

ORDINANCE NUMBER 709

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 405. SIGNS, AND SECTIONS 413 D., 414 D., 415 D., 418 D., 420 D., AND 427.

WHEREAS, The City of Cottonwood Planning and Zoning Commission and Historic Preservation Commission have recommended that the City Council amend the Zoning Ordinance related to optional design guidelines for development standards in the Old Town Cottonwood area; and

WHEREAS, the City Council finds that the amendments recommended by the Planning and Zoning Commission and the Historic Preservation Commission are appropriate and in the City's best interests.

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

**Section 1.** That Section 405. SIGNS., B. DEFINITIONS is hereby amended by adding a new Section B. 18., as follows and renumbering the previous section B. 18., as section 19., and renumbering the remaining definitions under this section as numbers 20-34:

B. DEFINITIONS.

18. SIGN, BLADE- A type of building-mounted sign, not exceeding four feet in width, which projects out perpendicularly from a building face, has a thickness which does not exceed 20 percent of the overall height of the sign, and may or may not extend above a roof line.
19. SIGN, CANOPY- A type of building-mounted sign mounted under and supported by a permanent canopy, arcade or portal, or flat mounted on a façade of canopy.

**Section 2.** That Section 413. "R-1" ZONE, SINGLE FAMILY RESIDENTIAL., is hereby amended by adding a new Section 413. D. 9., as follows:

D. PROPERTY DEVELOPMENT STANDARDS.

9. In the Old Town Special Planning Area, these development standards may be modified per Section 427 for the applicable Character Area.

**Section 3.** That Section 414. "R-2" ZONE, SINGLE FAMILY/MULTIPLE FAMILY RESIDENTIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by adding a new Section D. 11., as follows:

D. PROPERTY DEVELOPMENT STANDARDS.

11. In the Old Town Special Planning Area, these development standards may be modified per Section 427 for the applicable Character Area.

**Section 4.** That Section 415. "R-3" ZONE, MULTIPLE FAMILY RESIDENTIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by adding a new Section D. 12., as follows:

D. PROPERTY DEVELOPMENT STANDARDS.

12. In the Old Town Special Planning Area, these development standards may be modified per Section 427 for the applicable Character Area.

**Section 5.** That SECTION 418. "C-1" ZONE, LIGHT COMMERCIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by adding a new Section D. 8., as follows:

D. PROPERTY DEVELOPMENT STANDARDS.

8. In the Old Town Special Planning Area, these development standards may be modified per Section 427 for the applicable Character Area.

**Section 6.** That SECTION 420. "CR" ZONE, COMMERCIAL RESIDENTIAL DISTRICT., is amended by deleting Section 420. D. PROPERTY DEVELOPMENT STANDARDS., in its entirety and adding a new Section D., as follows:

D. PROPERTY DEVELOPMENT STANDARDS.

1. Minimum Lot Area:
  - a. Single-family residential: 2,500 Sq. Ft.
  - b. Single-family residential with a Guest House: 4,000 Sq. Ft.
  - c. Multi-family residential and commercial: 5,000 Sq. Ft.

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2. Minimum Average Lot Width:	40 Ft.
3. Minimum Front Yard:	5 Ft.
4. Minimum Side Yard:	a. 5 Ft. b. For Multi-Family residential and commercial uses, where a lot adjoins a lot in a residential district along its side lot line, there shall be a 10 Ft. minimum side yard. c. Where a lot line abuts a street there shall be a 10 Ft. side yard.
5. Minimum Rear Yard:	10 Ft.

(For properties within the Arts, Culture and Entertainment District (Exhibit A), the Community Development Director or his/her designee, may in his/her discretion modify, reduce or eliminate the front, side and/or rear setback and landscaping requirements to achieve uniformity/consistency with adjoining/nearby properties or for any other reason.)

6. Maximum Building Height:	2 $\frac{1}{2}$ stories, but not to exceed 35 Ft., unless otherwise permitted under a Conditional Use Permit.
7. Screening:	Where the lot adjoins a residential district, a commercial use shall be screened from the residential property by a solid masonry wall or solid material fence six (6) Ft. in height or higher if required by the Development Review Board or Zoning Administrator, subject also to the fence height and material regulations established in Section 404 of this Ordinance. Required screening shall not include chain link fence with or without slats.

Refer to Article V, Section 501, for specific screening requirements regarding wall height greater than six (6) Ft.

8. Mixed Uses:	Residential and non-residential uses may occupy the same development site subject to meeting the property development standards for
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each use. In the event of conflicting standards, the more restrictive standards shall take precedence.

9. Food and beverage establishments shall be limited to 1,500 square feet of total floor area, including outdoor seating area.

10. Maximum Lot Coverage: 40%.

**Section 7.** That SECTION 427. "HP" ZONE, HISTORIC PRESERVATION OVERLAY ZONE, is hereby deleted in its entirety and a new SECTION 427. OLD TOWN SPECIAL PLANNING AREA, is added as follows:

## SECTION 427. OLD TOWN SPECIAL PLANNING AREA

### A. PURPOSE

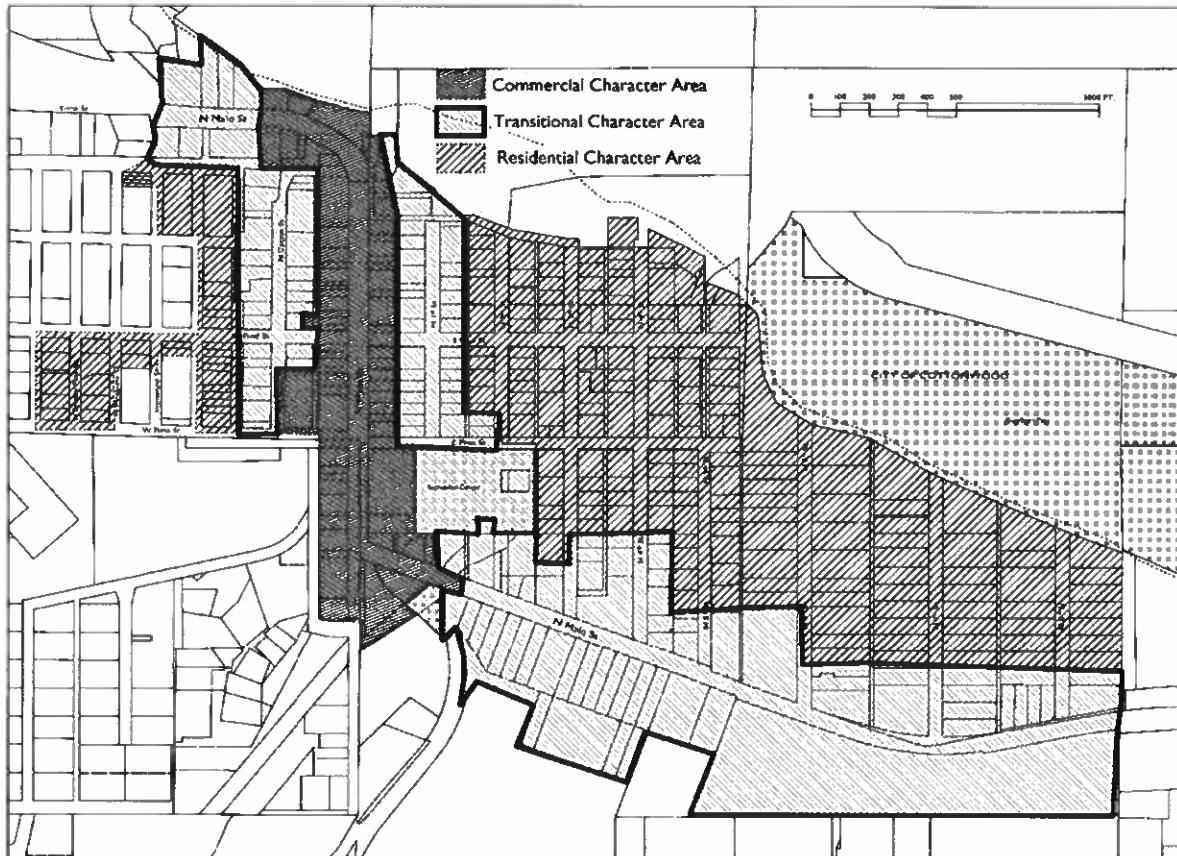
1. The Old Town Special Planning Area provides guidance in the review of development proposals within Old Town, and is intended to preserve the historic character of the different parts of Old Town while encouraging respectful rehabilitation of historic building stock and construction of historically compatible new buildings and features.

### B. APPLICABILITY

1. The provisions of this Section may be applied to properties within Old Town identified in the map of the Old Town Special Planning Area at the option of the property owner. If the owner opts to apply the standards of this Section, all applicable standards in this Section shall be applied. An opt-in form must be signed by the property owner and submitted to the City prior to issuance of any building permits under the Special Planning Area standards.
2. The Old Town Special Planning Area is superimposed over standard zoning districts, which are considered the base zone. Properties in this planning area are subject to the regulations of the base zone except where a property owner opts to apply the standards of this section.
3. The Old Town Special Planning Area map identifies three Character Areas with differing goals and standards. Modifications to uses and regulations applicable to any property within this planning area shall be governed by the character area in which it resides.
  - a. Character Area 1: Commercial.
  - b. Character Area 2: Transitional.

c. Character Area 3: Residential.

4. Character Areas Map.



#### C. CHARACTER AREA 1 - COMMERCIAL

1. Description: The Commercial Character Area primarily overlays the Cottonwood Commercial Historic District.
2. Intent: The intent of the Commercial Character Area is to preserve and reinforce the existing and historical pattern and appearance, while allowing for compatible modern infill and respectful rehabilitations for new uses. Continued revitalization of the area should encourage mixed uses with an emphasis on pedestrian amenity and urban connectivity.

3. Use. As defined by underlying zoning, with the following amendments.
  - a. Residences are allowed as part of a mixed use building on the second floor or above, with unit types Efficiency/Studio or larger as defined in the R-3 Zone. Residential uses shall not be subject to property development standards of the R-3 Zone.
  - b. Manufactured Home Parks are not allowed.
  - c. Wholesale establishments are not allowed.
  - d. Hotels and Motels are an allowed use.
4. Property Development Standards: Defined by underlying zoning, with the following modifications.
  - a. Setbacks:
    - 1) Façade should orient to primary street with a maximum setback of 5 feet. (Exception: where historic pattern is shown to have been greater, historic setback may be followed.)
    - 2) Side and rear setbacks not required.
  - b. Lot Coverage: no maximum.
5. Site Design Guidelines
  - a. Fences/Walls: Should be 4 feet or less in height within front 20 feet. Preferred materials: stone, brick, stucco.
  - b. Parking, driveways, and paving: Parking should be set back from Main Street front property lines a minimum of 20 feet to encourage a pedestrian environment. All vehicular parking shall be screened from view from Main Street by minimum 3-foot high solid screen fence or permanently maintained landscaping.
  - c. Pedestrian walks: Preferred materials are scored concrete, brick, flagstone, concrete pavers.
  - d. Landscaping: Required trees and shrubs along Main Street may be replaced by permanent structures such as awnings or arcades providing 6 feet minimum width shade for a minimum of 75% of building frontage. Such structures shall comply with 404 W. 2.
6. Building Design Guidelines

- a. Rehabilitation of existing buildings shall be regulated by the current Historic Preservation Standards and Guidelines. Supplementary guidelines are provided in this Section related to new construction or additions within the Character Area.
- b. Scale and Form: Building height and scale shall be per base zoning standards. Building form should address the public sidewalk at Main Street with a predominantly open façade at the first floor through the use of entries, storefront windows, openings, or a combination of such elements. A minimum of 25% of the linear street front along the sidewalk should be glazed. Upper stories, where they occur, should be differentiated from the first story with a lesser amount of opening area.
- c. Architectural Expression: New construction may reference, but should not mimic, historical styles of architecture present in the streetscape now or historically, and should be clearly differentiated as a modern building. A clearly modern design without historical reference is acceptable within the limits of other guidelines of this Character Area, such as scale, form, and materials. A modern reconstruction of a historic building on its original site, accurately detailed and evidenced by historical photographs or other documentation is also acceptable.
- d. Building Elements
  - 1) Walls: With the exception of storefronts and entries, walls should present a solid appearance with surface materials visually compatible with those of other buildings existing in the character area, such as stucco, wood siding, brick, and stone.
  - 2) Doors/Entries: Entries should be easily identified as such. Entries should engage the pedestrian way. Glazed entry doors, sidelights and recessed entries flanked by storefronts are encouraged.
  - 3) Windows/Storefronts: Glazing materials should present a generally clear appearance with visible transmittance of 50% or greater. Reflective and tinted or colored glass are discouraged. In new construction, storefront and window frames and/or sashes may be of any material. Where window lights are proposed to be divided by window grids, they should have the appearance of true divided lights and not be within or behind the glazing.
  - 4) Roofs/Eaves/Parapets: New buildings should have the predominant appearance of low-slope roofs concealed behind parapets. Parapets are particularly encouraged at the primary Main Street façade. Steeply

pitched roofs or those in which the roof and roofing material is a dominant element of the design are not appropriate.

- 5) Awnings/Canopies/Porches: Awnings, arcades, or canopies shading the public walkway are encouraged.
- 6) Signs – Blade type signs allowed on Main Street only. Such signs may extend a maximum of four feet above the top of the building parapet but must otherwise meet the standards of Section 405 Signs.
- 7) Mechanical elements should be screened from view from the ground level near the building.

#### D. CHARACTER AREA 2 – TRANSITIONAL

1. Description: The Transitional Character Area buffers between the more intense Commercial Character Area and the less intense Residential Character Area, and provides a lower intensity of commercial development along Main Street outside of the historic commercial core. The Transitional Character area combines and moderates between characteristics of the Commercial and Residential areas.
2. Intent: The intent of the Transitional Character Area is to preserve and reinforce the primary historical urban pattern and appearance while allowing for the respectful adaptive use of residences and compatible infill with either residential or low-intensity commercial uses. Future development of the area will allow mixed use and adaptive use opportunities while preserving an overall residential scale and historic character.
3. Use: Uses per Section 420 CR Zone.
4. Property Development Standards: per Section 420 CR Zone.
5. Site Design Guidelines
  - a. Fences/Walls: Should be 4 feet or less in height within front 20 feet; 6 feet or less elsewhere. Preferred materials: stone, brick, stucco, wood.
  - b. Parking, driveways, and paving: Parking should be placed behind the primary building front. All vehicular parking shall be screened from view by minimum 3-foot high solid screen fence or permanently maintained landscaping.
  - c. Pedestrian walks: Preferred materials are scored concrete, brick, flagstone, concrete pavers.

- d. Landscaping: The use of tree species prevalent in the Old Town area is encouraged.
- 6. Building Design Guidelines
  - a. Rehabilitation of existing buildings older than 50 years shall be regulated by the current Historic Preservation Standards and Guidelines. Supplementary guidelines are provided in this Section related to rehabilitation of more modern buildings, new construction or additions within the Character Area.
  - b. Scale, Form, Architectural Expression, and design of individual Building Elements shall comport to the guidelines of the Commercial Character Area or the Residential Character Area as follows: buildings fronting on Main Street, Pima Street, or Pinal Street may follow Commercial Character Area or the Residential Character Area guidelines. All other properties within the Transitional Character Area shall follow Residential Character Area guidelines.

## E. CHARACTER AREA 3 - RESIDENTIAL

- 1. Description. The Residential Character Area overlays the single-family residential neighborhoods of Old Town east and west of Main Street that are zoned R-1 and R-2 and that are not included in the Transitional Character Area.
- 2. Intent: The intent of the Residential Character Area is to preserve and reinforce the existing and historical residential pattern and appearance, while allowing for compatible modern infill and building additions. Future development of the Residential Character Area will allow limited densification in response to the need for housing within walking distance of the commercial areas as a source of neighborhood services and employment.
- 3. Use. As defined by underlying zoning, modified as follows.
  - a. One (1) guest house, as defined in Section 201 of this Ordinance, are allowed for properties with no more than one (1) existing single-family dwelling.
- 4. Property Development Standards: Shall be per the underlying zoning district, modified as follows.
  - a. Single Family residence standards shall be modified to:
    - 1) Minimum Lot Area: 2,500 square feet for a single residence, 4,000 square feet for a residence with a Guest House

- 2) Minimum average Lot Width: 40 feet
- 3) Maximum lot coverage: 40%
- 4) Minimum Front Yard: 5 feet
- 5) Minimum Side Yards: 5 feet, except where a lot line abuts a street there shall be a 10-foot side yard.
- 6) Minimum Rear Yard: 10 feet.
- 7) Maximum Building Height: 1 1/2 stories or 25 feet, except under Conditional use Permit.

b. Multiple Family Residential standards shall be modified to:

- 1) Minimum Lot Area: 5,000 square feet.
- 2) Minimum Lot Area per Dwelling Unit: 2,500 square feet.
- 3) Minimum average Lot Width: 50 feet
- 4) Maximum lot coverage: 40%
- 5) Minimum Front Yard: 5 feet
- 6) Minimum Side Yards: 5 feet, except where a lot line abuts a street, there shall be a 10-foot side yard.
- 7) Minimum Rear Yard: 10 feet.
- 8) Maximum Building Height: 1 1/2 stories or 25 feet, except under Conditional Use Permit.

## 5. Site Design Guidelines

- a. Fences/Walls: Should be 4 feet or less in height within front 20 feet. Preferred materials: stone, brick, stucco, wood.
- b. Parking, driveways, and paving: Parking should be placed behind the primary building front. All vehicular parking shall be screened from view by minimum 3-foot high solid screen fence or permanently maintained landscaping.

c. Pedestrian walks: Preferred materials are scored concrete, brick, flagstone, concrete pavers.

d. Landscaping: The use of tree species prevalent in the Old Town area is encouraged.

## 6. Building Design Guidelines

a. Scale and Form: Primary buildings should be of compact form and of a scale that is similar to surrounding properties. The principal façade and entry should be oriented to the street.

b. Architectural Expression: New construction may reference, but should not mimic, historical styles of architecture present in the streetscape now or historically, and should be clearly differentiated as a modern building. A clearly modern design without historical reference is acceptable within the limits of other guidelines of this Character Area, such as scale, form, and materials. A modern reconstruction of a historic building on its original site, accurately detailed and evidenced by historical photographs or other documentation is also acceptable.

### c. Building Elements

1) Walls: Walls should present a solid appearance with surface materials visually compatible with those of other buildings existing in the character area, such as stucco, wood siding, brick, and stone.

2) Doors/Entries: Entries should be easily identified as such. Entries should be oriented to the street.

3) Windows/Storefronts: Glazing materials should present a generally clear appearance with visible transmittance of 50% or greater. Reflective and tinted or colored glass are discouraged. In new construction, window frames and/or sashes may be of any material. Where window lights are proposed to be divided by window grids, they should have the appearance of true divided lights and not be within or behind the glazing.

4) Roofs/Eaves/Parapets: Pitched roofs of gable or hip configuration, or a combination thereof, and with a pitch between 3:12 and 8:12 are preferred. Low-slope roofs should be surrounded by raised parapets where visible from the street. Visible roofing materials may be of dimensional asphalt shingle, clay or concrete tile, standing seam or corrugated metal, wood shingle, or materials appearing similar to these.

- 5) Awnings/Canopies/Porches: Shading and weather protection of entries and should be a part of the building design, in the form of roofed entry porches, canopies, or awnings.
- 6) Mechanical elements should be screened from view from the ground level near the building.

**Section 8.** That if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be unlawful, invalid or unenforceable by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 2ND DAY OF NOVEMBER 2021.



Tim Elinski, Mayor

APPROVED AS TO FORM:



Steven B. Horton, Esq., City Attorney

ATTEST:



Marianne Jiménez, City Clerk