

ORDINANCE NUMBER 723

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTIONS TO ADD STANDARDS FOR OPTIONAL CLUSTER SUBDIVISIONS IN CERTAIN RESIDENTIAL ZONES.

WHEREAS, The City of Cottonwood Planning and Zoning Commission has recommended that the City Council amend the Zoning Ordinance to allow for housing development at the same overall density that is currently called for in AR-20, AR-43, AR-70 and AR-87 zones, allowing for natural features such as steep hills and riparian areas to be reserved as natural open space; and

WHEREAS, the City Council finds that the amendments recommended by the Planning and Zoning 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 **ARTICLE II – DEFINITIONS, SECTION 201. GENERAL.**, is hereby amended by adding the following definitions:

NATURAL OPEN SPACE – A tract of land that is owned and managed by a public or nonprofit entity or a homeowner's association for the purpose of preserving natural landforms and vegetation and providing a scenic and recreational amenity accessible to the general public. A natural open space tract may include landscaped drainage facilities, underground utility lines over which natural vegetation has been restored, trails and trail facilities such as signs and benches, and public trailhead parking areas.

SUBDIVISION, CLUSTER – A subdivision of land in which the number of lots would not exceed the total subdivision area divided by the minimum lot size for a conventional subdivision in the applicable zoning district, but minimum lot sizes may be reduced to a smaller size specified in the zone's development standards, if the subdivision plat permanently reserves a specified proportion of the subdivision for Natural Open Space, as described in this Ordinance.

SUBDIVISION, CONVENTIONAL – A subdivision of land in which each lot meets the minimum lot size required by this Ordinance's development standards or by a Master Development Plan approved in conjunction with a Planned Area Development.

Section 2. That SECTION 411. "AR-43" ZONE, AGRICULTURAL RESIDENTIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by deleting Section D.1., Minimum Lot Area, in its entirety and a new Section D.1. Minimum Lot Area, is hereby added as follows:

D. PROPERTY DEVELOPMENT STANDARDS

1. Minimum Lot Area:
 - a. 43,000 square feet for a conventional subdivision.
 - b. 20,000 square feet for a cluster subdivision in which no less than 30 percent of the subdivision is permanently reserved for natural open space.

Section 3. That SECTION 412. "AR-20" ZONE, AGRICULTURAL RESIDENTIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by deleting Section D.1., Minimum Lot Area, and Section D.2. Minimum Average Lot Width, and a new Section D.1. Minimum Lot Area, and D.2. Minimum Average Lot Width, are hereby added as follows:

D. PROPERTY DEVELOPMENT STANDARDS

1. Minimum Lot Area:
 - a. 20,000 square feet for a conventional subdivision.
 - b. 10,000 square feet for a cluster subdivision in which no less than 20 percent of the subdivision is permanently reserved for natural open space.
2. Minimum Average Lot Width:
 - a. 100 feet for a conventional subdivision.
 - b. 60 feet for a cluster subdivision in which no less than 20 percent of the subdivision is permanently reserved for natural open space.

Section 4. That SECTION 425. "AR-70" ZONE, AGRICULTURAL RESIDENTIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by deleting Section D.1., Minimum Lot Area, in its entirety and a new Section D.1. Minimum Lot Area, is hereby added as follows:

D. PROPERTY DEVELOPMENT STANDARDS

1. Minimum Lot Area:
 - a. 70,000 square feet for a conventional subdivision.
 - b. 35,000 square feet for a cluster subdivision in which no less than 30 percent of the subdivision is permanently reserved for natural open space.

Section 5. That SECTION 428. "AR-87" ZONE, AGRICULTURAL RESIDENTIAL., D. PROPERTY DEVELOPMENT STANDARDS., is hereby amended by deleting Section D.1., Minimum Lot Area, a., and b., and adding a new Section D.1., Minimum Lot Area, a., and b., as follows:

D. PROPERTY DEVELOPMENT STANDARDS

1. Minimum Lot Area:
 - a. 87,120 square feet for a conventional subdivision.
 - b. 35,000 square feet for a cluster subdivision in which no less than 40 percent of the subdivision is permanently reserved for natural open space.
2. Minimum Average Lot Width:
 - a. 225 feet for a conventional subdivision.
 - b. 100 feet for a cluster subdivision in which no less than 40 percent of the subdivision is permanently reserved for natural open space.

Section 6. 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.

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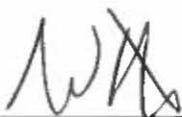
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PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE
MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 18TH DAY OF
OCTOBER 2022.



Tim Elinski, Mayor

APPROVED AS TO FORM:



Steven B. Horton, Esq., City Attorney

ATTEST:



Marianne Jiménez, City Clerk