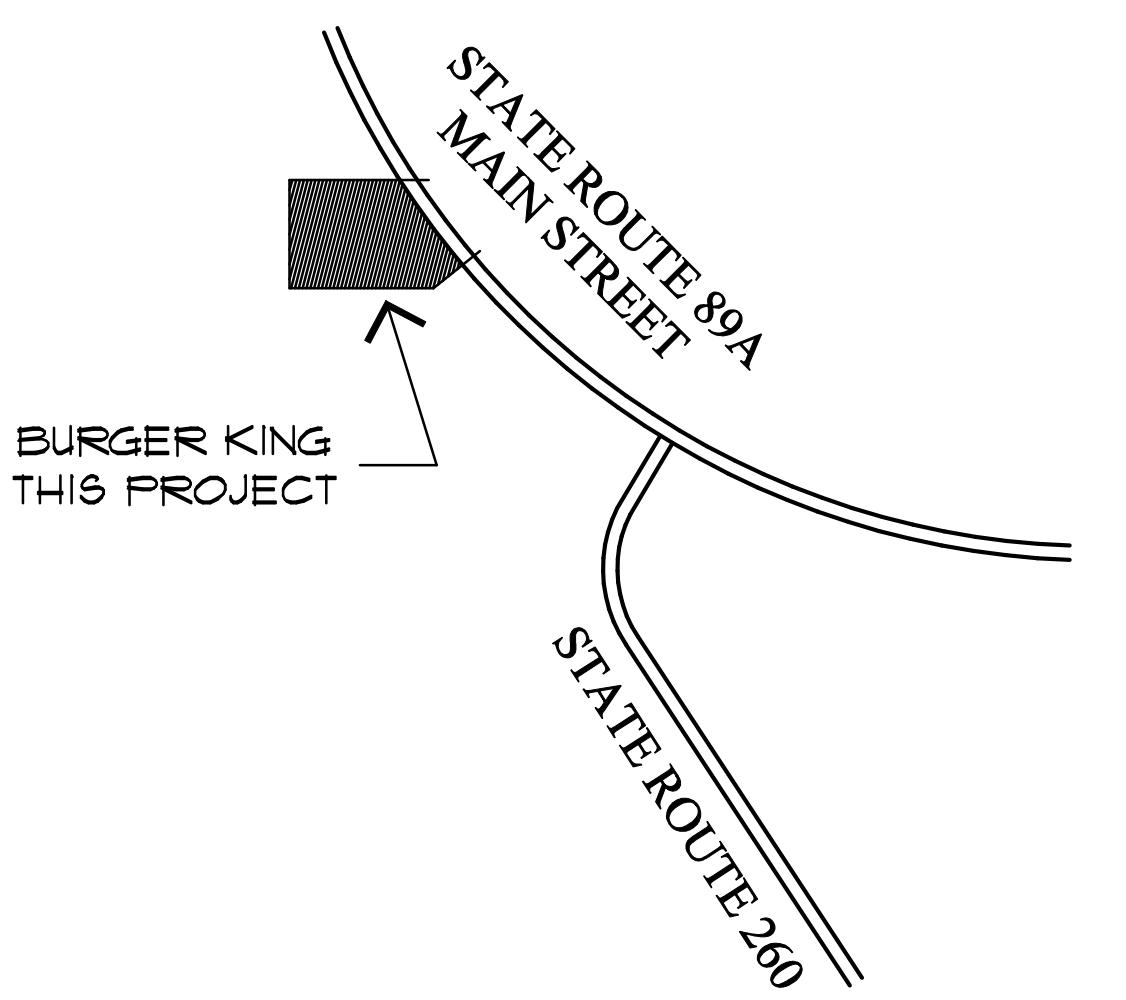
**LIGHT FIXTURE DETAIL**

**KEYNOTES:**

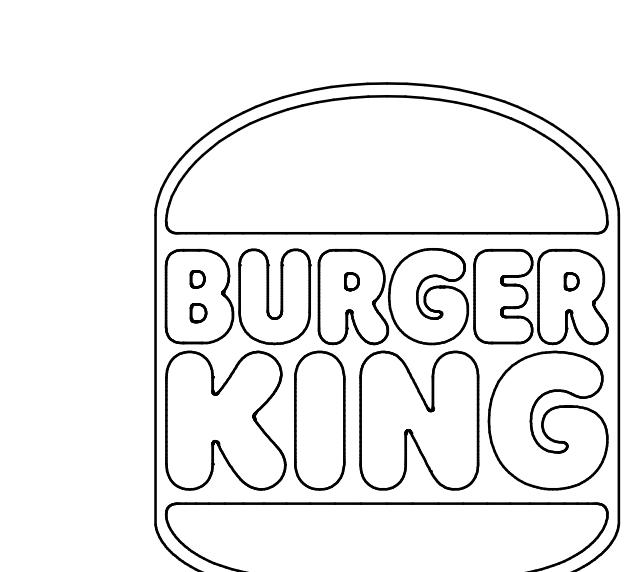
1. NEW PAVING WITH 6" RAISED CONCRETE CURBS, (SEE CIVIL FOR LIMITS OF EXISTING TO REMAIN AND NEW).
2. PROVIDE PAINT STRIPING AND GRAPHIC SYMBOLS, AS INDICATED, (SEE STANDARD SITE DETAILS).
3. PROPOSED MONUMENT SIGN UNDER SEPARATE PERMIT.
4. FRONTAGE IMPROVEMENTS, INCLUDING NEW DRIVEWAY CURB-CUTS, AND PUBLIC WAY CONNECTION, (SEE CIVIL).
5. PROPOSED TRANSFORMER LOCATION.
6. PLANTING AREA TYPICAL, (SEE CIVIL & LANDSCAPE).
7. CONCRETE PAVING AT REFUSE ENCLOSURE AND DRIVE THRU LANE, WITH INTEGRAL 'BLACK' COLOR, (SEE CIVIL).
8. MENU BOARD WITH OCUL CANOPY, (SEE STD. SITE DETAILS).
9. SIDEWALKS AND PATIO SLAB, 4" CONCRETE OVER 4" COMPACTED ABC FILL, (SEE STD. SITE DETAILS & CIVIL).
10. BICYCLE PARKING RACK, (SEE STANDARD SITE DETAILS).
11. REFUSE ENCLOSURE PER MUNICIPAL STD, (SEE SITE DETAILS).
12. LIGHT FIXTURE STANDARD TYP, (SEE SITE DETAILS & ELECT).
13. ACCESSIBLE CURB RAMP TYPICAL, (SEE SITE DETAILS & CIVIL).
14. EASEMENT FOR SHARED ACCESS, (SEE CIVIL & LANDSCAPE).
15. ACCESSIBLE PARKING SPACES, CURB RAMPS, W/ SIGN POSTING, (SEE STANDARD SITE DETAILS).
16. ACCESSIBILITY ROUTE WITH CURB RAMPS, TO THE PUBLIC WAY, (SEE STANDARD SITE DETAILS AND CIVIL).
17. DASHED LINES INDICATE FIRE TRUCK TURNING RADIUS.
18. FRONTAGE SCREEN WALL, (SEE STANDARD SITE DETAILS).
19. F.D.C. FIRE DEPT. CONNECTION WITH LOCKING KNOX CAPS', (MAXIMUM 100' FROM FIRE HYDRANT, SEE CIVIL).
20. PATIO FURNITURE AND PLANTERS BY DECOR SUPPLIER, INSTALLED BY CONTRACTOR, (COORD. WITH OWNER).
21. DASHED LINES INDICATE REFUSE TRUCK TURNING RADIUS.

**GENERAL NOTES:**

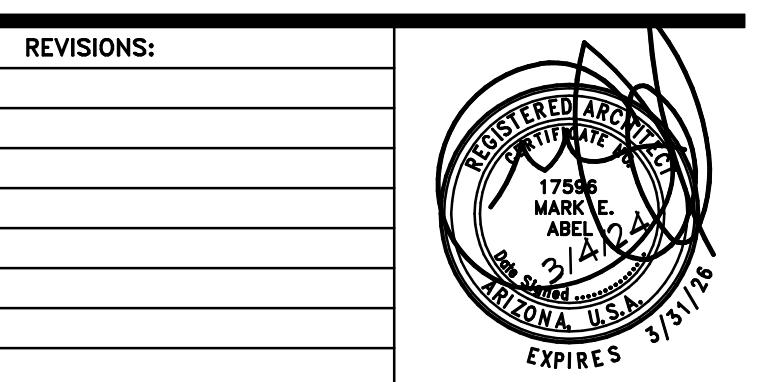
- A. FIRE DEPARTMENT ACCESS AND WATER SUPPLY REQUIREMENTS SHALL BE IN PLACE PRIOR TO THE START OF VERTICAL CONSTRUCTION.
- B. ALL NEW AND EXISTING UTILITIES WITHIN OR CONTIGUOUS TO THIS SITE SHALL BE PLACED UNDERGROUND.
- C. ALL UTILITY BOXES, VAULTS AND BACK FLOW DEVICES SHALL BE PAINTED TO MATCH BUILDING COLOR AND SHALL COMPLY W/ CITY ENCLOSURE STANDARDS.
- D. NEW ON-SITE LIGHTING SHALL BE PLACED TO DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL USES AND MUST NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. THE HEIGHT OF THE PARKING LOT LIGHTS SHALL BE AS SPECIFIED, (SEE ELECTRICAL).
- E. ALL ROOF TOP MECHANICAL EQUIPMENT SHALL BE FULLY SCREENED BY BUILDING PARAPET WALLS.
- F. PROPOSED DEVELOPMENT SHALL CONFORM WITH MUNICIPAL ZONING ORDINANCE INCLUDING CURRENT AMENDMENTS.
- G. PROPOSED MONUMENT SIGNAGE SHALL BE CONSTRUCTED UNDER SEPARATE REVIEW AND PERMIT BY OWNER.
- H. ALL PROJECT SIGNAGE TO BE REVIEWED AND APPROVED UNDER SEPARATE SUBMITTAL AND PERMIT BY OWNER.
- J. SEE LANDSCAPE AND CIVIL DRAWINGS FOR ADDITIONAL CONSTRUCTION INFORMATION.
- K. HOURS OF OPERATION SHALL BE: 10:00 AM. TO 1:00 AM.
- L. SEE CIVIL GRADING AND DRAINAGE PLAN FOR CRITICAL SLOPE INFORMATION AT ALL ACCESSIBILITY ROUTES.
- P. EXTERIOR CONCRETE TEXTURE TO BE 'LIGHT BROOM', TYP.



**VICINITY MAP**



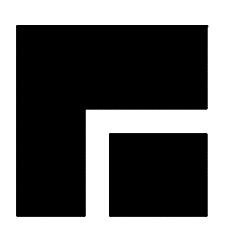
BURGER KING of TOMORROW 20/20  
MCL ENTERPRISES, INC.  
888 SOUTH MAIN STREET  
COTTONWOOD, ARIZONA 86326



**PRELIMINARY SITE PLAN**

JOB NO. 2201  
DATE: 3 / 4 / 24

SHEET NO. A1.1



MARK ABEL ARCHITECTS P.C.  
1623 EAST WINDJAMMER WAY, TEMPE, ARIZONA 85283 (480) 838-3374 FAX (888) 442-4297

MARK ABEL ARCHITECTS P.C.  
1623 EAST WINDJAMMER WAY, TEMPE, ARIZONA 85283 (480) 838-3374 FAX (888) 442-4297

#### LANDSCAPE LEGEND

SYMBOLS BOTANICAL NAME COMMON NAME SIZE AND QUANTITY REMARKS  
PLANTING TYPES SHALL MATCH EXISTING STANDARD, TYPICAL (CONFIRM PRIOR TO ORDER)

##### TREES

	VERIFY ON SITE	EXIST. TO REMAIN	MATURE (02)	TALL UPRIGHT, WITH CANOPY
	PRUNUS CERASIFERA 'KRAUTER VESUVIUS'	PURPLE PLUMB	24" BOX (09)	TALL UPRIGHT, WITH CANOPY
	SOPHORA SECUNDIFLORA	TEXAS MTN. LAUREL	24" BOX (01)	TALL UPRIGHT, WITH CANOPY

##### SHRUBS

	VERIFY ON SITE	EXIST. TO REMAIN	MATURE (01)	MINIMUM 4' FROM CURB
	SALVIA GREGGII	AUTUMN SAGE	5 GAL. (26)	MINIMUM 4' FROM CURB
	ELAEAGNUS FENGUEUS	SILVERBERRY	5 GAL. (21)	MINIMUM 4' FROM CURB
	MOHONIA AQUIFOLIUM	OREGON GRAPE	5 GAL. (12)	MINIMUM 4' FROM CURB
	HESPERALOE PARVIFLORA	RED YUCCA	5 GAL. (34)	MINIMUM 4' FROM CURB
	AGAVE PARRYI	CENTURY PLANT	5 GAL. (11)	MINIMUM 4' FROM CURB

##### GROUNDCOVER & VINES

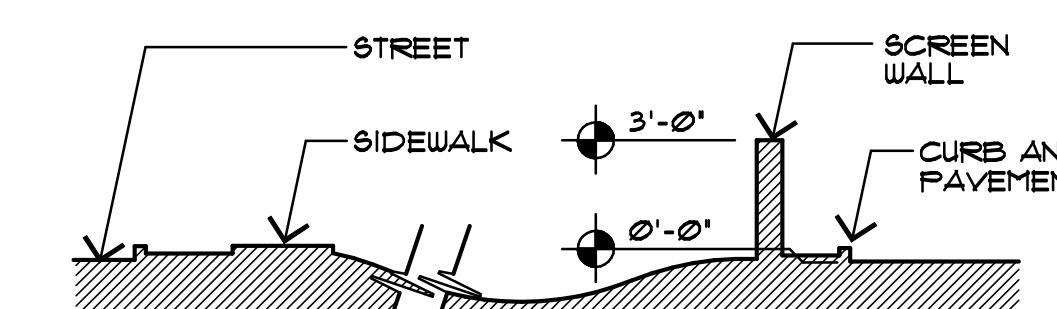
	NEW GROUNDCOVER MAHONIA REPENS	CREEPING GRAPE	1 GAL. (42)	SEE DETAIL
	NEW GROUNDCOVER VERBENA GOODINGII	BLUE CHIP JUNIPER	1 GAL. (46)	SEE DETAIL

##### GRADE FINISH & SPECIALTIES:

1/2" SCREENED APACHE BROWN 2" DEPTH, MATCH ADJACENT SITES,  
FIELD VERIFY WITH OWNER PRIOR TO ORDER.

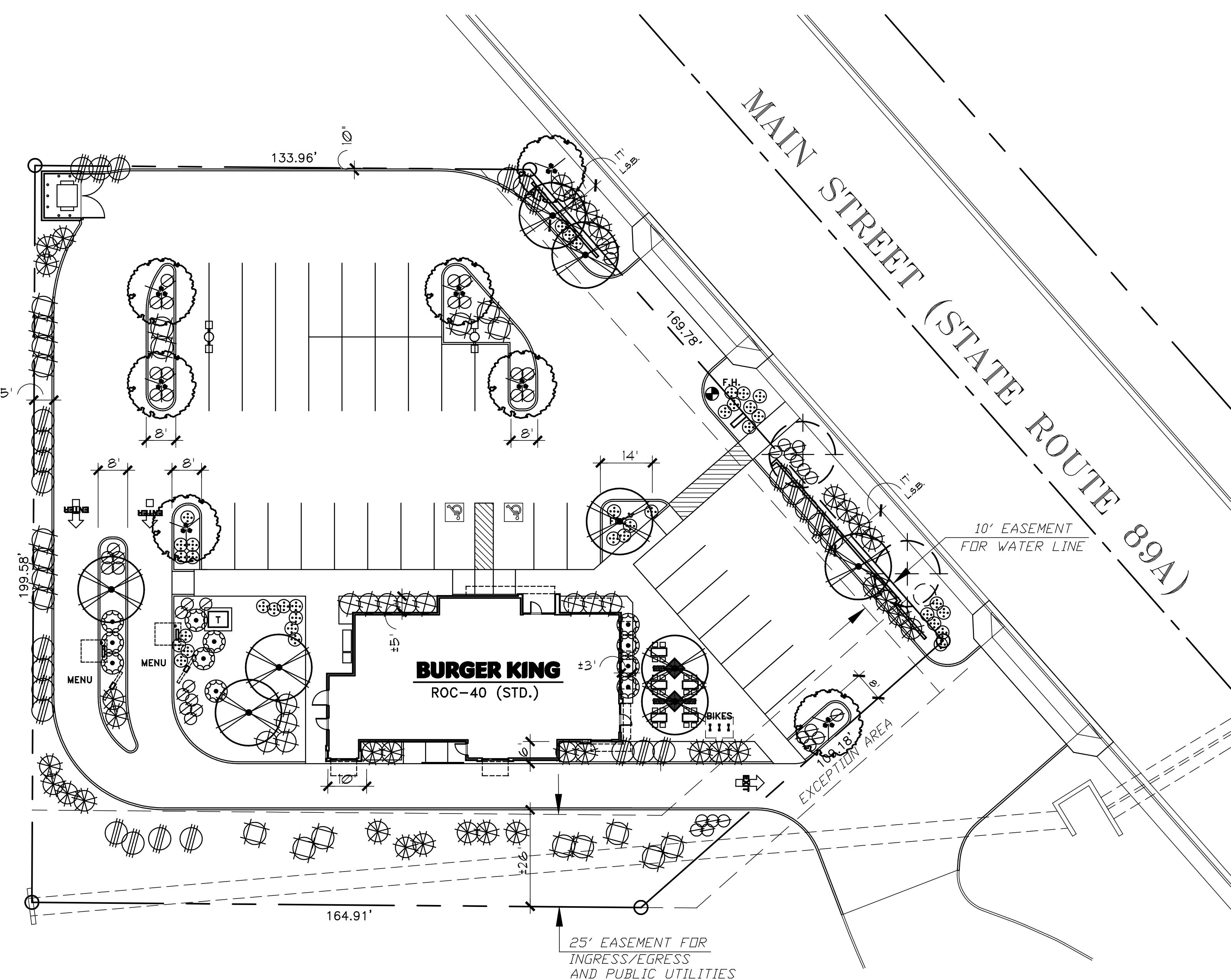
60"X60" CAST IRON TREE GATE  
(WITH CAST IN PLACE ANGLE FRAME) (02) ADA APPROVED  
(VERIFY SELECTION)

PLANTER BOX BY FURNITURE INSTALLER  
(VERIFY EXACT PLACEMENT) (03) CAST CONCRETE  
(VERIFY SELECTION)



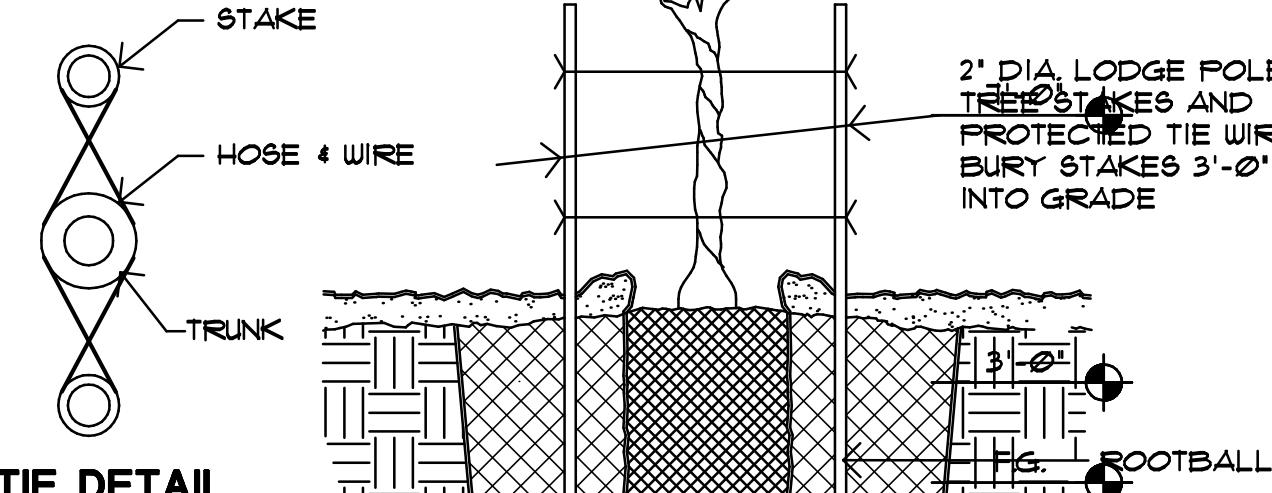
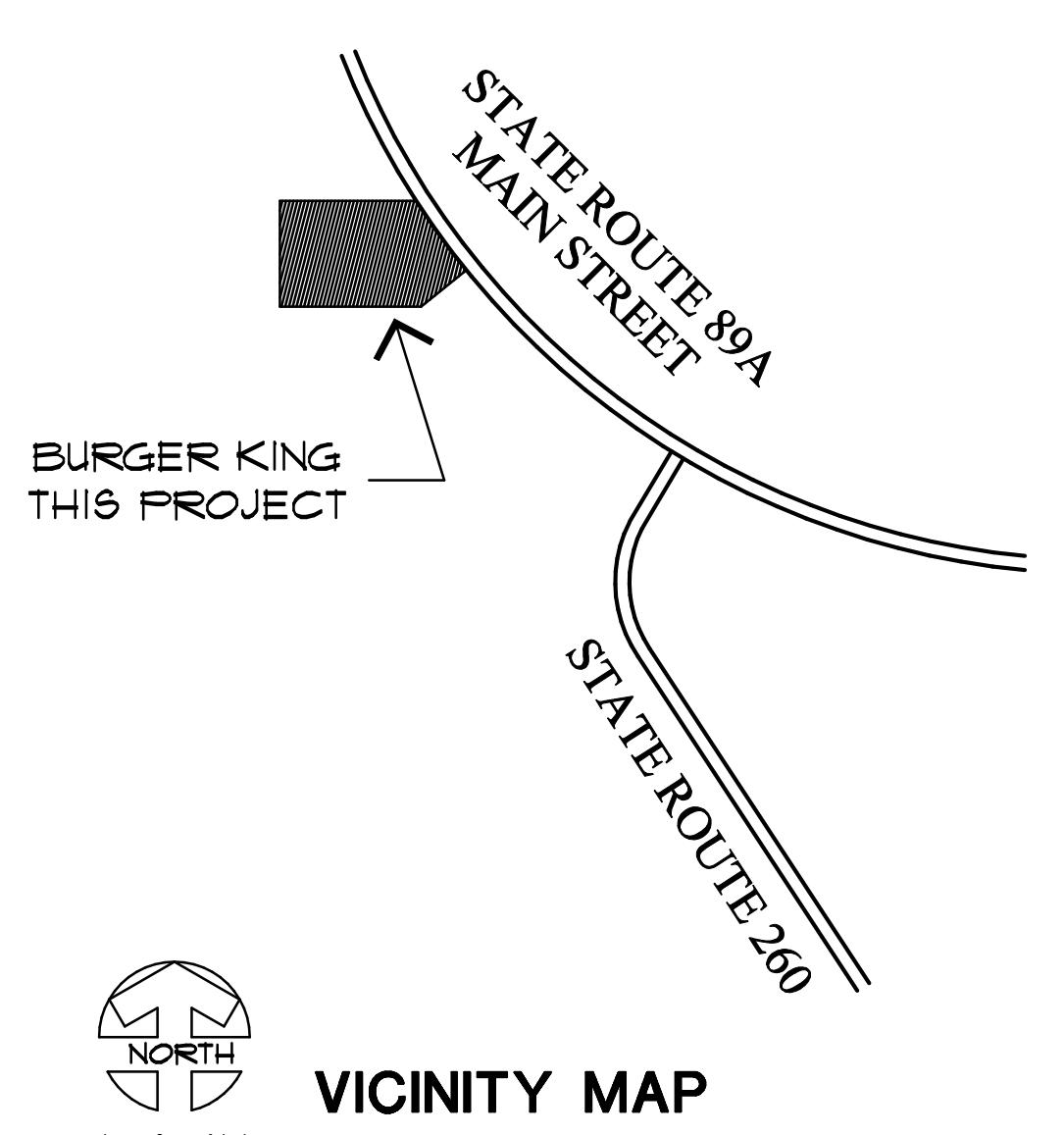
#### FRONTAGE SWALE SECTION

NO SCALE



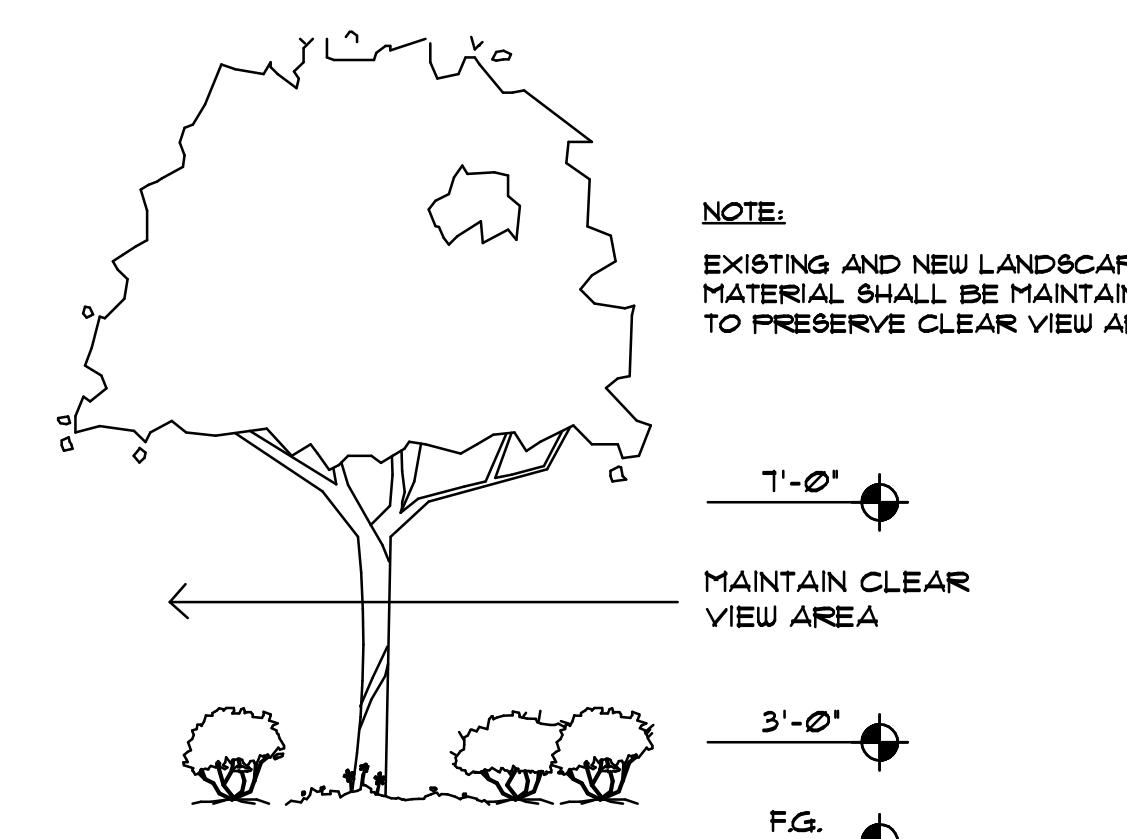
#### GENERAL LANDSCAPE NOTES:

1. ALL WORK SHALL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES, TYPICAL.
2. CONTRACTOR SHALL FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND INCIDENTALS NECESSARY TO INSTALL ALL LANDSCAPE MATERIALS, IRRIGATION SYSTEM AND RELATED WORK INDICATED AND IMPLIED.
3. ALL MATERIALS SHALL BE INSTALLED PER MANUF. PRINTED RECOMMENDATIONS AND SPECIFICATIONS.
4. SUBMIT WRITTEN GUARANTEES, AS-BUILT PLANS, AND COMPLETE MAINTENANCE INSTRUCTIONS ON THE CARE AND USE OF PLANTS AND IRRIGATION SYSTEM.
5. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS PRIOR TO COMMENCEMENT OF ANY WORK.
6. GUARANTEE IN WRITING ALL PLANT MATERIALS TO BE LIVE AND HEALTHY CONDITION FOR THE FOLLOWING TIME PERIODS BEYOND PROJECT COMPLETION: (TREES - 1 YR / SHRUBS - 90 DAYS / GROUNDCOVERS - 90 DAYS).
7. ALL WEEDS AND UNWANTED GRASSES SHALL BE PROPERLY TREATED AND REMOVED BY USE OF "ROUND-UP" HERBICIDE, APPLIED IN STRICT ACCORDANCE WITH MANUF. SPECIFICATIONS.
8. BACKFILL ALL PLANT PITS WITH A MIXTURE OF 2/3 FERTILIZED NATIVE SOIL AND 1/3 PINE NITROGENIZED WOOD MULCH, TYPICAL.
9. FINISHED GRADE OF ALL PLANTING BEDS AND GRANITE AREAS (TOP OF FINISHED MATERIALS) SHALL BE 2" BELOW ADJACENT PAVING ELEVATIONS.
10. STAKE ALL TREES OUTSIDE FOOTBALL, TYPICAL.
11. REMOVE ALL WASTE MATERIALS AND DEBRIS AND LEGALLY DISPOSE OF SAME, OFF-SITE.
12. PARKING LOT TREES MUST HAVE A MINIMUM CLEAR CANOPY DISTANCE OF 5'.
13. VEGETATIVE GROUNDCOVERS SHALL BE 50% OF ALL LANDSCAPE AT RETENTION AREAS.
14. EXISTING TREES AND SHRUBS IN RIGHT-OF-WAY TO REMAIN OR BE RELOCATED BY CONTRACTOR. ANY PLANT MATERIAL DAMAGED OR DESTROYED WILL BE REPLACED IN KIND BY THE CONTRACTOR.



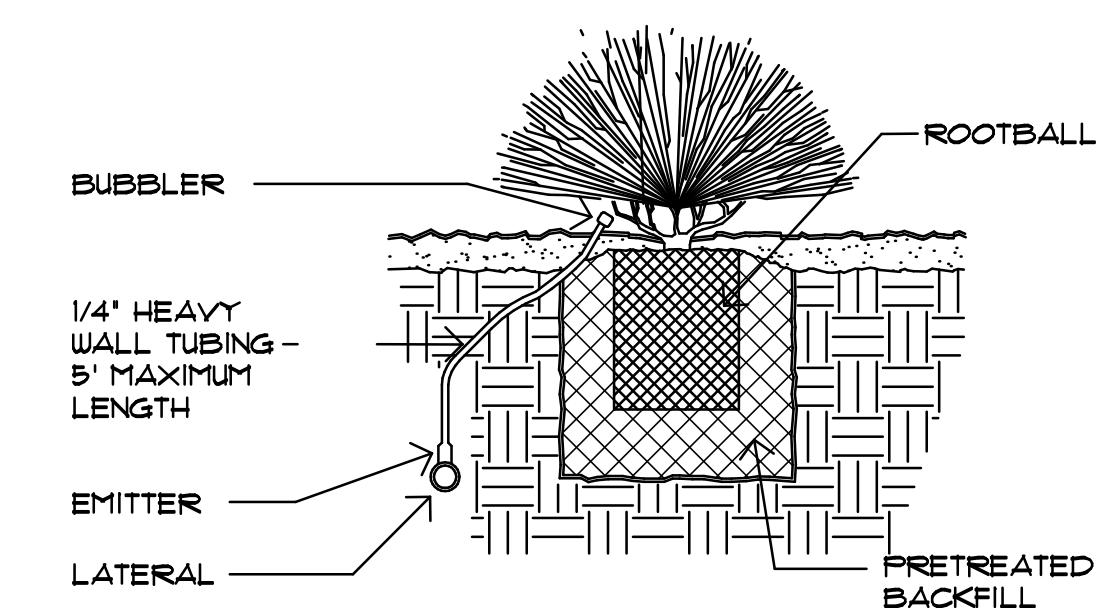
#### TREE PLANTING

NO SCALE



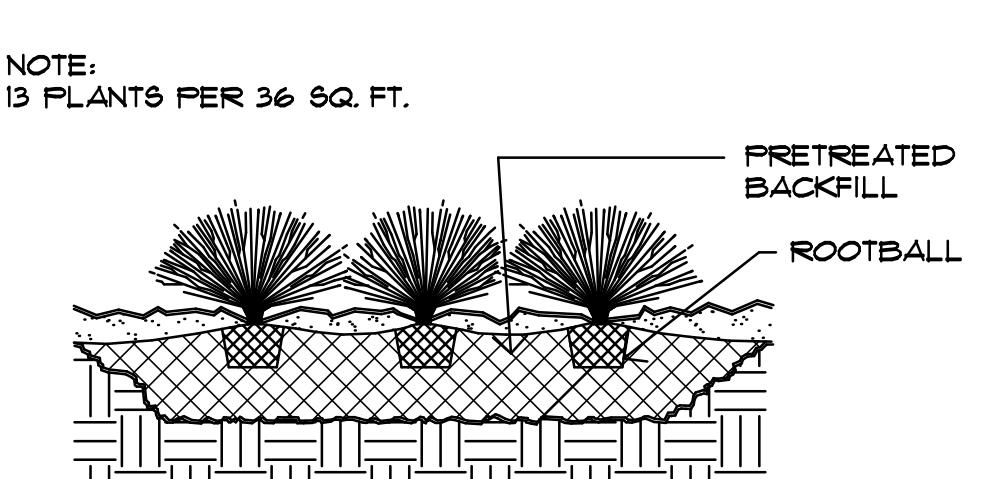
#### CLEAR VIEW DETAIL

NO SCALE



#### SHRUB PLANTING

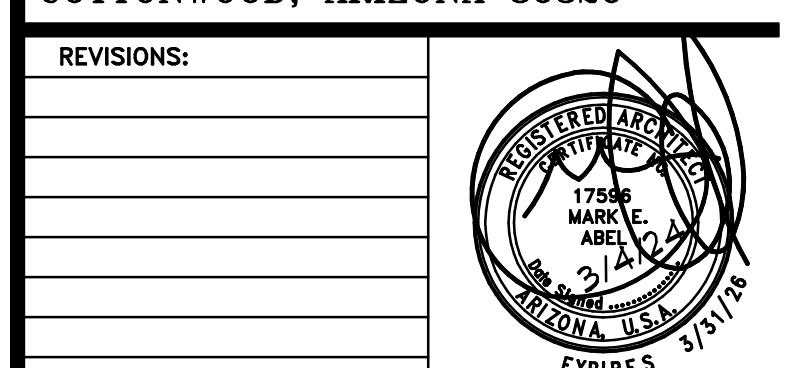
NO SCALE



#### GROUNDCOVER PLANTING

NO SCALE

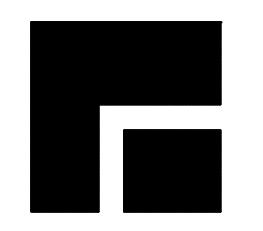
BURGER KING of TOMORROW 20/20  
MCL ENTERPRISES, INC.  
888 SOUTH MAIN STREET  
COTTONWOOD, ARIZONA 86326



REVISIONS:  
TITLE: PRELIMINARY LANDSCAPE PLAN  
JOB NO. 2201  
DATE: 3 / 4 / 24

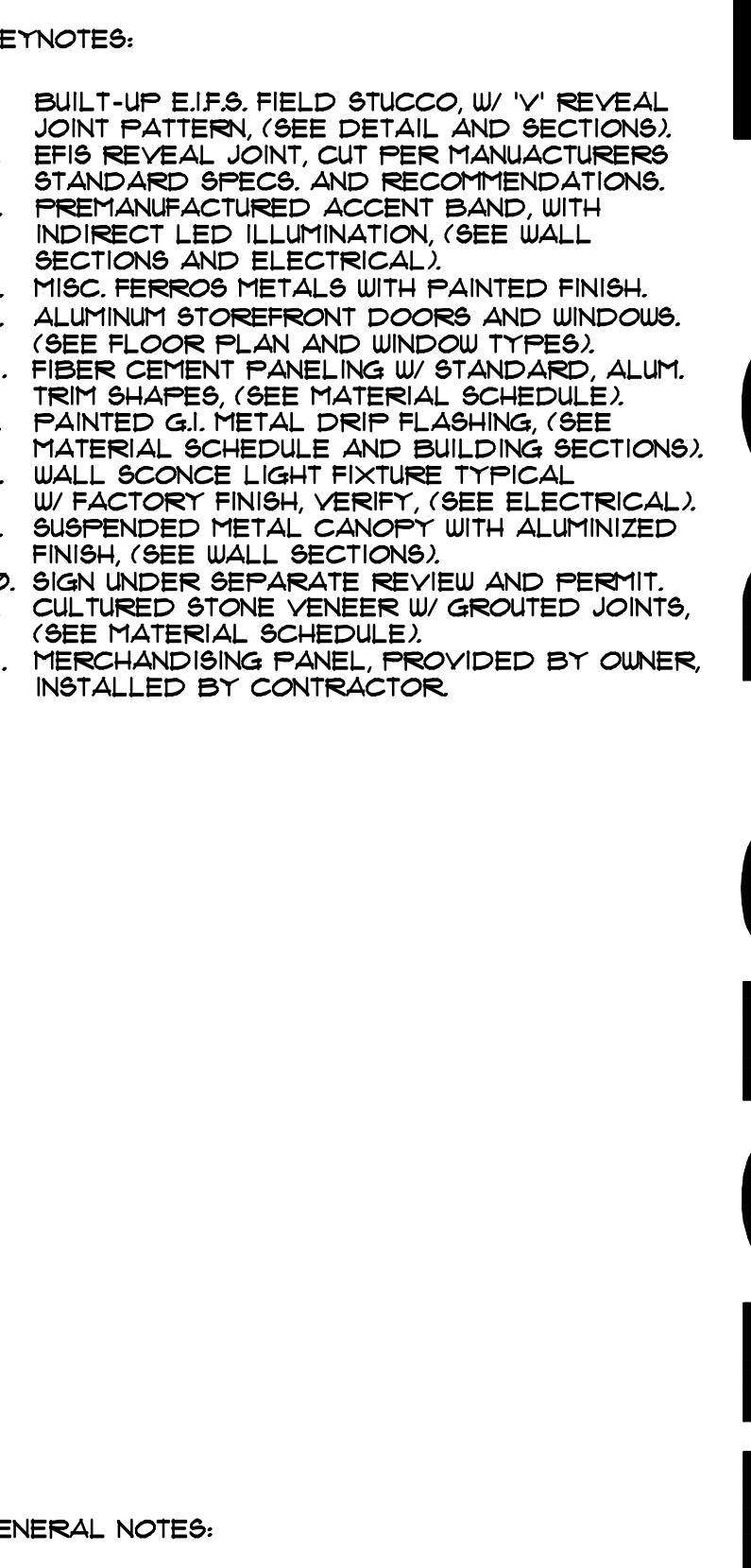
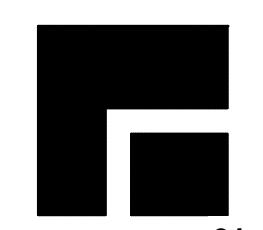
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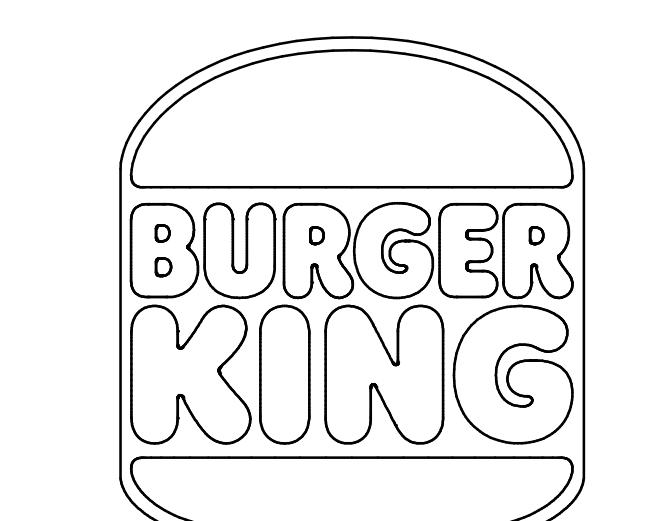
MARK ABEL ARCHITECTS P.C.  
(480) 838-3374 FAX (888) 442-4297

1623 EAST WINDJAMMER WAY, TEMPE, ARIZONA 85283

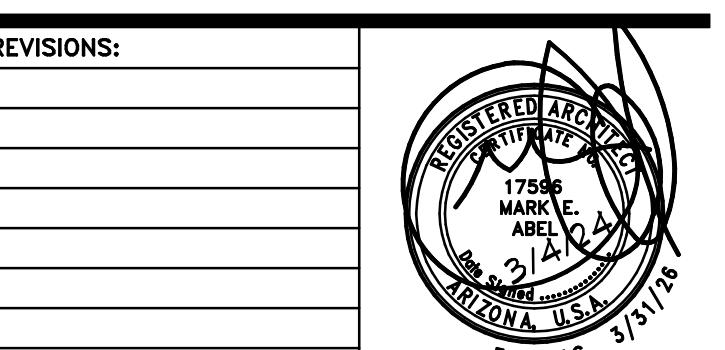


GENERAL NOTES:

- A. MATERIALS AND COLORS SHALL MATCH CITY APPROVED SAMPLES FOR THIS PROJECT.
- B. ALL LIGHT FIXTURES FOR THIS PROJECT SHALL BE SHIELDED. (SEE ELECTRICAL).
- C. ALL SIGNS FOR THIS PROJECT SHALL BE SUBMITTED AND PERMITTED UNDER SEPARATE SUBMITTAL BY OWNER'S SIGN CONTRACTOR.
- D. ROOF TOP EQUIPMENT SHALL BE SCREENED BY BUILDING PARAPET WALLS. SEE ROOF PLAN FOR TOP OF DECK ELEVATION.
- E. ALL ROOF DRAINS SHALL BE INTERNALIZED.
- F. SEE CANOPY LAYOUT PLAN (SHT A3J) FOR ADDITIONAL INFORMATION.
- G. SEE ROOF PLAN FOR ADDITIONAL INFORMATION.
- H. EIFS SHALL BE INTERNALIZED OR WITH SAND BLAST FINISH, (EXCEPT AS NOTED).
- I. EIFS SHALL BE AS MANUF. BY 'DRYVIT' (ICBO #2728 WITH VAPOR BARRIER).
- K. CULTURED STONE VENEER SHALL BE AS MANUF. BY BORAL COUNTRY LEDGESTONE, PATTERN 'ASPEN', PROVIDE WITH GROUTED JOINTS AND STANDARD TRIM CAP AND TRIM SHAPES.
- L. FIBER CEMENT PANELS SHALL BE AS MANUF. BY NICHIA INDUSTRIES VINTAGE WD EIF162 (W/ ALUM. TRIM) PATTERN: 'CEDAR'.



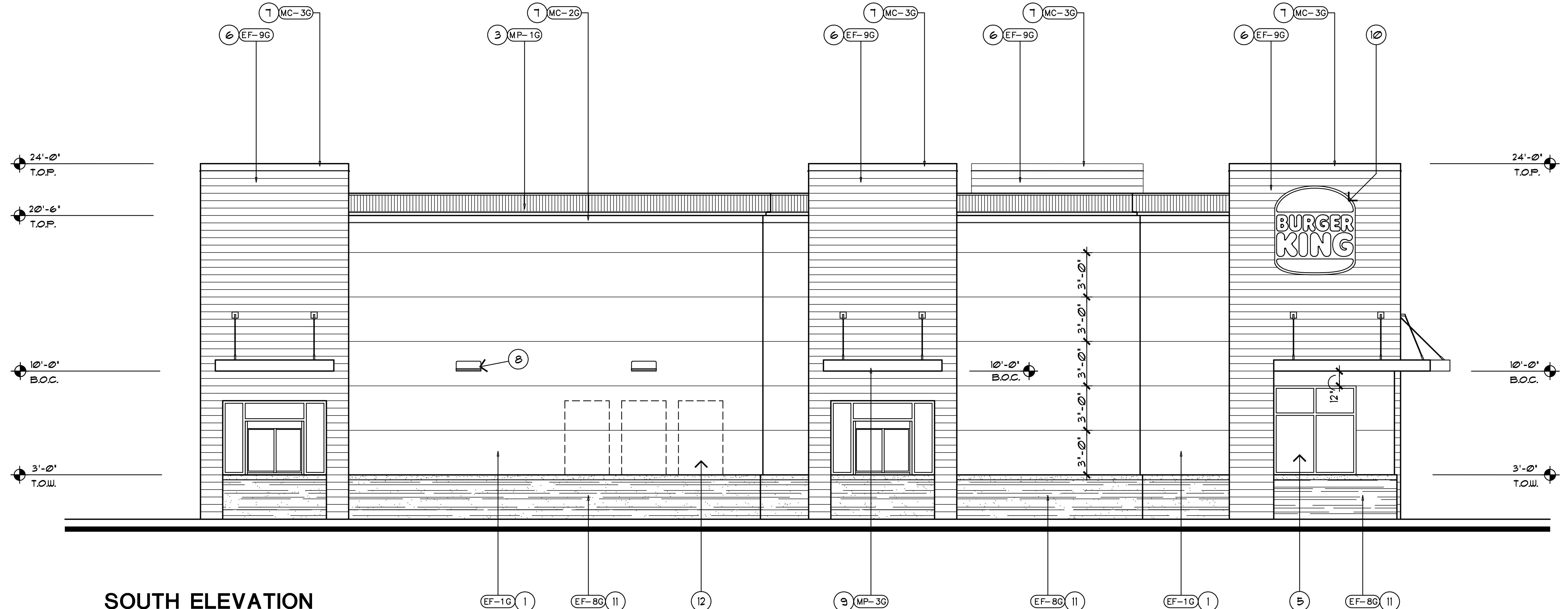
BURGER KING of TOMORROW 20/20  
MCL ENTERPRISES, INC.  
888 SOUTH MAIN STREET  
COTTONWOOD, ARIZONA 86326



REVISIONS:  
TITLE: ELEVATIONS

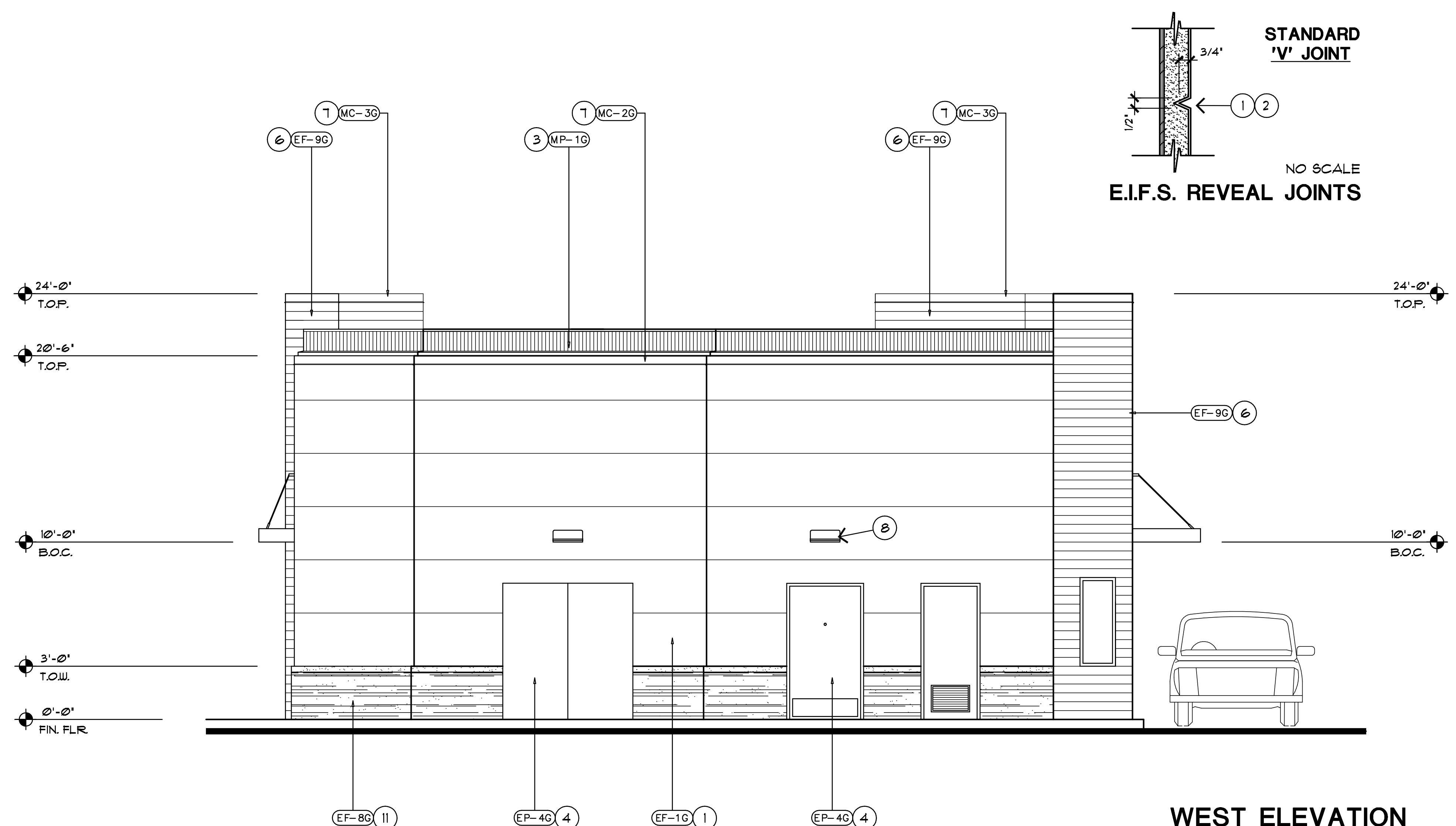
JOB NO.  
DATE: 3 / 4 / 24

SHEET NO.: A6.2



### SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



### WEST ELEVATION

SCALE: 1/4" = 1'-0"



### NO SCALE E.I.F.S. REVEAL JOINTS

### MATERIAL SCHEDULE

EF-10 E.I.F.S. FIELD STUCCO WITH REVEAL JOINTS AS INDICATED INTEGRAL COLOR / SAND FINISH TANNERS TAUPE SW 7633 LRV 36

EF-80 FIBER CEMENT PANELS NICHIA INDUSTRIES VINTAGE WD EIF162 (W/ ALUM. TRIM) PATTERN: 'CEDAR'

EF-80 CULTURED STONE VENEER BORAL COUNTRY LEDGESTONE (WITH GROUTED JOINTS) PATTERN: 'ASPEN'

EP-40 MISC. FERROS METALS TO RECEIVE PAINTED FINISH MONTEREY CLIFFS 10YY 14/000

MC-20 G.I. BRAKE METAL CAP FLASHING W/P. HICKMAN SYSTEMS (OR EQ.) PERMA SNAP W/ PAINTED FINISH TANNERS TAUPE SW 7633 LRV 36

MC-30 G.I. BRAKE METAL CAP FLASHING W/P. HICKMAN SYSTEMS (OR EQ.) PERMA SNAP W/ PAINTED FINISH COLOR: CUSTOM, MATCH EF-20

MP-10 PARAPET BAND ACCENT CORRUGATED, PRE-FINISHED LEKTRON (OR APPROVED EQ.) COLOR: AMAZING 104TR 1/931

MP-30 SUSPENDED METAL CANOPY BY APPROVED SUPPLIER W/ CLEAR ALUMINUM FACTORY FINISH, (NOT-POLISHED)

NOTE:  
SEE BURGER KING GARDEN GRILL EXTERIOR MATERIALS AND FINISH SCHEDULE FOR ADDITIONAL INFORMATION - (SHEET SP8)



## *“Inspiring a Vibrant Community”*

March 16, 2023

Mark Abel  
1623 E. Windjammer Way  
Tempe, AZ 85283  
MABELARCH@CISAZ.COM

Dear Mr. Abel:

Thank you for meeting with the Code Review Board on March 7, 2023 regarding the above referenced project. The project as presented is for the development of a Burger King restaurant. As mentioned, this project would require Conditional Use Permit and Design Review approval by the Planning and Zoning Commission. Please review the Cottonwood Zoning Ordinance procedural codes for Conditional Use Permitting ([Section 302](#)) and Design Review ([Section 304](#)). The following is a process summary:

1. **Design Review submittal:** A Design Review application submittal is required; and the application fee is \$350. The application and fees should be submitted four to five weeks prior to a Planning and Zoning hearing. The Planning and Zoning Commission meets at 6 PM on the third Monday of each month.
2. **Conditional Use Permit Submittal:** A Conditional Use Permit application submittal is required, and the application fee is \$800. The application and fees should be submitted four to five weeks prior to a Planning and Zoning hearing. The Planning and Zoning Commission meets at 6 PM on the third Monday of each month.
3. **Site Improvement Permits:** Permits may not be issued nor any site work commenced until 15 days after Commission approval. Permit applications may be submitted prior on an “at-risk” basis, subject to advance written request and Staff approval.
4. **Certificate of Occupancy:** Issuance of a Certificate of Occupancy is required prior to use. All requirements stipulated as part of the Design Review process must be addressed before the Certificate of Occupancy will be issued.

**DEPARTMENT COMMENTS REGARDING SUBMITTAL**

**These comments are only for the project as presented at code review. Any additional work may require additional reviews and approvals. Contact staff before starting any work that was not part of this review.**

**Community Development/Planning** – Tina Hayden, [khayden@cottonwoodaz.gov](mailto:khayden@cottonwoodaz.gov)  
(928) 634-5505 x3320

1. The proposed development of a restaurant is a permitted use in the C-1 (Light Commercial) zone. The proposed use of a drive-thru in the C-1 zone is subject to Conditional Use Permit approval. The Conditional Use Permit application can be submitted and reviewed concurrently with the Design Review application.
2. Provide a shared access agreement for the two neighboring parcels that use the ingress/egress access from S. Main Street.
3. Per [Section 404](#) of the Zoning Ordinance, trash enclosures shall consist of solid screening that is five feet in height.
4. A separate permit is required for any signs. Please include all details of sign design, including materials and colors. Dark or opaque backgrounds are required on all internally illuminated signs. Refer to [Section 405](#) of the Zoning Ordinance regarding definitions and guidelines for signs.
5. All two-way drive lanes shall be at least 24 feet wide. One-way drive lanes shall be at least 12 feet wide.
6. Per [Section 406](#) of the Zoning Ordinance, a total of 33 parking spaces are required. The site plan presented at Code Review indicated 32 parking spaces.
7. Landscaping shall adhere to [Section 407](#) of the Zoning Ordinance. The requirements are as follows:
  - a. S. Main Street frontage: A 15-foot landscape yard is required along the S. Main Street property frontage, measured from the back edge of the sidewalk. A total of 6 trees and 18 shrubs are required to be planted and maintained within this landscape yard.
  - b. Parking lot landscaping: Each single-stall landscape island shall include one tree and two shrubs, and each double-stall landscape island shall include two trees and four shrubs.
  - c. Building area landscaping: Planting beds are required along the north and east sides of the building. The length of each planting bed shall be 25% of the length of the adjacent exterior wall. The width of the planting bed shall be three feet to accommodate ground cover and five feet to accommodate trees. One tree is required for every 50 linear feet of the adjacent wall. Parking lot trees within 30 feet of the building may be counted towards this requirement.

8. All exterior lighting shall meet the provisions of the State's Dark Sky Laws as well as the City's Lighting Code, [Section 408](#). Full, cut-off style shielding is required. Please submit a lighting plan with lumen calculations, lighting site plan, and cut sheets on all lighting fixture types.

**Fire Department** Rick Contreras, [rcontreras@cottonwoodaz.gov](mailto:rcontreras@cottonwoodaz.gov) (928) 634-2741 x2145

1. As a reminder, all plans and designs shall fully comply with the 2018 International Fire Code {IFC} and the 2018 International Building Code {IBC} and per the Cottonwood Fire Departments Conditions. Please review the comments that are listed below.
2. A full complete set of detailed stamped plans shall be provided to the Cottonwood Fire Department for review and prior approval of all phases before the work is permitted to start.

#### **FIRE SPRINKLERS**

3. Fire sprinklers shall be installed throughout the building per NFPA 13 and all local regulations. The system shall be designed to meet the Hazard Class.
4. Sectional control valves, and all valves controlling water supply, shall be indicating type valves listed for the use with fire sprinkler systems, this will include the double check backflow device. When supplying more than 100 sprinkler heads, these valves shall be monitored with an electric tamper switch per NFPA 72.
5. Sprinkler piping in unheated areas shall be protected with approved freeze protection such as batt insulation {tented}, dry sprinkler heads. Contact the Cottonwood Fire Departments Fire Marshal for approved freeze protection methods.
6. The Fire Marshal or his representative shall inspect any/all fire protection system{s} components prior to concealment. This will also include the flushing of the Fireline.
7. Call 24 hours in advance to schedule all fire inspections @ {928} 634-2741. The following inspections are required for Fire Sprinklers:
  - *Installation and testing of underground Fireline's {including thrust blocks}*
  - *#200 lb. test of the Fireline*
  - *Fireline Flush*
  - *Aboveground Rough-in & 200# test for Fire Sprinklers*
  - *Freeze Protection/Insulation.*
  - *Final system acceptance*
  - *Above and Below ground Certifications*
  - *Final system acceptance*
8. Contact the Cottonwood Fire Department for Fire Flow Calculations

**BUILDING FEATURES**

9. Provide a detailed list of all the Commercial Cooking systems. All Cooking systems shall be per all code standards including NFPA 96, the 2018 International Fire, Building, Mechanical & Fuel Gas Code along with all NFPA and UL Standards.
10. All compressed gases shall meet the conditions in chapter 5307 of the 2018 International Fire Code. Provide details about all CO<sub>2</sub> storage, dispensing and uses.
11. One Knox Box will be required to be installed. Verify the exact type and placement location with the Cottonwood Fire Marshal. Provide a copy of the door keys to the Cottonwood Fire Department for placement into the Knox Box.
12. Multiple Fire extinguishers sizes and types are required per NFPA 10, coordinate quantities and placement locations with the Cottonwood Fire Marshal.

**FIRE RISER ROOMS**

13. Fire pump and automatic sprinkler system riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of the largest piece of equipment. (IBC 2018, 902.1) The space required to house fire riser rooms needs to be designed with “adequate space” and offer “sufficient” working room to inspect, service, repair, and replace equipment.
14. Fire Sprinkler Riser rooms are required to be installed with an exterior door and shall be maintained at a temperature of not less than 40°F (4°C). Heating units shall be permanently installed
15. Fire riser rooms shall be constructed of non-combustible materials or other approved means as approved by the Cottonwood Fire Marshal or his representative.
16. All risers shall have a minimum of 36" clear space at the front and 18" on the remaining sides.
17. Provide “No Storage Allowed” signage inside of the Fire Sprinkler Riser room. Contact the Cottonwood Fire Department for signage detail
18. Such rooms shall be of a size that will allow a minimum of 36-inch clearance around all portions of the fire riser assembly and in front of the fire alarm panel(s).
19. Lighting in the riser room shall be permanently installed.
20. Marking on the access door for automatic sprinkler system riser rooms and fire pump rooms shall be labeled with an approved sign.

21. FDC signage is required, verify the exact verbiage and sign dimensions with the Cottonwood Fire Marshal.
22. The lettering shall be in a contrasting color to the background. Letters shall have a minimum height of 2 inches (51 mm) with a minimum stroke of 3/8 inch (10 mm).

#### FIRE ALARM COMMENTS

23. Fire alarms shall be installed in all commercial and residential buildings per NFPA 72 and NFPA 70.
24. Certification of completion per NFPA 72 shall be submitted to the Cottonwood Fire and Medical Department after testing and acceptance.
25. Fire Alarm panels shall have a minimum of 36-inch clearance around them.

#### FIRE HYDRANT AND FIRE FLOW COMMENTS

26. Fire Hydrants must be available in accordance to all fire code requirements. All existing Fire Hydrants shall be clear of all debris and materials at all times.
27. All plans, designs and fire flow calculations shall fully comply with the 2018 International Fire Code Appendix B and Chapter 5 of the IFC and per the Cottonwood Fire Departments Conditions.
28. Fire hydrants and all water supply systems shall be inspected, tested and accepted in accordance with all fire code requirements before any building materials and combustibles are allowed to arrive on site.

#### STREET / ACCESS / FIRE LANE COMMENTS

29. Surface shall be designed and maintained to support the imposed loads of all fire apparatus and shall be surfaced so as to provide all weather driving capabilities.
30. All Fire Lane access roads shall be capable of supporting the imposed load of fire apparatus weighing up to 75,000 {GVW}
31. All road widths turn around distance shall meet the requirements in the 2018 International Fire Code Appendix D and the City of Cottonwood conditions.
32. Fire lanes shall be provided and shall be a minimum of 20' wide and have a vertical clearance of 13'6" and maintained within 150' of any part of the building.
33. 12"x 8" red retro reflective Fire Lane signs stating "No parking by order of the Fire Marshal" shall be posted at every 75' {where required}

34. Provide a shared access agreement letter from the property owners to the South to the City of Cottonwood for approval.

#### MAPPING / ADDRESSING COMMENTS

35. The address shall be posted plainly visible from the street frontage in not less than 10" tall numerals onto the building. A secondary address shall be similarly posted on monument signage {if applicable} using 6" numbers.

#### LANDSCAPING PLAN

36. No trees or shrubs shall encroach into any Fire Lanes, especially at the entrance of the site. Also, no landscaping shall encroach the FDC or Fire Hydrants. Please coordinate any future placement of trees and shrubs within these corridors that may obstruct the Fire Lane from working correctly.

#### FIRE DEPARTMENT ACCESS

37. A designated approved Fire Department access Fire Lane{s} shall be installed and maintained at all times during construction. No roll off bins, dumpsters or construction materials shall obstruct the Fire Lane at any time.

#### FIRE MARSHAL DIRECT COMMENTS

38. The contractor shall schedule an onsite meeting with the Cottonwood Fire Marshal at the start of the project.
39. If there are any questions or comments, please feel free to contact me at 928} 634-2741 or email [rcontreras@cottonwoodaz.gov](mailto:rcontreras@cottonwoodaz.gov)
40. Schedule all Fire Inspections from Monday to Thursday 7:00am to 4:00pm

<https://www.knoxbox.com/Products>

**No plan review approval will be provided until all conditions are fully met. These comments are preliminary and final determinations, comments and approvals will be provided upon review of the final sets of plans submitted. All comments and standards shall meet the City of Cottonwood Fire & Medical Department.**

**Public Works/Engineering** – James Bramble, [jbramble@cottonwoodaz.gov](mailto:jbramble@cottonwoodaz.gov) (928) 340-2770

1. This development will require an ADOT right-of-way permit. Part of this permit will include an analysis of the proposed traffic flow in/out of this development in the form of either a Traffic Impact Statement or Traffic Impact Analysis. This determination will be made by ADOT and shall be prepared in conformance with ADOT Guidelines. The City requests that the developer provide an ADOT approved copy of the traffic analysis prior to issuance of the final Certificate of Occupancy. One thing to notes is that approvals from ADOT have been taking several months to obtain so it is strongly encouraged that the Developer begin coordination with ADOT immediately and not delay this process.
2. A drainage study will be required for this development per City of Cottonwood Engineering Design Standards Manual. The development shall provide onsite stormwater detention facilities sized to accommodate the pre versus post development runoff condition plus an additional 25% of runoff and maintain an additional 1-foot of freeboard.
3. All improvements shall comply with the City of Cottonwood Engineering Design Standards Manual, MAG Standards, and ADOT Construction Standard Drawings as applicable.
4. The developer shall submit final construction documents for review and approval prior to the issuance of any permits.
5. Both driveways that provide access to the site do not conform to the current engineering standards. The plans shall show the removal and replacement of both driveways in their entirety. The Driveways shall be constructed according to ADOT Standard Detail C-05.20 and the driveway widths shall match existing unless approved otherwise by ADOT.
6. Where the submitted plans show single vertical curb the curb shall conform to MAG Standard Detail 222, Type A. Where the submitted plans show vertical curb and gutter, except for that required along Main Street within the ADOT right-of-way, the curb and gutter shall conform to Cottonwood Standard Detail 1220-1, Type A.
7. Installation of the proposed driveways will require the removal and replacement of the existing curb and gutter along Main Street (SR 89A). The developer shall install curb and gutter per ADOT Standard Detail C-05.10 to match existing. The developer shall remove and replace 2' of existing asphalt directly adjacent to these work areas. Replacement of the asphalt and base material shall match existing thicknesses.
8. This development shall remove and replace the existing concrete sidewalk along Main Street (SR 89A) between the 2 existing driveway entrances. The new sidewalk shall comply with Cottonwood Standard Detail 1230.
9. Installation of the proposed sidewalk scupper along the Main Street (SR 89A) sidewalk will require the removal and replacement of the existing curb and gutter along Main Street. The developer shall install ADOT Standard Detail C-05.10 to match existing. The developer shall

remove and replace 2' of existing asphalt directly adjacent to these work areas. Replacement of the asphalt and base material shall match existing thicknesses.

10. It is unclear how the proposed concrete sidewalk connecting the Main Street (SR 89A) sidewalk to the proposed development is to be constructed. It appears that a significant section of existing retaining wall must be removed to facilitate this connection. This sidewalk shall be ADA compliant. How will the grade difference be addressed?
11. Final plans for this development shall include details identifying how the existing retaining wall along the Main Street right-of-way line will be sectioned and removed to facilitate the installation of the proposed sidewalk and drainage scupper.
12. The proposed sidewalk scupper to be installed in the Main Street sidewalk shall be compliant with MAG Standard Detail 203.
13. Any proposed retaining walls 2' in height or taller shall be designed and sealed by a registered engineer. A sealed copy of the design calculations shall be submitted with the plans.
14. There is an existing street sign immediately south of the north driveway entrance. If this sign requires removal and replacement in order to facilitate the installation of the proposed improvements the sign shall be reinstalled compliant with Cottonwood Standard Detail 1131.
15. Final plans shall include details of the proposed detention area and surrounding retaining walls.
16. The developer shall install curb terminations compliant with MAG Standard Detail 222 where the proposed curb meets the back of the proposed driveway entrances.
17. The City of Cottonwood Engineering Department recommends installing concrete wheel stops at the top of the proposed parking spaces along the north property line where there is no curb or curb and gutter.
18. Installation of the proposed improvements may require a temporary construction easement from Cottonwood Financial Center for the parcel to the north and Catholic Church Diocese of Phoenix for the parcels to the west and south. If a TCE is required the developer shall provide the City of Cottonwood with a copy of the agreement prior to the commencement of construction activities.
19. The development shall provide an engineered Stormwater Pollution Prevention Plan (SWPPP) showing minimum control measures the Contractor shall take to protect the integrity of stormwater runoff generated during construction activities. Measures shall include, methodology for preventing track out, inlet protection, proper construction waste containment, proper disposal of concrete washout, etc. The SWPPP information shall be contained in the Civil Plans and shall be reviewed prior to the issuance of the building permits.

**Risk Management** – Amanda Wilber, [awilber@cottonwoodaz.gov](mailto:awilber@cottonwoodaz.gov) (928) 340-2713

1. No comments.

**Cottonwood Municipal Airport** – Jeffrey S. Tripp, A.A.E. [jtripp@cottonwoodaz.gov](mailto:jtripp@cottonwoodaz.gov)  
928-340-2722

1. The Airport requests all purchasers or renters be provided with a copy of the Cottonwood Airport Traffic Area disclosure notice (reasonably similar to **Attachment A**) in all fair disclosure documents and CC&Rs. The Airport supports no-cost, reasonable access to airport/aviation-related disclosures and easement information to prospective residents to the public.
2. Per **A.R.S. § 28-8486 Territory in the Vicinity of a Public Airport**, the Public Airport Disclosure Map (**Attachment B**) notifies owners and potential purchasers of property that the property is located in the vicinity of a public airport and hospital heliport. The proposed development is located near the flight patterns for the runway and the Verde Valley Regional Medical Center heliport. Residents/ occupants will experience aircraft and helicopter overflight noise.
3. A Surface and Overhead Aviation Easement (**Attachment C**) is required and must be recorded by the Yavapai County Recorder's Office before building permits are issued by the City. Any future owners shall be provided a copy of the recorded "Surface and Overhead Aviation Easement".
4. Airport staff reserves the right to append CRB comments or provide more specific information about requirements, conditions, applicable regulatory/safety processes, etc., as the project evolves.

**Utilities** – Russell Freye, P.E. [rfreye@cottonwoodaz.gov](mailto:rfreye@cottonwoodaz.gov) (928) 634-0186

1. City of Cottonwood standard specifications and details shall be used to construct and install water and sewer utilities.
2. Maintain water and sewer separation per City of Cottonwood and MAG Standards.
3. Capacity fees are to be paid for by the developer or owner.
4. Field Verifying the elevation and location of the existing water and sewer stub-outs or connection points at the ROW line are strongly recommended to ensure they suit the need for the property owner.

5. Since fire flows to the building are required for interior sprinkler system a certified and testable backflow preventer per City of Cottonwood Standards will be required on the water service and fire lines where applicable.
6. A complete set of signed and sealed utility drawings shall be submitted for approval prior to construction activities beginning.
7. All maintenance of water and sewer utilities on private property shall be the responsibility of the property owner.
8. Water for irrigation would need to be metered as well for the property.

**Police Department** – Gareth Braxton-Johnson, [gjohnson@cottonwoodaz.gov](mailto:gjohnson@cottonwoodaz.gov) (928) 634-4246 x 2255

1. Once project is closer to starting construction the department will ask business owners to sign a Safe Shopper/Safe Community form that allows police officers the ability to trespass persons with no lawful reason to be on the property without the owners permission.

**Building Department**- Cody Blazer, [cblazer@cottonwoodaz.gov](mailto:cblazer@cottonwoodaz.gov) (928) 634-5505 x3368

1. All documents shall be submitted through the Community Development SmartGov portal, an Arizona-registered design professional will be required.
2. All change orders which occur following the issuance of a building permit must be approved by city staff or they will be cited as part of the final inspection corrections and must be remedied before a certificate of occupancy will be issued.
3. All plans submitted shall meet the applicable code requirements of the 2018 I-Codes, 2009 A117.1, and the 2017 NEC. 2024 codes are expected to be adopted in the beginning of 2024.
4. Fire sprinklers will be required and shall be submitted as a separate permit.
5. Where required by law all work will be performed by contractors licensed by the State of Arizona and the City of Cottonwood.
6. Address the site per code.
7. Provide a complete list/specifications for all equipment.
8. A complete code analysis shall be provided with submittal documents.

**Yavapai County Community Health Services** – Robert Mumper,  
[robert.mumper@yavapaiaz.us](mailto:robert.mumper@yavapaiaz.us) (928) 634-6891

1. Construction of the new food establishment must comply with the Arizona Administrative Code, Yavapai County Health Code and 2017 Food Code.
2. Plan review approval and health licensure will be required by Yavapai County Community Health Services (YCCHS).
3. A full-sized set of plans will be required. Digital or PDF copies will not be accepted. The plan submittal must include a site plan, floor plan, plumbing schedule, finish schedule, equipment list, and mechanical/ventilation information.
4. The plan review application and relevant fee schedule can be found at <https://yavapaiaz.gov/chs/EH>.

**Housing Manager** – Shannon Boone, [sboone@cottonwoodaz.gov](mailto:sboone@cottonwoodaz.gov) (928) 203-5126

1. No comments.

**NOTE:** Changes to project proposals following approval which have been incorporated into permit submittal must be highlighted in writing and attached to the building permit, or they will not be considered approved.

Please call if you have any questions.

Sincerely,



Tina Hayden  
Community Development Planner

## Attachment A

### **DISCLOSURE OF THE COTTONWOOD AIRPORT TRAFFIC AREA**

The City of Cottonwood (“City”) seeks to provide prospective buyers or renters of property near the Cottonwood Municipal Airport (“Airport”) with notice and information regarding the potential to experience airport noise within the Cottonwood Municipal Airport Traffic Area (“ATA”). In addition, the Airport currently provides recommended noise abatement procedures to all pilots. These procedures are posted at the airport; in various FAA and other aviation-related publications; and are broadcast on the Airport’s Automated Weather Observation System in an attempt to decrease the amount and impact of airport noise on surrounding residential areas whenever possible. The City is sensitive to aeronautical noise over residential areas; however, noise is an inevitable effect of operating a public airport, and cannot be fully eliminated.

In accordance with Arizona Revised Statutes Sections 28-8485 and 28-8486, the City is recording this Notice and the attached Municipal Airport Traffic Area and Noise Contour Maps in the Official Records of Yavapai County, and has also submitted them to the AZ Department of Real Estate for posting on its website.

Prospective buyers and/or renters of property within the Cottonwood Municipal Airport Traffic Area are hereby advised that:

- (a) Cottonwood Municipal Airport is located approximately 1.3 miles southwest of the center of the City of Cottonwood. The Airport is generally located between Route 89A to the north, Mesquite Drive to the south, Willard Street to the east, and Mingus Avenue to the west. The Cottonwood Municipal Airport Traffic Area map indicates the estimated current noise levels, in decibels, of certain areas of the Traffic Area.
- (b) The Airport is operated as a general aviation airport for City of Cottonwood and is used mostly for single engine and twin-engine airplanes, corporate jets, helicopters, unscheduled service of turboprop and jet aircraft, helicopter medical evacuation, and charter services that use both helicopters and fixed wing aircraft of various sizes.
- (c) Aircraft leaving or approaching the Airport may fly over nearby residential areas at varying altitudes depending on meteorological conditions, aircraft type, aircraft performance, and pilot proficiency.
- (d) The Airport encourages aviators to follow the published noise abatement procedures, which may change from time to time. However, the Airport is open 24 hours / 7 days per week per Federal Aviation Administration requirements which means takeoffs and landings may occur at any hour.
- (e) The average number of takeoffs and landings at the Airport in calendar year 2021 was approximately 37,000 per year. However, that number varies, and has steadily increased in correlation with the population growth of the City of Cottonwood and surrounding Verde Valley and flight training activity.

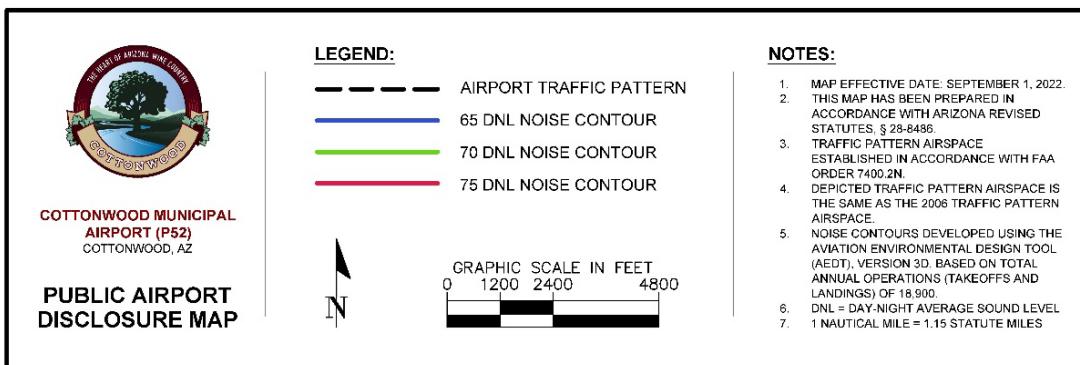
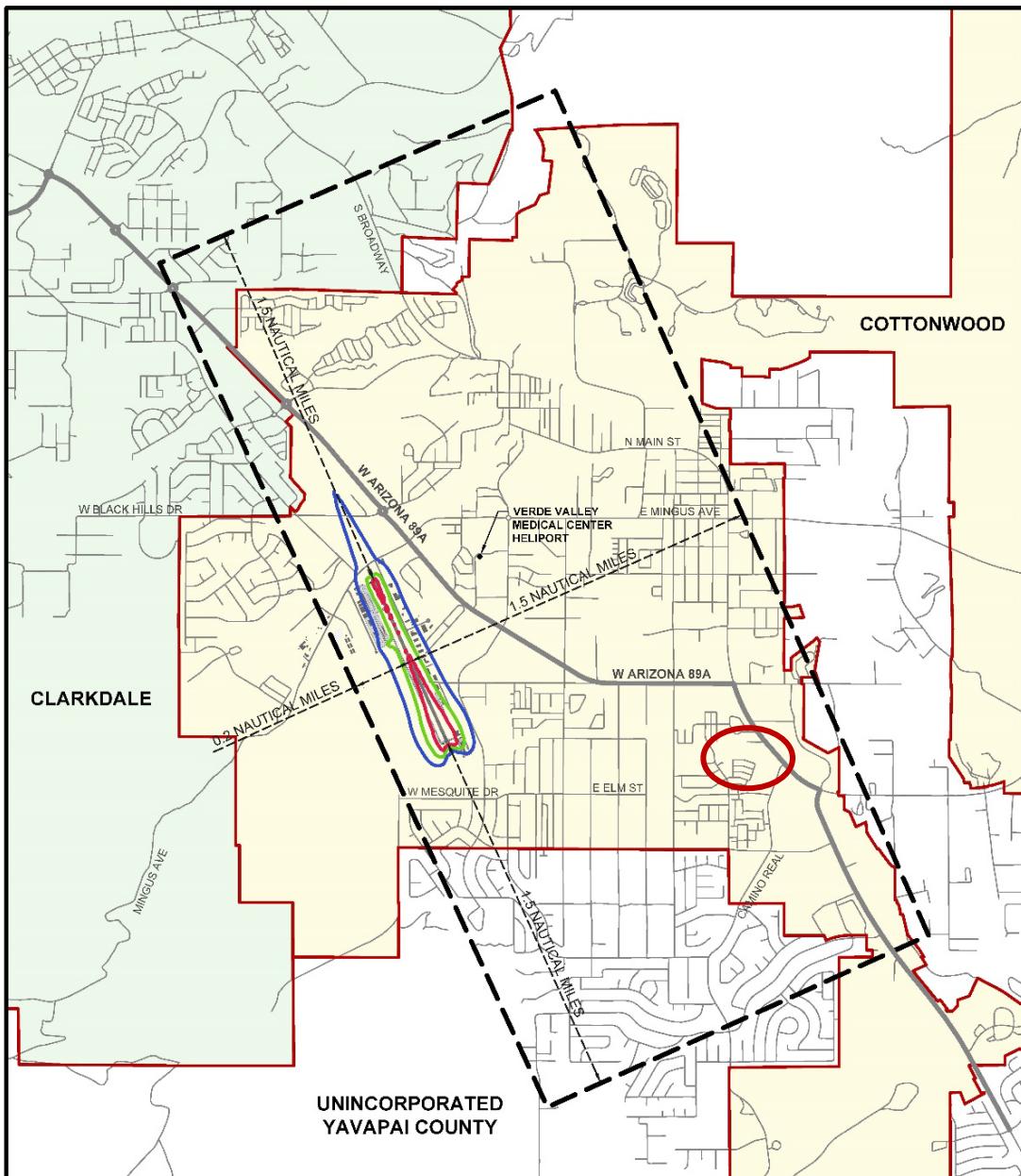
(f) Flights over properties within the ATA may generate noise. The volume, pitch, amount, and frequency of such noise varies depending the altitudes at which the aircraft fly, wind direction and other meteorological conditions, and the number or type of aircraft.

(g) The Airport has, and will continue to implement noise abatement procedures. These procedures include informing aviators of the procedures that may help reduce or minimize aircraft noise within the ATA. These noise abatement procedures are published in various FAA and other aviation publications, and they are also on the Airport's website.

The Arizona Department of Real Estate – <https://azre.gov/public-airports>

## Attachment B

### PUBLIC AIRPORT DISCLOSURE MAP



## Attachment C

### **SURFACE AND OVERHEAD AVIGATION EASEMENT**

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, ("Grantor"), and the CITY OF COTTONWOOD, a municipal corporation of the State of Arizona. ("Grantee").

WHEREAS, Grantor is the owner of certain real property in Yavapai County, Arizona, more particularly described as parcel(s) \_\_\_\_\_ on Exhibit A, attached hereto and by this reference incorporated herein ("the Property").

**NOW, THEREFORE**, the Grantor, for themselves, their heirs, administrators, executors, successors and assigns do hereby grant the following appurtenant rights and benefits to the (Cottonwood Municipal Airport) hereinafter called the "Grantee" for the use and benefit of the public.

The appurtenant rights and benefits include the uses, rights and restrictions described as follows:

The unobstructed use and passage of all types of aircraft in and through the airspace at any height or altitude above the surface of the land.

The right of said aircraft to cause noise, vibrations, fumes, deposits of dust, fuel particles (incidental to the normal operation of aircraft); fear, interference with sleep or communication, and any other effects associated with the normal operation of aircraft taking off, landing or operating in the vicinity of Cottonwood Municipal Airport.

As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include jet, propeller-driven, civil, military or commercial aircraft; helicopters, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air, by whoever owned or operated.

In granting this easement, the Grantor agree to construct no buildings taller than one hundred feet (100') in height from the surface of the above listed property.

The Grantor agrees that during the life of this easement, they will not construct, erect, suffer to permit or allow any structure or trees on the surface of the burdened property taller than the height listed above.

The Grantor agrees to keep the easement area free of the following: structures (permanent or temporary) that might create glare or contain misleading lights; fuel handling and storage facilities and smoke generating activities and creation of any means of electrical interference that could affect the movement of aircraft over the easement area.

Grantor agrees to waive all damages and claims for damages caused or alleged to be caused by the Grantors violation of any aspect of this easement document. The (Cottonwood Municipal Airport) has a perpetual right of ingress/egress in the easement area and the right to remove any new

structure or vegetation that is taller than the height listed above.

TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto the Grantee, its successors, and assigns, until said Cottonwood Municipal Airport shall be abandoned and shall cease to be used for public airport purposes. It is understood and agreed that all provisions herein shall run with the land and shall be binding upon the Grantor, their heirs, administrators, executors, successors and assigns until such time that the easement is extinguished.

IN WITNESS WHEREOF, the grantor has hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

GRANTORS: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF \_\_\_\_\_ )

)

COUNTY OF \_\_\_\_\_ )

)

The foregoing instrument was acknowledged before me, the undersigned notary public, This

\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ as the

of \_\_\_\_\_

IN WITNESS WHEREOF I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

GRANTEE:

City of Cottonwood

By: \_\_\_\_\_

Tim Elinski, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Steve Horton, Esq., City Attorney

ATTEST:

\_\_\_\_\_  
Marianne Jiménez, City Clerk



Meeting Date: March 18, 2024

Subject:

CUP-24-001 – CONDITIONAL USE PERMIT TO ALLOW A DRIVE-THROUGH ELEMENT OF A RESTAURANT IN THE C-1 ZONE –  
Consideration of an application for Conditional Use Permit to allow a drive-through element for a restaurant in the C-1 (Light Commercial) zone, on a 0.9-acre parcel located on the west side of S. Main Street, at 888 S. Main Street. APN:406-04-045R. Applicant: Mark Abel.

Department: Community Development

From: Kristina Hayden

#### REQUESTED ACTION

Consideration of an application for Conditional Use Permit to allow a drive-through element for a restaurant in the C-1 (Light Commercial) zone.

#### SUGGESTED MOTION

If the Commission desires to approve CUP-24-001, the suggested motion is as follows:

"I move to approve CUP-24-001 to allow use of a drive-through element for a restaurant in the C-1 zone located on parcel 406-04-045R."

#### BACKGROUND

The applicant requests a Conditional Use Permit to allow use of a drive-through element for a restaurant in the C-1 (Light Commercial) zone. A restaurant is a permitted use in the C-1 zone, subject to Design Review approval. The application for Design Review (DR-24-001) has been submitted for concurrent review for this project. The requested drive-through element is subject to Conditional Use Permit approval and additional requirements may be made to mitigate off-premise headlight glare and sound transmission.

The proposed one-way drive-through element will wrap around the west and south sides of the building. The entrance to the drive-through will be located along the west side of the building and will exit along the southern side of the building. The applicant proposes two lanes for ordering, which will merge into a single lane when approaching the payment and order pickup windows. Section 406 of the Zoning Ordinance requires a minimum of four vehicle stacking spaces, as measured from the service window. The aggregate length of the drive-through, from drive-through entrance to the first service window, is approximately 200 feet, which exceeds the vehicle stacking requirements. Orders will be taken through speaker systems within menu boards located near the drive-through entrances on the west side of the

building. The proximity of the speaker systems is greater than 12 feet from the nearest property line. The applicant has proposed the installation of shrubs along the western and southern lot lines to mitigate off-premise headlight glare and sound transmission. The property owner would be required to ensure that noise generated from the speaker system would not exceed allowed decibel levels at property lines.

### **Required Findings:**

Per Section 302.D.6 of the Zoning Ordinance, a Conditional Use Permit may only be granted if the Planning and Zoning Commission can make all of the following findings. Staff provides comments related to each of the required findings:

*“General Findings: The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, safety or welfare of the surrounding properties or occupants, not be substantially or permanently injurious to neighboring property.”*

The property owner is required to ensure that noise generated from the speaker system would not exceed allowed decibel levels at property lines. Additional landscaping is being proposed along the western and southern property lines which will create a buffer between the drive-through and the adjacent property.

*“Compatibility with Surrounding Uses: The proposed use shall be compatible with surrounding uses in the vicinity with respect to the intensity of activity, times of use, scale of buildings, anticipated traffic, parking requirements, architectural and site improvements, landscaping, outdoor lighting and other property development standards.”*

The project site is surrounded by like C-1 zoning and permitted uses. There are no adjacent residential uses or zoning and no further requirements for additional interior perimeter screening. Drive-through hours of operation are proposed to be from 6:00 AM to 1:00 AM the following day. The aggregate drive-through length, from the drive-through entrance to the first service window, is approximately 200 feet which provides for more than the minimum vehicle stacking requirements.

*“Traffic and Circulation: The proposed use shall have adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use; and on-site circulation, including driveways, drive aisles, parking and loading facilities, and pedestrian and bicycle facilities, shall be provided in a manner which is adequate, safe, efficient and convenient.”*

Site access is provided via two 2-way access points directly off of S. Main Street. The site plan proposes two-way circulation throughout the parking lot, located on the northern and western portions of the parcel. The drive-through is a one-way route that wraps around the western and southern sides of the building. The entrance is located on the western side of the building and lets out along the southeast end of the building. The applicant proposes two lanes for ordering, which will merge into a single lane when approaching the payment and order pickup windows.

Per Zoning Ordinance Section 302.E.1, any applicant or resident of the City of Cottonwood who is dissatisfied or aggrieved by the decision of the Planning and Zoning Commission may appeal such decision to the City Council by filing a written Notice of Appeal with the City Clerk, not later than 15 days from the date of the decision.

Staff posted notices of the Planning and Zoning hearing at the property on S. 6th Place and mailed notifications to owners of all properties within 300 feet of the project site.

Staff has reviewed this project and finds the request to allow a drive-through element in the C-1 zone is subject to Conditional Use Permit approval. If approved, staff recommends the following stipulations:

1. The project shall be developed in conformance with the development plans as reviewed by the Planning and Zoning Commission at the March 18, 2024 meeting.
2. The project shall conform to the Code Review Board comment letter dated March 16, 2023 (Re: CRB-23-012) and any additional Code Review Board comments.
3. The project shall comply with all applicable Sections of the Zoning Ordinance, including, but not limited to, C-1 Property Development Standards, General Provisions, Signs, Parking and Loading Requirements, Landscaping Requirements, and Outdoor Lighting Code.
4. The property owner shall be required to ensure that noise generated from the speaker system does not exceed allowed decibel levels at property lines.

\*CUP-24-001 is being submitted concurrently with DR-24-001, refer to DR-24-001 for attachments.



Meeting Date: March 18, 2024

Subject:

CUP-24-002 – CONDITIONAL USE PERMIT TO ALLOW A 12-FOOT TALL SCREENING ENCLOSURE IN THE C-1 ZONE – Consideration of an application for Conditional Use Permit to allow a 12-foot tall CMU screening enclosure in the C-1 (Light Commercial) zone, located on a 33.4-acre parcel, at 269 S. Candy Lane. APN: 406-33-020E & 406-33-020D. Applicant: Caidyn Spickler.

Department: Community Development

From: Clover Pinion

#### REQUESTED ACTION

Consideration of an application for Conditional Use Permit to allow a 12-foot tall CMU screening enclosure in the C-1 (Light Commercial) zone.

#### SUGGESTED MOTION

If the Commission desires to approve CUP-24-002, the suggested motion is as follows:

"I move to approve CUP-24-002 to allow a 12-foot tall screening enclosure in the C-1 zone for parcels 406-33-020E and 406-33-020D."

#### BACKGROUND

<b>Property Owner</b>	Verde Valley Medical Center
<b>Representative</b>	Caidyn Spickler
<b>Location of Property</b>	Northwest of the intersection of W. SR 89A and S. Willard Street. APN: 406-33-020E & 406-33-020D.
<b>Present Zoning and Land Use</b>	C-1 (Light Commercial) - Hospital
<b>Description of Request</b>	Conditional Use Permit approval to allow a 12-foot tall screening enclosure in the C-1 zone.

#### Adjacent Land Uses and Zoning

**North:** R-1 (Single Family Residential) & PAD (Planned Area Development) - Church & Medical Office Park

**South:** MH (Manufactured Homes), C-2 (Heavy Commercial), PAD (Planned Area Development) - Single Family Residential, Multiple Family Residential, Hotel, & Commercial Office Space

**East:** R-1 (Single Family Residential), R-3 (Multiple Family Residential), C-1 (Light Commercial) - Single Family Residential, Commercial Space, Childcare Facilities,

**West:** PAD (Planned Area Development) - Medical Offices

The applicant requests Conditional Use Permit approval to allow a 12-foot tall screening enclosure for a 0.03-acre portion of land on 33.4 acres. The current zoning for the parcel is C-1 (Light Commercial) and is the site of the NAH Verde Valley Medical Center (VVMC). Per the applicant's Project Narrative letter, the proposed screening enclosure will house a new generator that will "meet current 96-hour code required fuel storage for the hospital."

The proposed enclosure will be located approximately 450 feet west of S. Willard Street and approximately 540 feet north of SR 89A. Staff has observed that the proposed enclosure might overlap the southern lot line of parcel 406-33-020D. Both parcels are owned by VVMC, and an easement or lot line adjustment would satisfy staff concerns regarding the potential lot line overlap.

The applicant indicates that the 12-foot tall screening wall is necessary to allow for the installation of required overhead lighting so that the lights are contained within the enclosure. The wall also serves as security for the generator and provides visual screening for the public.

#### **Required Findings per Article V:**

Section 404.J.4.a of the Zoning Ordinance states, "...Fences exceeding the above heights [6 feet] may be built around schools and other public and quasi-public institutions when necessary for the safety or restraint of the occupants thereof..." it further states, " The height regulations shall not apply when fences of greater height are approved by the Planning and Zoning Commission in order to provide adequate screening." Per the provisions of Article V (Section 501 of the Zoning Ordinance), staff recommends approval of the 12-foot tall screening enclosure, with consideration of the following Findings of Fact:

*Compatibility of land uses* - The proposed screening enclosure for a generator is a secondary use to the primary hospital use. Accessory structures, including screening enclosures, are allowed when associated with permitted uses such as a hospital. Adjacent land uses consist of medical office parks, commercial business, childcare facilities, and residential.

*Environmental effects of commercial or industrial use* - Staff has determined that the 12-foot tall screening enclosure height would serve to reduce the environmental effects caused while the enclosed diesel generator is in use.

*Potential nuisance created by commercial or industrial use* - The proposed screening enclosure is intended to reduce visual nuisance for those occupying the hospital and adjacent properties. It is also intended to provide security to prevent unauthorized access to the generator.

## Required Findings per Section 302:

Per Section 302.D.6 of the Zoning Ordinance, a Conditional Use Permit may only be granted if the Planning and Zoning Commission can make all of the following findings. Staff provides comments related to each of the required findings:

*“General Findings: The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, safety or welfare of the surrounding properties or occupants, not be substantially or permanently injurious to neighboring property.”*

The proposed 12-foot tall screening enclosure is intended to minimize visual nuisance concerns regarding the enclosed generator. It will also prevent unauthorized access to the generator. The hospital is a large multi-story building and the 12-foot tall screening wall would be considered diminutive in size compared to the primary structure. The site is also located approximately 350 feet back from the nearest property line.

*“Compatibility with Surrounding Uses: The proposed use shall be compatible with surrounding uses in the vicinity with respect to the intensity of activity, times of use, scale of buildings, anticipated traffic, parking requirements, architectural and site improvements, landscaping, outdoor lighting and other property development standards.”*

The nearest adjacent property, excluding the VVMC-owned parcel within, is approximately 470 feet from the screening enclosure site. The enclosed generator is to be used for emergency purposes only and the enclosure serves as a visual buffer for adjacent properties.

*“Traffic and Circulation: The proposed use shall have adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use; and on-site circulation, including driveways, drive aisles, parking and loading facilities, and pedestrian and bicycle facilities, shall be provided in a manner which is adequate, safe, efficient and convenient.”*

The screening enclosure will have a gated entry on the west side of the enclosure. A paved sidewalk will provide access from the parking lot to the site. The parking lot can be accessed by a private east-west street that connects to S. Willard Street, which further connects to W. SR 89A. The hospital parking lot has enough parking to accommodate the parking needs for occasional maintenance and inspection calls regarding the generator.

Per Zoning Ordinance Section 302.E.1, any applicant or resident of the City of Cottonwood who is dissatisfied or aggrieved by the decision of the Planning and Zoning Commission may appeal such decision to the City Council by filing a written Notice of Appeal with the City Clerk, not later than 15 days from the date of the decision.

Staff posted notices of the Planning and Zoning hearing at the property on S. Willard Street, and mailed notifications to owners of all properties within 300 feet of the project site.

Staff has reviewed this project and finds the request to allow a 12-foot tall screening enclosure in the C-1 zone subject to Conditional Use Permit approval. If approved, staff recommends the following stipulations:

1. The project shall be developed in conformance with the development plans as reviewed

by the Planning and Zoning Commission at the March 18, 2024 meeting.

2. The project shall conform to staff comments related to permit # 2023-0197.
3. The project shall comply with all applicable Sections of the Zoning Ordinance including, but not limited to, C-1 Property Development Standards, General Provisions, and Outdoor Lighting Code.

**ATTACHMENTS**

[Letter of Intent \(1\).pdf](#)

[Permit Reviews.pdf](#)

[Locator Map NAH screening wall color.pdf](#)

[Site Plan Zoom In.pdf](#)

[Color Renderings.pdf](#)

[Site Map.pdf](#)

**ATTN: CITY OF COTTONWOOD  
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: Verde Valley Medical Center**  
269 S Candy Ln  
Cottonwood, AZ 86326

**DATE: February 26, 2024**

## **Project Narrative**

The proposed site is located at 269 S Candy Ln Cottonwood, AZ 86326 (APN 406-33-020E), the SE corner of Candy Lane and Mingus Street. The new generator will be at the southeast corner of the property which is east of the south entry from S Willard Street. The property is 31.4 acres and has existing buildings including the Hospital that is the subject of this project as well as other support structures. Property is owned by The Northern Arizona Healthcare Corporation. Address for the owner is 1200 N. Beaver Street Flagstaff, Arizona 86001-28246. Tenants adjacent to the property include Northern Arizona Healthcare Orthopedic & Spine Institute, Verde Community Church and Verde Valley Concierge Medicine.

The Project is proposing to replace the existing emergency diesel generator and add fuel system to meet current 96-hour code required fuel storage for the hospital. The proposed generator is a CAT C27 Diesel Generator that will have a 12' tall CMU wall screening the generator from public view and providing security for the generator. The CMU enclosure is planned to match the construction of the immediately adjacent enclosure for the existing generator, trash, and bulk O2 enclosures. The generator will have the necessary enclosure lighting and proposed sidewalk for access.

WSP is the engineer of record for the Project and will be handling permitting and coordinating with the city on behalf of Northern Arizona Healthcare.

Thank you,



Jared Mason, PE, PMP  
602-820-0395

## **Spickler, Caidyn**

---

**From:** Mason, Jared  
**Sent:** Friday, February 23, 2024 10:22 AM  
**To:** Spickler, Caidyn  
**Subject:** FW: Permit # 2023-0197

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



### **Jared Mason PE PMP**

Vice President  
Local Business Line Leader – Property & Buildings

T+ 1 480-966-8295  
M+ 1 602-820-0395

---

**From:** Gutierrez, Andres <Andres.Gutierrez@wsp.com>  
**Sent:** Friday, February 23, 2024 10:19 AM  
**To:** Mason, Jared <Jared.Mason@wsp.com>  
**Subject:** FW: Permit # 2023-0197

2<sup>nd</sup> email.



### **Andres Gutierrez**

Consultant, Electrical Engineer  
Property & Buildings

Office: +1 312-782-8150  
Mobile +1 303-929-5155

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**From:** Clover Pinion <[cpinion@cottonwoodaz.gov](mailto:cpinion@cottonwoodaz.gov)>  
**Sent:** Friday, February 23, 2024 11:02 AM  
**To:** Gutierrez, Andres <[Andres.Gutierrez@wsp.com](mailto:Andres.Gutierrez@wsp.com)>  
**Cc:** Cody Blazer <[cblazer@cottonwoodaz.gov](mailto:cblazer@cottonwoodaz.gov)>; Scott Ellis <[sellis@cottonwoodaz.gov](mailto:sellis@cottonwoodaz.gov)>; Michelle Mustain <[mmustain@cottonwoodaz.gov](mailto:mmustain@cottonwoodaz.gov)>  
**Subject:** RE: Permit # 2023-0197

Hello,

Thank you for your call today.

Please follow the instructions below to apply for the Conditional Use Permit:

Sign in to your account here: <https://ci-cottonwood-az.smartgovcommunity.com/Public/Home>

- o Click on the GO >> button under My Portal
- o Click the Apply >> button
- o Click on the "Select a Category" bar
- o Select "Planning and Zoning"
- o Select "Conditional Use Permit," fill out the information, and upload the submittals required, if we are asking for something that does not pertain to your project please upload a document that says "not applicable"
- o Once payment is received we will start the review process
- o You will have access to manage your permit to view and/or print, it will always be available in your customer portal

If you need help with the portal:

- o <https://help.dudesolutions.com/Content/SmartGov/CitizenPortal/Citizen-Portal-Registration-And-Login.htm>
- o or call 928-634-5505.

Please reach out with any questions.

Have a beautiful day!

Thank you,



Clover Pinion  
Community Development  
Assistant City Planner

111 North Main Street  
Cottonwood, AZ 86326  
928-634-5505 Ext 3314

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**From:** Clover Pinion

**Sent:** Thursday, February 22, 2024 3:30 PM

**To:** [andres.gutierrez@wsp.com](mailto:andres.gutierrez@wsp.com)

**Cc:** Cody Blazer <[cblazer@cottonwoodaz.gov](mailto:cblazer@cottonwoodaz.gov)>; Scott Ellis <[sellis@cottonwoodaz.gov](mailto:sellis@cottonwoodaz.gov)>; Michelle Mustain <[mmustain@cottonwoodaz.gov](mailto:mmustain@cottonwoodaz.gov)>

**Subject:** Permit # 2023-0197

Hello,

Planning has just been brought in on this project because of the fence that you are proposing. Please note that the maximum height for a fence in a C-1 zone without a Conditional Use Permit is 6 feet.

The plans for this project call out a 12-foot fence, in which case there are two options.

1. You can update your plan to have the fence height from grade be only 6 feet
2. You can apply for a Conditional Use Permit and go in front of the Planning and Zoning Commission. If we get you started on the process now, you will be on track to make it to March 18<sup>th</sup>'s meeting and be able to start on the fence as soon as 15 days after approval.

Please let us know how you would like to proceed.

Have a beautiful day.

Thank you,

Clover Pinion 

Community Development  
Assistant City Planner

111 North Main Street  
Cottonwood, AZ 86326  
928-634-5505 Ext 3314



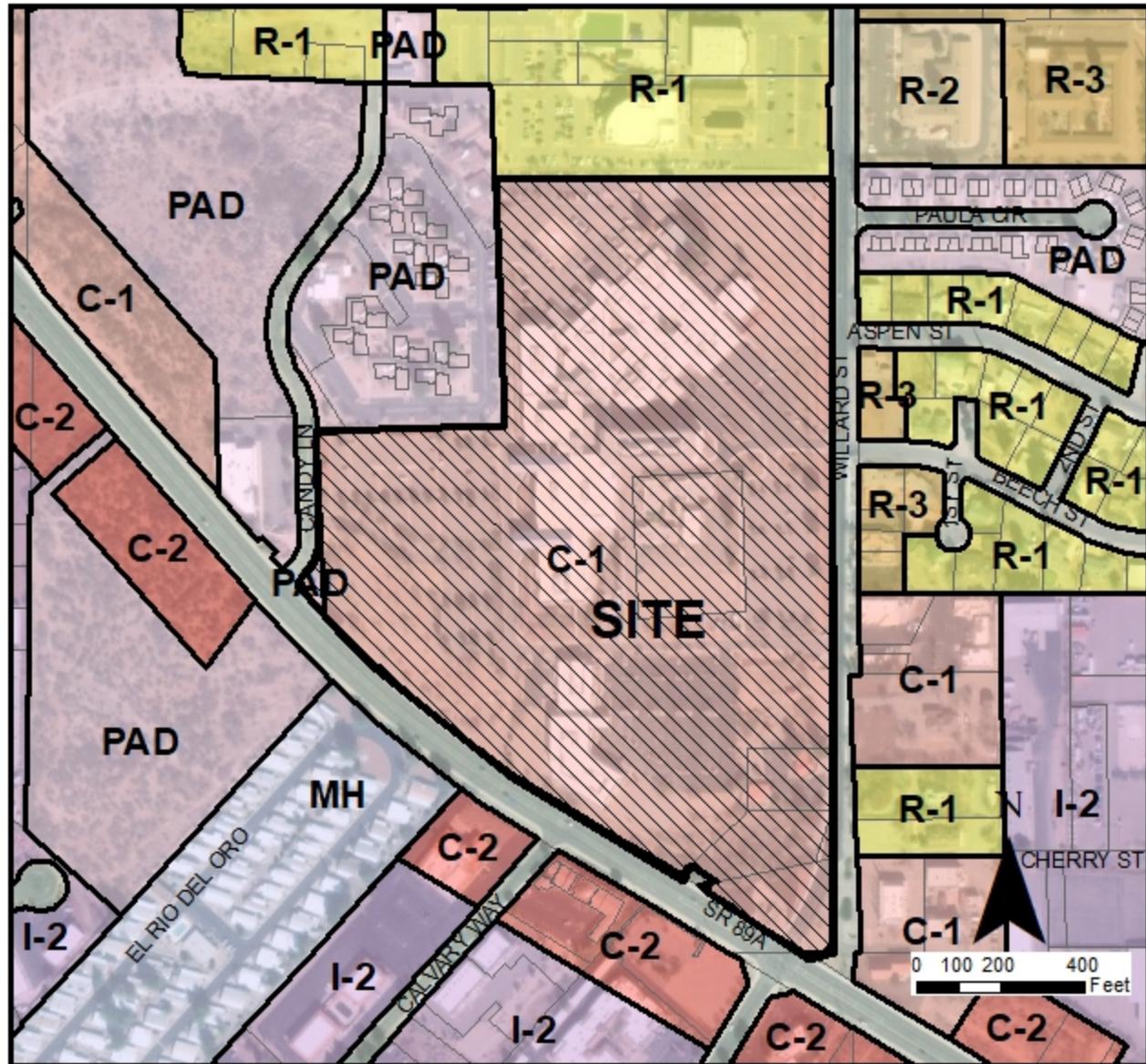
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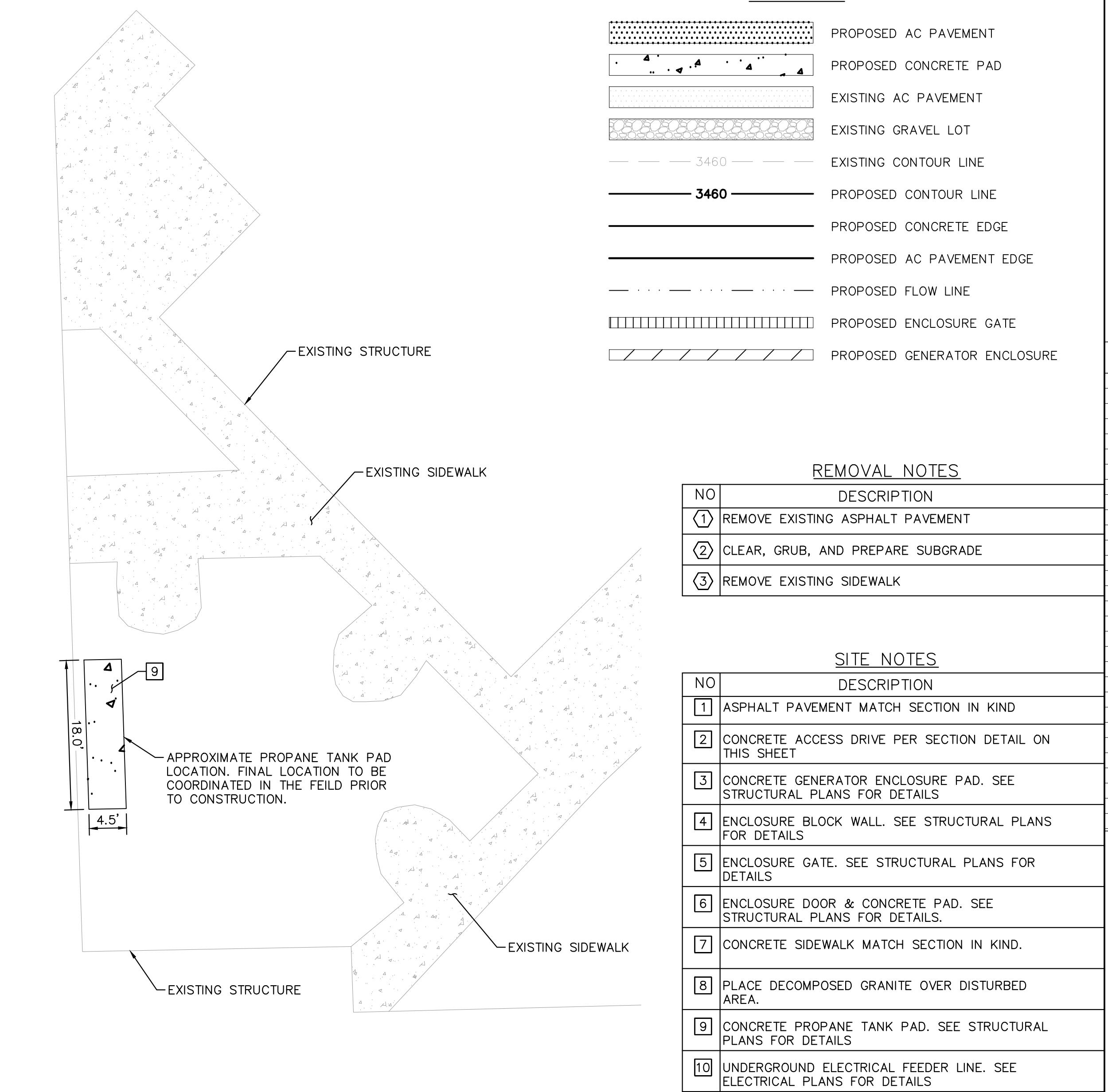
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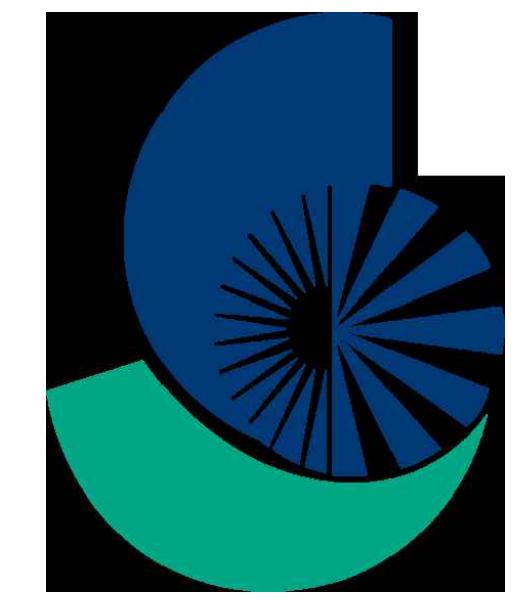
**CUP 24-002**  
**NAH 269 S. CANDY LN**



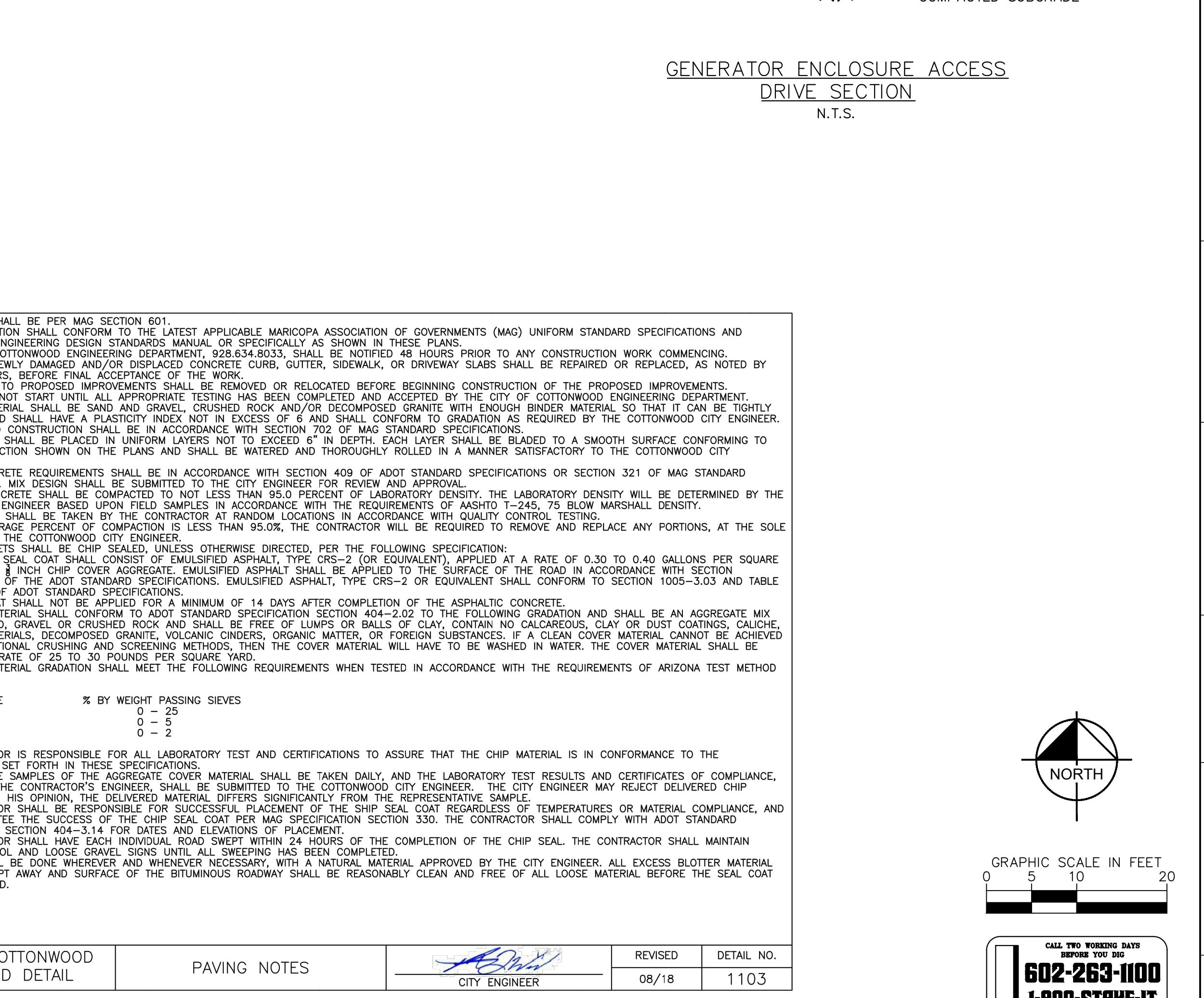
- Proposed Conditional Use Permit
- Zoning Boundary



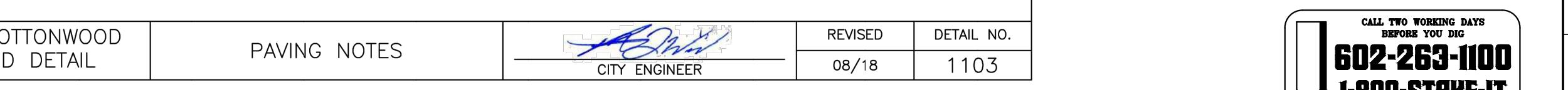
Northern Arizona Healthcare  
Verde Valley Medical Center  
Boiler & Generator Replacement  
269 South Candy Lane  
Cottonwood, AZ 86326



KEYPLAN:



CERTIFICATE OF DESIGN  
69250 JAMES R. WARREN  
11/29/23



C1.0

1. THE CITY OF COTTONWOOD DOES NOT WARRANT ANY QUANTITIES SHOWN ON THESE PLANS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL QUANTITIES. THE CITY OF COTTONWOOD SHALL NOT BE HELD RESPONSIBLE FOR ERRORS IN ESTIMATES OF QUANTITIES, MATERIALS, SCHEDULE, OR PAYMENT REQUIREMENTS, OR SIZE. 2. THE CITY OF COTTONWOOD ENGINEERING DEPARTMENT, INSPECTION STAFF, SHALL BE NOTIFIED 48 HOURS PRIOR TO ANY CONSTRUCTION WORK BY TELEPHONE AT 928.634.8033. ANY WORK CONCEALED WITHOUT INSPECTION SHALL BE SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE. 3. AN APPROVED SET OF PLANS SHALL BE AVAILABLE ON THE JOB SITE AT ALL TIMES. THE CONTRACTOR'S REPRESENTATIVE (CAPABLE OF COMMUNICATING WITH THE CITY OF COTTONWOOD ENGINEERING DEPARTMENT) SHALL BE PRESENT ON THE JOB SITE DURING THE TIME THE WORK IS BEING CONDUCTED. 4. THE PROCEDURES AND METHODS USED TO SAMPLE, TEST MATERIALS, AND REPORT TEST RESULTS WILL BE DETERMINED BY THE CITY OF COTTONWOOD ENGINEERING DEPARTMENT. THE CONTRACTOR SHALL NOT USE ANY TEST LABORATORY WHICH IS NOT APPROVED BY THE CITY OF COTTONWOOD. THE COST OF MATERIALS FOR THE SAMPLING AND TESTING OF MATERIALS SHALL BE DETERMINED BY THE CITY OF COTTONWOOD. THE COST OF SAMPLING SHALL BE DETERMINED BY THE CITY ENGINEER. THE INSPECTOR SHALL SELECT TESTING LOCATIONS AND INCREASE OR DECREASE THE FREQUENCY OF THE TESTS. COSTS OF MATERIALS FOR THE SAMPLING AND TESTING OF MATERIALS SHALL BE BILLED TO THE CONTRACTOR. 5. THE CONTRACTOR SHALL USE THE CITY OF COTTONWOOD GENERAL GUIDELINES FOR TESTS. THE RESPONSIBILITY FOR PROPERTY DEVELOPER, A THIRD PARTY TESTING LABORATORY SHALL BE USED FOR ALL MATERIALS. 6. CONCRETE - 1 SET OF 4 CYLINDERS PER 50 CUBIC YARDS @ 3,000 PSI. 7. CONCRETE - 1 DENSITY TEST PER 500 LINEAL FEET @ 100% COMPACTION. 8. CONCRETE - 1 DENSITY TEST PER 500 LINEAL FEET @ 100% COMPACTION. 9. CONCRETE - 1 DENSITY TEST PER 500 LINEAL FEET @ 100% COMPACTION. 10. CONCRETE - 1 DENSITY TEST PER 500 LINEAL FEET @ 100% COMPACTION. 11. 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THE CONTRACTOR SHALL BE RESPONSIBLE TO DETERMINE TRENCH BRACING, SHEATHING, SHORING OR SIDE SLOPES AS REQUIRED FOR THE SAFETY AND CONFORMANCE TO ALL APPLICABLE LOCAL APPLICABLE CODES, LAWS AND CONSTRUCTION STANDARDS DURING THE EXCAVATION AND THE DURATION OF THE PROJECT. THE CONTRACTOR SHALL USE THE MOST SUITABLE AND MOST CONVENIENT CONSTRUCTION METHODS AND MATERIALS POSSIBLE THROUGHOUT THE DURATION OR WORK WILL BE CEASED UNTIL SUCH TIME THAT THE UNSAFE CONDITION IS RECTIFIED. THE CITY OF COTTONWOOD SHALL NOT BE HELD IN ANY WAY RESPONSIBLE FOR THE CONSTRUCTION METHODS AND MATERIALS USED BY THE CONTRACTOR. 19. THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE CITY OF COTTONWOOD ENGINEERING DEPARTMENT, CITY ENGINEER, FOR APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. 20. THE CONTRACTOR SHALL SUBMIT THE WORK BY WRITTEN NOTICE WHEN, IN THEIR JUDGMENT, PROGRESS IS UNSATISFACTORY OR UNAUTHORIZED, THE PRODUCT IS UNSATISFACTORY, WEATHER CONDITIONS ARE UNSUITABLE OR THERE IS DANGER TO THE PUBLIC. 21. THE CONTRACTOR SHALL SUBMIT THE WORK BY WRITTEN NOTICE WHEN, IN THEIR JUDGMENT, PROGRESS IS UNSATISFACTORY OR UNAUTHORIZED, THE PRODUCT IS UNSATISFACTORY, WEATHER CONDITIONS ARE UNSUITABLE OR THERE IS DANGER TO THE PUBLIC. 22. THE CONTRACTOR'S GUIDELINES SHALL CONSIST OF WRITTEN INSTRUCTIONS FOR SHIPPING, HANDLING, UNLOADING, CUTTING, JOINING, INSTALLATION, USE AND DISPOSAL OF THE MATERIALS PROVIDED BY THE MANUFACTURER. 23. THE CONTRACTOR'S GUIDELINES SHALL CONSIST OF WRITTEN INSTRUCTIONS FOR SHIPPING, HANDLING, UNLOADING, CUTTING, JOINING, INSTALLATION, USE AND DISPOSAL OF THE MATERIALS PROVIDED BY THE MANUFACTURER. 24. THE CONTRACTOR MAY SUBMIT CAREFULLY DOCUMENTED AND CONSIDERED WRITTEN PROPOSALS FOR ALTERNATE MATERIALS AND CONSTRUCTION METHODS, THOSE PROPOSALS SHALL BE APPROVED BY THE CITY OF COTTONWOOD ENGINEERING DEPARTMENT, CITY ENGINEER, PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. 25. ALL IMPROVEMENTS SHALL BE CONSTRUCTED BY CONTRACTORS LICENSED BY THE ARIZONA STATE REGISTRAR OF CONTRACTORS, WITH A CLASS OF LICENSE(S) FOR THE WORK. 26. THE CITY OF COTTONWOOD INSPECTION STAFF, SHALL BE NOTIFIED 24 HOURS PRIOR TO BEGINNING DIFFERENT PHASES OF CONSTRUCTION SO THAT OBSERVATIONS MAY BE MADE. 27. APPROVAL OF A PORTION OF THE WORK IN PROGRESS DOES NOT GUARANTEE ITS FINAL ACCEPTANCE. TESTING AND EVALUATION MAY CONTINUE UNTIL WRITTEN TESTS AND INSPECTIONS ARE COMPLETED. THE CONTRACTOR SHALL NOT BE HELD RESPONSIBLE FOR THE COST OF THE WORK UNTIL THE WORK IS ACCEPTED. 28. THE CITY OF COTTONWOOD RESERVES THE RIGHT TO REQUEST MODIFICATIONS TO THESE PLANS DURING CONSTRUCTION IF FIELD CONDITIONS WARRANT AND THE CONTRACTOR SHALL NOT BE HELD RESPONSIBLE FOR THE COST OF THE WORK. 29. ANY DEFECTS WHICH APPEAR IN THE WORK WITHIN THE WARRANTY PERIOD GIVEN IN THE PROJECT CONTRACT FROM THE DATE OF ACCEPTANCE AND WHICH ARE DETERMINED BY THE CITY OF COTTONWOOD TO BE THE CONTRACTOR'S FAULT, THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR THE COST OF REPAIRS. 30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE QUALITY OF EXISTING STREETS LEADING TO THE PROJECT SITE. EXISTING STREETS SHALL BE MAINTAINED IN THE SAME CONDITION AS PROVIDED BY THE CITY OF COTTONWOOD. 31. ADDITIONAL EXPENSES FOR THE OWNER. 32. THE CONTRACTOR'S CONSTRUCTION ACTUALS AND APPROVALS SHALL BE PROVIDED WITH BARRICADES AND/OR HAZARD SIGNS AS REQUIRED AND APPROVED BY THE CITY OF COTTONWOOD ENGINEERING DEPARTMENT, INSPECTION STAFF. THE CITY OF COTTONWOOD DEPARTMENT OF PUBLIC SAFETY SHALL NOTIFICATION BE ADVISED 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. 33. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL SUBMIT AN AS-BUILT PLAN TO THE CITY ENGINEER. THE AS-BUILT PLAN SHALL INDICATE THE ACTUAL LOCATION OF WATER MAINS, SEWER MAINS, UNDERGROUND DRAINAGE STRUCTURES, ALL SEWER AND WATER SERVICES, ALL FITTINGS, VALVES AND MANIFOLDS, AND OTHER WORK. 34. THE CONTRACTOR SHALL MAINTAIN SURVEY CONTROL FOR THE PROJECT DURING CONSTRUCTION. THE CONTRACTOR SHALL SEE THAT ALL CUT AND FILL SLOPES ARE REPLACED AT THE PRIOR CONDITION OR AS SHOWN ON THE APPROVED PLANS. THE CONTRACTOR SHALL SEE THAT ALL SURVEY CONTROL POINTS ARE MAINTAINED AND NOT DESTROYED. 35. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL SUBMIT A CONSTRUCTION SCHEDULE AND A COORDINATION MEETING. ALL WORK, PLANS, SPECIFICATIONS, INSPECTION REQUIREMENTS, AND SCHEDULING SHALL BE DISCUSSED AT THIS MEETING. 36. THE CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF THE BLUE STAKE AT 1.800 STAKE #811. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE BLUE STAKE AS IS REQUIRED BY THE CITY OF COTTONWOOD. 37. THE CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF THE BLUE STAKE AT 1.800 STAKE #811. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE BLUE STAKE AS IS REQUIRED BY THE CITY OF COTTONWOOD. 38. THE CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF THE BLUE STAKE AT 1.800 STAKE #811. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE BLUE STAKE AS IS REQUIRED BY THE CITY OF COTTONWOOD. 39. THE CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF THE BLUE STAKE AT 1.800 STAKE #811. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE INTEGRITY OF THE BLUE STAKE AS IS REQUIRED BY THE CITY OF COTTONWOOD. 40. THE CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF THE BLUE STAKE AT 1.800 STAKE #811. 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MARK	DESCRIPTION	DATE

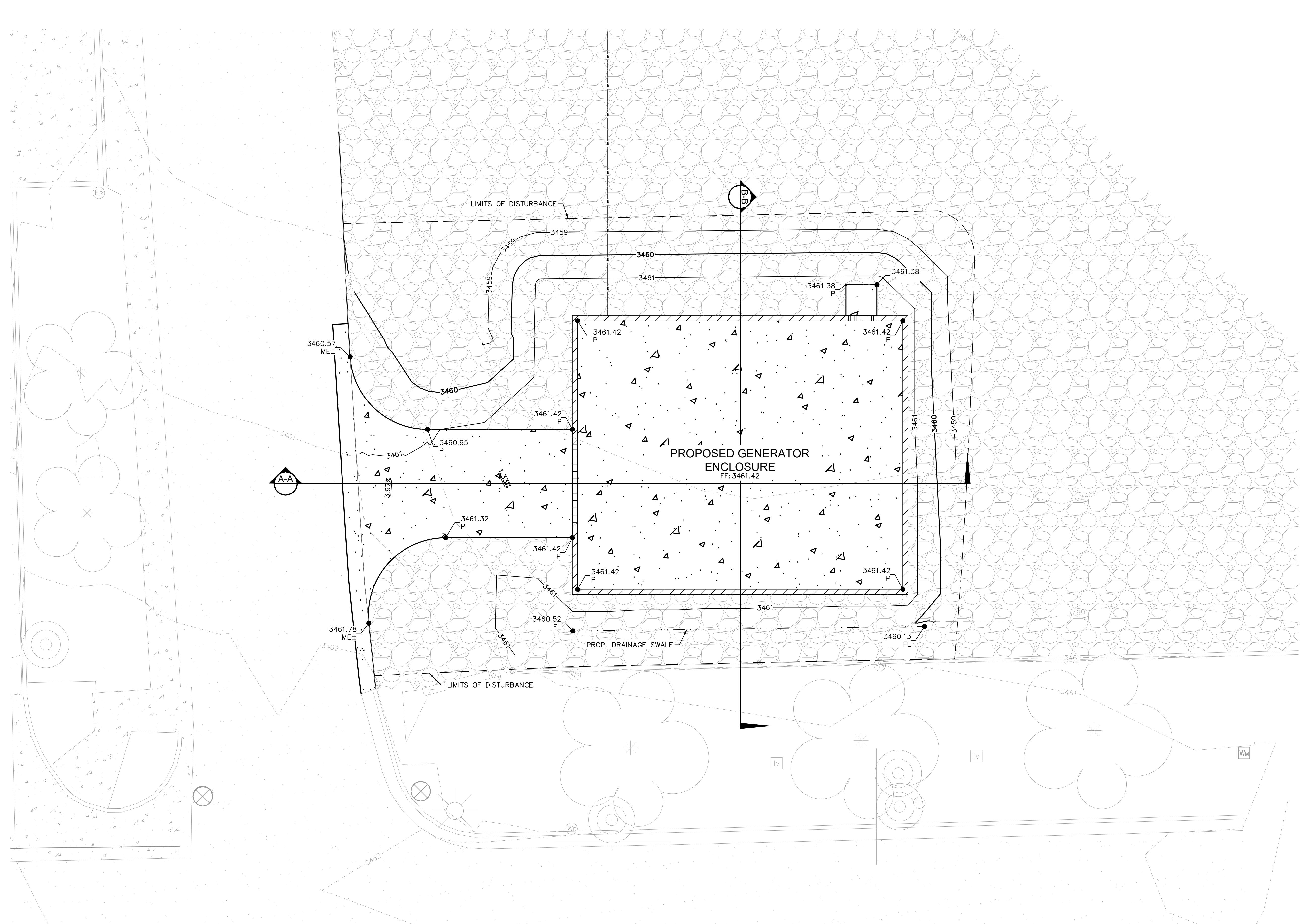
EARTHWORK		
CUT	0	CY
FILL	252.80	CY
NET	252.80	CY (FILL)

NOTES:  
THE QUANTITIES LISTED ABOVE ARE APPROXIMATE. THE CONTRACTOR SHALL MAKE HIS OWN ESTIMATION OF THE QUANTITIES INVOLVED AND BASE HIS ESTIMATE ON HIS OWN QUANTITIES.

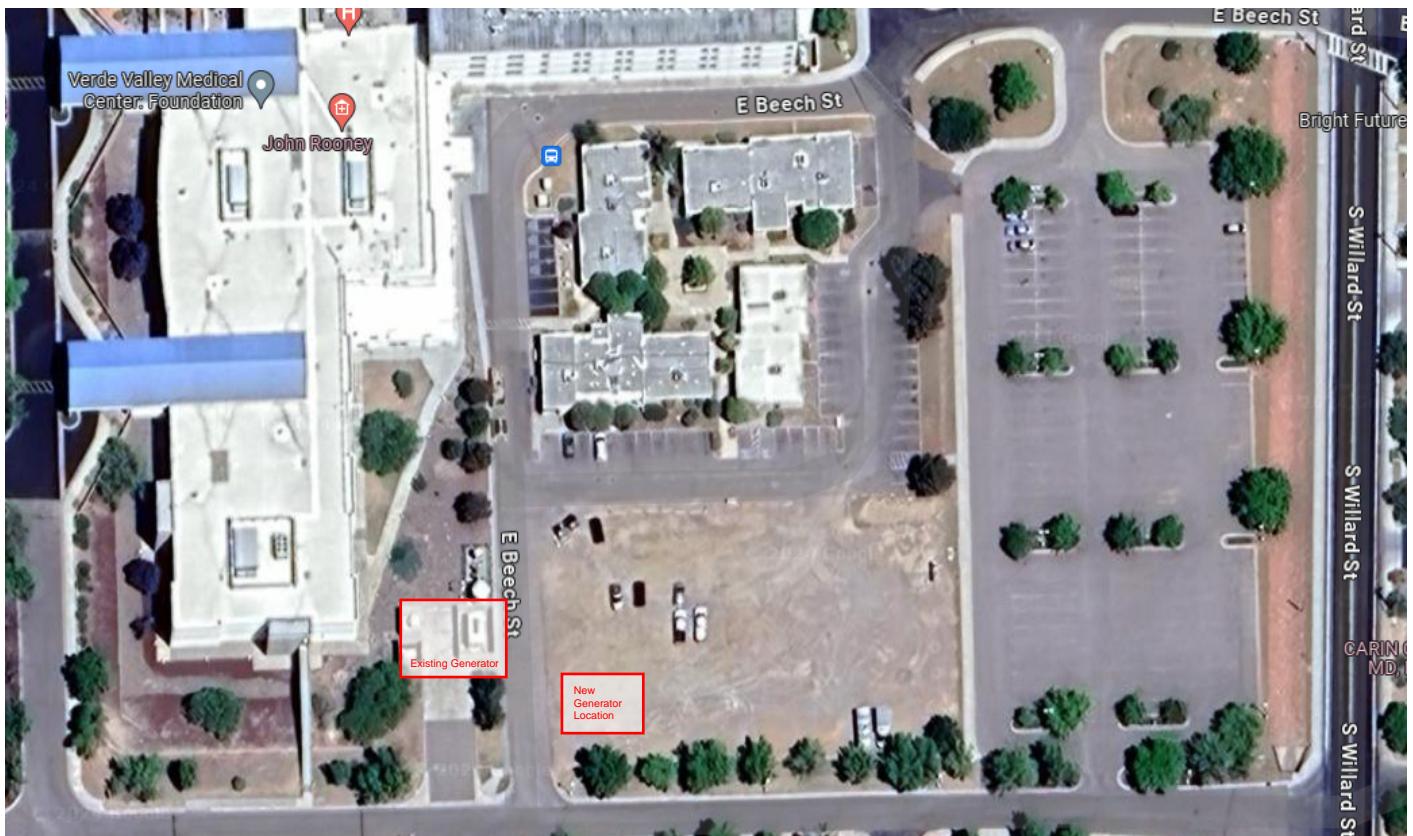
THE QUANTITY SHOWN ABOVE IS A SURFACE TO SURFACE COMPARISON. SEPARATE QUANTITIES WERE NOT CALCULATED FOR OVERBURDEN AND ROCK EXCAVATION. THE CONTRACTOR SHALL REVIEW THE GEOTECHNICAL REPORT INCLUDED IN THE SPECIAL PROVISION.

NOTES:

1. ALL SPOT ELEVATIONS ARE FINISHED GRADE (FG), OR MATCH EXISTING (ME) ELEVATIONS UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL USE SPOT ELEVATIONS, PROPOSED CONTOURS, AND SURVEY TO ESTABLISH ELEVATION.
3. SIDEWALK CROSS SLOPE SHALL NOT EXCEED 2% AND LONGITUDINAL SLOPE SHALL NOT EXCEED 5%.
4. ALL FILL SLOPES SHALL BE COMPAKTED TO 95% RELATIVE DENSITY.



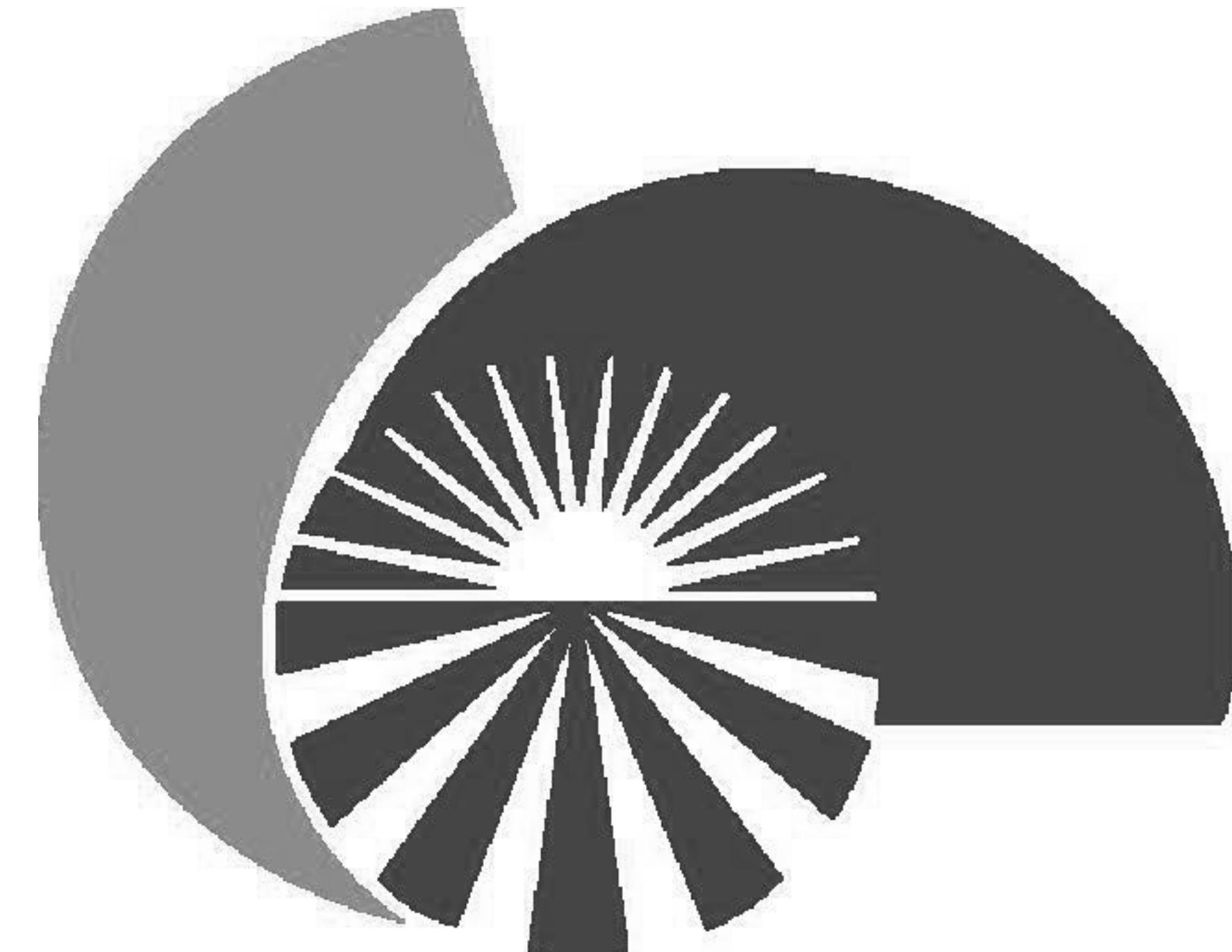
# Suggested Additional Renderings



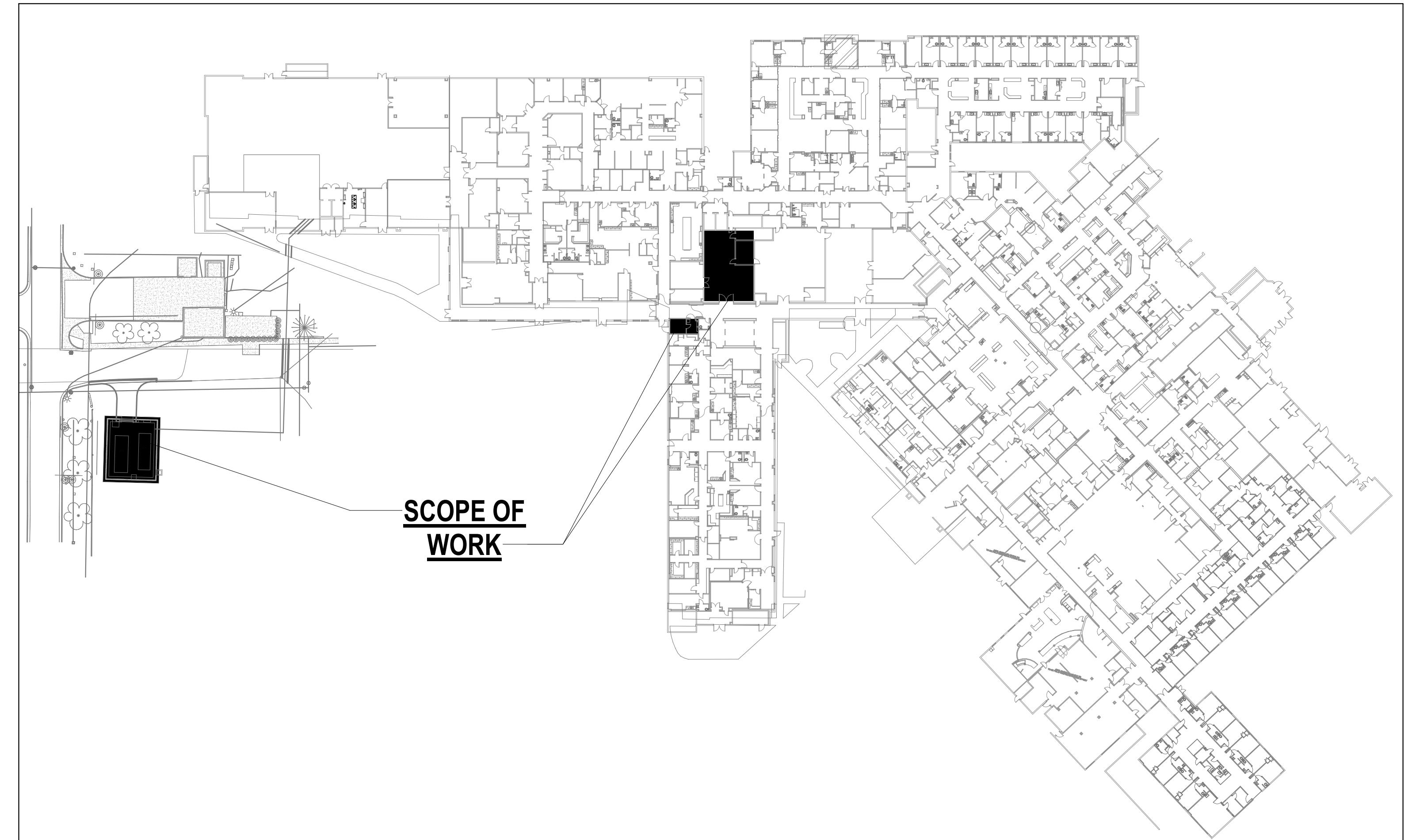
# Northern Arizona Healthcare Verde Valley Medical Center Boiler & Generator Replacement

PERMIT NUMBER: 2023-1097

WSP USA PROJECT NUMBER: B2202727



SITE MAP



## PROJECT DIRECTORY

OWNER  
NORTHERN ARIZONA HEALTHCARE  
269 South Candy Lane  
Cottonwood, AZ 86326

MEP CONSULTANT  
WSP USA  
1230 W. Washington Street  
Suite 405  
Tempe, AZ 85288

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## APPLICABLE CODES

1. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH:

CITY OF COTTONWOOD GOVERNING CODES:

2018 INTERNATIONAL BUILDING CODE (IBC)  
2018 INTERNATIONAL EXISTING BUILDING CODE (IEBC)  
2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)  
2018 INTERNATIONAL MECHANICAL CODE (IMC)  
2018 INTERNATIONAL FUEL GAS CODE  
2017 NATIONAL ELECTRICAL CODE / NFPA-70  
2018 INTERNATIONAL PLUMBING CODE (IPC)  
2018 UNIFORM PLUMBING CODE (UPC)

\*IF BUILDING CODES CONFLICT, THE MORE STRINGENT SHALL APPLY

2. ALL WORK AND MATERIALS SHALL BE IN FULL ACCORDANCE WITH THE REQUIREMENTS OF THESE CODES AND ALL APPLICABLE LOCAL ORDINANCES. WHERE CONTRACT DOCUMENTS EXCEED SUCH REQUIREMENTS, WITHOUT VIOLATING SUCH CODES, REGULATIONS AND ORDINANCES, CONTRACT DOCUMENTS SHALL TAKE PRECEDENCE. WHERE CODES CONFLICT, THE MORE STRINGENT SHALL APPLY.





Meeting Date: March 18, 2024  
Subject: Zoning Ordinance Amendment - Section 405 Signs  
Department: Community Development  
From: Gary Davis

#### REQUESTED ACTION

Consideration of proposed Zoning Ordinance amendments regarding regulation of signs.

#### SUGGESTED MOTION

"I move to recommend to the City Council approval of the proposed amendments to Zoning Ordinance Section 405 Signs."

#### BACKGROUND

In 2015, the U.S. Supreme Court issued a decision in *Reed v. Town of Gilbert* striking down municipal sign regulations that differentiate based on the content of the sign, contrary to the 1st Amendment protection of free speech. In general, cities may regulate signs based on physical characteristics of signs, and when and where they can be displayed, but the regulations must not be based on what kind of message they convey or what type of use they pertain to. Subsequent decisions have affirmed, however, that cities may observe content to some extent (such as off-premise signs or billboards, which have to be read to determine they are off-premise) if a public purpose is clearly stated.

Staff has drafted a proposed amendment to Zoning Ordinance Section 405 Signs that removes content-specific regulations and instead bases regulations on characteristics such as size, height, and duration of display, generally retaining the existing standards for those characteristics. In addition, staff proposes amendments that clarify existing regulations or make small changes to current procedures and requirements, as described below.

In **Subsection A**, staff's revisions strengthen the description of the sign ordinance's public purpose, and allow for severability in the event that one provision is found invalid by a court decision. In **Subsection B Definitions**, staff removes content-based descriptions. Clarifying language is also added, such as a new definition of Building Frontage, and changes to the definitions of Banner, Sign, Community Directional Sign, and Temporary Sign.

In **Subsection C Applicability**, the list of sign types exempted from the ordinance is clarified. In **Subsection D Permits**, the list of sign types exempted from the requirement to obtain a sign permit is clarified, and extended to most signs listed in Subsection E.

**Subsection E** describes signs that are permissible in **all zoning districts**, while **Subsection F** applies to those permitted in **residential and agricultural** districts, and **Subsection G**

pertains to signs in **commercial, industrial, and community facility zones**.

In **Subsection E.1**, the standards for signs generally known as address signs, real estate signs, construction signs, election signs, and driveway enter/exit signs are amended so that they are regulated based on their physical characteristics and time of display rather than their content. Flags, likewise, are to be regulated based solely on size, regardless of content. In **E.2**, general standards for signs are amended to provide clarifying language. Electronic message displays would be permitted to change display every 8 seconds, and be subject to more measurable brightness standards, and electronic message displays outside commercial and industrial zones would be subject to Conditional Use Permit approval.

In **Subsection F**, wording referring to content type is deleted. In **Subsection G**, pertaining to signs for commercial and industrial uses, an increase in the maximum size of signs for businesses 20,000 square feet or greater would be subject to a Conditional Use Permit rather than a formula. Time limits for temporary signs are increased from 21 to 30 days, with a 30-day extension possible. Content-based descriptions of shopping center signs, construction signs, business opening/closing signs, and is deleted. Provisions for Community directional signs are narrowed to apply to public facilities. **Subsection H**, applicable to signs in the **Old Town Cottonwood Commercial Historic District**, is changed to to permit two signs per street frontage, which can be applied to businesses on corner lots.

On February 21, 2024 staff posted the draft amendments on the City's web site, and notified local sign contractors of the proposed changes, inviting them to provide comments. Staff has received no comments to date.

#### JUSTIFICATION/BENEFITS/ISSUES

The proposed amendments are necessary to make Cottonwood's sign regulations consistent with current case law, and to remove unclear or problematic provisions.

#### COST/FUNDING SOURCE

There is no cost associated with the proposed amendments.

#### ATTACHMENTS

[SECTION 405- Signs 20240307 DRAFT.pdf](#)

## SECTION 405. SIGNS.

### A. PURPOSE, SUBSTITUTION, INTERPRETATION, AND SEVERABILITY.

1. Purpose. Signs have the potential to obstruct view, distract motorists, obstruct pedestrian and vehicular traffic flow, create safety hazards, create aesthetic blight, and pose other problems that legitimately call for regulation. The purpose of this Section is to provide a set of standards for the design, and construction, and use of signs within the City of Cottonwood in order to:
  - a. Protect property values, enhance aesthetic beauty, and foster economic development by regulating the size, height, and number of signs, as well as duration of display, in a manner that minimizes aesthetic blight and visual clutter, to promote a desirable aesthetic character for the City; to protect the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs;
  - b. Promote public safety, welfare, convenience, and enjoyment of travel and free flow of traffic by regulating placement, sizing, brightness, and motion of signs in a manner that prevents to protect pedestrians and motorists from damage or injury caused, or partially attributed to the distractions and obstructions, and allowing for standard public signs that regulate vehicular, bicycle, and pedestrian traffic flow,
  - c. Enhance quality of life and civic pride by allowing for public informational and directional signs promoting civic causes, historical awareness, wayfinding, or public events, and,
  - d. 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 and protecting freedom of speech.
2. Substitution. Signs containing noncommercial speech are permitted anywhere that business or advertising signs are permitted, subject to the same regulations applicable to such signs.
3. Interpretation. Any provision of this sign code that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech.
4. Severability. If any provision of this sign code is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the code.

### B. DEFINITIONS.

**ANIMATED SIGN**- Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the appearance of such movement or rotation.

**BALLOON SIGN**- One or more balloons attached by means of a rope or tether to a fixed location for the purpose of attracting attention to a location, business, service or event; and which may or may not have sign copy, images, symbols or advertising messages affixed or attached to the balloons or structure.

**BANNER** ~~FLAG BANNER~~- A sign which is constructed of cloth, canvas, or other type of natural or synthetic, lightweight, non-rigid material and supported tied to structure(s) along one or more sides or at two or more corners by wires, ropes, strings, ~~poles~~ or other materials or devices that are ~~not~~ fixed or rigid. Feather/Flag Banners are included in this definition, but a “Flag” is excluded and defined separately.

**BUILDING FRONTAGE**- The per-lot lineal measurement of all building walls facing and generally parallel to a public street.

**FLAG, ADVERTISING** ~~Flags intended to advertise a business, product, service or event, including flags with corporate marks or graphic symbols, and with or without words, that are intended to enhance the aesthetic appearance of a street or area or to attract attention through the use of color, design elements, messages or pictures.~~

**FLAG, POLITICAL** ~~Any rectangular fabric or other flexible material designed to be mounted to a pole or similar device at one edge or at two corners by wires or ropes, and which represents or symbolizes an organization, issue, place or government. National flags and flags of political subdivisions shall not be considered as signs.~~

**INFLATABLE SIGN**- A three-dimensional sign comprised of fabric or similar lightweight material that is filled with mechanically supplied air or other gaseous material to inflate the structure, and which may or may not have sign copy, images, symbols or advertising message affixed or attached to the material.

**NITS** ~~Nits are the standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign in contrast to footcandles which measure brightness of the surface area or object that is being lighted.~~

**NONCONFORMING SIGN**- A sign lawfully erected and maintained prior to the adoption of the ordinance that does not conform to the current requirements of the ordinance because of subsequent amendments which changed said requirements.

**OUTDOOR ADVERTISING** ~~Means any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing that is designed,~~

~~intended or used to advertising for a business, activity or event, and which is located outside and is visible from a public right of way, neighboring property or public area.~~

**OUTDOOR PROMOTIONAL SIGN** ~~Includes inflatable signs, advertising flags, banners, balloons, streamers, pennants, searchlights and similar devices intended for the purpose of attracting attention for promotion or advertising for a business, activity or event, and which is located outside and is visible from a public right of way, neighboring property or public area.~~

**PENNANT**- A sign comprised of lightweight fabric, plastic, paper or other non-rigid material, suspended from a wire, rope or string, usually in a series, designed to move in the wind, with or without sign copy, images, symbols or advertising messages.

**PLATE LINE, TOP**- The horizontal line of a building at a height that would normally be the horizontal framing member resting on top of the studs, on the first or ground floor.

**ROOF SURFACE**- The top, exterior covering of a building extending from the highest point of the building to the furthest extension of the eaves.

**SHOPPING CENTER**- A group of three (3) or more commercial establishments associated by common agreement or under common ownership which comprises contiguous land parcel unit with common parking facilities.

**SIGN**- Any identification, description, illustration or device which directs attention to a product, place, activity, person, institution or business by such means including words, letters, designs, ~~symbolslogos~~, pictures, ~~colors~~, or illumination and which is visible from any public right-of-way, neighboring property or public area.

**SIGN, A-FRAME**- A portable sign, also referred to as a sandwich board sign, comprised of two separate panels or faces typically joined at the top with a hinge and widened at the bottom to form a shape similar to the letter A.

**SIGN, AREA OF**- That areas in square feet of the smallest rectangle, square, circle or triangle that encompasses the sign, the area of any two-faced sign with parallel faces or "v" type signs having an interior angle of forty five (45) degrees or less shall be the area of the single face. All other multiple faced or paneled signs shall be the total area of all faces or panels. Sign area shall include the mounting surface on which the lettering is placed. For signs which are painted on a wall surface and for multiple-unit signs, the area shall include the lettering and the vertical and horizontal spacing's between letters which comprise the work or words that convey the message.

**SIGN, CANOPY**- A type of building-mounted sign mounted under and supported by a permanent canopy, arcade or portal, or flat mounted on façade of canopy.

SIGN, **SPECIAL COMMUNITY DIRECTIONAL**- Any sign which is designed and erected solely for the purpose of directing traffic to a public facility including but not limited to (parks, schools, library, hospital, Old Town district, public college, or similar community facility.

~~including community identification/gateway signs or to a subdivision within the city limits of Cottonwood, that provides significant recreational facilities for the general public.~~  
~~SIGN, CONSTRUCTION~~ Any temporary sign erected on the premises of an existing construction project and designating the architect, contractor, designer, or builder, or developer or the name and nature of the project.

~~SIGN, DIRECTIONAL~~ Any sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed and which contains no advertising copy.

SIGN, ELECTRONIC MESSAGE DISPLAY- An electrically activated changeable sign capable of displaying words, symbols, figures or graphic images and whose variable message and/or graphic presentation capability can be electronically programmed and changed by remote or automatic means also known as an Electronic Message Center, typically uses light emitting diodes (LEDs) as a lighting source.

~~SIGNS, FLASHING~~ A ~~s~~igns that have ~~has~~ flashing lights or intermittent illumination shall be limited to emergency or warning signs installed for traffic control, including signs that draw attention to speed limits, stop signs, fire stations, school zones and similar governmental or public uses.

SIGN, FREESTANDING- A sign attached to or supported from the ground and not attached to a building; signs on walls or fences which are no an integral part of a building are freestanding signs.

SIGN, HEIGHT- The vertical distance from grade to the highest point of the sign.

SIGN, MONUMENT- A freestanding sign that is detached from a building and supported primarily by a solid-appearing, integrated base structure constructed of a permanent material, such as concrete, block, brick, stone or stucco, and not including pole type support structures.

SIGN, PORTABLE- Any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building. This definition does not include ~~property realty signs, construction signs, political signs,~~ signs intended for temporary use for safety reasons due to construction or traffic control, governmental signs which are to inform the public, exempt signs, or other signs permitted for temporary or special use.

**SIGN, PROJECT ANNOUNCEMENT** ~~A temporary sign installed on a development site providing information about future development or current construction on that site and displaying the project name, developers name, graphic renderings of the future development and other general information regarding the project.~~

**SIGN, PROPERTY SALE, RENTAL, OR LEASE** ~~Any sign advertising the availability for sale, rental or lease of land or building.~~

**SIGN, WALL-** A sign flush to the exterior surface of a building, applied directly on the building, in a window or a signboard attached flush to the building, projecting no more than six (6) inches from the building surface and not projecting above the roof. However, light sources aimed at the wall sign may project further.

**SIGN, TEMPORARY-** Any sign ~~or banner~~ which is not intended for permanent use, ~~usually used to announce community functions, grand openings, establishments of new commercial projects or sales events.~~

**SIGN, TIME AND TEMPERATURE** ~~Electronic sign that provides intermittent data regarding the current time and temperature by means of illuminated numbers.~~

**SIGN, VEHICLE SIGN**- A sign mounted, painted, placed on, attached or affixed to a trailer, watercraft, truck, automobile or other form of motor vehicle 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 messaged painted directly on, or adhesive vinyl film affixed to, the interior or exterior surface of a vehicle window.

**SIGN, WALKING-** Signs held, carried, balanced or worn by any person, including hand-held, walking signs, mascots, costumes and characters intended to advertise or attract attention to sales, products, services, businesses, activities, events or issues, and which are visible from a public right-of-way, adjacent property, or a public area.

## C. APPLICABILITY.

The provisions of this Section shall apply to all signs placed or maintained within the City of Cottonwood, with the exception of the following:

1. **Address numbers designed in accordance with current Fire Department standards.**  
~~Dedication Plaques: Non-illuminated names of buildings, dates of erection, monument, citations, commemorative tablets and the like when carved into stone,~~

~~concrete, metal or any other permanent type construction and made an integral part of a permitted structure or made flush to the ground.~~

2. Signs required by law or of a duly constituted governmental body in furtherance of a governmental purpose, such as traffic signs, warning signs, no trespassing signs, signs located in the public rights-of-way for the purpose of public wayfinding or historical education, and temporary signs providing information in the community interest.  
~~Governmental Signs: Signs required by law or signs of a duly constituted governmental body, such as traffic signs, warning signs or no trespassing signs.~~
3. Public Utility Signs: Signs placed by a public utility for the safety, welfare or convenience of the public, such as signs identifying high voltage, public telephone or underground cables.
4. Vehicle Signs: Signs upon a vehicle, provided that any such vehicle with a sign face of over two (2) square feet is not conspicuously parked so as to constitute a sign; nothing herein prevents such a vehicle from being used for a bona fide delivery and other vehicular purposes.
5. Temporary ~~seasonal Holiday~~ decorations.
6. Signs protected by state statutes: Nothing contained herein shall prevent the erection and maintenance of signs authorized or protected by Arizona Revised Statutes.

#### D. PERMITS.

1. A sign permits shall be required before a~~No~~ sign may be placed, constructed, reconstructed or altered within the City of Cottonwood without sign permit(s) issued by the City, with the exception of the following, provided the provisions of this Section are complied with:
  - a. Name plate signs and address signs as allowed in residential zones.
    - a. Repainting or maintenance of signs, provided there is no change in size, shape, height, or motion, and there is no repair or installation of structural or electrical elements, wording, compositions or color.
    - b. Additional Signs listed in Section 405.E.1 unless otherwise indicated.
    - c. Property sale, rental or lease signs.
    - d. Political signs.

- e. Construction signs.
- f. Directional signs.
- g. Governmental signs.
- h. Grand Opening signs.
- i. Going Out of Business signs.
- j. Walking signs displaying non-commercial messages, including public events, benefit fundraising events, political or campaign signs, or similar such signs

2. An application for a sign permit shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. The application shall include the following:

- a. Sketch showing, size, height and shape of sign(s).
- b. Description of materials used and method of mounting.
- c. Any existing or planned landscaping around sign(s).
- d. Existing sign(s).
- e. Name and license number of the installation contractor. No sign for which a permit is required may be installed or repaired by any person other than a contractor licensed by the State of Arizona to install and repair posts, poles supports paint, and electrical wiring for signs, displays, and flagpoles.
- e.f. Any other information the Planning and Zoning Administrator might need to evaluate the Sign Proposal.
- f.g. Payment of the filing fee in an amount established by a schedule adopted by resolution of the Council. No part of the filing fee shall be returnable. Payment of the filing fee shall be waived when the petitioner is an official or agency of the City, County, State or Federal Government.

3. Plan Review: Upon receipt of a complete application for a sign permit, the Zoning Administrator shall review the sign plans and deny, approve or conditionally approve said plans.

E. REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS.

1. Additional Signs: The following signs may be displayed in addition to those permitted in Subsections F and G. These signs shall not be illuminated and their area shall not count toward any overall maximum sign area allowance unless otherwise indicated:
  - a. Additional Wall Signs: Not more than two (2) signs with a sign area of not more than two (2) square feet each installed or inscribed on a building.
  - b. Additional Signs During a Transaction Period: One (1) temporary sign shall be allowed along each street frontage of a property during a transaction period in which the property is being offered for sale or rent. Each sign shall not exceed six (6) square feet in area, shall not exceed five (5) feet in height, and shall be located no nearer than ten (10) feet from another lot. Signs of up to twenty (20) square feet may be allowed by Conditional Use Permit.
  - c. Additional Signs During a Construction Period: One (1) temporary sign shall be allowed during a construction period when a valid building permit is in effect. Additional signs for this purpose may be permitted by Conditional Use Permit when more than one structure is under construction on adjacent lots, during the same construction period by the same contractors, engineers, or architects. In agricultural, residential and manufactured home zones the sign shall not exceed twelve (12) square feet in area and in Commercial, Industrial, and Community Facility Districts the sign shall not exceed forty (40) square feet in area.
  - d. Additional Signs During an Election Period: Political and campaign signs shall be allowed during an election period beginning sixty (60) days before an election and ending fifteen (15) days after the general election or fifteen (15) days after the primary election for a candidate who does not advance to the general election, shall not require a sign permit but shall be subject to the following regulations:
    - 1) Political and campaign signs may be located on private property with shall not be installed without the property owner's permission. and  
Political and campaign signs shall be no more than six (6) square feet in area.
    - 2) Political and campaign signs may not be erected prior to sixty (60) days before the election. All such signs shall be removed within fifteen (15) days after a general election or fifteen days (15) after the primary election for a candidate who does not advance to the general election. The person or parties responsible for erecting the signs are responsible for their removal.

3) ~~Political and campaign signs~~ Signs ~~shall not~~<sup>may</sup> be placed in ~~any~~<sup>a</sup> public right-of-way ~~as permitted by State law. The City may regulate such signs as authorized in ARS §16-1019. Such signs~~ shall not be attached to any other sign or sign structure, street light pole, traffic signal pole, utility pole or utility structure.<sup>15</sup> ~~except in accordance with Subsection E.15 below.~~

4) ~~Political and campaign signs~~ Signs shall not be installed or placed on any structure, building or property owned or managed by the City of Cottonwood. Such signs shall be subject to immediate removal.

b. ~~Political and campaign signs~~ Political and campaign signs shall include the name and telephone number of the candidate or campaign contact person placed in a clearly visible location on the sign.

c. ~~Political and Campaign Signs located in City Rights of Way.~~  
~~Notwithstanding any other statue, ordinance or regulation, the City shall not remove, alter, deface or cover any political or campaign sign located within a public right of way owned or controlled by the City as long as the following requirements are met:~~

a. ~~The sign supports or opposes a candidate for public office or ballot measure.~~

b. ~~The sign does not pose a safety hazard, restrict movement of vehicles or people, obstruct clear vision in the area, or interfere with the requirements of the American with Disabilities Act. Signs shall not be located within or immediately adjacent to any travel lane or vehicle maneuvering area. Signs shall not be attached to any other sign or sign structure, street light pole, traffic signal pole, utility pole or utility structure.~~

c. ~~Signs shall not be located within the sight visibility triangle at street intersections and driveways as measured twenty-five (25) feet from the intersecting point from the side property lines.~~

d. ~~The sign may have a maximum area of sixteen (16) square feet, if the sign is located in an area zoned for residential use, or maximum area of thirty-two (32) square feet if the sign is located in any other area.~~

e. ~~The sign shall include the name and telephone number of the candidate or campaign contact person placed in a clearly visible location on the sign.~~

d. ~~If authorized representatives of the City deem that the location of a political or campaign sign constitutes an emergency, City representatives~~

~~may immediately relocate the sign. The City representative shall notify the candidate or campaign committee that placed the sign within twenty-four (24) hours after the relocation. If a sign is otherwise placed in violation of this Section and the placement is not deemed to constitute an emergency, the City shall notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least twenty-four (24) hours after the City notified the candidate or campaign committee, the City may remove the sign. The City shall contact the candidate or campaign contact person and shall retain the sign for at least ten (10) business days to allow the candidate or campaign committee to retrieve the sign without penalty. If the sign has not been retrieved by the candidate after the 10 day notification period, the City shall have the right to dispose of the sign.~~

- ~~e. The City Council may by Resolution designate political sign free zones within the City for areas associated with commercial tourism, commercial resorts, and hotels. No political signs may be located within municipal rights of way in any areas designated as political sign free zones within the City.~~
- ~~f. As per ARS §16-1019, the exception allowing political signs in public rights of way does not apply to state highways or routes, or overpasses over such state highways or routes, which includes all of State Route 89A and State Route 260 through Cottonwood.~~
- ~~g. This section applies only during the period commencing sixty (60) days before a primary election and ending fifteen (15) days after the general election, except for a candidate in a primary election who does not advance to the general election, the period ends fifteen days (15) after the primary election.~~
- ~~h. This section does not apply to the removal, alteration, defacing or covering of a political sign by the candidate or the authorized agent of the candidate in support of whose election the sign was placed; by the owner or authorized agent of the owner of any private property on which such signs are placed with or without permissions of the owner; or to signs placed in violation of any state law or City ordinance or regulation.~~

a.e. Flags:

- 1) In Agricultural, Residential, and Manufactured Home Districts, no more than three (3) flags, not to exceed fifteen (15) square feet each, are allowed per lot. Flags may be mounted on a wall, a pole projecting from a wall, or a freestanding pole, at a height no greater than twenty-four (24) feet.

- 2) In Commercial, Industrial, and Community Facility Districts, no more than three (3) flags, not to exceed twenty-four (24) square feet each (counted toward the lot's overall sign area). Flags may be mounted on a wall, a pole projecting from a wall, or a freestanding pole.

b.f. Additional signs at driveways: No more than two (2) freestanding signs no larger than two (2) square feet in area may be placed near driveway entrances or exits. A sign permit shall not be required for such signs unless internally illuminated.

e.g. A-Frame Signs: For purposes of this section, an A-frame sign refers to all types of portable signs that are not fixed to a permanent structure and may be moved on a site unless otherwise described as exempt by this ordinance. A-frame and portable signs shall be permitted in any zone in association with an approved commercial, industrial, institutional and/or multi-unit residential use, subject to the following restrictions:

- 1) Size: Each panel of a two-panel A-frame sign or a single panel for any type of portable sign is limited to two (2) feet in width by three (3) feet in height, except as may be allowed for in association with a special event permit or temporary sign permit. The A-frame or portable sign shall not count towards the maximum allowable sign area calculation for the ~~use~~ site.
- 2) Number: One sign is allowed per business location, tenant or multi-unit residential development. For multi-tenant commercial projects, one sign per tenant is allowed with a minimum of twenty (20) feet of separation maintained between signs.
- 3) Location: A-frame signs shall be located in the following manner:
  - a) The sign shall be placed on the property being identified or within the right-of-way directly in front of an immediately abutting the property location with an approved encroachment permit. A minimum two (2) feet setback must be maintained from the back of curb or if the street has no curb, a minimum eight (8) feet setback must be maintained from the edge of pavement.
  - b) A-frame signs shall not be located at off-premise locations, including private property or right-of-way not directly in front of the subject use.
  - c) The sign shall be located at grade level.
  - d) No sign shall be located within ~~the 25 ft. a~~ sight triangle as described in Section 404.I. Height Limitations on Corner Lots.

- e) No sign shall be located within 25 feet of the edge of a driveway entry.
- f) For businesses located in a commercial center with multiple tenants and/or buildings, the sign may be placed within the development or at the perimeter of the commercial center subject to location and separation requirements.
- g) Alteration of existing or required landscaping to locate the sign is prohibited.

4) Sidewalk Locations: Where the building façade directly abuts the sidewalk right-of-way, one sign per business location may be located on the public sidewalk directly in front of the business if a minimum of five (5) feet clear area is maintained on the sidewalk for passage of pedestrians at all times, and an encroachment permit is obtained from the City of Cottonwood, which indicates that the applicant agrees to relinquish any future claim of permanent encroachment by placement of the sign and indemnify the City from any and all liability associated with such sign placement.

5) Prohibited Locations: A-frame and portable signs are prohibited in the following locations:

- a) Off-premise locations, except as otherwise provided for within immediately abutting right-of-way by approved encroachment permit and as associated with permitted temporary uses and special events.
- b) In all vehicular circulation areas, including parking lots, parking stalls, drive aisles, driveways, crosswalks and roadways.
- c) In association with Home Occupations or Single-family residential uses.
- d) In raised or painted medians.
- e) So that less than a minimum of five (5) feet clear area is provided for pedestrian passage on all sidewalks, pathways, walkways, plazas or courtyards, or so as to cause a hazard to pedestrians.
- f) On fences, boulders, raised landscape planters, other signs, vehicles, utility facilities or similar structures.
- g) Within a minimum distance of twenty (20) feet from any other A-frame or portable sign.

- h) Within a minimum distance of twenty-five (25) feet from a driveway, access drive or street intersection.
- 6) Appearance: A-frame sign structures and display copy must be made and constructed to comply with the following requirements:
  - a) Constructed with a protective, water resistant coating, which is impervious to weather conditions.
  - b) Of sufficient weight and durability to withstand wind gusts and storms so as to not be blown over or become windborne.
  - c) Maintained in a manner free from chipping paint, visible cracks or gouges, loss of letters or general deterioration.
- 7) Attachments: No attachments, illumination, banners, ribbons, flags or moving parts are allowed with the sign.
- 8) Display Time: All A-frame signs must be removed at the end of each business day. Signs may be displayed during the posted hours the business is open only.
- 9) [A separate sign permit and fee, as set by the City Council, shall be required for each A-frame sign.](#)

h. Walking Signs: Signs worn, held, balanced or carried by sign walkers shall be permitted, subject to the following regulations:

- i. ~~Hand held and walking signs are allowed to identify, promote or advertise sales, activities, or events located within the City of Cottonwood only.~~
- 1) Walking signs may be worn, held, balanced or carried by sign walkers with no throwing of signs in the air or twirling, spinning or tossing of signs.
- 2) Sign walkers shall be allowed on the property in which the sale, activity or event takes place or on a public sidewalk located directly in front of or immediately abutting the property location, subject to the regulations contained in this ordinance. No more than one (1) such sign shall be allowed per business or use, except where permitted with a valid Temporary Use Permit.
- 3) Sign walkers may use the public right-of-way, including sidewalks, subject to the location restrictions of this ordinance, and except where the use is deemed a safety hazard by City officials due to blocking visibility of traffic, blocking

the safe passage of pedestrians or vehicles, or which has the potential to fall or be blown onto pedestrians or traffic.

- 4) Sign walkers may not be located within the travel lane of any street or with any street median or landscape island.
- 5) Sign walkers shall not be located in the sight visibility triangle at street corners which is measured a distance of twenty-five (25) feet back from the intersection of the lines defining the edge of the street or the face of curb and a line connecting these points, or in a manner that impacts the safety of vehicles on adjacent streets by blocking visibility at driveways or intersections.
- 6) Hand-held and walking signs, including costumes, characters and mascots, shall be limited to no more than eight (8) feet in height above grade at the highest point.
- 7) A separate sign permit and fee, as set by the City Council, shall be required for each walking sign, ~~with the exception that walking signs containing non-commercial messages, including announcements of public events, benefit fundraising events, political or campaign signs, or similar such signs shall not be required to obtain a sign permit or pay a fee provided all other requirements of this ordinance are met.~~
  - i. Residential Subdivision Signs Residential subdivisions with a sales office and offering new homes for sale may submit a proposed residential subdivision sign program to regulate the use of temporary signs for the subdivision, subject to the following additional requirements:
    - 1) A proposed residential subdivision sign program shall be submitted to the Zoning Administrator, who shall approve or deny a sign permit, or require modification and resubmission based on the proposed program's compliance with the requirements of this section. A residential subdivision sign program must include a site plan showing the location of all proposed signs, and a description of the type, number, size, placement, and materials of all proposed signs.
    - 2) The residential subdivision sign program shall expire when the sales office is permanently closed. All signs shall be removed upon expiration of the residential subdivision sign program.
    - 3) A residential subdivision sign program may include the following on-site signage:
      - a) A maximum of 500 square feet of signage per builder.
      - b) Freestanding signs, each of which shall not exceed an area of 128 square feet or a height of 10 feet.

- c) Temporary signs, flags, and banners.
- d) Off-site directional signs placed at each major change in travel direction along the route leading to the subdivision. Each offsite directional sign within the public right-of-way may not exceed six square feet in area and 30 inches in height, and must be clearly labeled with the permit number and the name and contact information of the sign permit applicant. For offsite directional signs on private property, written permission of the sign-property owner is required, and each sign may not exceed 32 square feet in area and eight feet in height.

~~Real Estate Signs: Temporary property sale, rental or lease signs shall be allowed along each street frontage of the property to which the sign refers. Each sign shall not exceed six (6) square feet in area, shall not exceed five (5) feet in height and shall be located no nearer than ten (10) feet from another lot, nor nearer than three hundred (300) feet from any other real estate sign along the street frontage, on the same piece of property. Signs of up to twenty (20) square feet may be allowed by Conditional Use Permits.~~

2. General Standards:

- a. No sign shall be constructed or erected in such a manner as to interfere in any way with, or confuse traffic or present a traffic hazard, as determined by the Zoning Administrator or City Engineer. All free standing signs shall be five (5) feet back from all property lines.
- b. Flashing Signs: Signs shall not be animated or have intermittent illumination or flashing lights, except where permitted for emergency signs, emergency or warning signs installed for traffic control, including signs that draw attention to speed limits, stop signs, fire stations, school zones and similar governmental or public uses.
- c. Lighting: Deleted by Ordinance 384, adopted December 1999. Please refer to Internal or indirect lighting of signs is subject to the standards of Section 408, "Outdoor Lighting Code".
- d. No sign shall have audible devices.
- e. There shall be no roof signs, signs which are projecting or cantilevered from buildings, banners or flag banners.  
Temporary signs shall be subject to the provisions set forth in Subsection G.9.
- f. Entrance or Exit Signs: Two (2) utility signs, not more than two (2) square feet each, denoting "Entrance" or "Exit" shall be permitted if necessary for that purpose.

g.f. Sign Installation: All building mounted signs shall be attached to the building in a manner that will ensure safe operation. All freestanding signs shall be installed and constructed in a manner that will ensure structural stability.

h.g. Nonconforming Signs: Any nonconforming sign may be continued in use, provided, however, that in the event any such sign is hereafter damaged to exceed fifty (5) percent of the reproduction value according to appraisal thereof by competent appraisers, or is removed by any means whatsoever, including an Act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this chapter. Alterations to nonconforming signs may be made only if such alteration will bring such sign into conformity with the provisions of this Code. the sign face or sign panel within a nonconforming sign structure may be replaced with a new sign for the same or new use provided the sign structure is not changed or altered in any manner and the panel is essentially the same size and dimensions, and provided all other applicable provisions of this ordinance are addressed in a conforming manner.

i.h. Off-Site ~~Advertising Signs~~: All signs shall be located on the same lot or parcel to which it refers, except for ~~special community~~ directional signs issued under a conditional use permit pursuant to Section 405.G.~~107~~. Off-site advertising shall be prohibited, except where allowed for walking signs on a public sidewalk or right-of-way, or as otherwise permitted by this ordinance.

j.i. Dangerous and Deteriorated Signs: If any outdoor advertising sign becomes a danger to the public, or becomes deteriorated, or is abandoned, the property owner or owner of the sign shall be notified to remove or repair the sign. If he does not comply within then (10) days, the Zoning Administrator shall have the sign removed and the cost assessed to the owner of the property on which such sign is located.

k.j. Electronic Message Display Signs:

- a. Purpose: These regulations provide standards and procedures for the safe and appropriate use of electronic message display signs. The regulations are intended to ensure the use of such signs will not have a detrimental effect on the surrounding area or the public welfare, and will be consistent with the purpose and intent of this Ordinance.
- b. Procedures: Electronic message display signs shall be subject to Design Review approval.

~~e. Modes: The following modes of operation are described for electronic message signs:~~

~~a. Static. Signs which include no animation or effects stimulating animation.~~

- ~~b. 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 in intensity to the point of legibility.~~
- ~~c. 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.~~
- ~~d. Traveling. Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.~~
- ~~e. Scrolling. Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.~~

~~d.c.~~ Standards: The following describes standards for the installation and use of electronic message display signs:

- ~~a. Zoning Districts: No electronic message display signs shall be permitted except in the C-1, C-2, I-1, I-2 and PAD Zoning Districts subject to meeting the standards and criteria described herein and the standards of Section 408 "Outdoor Lighting Code." In other zoning districts, Exceptions may be granted for churches, schools, government agencies and institutional uses located in any zoning district may install electronic message displays if approved by Conditional Use Permit.~~
- ~~b. Transitions: Electronic message display signs shall be operated in static display mode only except for transitions between messages which shall be instantaneous. There shall be no video, animation, fades, dissolves, travelling (horizontal movement) or scrolling (vertical movement) between messages.~~
- ~~c. Display Time: Electronic message display signs shall be permitted to change their message no more than once every sixty (60)eight (8) seconds.~~
- ~~d. Size: The area of the electronic display panel shall not be more than eighteen (18) square feet in size for fifty (50) percent of the total area of the sign, whichever is more restrictive.~~

- e. Height: the maximum height, as measured from the prevailing grade to the top of the electronic message display panel on a ground mounted or freestanding sign, shall vary according to the location, as follows:
  - 1) Twelve (12) feet maximum height where located adjacent to arterial streets and highways, as described on the City of Cottonwood Street Classification Map.
  - 2) Ten (10) feet maximum height where located adjacent to collector streets, as described on the Cottonwood Street Classification Map.
  - 3) Eight (8) feet maximum height where located within 300 feet of any residential use or facility, or any hotel or lodging use, and where such sign is visible from such property as determined through the Design Review process.
  - 4) The maximum height of such signs in any other location otherwise permitted by this Section shall be no greater than 10 feet in height to the top part of the electronic sign panel.
- f. Hours of Operation: As per Section 408. Outdoor Lighting Code, all outdoor illuminated signs shall be turned off by 10:00 p.m. or when the business closes, whichever is later.
- g. Sign Type: Electronic message display signs may be incorporated into freestanding signs or wall mounted signs;
- h. Number: Only one (1) electronic message display sign shall be allowed as part of a shopping center sign at a shopping center and only one (1) such sign shall be permitted per street frontage for a shopping center. For individual uses, only one (1) electronic message display sign shall be permitted on the premises per use.
  - i. Distance from Residential Use: Electronic message displays signs shall not be located within 100 feet of any residence or residential zoning district as measured from the sign to the property line of the residential use.
  - j. Distance from Other Signs: Electronic message display signs must be spaced a minimum of 150 feet from other electronic message display signs.

e.d. Lighting Intensity and Color: ~~Daytime lighting intensity must automatically re-set to a lower level for night time hours. To ensure compliance with this Section, the sign must have an automatic brightness control linked to ambient light levels.~~

- a. Dimming. Brightness. Electronic message display signs shall come equipped with dimming technology that automatically adjusts the display's brightness based on ambient light conditions and comply with maximum night time brightness level.
- b. Brightness. Electronic message display signs shall ~~be~~ not exceed a brightness level of 0.3 foot candles above ambient light conditions. Ambient light conditions and display brightness levels shall be measured as follows: maximum illumination of 300 NITS during nighttime hours (between dusk and dawn) and a maximum illumination of 5,000 NITS during daylight hours.
  - 1) At least thirty (30) minutes after sunset, ambient light conditions shall be measured using a foot candle meter aimed directly at the electronic message display (while the sign is turned off or displaying all black copy) at a distance of one hundred (100) feet from the sign.
  - 2) A second measurement (using the same methods described in (a) above) shall be taken after turning the sign on to a full white display.
  - 3) If the difference between the two measurements is 0.3 foot candles or less, the brightness is properly adjusted.
  - 4) Upon installation of any electronic message display, the permittee shall provide the City with a certificate from a lighting engineer or other professionally qualified person or entity stating the unit does not exceed a brightness level of 0.3 foot candles above ambient lighting conditions.
- c. Color: Electronic message display signs may be illuminated with Amber or Red color LED lighting sources only.

f.e. Exemptions: The following shall not require a sign permit:

- a. Temporary governmental signs, including emergency warning signs, special event signs, temporary information signs or similar applications using electronic message displays.

b. Electronic “Open” or “Closed” type signs displayed in windows of businesses provided they are no more than two (2) square feet in size.

~~g. Exceptions: The following types of electronic signs shall be permitted for approved uses subject to obtaining a sign permit:~~

~~a. Gasoline price signs with electronic signs shall be permitted for service stations and fueling centers where incorporated into permitted on-premise signs.~~

~~b. Time and temperature signs that provide illuminated numbers only may be located in commercial districts. Display may change between time and temperature every eight (8) seconds. Such signs may be integrated with signs that identify the primary property use or be installed as independent signs provided the electronic display panel does not exceed eight (8) square feet in area and is in conformance with height standards described in this Section.~~

h.f. Prohibited Electronic Message Signs:

a. Electronic message display signs shall be prohibited within the Cottonwood Commercial Historic District, or any other districts or properties listed on the National Register of Historic Places or any locally designated historic landmark, unless determined as a contributing element to the historic district or landmark.

b. Electronic message display shall be prohibited in off-premise signs, billboards, portable signs and temporary signs, except where permitted by this Ordinance.

F. REGULATIONS APPLICABLE TO SIGNS IN ALL AGRICULTURAL, RESIDENTIAL, AND MANUFACTURED HOME ZONING DISTRICTS.

~~1. Nameplates: One (1) nameplate not exceeding two (2) square feet in area indicating the names of the occupants and one (1) set of numbers not exceeding one (1) square foot in area indicating street address, shall be allowed for each dwelling unit.~~

2.1. Business Signs: One (1) sign not exceeding twenty (20) square feet in area shall be allowed for each street frontage for each professional office or business in those zones in which such office or business is permitted. Such signs may be wall mounted or detached from the building, however, in buildings with multiple offices or businesses only one detached sign is permitted per street frontage. ~~This detached sign may identify the professional building or individual offices in the building.~~

When such detached sign is used by individual offices or businesses the area of use shall be included in the twenty (20) square foot maximum allowable.

3-2. Height: No sign shall project above the top plate line of the building to which it is attached. On parapet walls or on vertical building walls signs shall be placed flat on the wall and may not extend above the top of parapet wall or roof line. No freestanding sign shall exceed ten (10) feet in height above grade.

~~Construction Signs: One (1) temporary sign not to exceed twelve (12) square feet in area giving the name of the contractors, engineers and/or architects shall be allowed during a construction period when a valid building permit is in existence. Additional signs for this purpose may be permitted by Conditional Use Permit when more than one structure is under construction on adjacent lots, during the same construction period by the same contractors, engineers and/or architects.~~

## G. REGULATIONS APPLICABLE TO SIGNS IN COMMERCIAL ~~AND~~ INDUSTRIAL ~~AND COMMUNITY FACILITY~~ ZONES.

1. Size: The allowable sign area shall be computed, as follows:
  - a. For buildings with fifty five (55) or less lineal feet of building frontage:
    - (1) The maximum total area for all signs shall be eighty (80) square feet, including freestanding sign, except as allowed for single businesses with 20,000 square feet or greater of gross floor area. ~~, which may be allowed a~~  
~~Additional total sign area as described by this ordinance may be allowed by Conditional Use Permit.~~
    - (2) Freestanding signs for buildings not located in shopping center shall be allowed a maximum of forty (40) square feet in area. The lesser dimension of the sign area of the freestanding sign shall not be less than one fifth (1/5) the larger dimension.
  - b. For buildings with more than fifty-five (55) lineal feet of building frontage:
    - (1) Buildings with more than fifty five (55) lineal feet of building frontage will be allowed one and one half (1 ½) square feet of sign are per lineal foot of building frontage.
    - (2) The maximum total area for all signs shall be two hundred (200) square feet, including freestanding signs, except as allowed for single businesses with 20,000 square feet or greater of gross floor area. ~~, which may be allowed a~~  
~~Additional total sign area as described by this ordinance may be allowed by Conditional Use Permit.~~

(3) Freestanding signs for buildings not located in shopping centers shall be allowed a maximum of forty (40) square feet in area. The lesser dimension of the sign area of the freestanding sign shall not be less than one fifth (1/5) the larger dimension.

c. When a building has more than one street frontage the ~~following shall apply: (1) The~~ maximum sign area shall be computed based only on the lineal footage for that frontage.

d. ~~The total allowable signage for a single business that has 20,000 square feet of gross floor area or greater, may be increased by an amount calculated by multiplying 0.001 by the floor area, not to exceed 300 square feet in area for total allowable signage, including freestanding signs.~~

2. Number: On a premise other than a shopping center not more than two (2) signs for any allowed use shall be displayed on any one (1) street except that additional signs may be allowed by Conditional Use Permit.

3. Shopping Centers: Shopping Centers shall be allowed one (1) sign of sixty (60) square feet per street frontage. ~~This sign shall identify the shopping center and/or individual shops only and shall not be used for advertising products or services. If a freestanding sign identifies shops in shopping center, each identification shall be constructed as one (1) of two (2) allowable signs.~~ Individual businesses in shopping centers shall have no more than two (2) signs for any building frontage, except that additional signs may be allowed by Conditional Use Permit. A single tenant building having a single use in a shopping center shall be allowed one (1) free standing sign provided that the total square footage on all signs does not exceed the maximum square footage allowed above. (Street frontage shall be deemed to exist when the entire length of a building side faces and can be seen from a street or mall.) Individual shops in a shopping center shall be allowed one and one half (1 ½) square feet per lineal foot frontage of shop.

4. Height and Design:

a. Signs may not project above, beyond or in any way interrupt the roof surface. On a mansard roof surface a sign may be placed flat on the pitched surface between the eaves and the roof line.

b. On parapet walls or on vertical building walls signs shall be placed flat on the wall and may not extend above the top of parapet wall or roof line.

- c. Free standing signs shall not extend higher than ten (10) feet above the ground surface, except that additional height may be allowed by Conditional Use Permit.
- d. If the natural grade at the base of a freestanding sign is lower than the grade of the adjacent road, the height of the sign shall be measured from the top of curb elevation, or road grade if no curb, provided no such sign shall exceed fifteen (15) feet in height overall from the lowest point of the structure.
- e. All freestanding signs subject to this Subsection shall be designed as monument signs and shall be subject to Design Review standards.

5. Signs in Right-of Way: Where existing buildings are situated to prevent the erection of a free standing sign, a permit may be issued for an alternate building mounted sign. Such alternate building mounted sign may extend into the public right-of-way provided the applicant agrees to relinquish any future claim of permanent encroachment. A sign allowed in the right-of-way is to be of minimal cost and be essentially detachable. An allowable location in the right-of-way is to be determined by the Zoning Administrator considering freedom from interference with pedestrian and vehicle traffic and the freedom from obstruction of other signs.

6. ~~Construction Signs: One (1) temporary sign of not to exceed forty (40) square feet in area giving the name of the contractors, engineers and/or architects during a construction period when a valid building permit is in existence, is permitted. Additional signs for this purpose may be permitted by Conditional Use Permit when more than one structure is under construction on adjacent lots, during the same construction period by the same contractors, engineers and/or architects.~~

7. ~~Address Signs: One (1) set of numbers not exceeding one (1) square foot in area indicating the street address, shall be allowed in addition to normal sign allowances.~~

8.6. Temporary Signs:

- a. ~~General requirements for temporary signs: Temporary signs shall be permitted in applicable zoning districts pertaining to national holidays, civic and community functions, grand openings for retail establishments or new businesses, establishment of new commercial projects and sales of businesses provided that temporary signs shall comply with the following requirements:~~
- a. Sign permits shall be required for all temporary signs, including but not limited to banners and A-frame signs, unless listed as exempt by this ordinance.
- b. All temporary signs must be properly affixed, and shall be located subject to the provisions set forth in this Section 405 for permanent signs.

- c. Temporary A-frame or portable signs shall be subject to the same restrictions set forth in this ordinance regarding standards for their use. Exceptions for size and location may be approved by the Community Development Director for temporary or special events.

- b. Requirements applicable to temporary signs for existing businesses:**

- a.d.** A temporary sign for a business shall not cause that business to exceed its total allowable sign area as set forth in Section 405-G.1 or total number of signs as set forth in Section 405-G.2., however, in any event one (1) temporary sign shall be allowed for each business not to exceed thirty two (32) square feet.

- b.e.** A permit for a temporary sign shall have a time limit shall be established for each use conducted under the temporary sign permit. This time limit shall in no case exceed twenty one (21) of no more than thirty (30) consecutive days, which may be extended by another thirty days by the Zoning Administrator. nor shall No more than four (4) temporary sign permits shall be issued for the same calendar year. The sign permit number and date by which the sign must be removed shall be written on the sign in permanent ink.

- e.f.** No temporary signs shall be placed upon any street light pole, traffic signal pole or utility pole within the City.

- e. Requirements applicable to project announcement signs for new commercial projects:**

- a.** One temporary freestanding sign for each street frontage, not to exceed forty (40) square feet in area and eight (8) feet in height.
- b.** A temporary sign permit for a project announcement sign shall not be issued until a complete development review application has been filed for the project as set forth in Section 304 of this Ordinance.
- e.** The temporary project announcement sign is allowed for a period not to exceed one (1) year or until such time as construction is completed or a Certificate of Occupancy is issued.

- d. Requirements applicable to grand opening signs for new businesses:**

- a.** Temporary signs announcing the grand opening of a business shall not require a sign permit provided the business has obtained a business registration and has approval for permanent signage.
- b.** Temporary grand opening signs are allowed from the date of issuance of a new business registration for a period not to exceed thirty (30) days. Non-

~~illuminated signs, including banner signs, may be installed on the building or site walls and shall be limited in size to no more than thirty two (32) square feet in area. One (1) temporary sign per building frontage shall be allowed with no more than two (2) such signs per business or development property located on a corner property.~~

e. Requirements applicable to going out of business signs.

- ~~a. Temporary signs announcing the closing of a business shall not require a sign permit and shall be allowed for a period not to exceed thirty (30) days.~~
- ~~b. Non illuminated signs, including banner signs, may be installed on the building or site walls and shall be limited in size to no more than thirty two (32) square feet in area. Only one (1) sign per building frontage shall be allowed with no more than two (2) such signs per business or development property located on a corner property.~~

9.7. Special Community Directional Signs may be permitted as conditional uses in Commercial, ~~and Industrial, and Community Facility Districts Zones on private property~~ or on public rights of way for the purpose of directing the public to any public facility ~~or subdivision~~ within the city limits of Cottonwood that provides ~~significant~~ recreational, ~~educational, or cultural~~ facilities to the general public. Such sign can be placed on either the property to which the public is directed or an off-site property along the route to the public facility or subdivision. Special Community directional signs must comply with all applicable sections of the ordinance and the following requirements:

- ~~a. Conditional use permits shall be required for all special community directional signs.~~
- ~~b. Only one special directional sign may be allowed per subdivision. All conditional use permits for a subdivision special directional sign shall be granted for a specific period of time.~~
- ~~c. A special directional sign shall be constructed of materials intended to be of a substantial nature.~~
- d.b. The ~~total allowable~~ size of the sign area shall be no more than forty (40) square feet, and no sign shall exceed ten (10) feet in height.
- e.c. All A.D.O.T. and City permits, including right of way permits shall be obtained for a special community directional sign.

H. REGULATIONS APPLICABLE TO SIGNS IN “OLD TOWN” ~~COTTONWOOD COMMERCIAL AREA HISTORIC DISTRICT WHERE THE STRUCTURES ABUT THE FRONT PROPERTY LINES LOCATED ON NORTH MAIN STREET.~~

1. ~~“Old Town” b~~Businesses within the Old Town Cottonwood Commercial Historic District shall be allowed no more than two signs per building, per street frontage. One of these signs may be cantilevered on the building over the public right of way provided the applicant agrees to relinquish any future claim of permanent encroachment. This cantilevered sign shall not be mounted on top of an awning, it shall be affixed to the building or shall hang below on the awning or mounted on the building. All such cantilevered signs shall be mounted so as to consider freedom from interference with pedestrian and vehicle traffic and the freedom from obstruction of other signs.
2. Size: Each building shall be allowed one and one half (1 ½) square feet of signage per lineal foot frontage of shop, twenty four (24) feet of which may be used for a cantilevered sign. (When a building has multiple frontage the maximum sign area for any one (1) frontage will be computed only on the lineal footage for that frontage.) (Building frontage shall be deemed to exist when the entire length of a building side faces and can be seen from a street.) A cantilevered sign if erected below a canopy may be no larger than twenty four (24) square feet. in addition the size of cantilevered signs shall be determined by their setback on the structure, i.e., a sign two (2) feet from the corner of the building can project two (2) feet, but in no case shall project more than six (6) feet. Additional square footage may be allowed by Conditional Use Permit.
3. Number: No more than two (2) signs for any allowed use shall be displayed on any one (1) street frontage, except that additional signs may be allowed by Conditional Use Permit.
4. Height:
  - a. Signs may not project above, beyond or in any way interrupt the roof surface. On a mansard roof surface a sign may be placed flat on the pitched surface between the eaves and the roof line.
  - b. On parapet walls or on vertical building walls signs shall be placed flat on the wall and may not extend above the top of parapet wall or roof line.
  - c. The lowest edge of any cantilevered sign shall not be lower than six foot six-inches from the sidewalk.

5. Other signs: All other signs shall be regulated the same as signs in other commercial areas.~~ALL OTHER SIGNS INCLUDING BUT NOT LIMITED TO FREE STANDING, POLITICAL, TEMPORARY, CONSTRUCTION, AND ADDRESS SIGNS SHALL BE UNDER THE SAME REGULATIONS AS IN OTHER COMMERCIAL AREAS.~~

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