

ORDINANCE NUMBER 728

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTIONS 402. LOCATIONS AND BOUNDARIES OF DISTRICTS; 404. GENERAL PROVISIONS; 406. PARKING AND LOADING REQUIREMENTS; AND 427. OLD TOWN SPECIAL PLANNING AREA.

WHEREAS, The City of Cottonwood Planning and Zoning Commission has recommended that the City Council amend the Zoning Ordinance related to zoning for rights-of-ways, outdoor storage, parking standards, and density allowances for the Old Town Special Planning Area; 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 Section 402. LOCATION AND BOUNDARIES OF DISTRICTS., is hereby amended by adding a new Section 402. B. 5. and renumbering former Section B. 5., as Section B. 6. as follows:

SECTION 402. LOCATION AND BOUNDARIES OF DISTRICTS.

5. Where a portion of City-owned right-of-way is vacated pursuant to ARS 28-7205, or is otherwise conveyed to the owner of an adjacent lot or lots, the zoning district of each lot shall apply to the adjacent portion of the right-of-way immediately upon conveyance of title to that portion of the right-of-way. The zone boundary shall follow the lines of the newly-conveyed portion of the right-of-way.

6. Where the application of the above rules does not clarify the zone boundary location, then the Board of Adjustment shall determine the location.

Section 2. That Section 404. GENERAL PROVISIONS., L. OUTDOOR STORAGE AND JUNK VEHICLES., is hereby amended by deleting Section 404. L. 2., in its entirety and adding a new Section 404. L. 2., as follows:

L. OUTDOOR STORAGE AND JUNK VEHICLES.

2. **Outdoor Storage in Commercial and Industrial Zones:** Outdoor storage shall not be allowed in the required front yard of a lot, and shall be screened by a six (6) foot high solid masonry fence or a fence or screening of a height and material as allowed or required by the Planning and Zoning Commission, except for items that meet all of the following criteria:

- a. Items made of durable material, not requiring shelter under tarps or other protective coverings,
- b. Items for sale and related to the primary use of the business/property,
- c. Items placed or secured so that they do not fall into any designated walkways or over property lines, and
- d. Items kept in a neat and orderly fashion.

Refer to Article V, Section 501, for specific screening requirements.

Section 3. That SECTION 406. PARKING AND LOADING REQUIREMENTS., is hereby amended by deleting Section 406. C. 2. d., in its entirety and adding a new Section 406. C. 2. d., and deleting Section 406. D. 8., in its entirety and adding a new Section 406. D. 8., as follows:

C. DESIGN AND LOCATION OF PARKING SPACES

- d. **Surfacing:** All off-street parking areas, access ways and driveways shall be improved with compacted ABC base, not less than four (4) inches thick and surfaced with a minimum 2" asphaltic concrete in a manner satisfactory to the City Engineer. The surfacing of the parking area shall be of sufficient grade so that there will be no impoundment of surface water and all surface drainage shall be into a public street or improved drainage channel or structure. All surfaces must be permanently marked with required and appropriate markings to designate parking stalls, drive aisles, fire lanes, etc. This performance criteria applies to all new developments requiring more than ten (10) new parking spaces. New developments requiring ten (10) or fewer parking spaces and additions or expansions to existing developments may use a chip seal treatment. New developments requiring more than ten (10) new parking spaces may request the use of chip seal treatment to the Planning and

Zoning Commission. The Commission will evaluate the request based on the nature of the use, the amount of traffic generated or expected, the grading and drainage plan for the parking lot and other relevant factors.

D. SCHEDULE OF REQUIRED OFF-STREET SPACES.

8. Schedule:

a. RESIDENTIAL USE:

USE	SPACES
(1) One dwelling unit per lot:	2 per dwelling unit.
(2) Multiple Dwelling Units (two or more) per lot: Efficiency Units One-Bedroom Units Two or More Bedroom Units	1.2 per dwelling unit. 1.5 per dwelling unit. 1.7 per dwelling unit.
(3) Rooming Houses, fraternities, sororities, resident clubs, lodges:	1 per sleeping room or one per bed, whichever is greater.
(4) Manufactured Home Parks and Subdivisions:	2.1 per manufactured home site.
(5) Guest spaces for Multi- Family Dwellings:	0.25 per each 2+ bedroom units.

Section 4. That Section 427. OLD TOWN SPECIAL PLANNING AREA, is hereby amended by deleting Section 427. E., 4. a., in its entirety and adding a new Section 427. E. 4. a., as follows:

E. CHARACTER AREA 3 – RESIDENTIAL

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-family residence, 4,000 square feet for a residence with a Guest House

2) Minimum Lot Area per Dwelling Unit: 2,500 square feet.

3) Minimum average Lot Width: 40 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: 1½ stories or 25 feet, except under Conditional Use Permit.

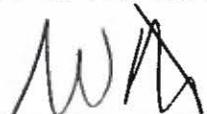
Section 5. That if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be unlawful, invalid or unenforceable by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 7TH DAY OF FEBRUARY, 2023.



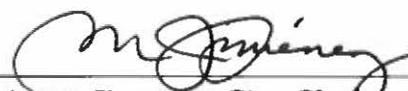
Tim Elinski, Mayor

APPROVED AS TO FORM:



Steven B. Horton, Esq., City Attorney

ATTEST:



Marianne Jiménez, City Clerk