

## ORDINANCE NUMBER 717

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTION 404. GENERAL PROVISIONS, J. WALLS AND FENCES.

WHEREAS, the City Council finds that the proposed amendment recommended by the Planning and Zoning Commission regarding the maximum height of fences in the front setback of certain lots 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 404., GENERAL PROVISIONS, J. WALLS AND FENCES, 4. HEIGHT, of the City's Zoning Ordinance is hereby deleted in its entirety, and a new Section 404. J., 4., is hereby added as follows:

### **SECTION 404. GENERAL PROVISIONS**

#### **J. WALLS AND FENCES.**

##### **4. HEIGHT:**

- a. No solid, view obscuring wall or fence over four (4) feet high shall be constructed or maintained nearer to the street line than the required front yard setback line, nor be more than six (6) feet in height in any rear or side yards, except where height limitations on corner lots prescribed in subsection 404.I are applicable. A fence no higher than six (6) feet high with at least the upper two (2) feet not being opaque or solid may be constructed nearer to the street than the required front yard setback line subject to Conditional Use Permit approval. Fences exceeding the above heights may be built around schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants thereof, or within Industrial areas with Design Review approval by the Planning and Zoning Commission. 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.

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**Section 2.** 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 6TH DAY OF SEPTEMBER 2022.



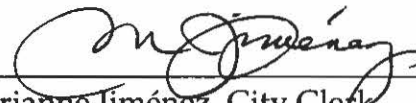
\_\_\_\_\_  
Tim Elinski, Mayor

APPROVED AS TO FORM:



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Steven B. Horton, Esq., City Attorney

ATTEST:



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Marianne Jiménez, City Clerk