

## ORDINANCE NUMBER 707

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 418. "C-1" ZONE, LIGHT COMMERCIAL.

WHEREAS, The City of Cottonwood Planning and Zoning Commission has recommended that the City Council amend the Zoning Ordinance to allow more flexibility in development of new dwelling units in locations where residents could walk to nearby commercial uses or live adjacent to their business; help meet the demand for smaller lodging uses; relax outdated restrictions on incidental manufacturing; clarify that drive-in facilities for restaurants are a conditional use in the "C-1" Zone; and restore the keeping of livestock as a conditional use in the "C-1" Zone; and

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

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

**Section 1.** That Section, 418. "C-1" ZONE, LIGHT COMMERCIAL, B. PERMITTED USES, 1., and 6., of the City's Zoning Ordinance are hereby deleted in their entirety, and a new Section B. 1., 6., and new Sections B. 25., and 26., are added as follows:

1. Permitted and Conditional Uses allowed in the R-3 Zone, except detached single-family residences.
6. Light manufacturing incidental to a permitted use is permitted, provided all or a portion of the manufactured products shall be available for sale on the premises.
25. Hotels and motels with not more than four (4) guest rooms.
26. Residences attached to commercial uses, subject to the property development standards of the R-3 zone and all current building and fire codes.

**Section 2.** That Section 418. "C-1" ZONE, LIGHT COMMERCIAL., C. CONDITIONAL USES., of the City's Zoning Ordinance is hereby deleted in its entirety and a new Section C. CONDITIONAL USES., is added as follows:

C. CONDITIONAL USES.

1. Single-family detached residences, subject to the property development standards of the "R-3" Zone.
2. Hotels and motels with five (5) or more guest rooms.
3. Manufactured Home Parks, subject to the provisions of Section 409.
4. Recreational Vehicle Parks, subject to the provisions of Section 409.
5. Outdoor entertainment.
6. Wholesale establishments, provided such activity shall be conducted within a completely enclosed building.
7. Keeping of large animals such as cattle and horses, and other livestock as identified in Section 404.O.2, subject to the following:
  - a. Minimum lot size of three (3) acres.
  - b. The property is fenced to prevent animals from leaving the property. If barbed wire fencing is proposed, all details shall be included with the submittal materials and approved as part of the Conditional Use Permit.
  - c. The property being proposed for the keeping of animals is not simultaneously used or proposed for use by the public.
  - d. Any development to the property in association with the keeping of animals, to include storage sheds, barns, tack rooms, etc. is subject to the Development Standards of the C-1 zone, and other sections of the City's Zoning Ordinance as applicable.
8. Drive-in facilities for restaurants.

9. Any such uses as determined by the Zoning Administrator to be similar to those uses listed above and not detrimental to the public health, safety, and general welfare.

**Section 3.** That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unlawful, invalid or unenforceable by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.


PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 21ST DAY OF SEPTEMBER 2021.

  
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Tim Elinski, Mayor

APPROVED AS TO FORM:

  
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Steven B. Horton, Esq., City Attorney

ATTEST:

  
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Marianne Jiménez, City Clerk