Yuma County Zoning Ordinance

Effective, September 25, 2006

Includes Amendments through
January 17, 2019

Yuma County Department of Development Services
2351 West 26th Street, Yuma, AZ 85354
(928) 817-5000

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ZONING ORDINANCE

The Board of Supervisors of Yuma County, Arizona,
for the unincorporated area of Yuma County, does ordain as follows:

Article I -- Title, Declaration and Purpose

Section 100.00—Title

The provisions of these Land Use Regulations, together with the Yuma County Official Zoning District Maps, may be cited as the Yuma County Zoning Ordinance.

Section 101.00--Declaration

These zoning regulations, and referenced maps, govern the use of land, buildings, the height and location of buildings, the size of yards, courts and open spaces, the establishment of setback lines and such other matters as may otherwise be authorized under this ordinance and which the Board of Supervisors deem suitable and proper.

Section 102.00—Purpose

A zoning ordinance means an ordinance adopted by the Board of Supervisors, which shall contain zoning regulations, and amendments to said regulations, together with a map setting forth the precise boundaries of zoning districts within which the various zoning regulations are effective.

In order to implement the Yuma County Comprehensive Plan in accordance with Title 11, Chapter 6 of the Arizona Revised Statutes, this Zoning Ordinance establishes classifications of zoning districts, regulations within those zoning districts, conservation and promotion of the public health, safety, convenience, and general welfare of the people of Yuma County safeguarding and enhancing the appearance and quality of development as well as providing for the social, physical and economic advantages resulting from the orderly planned use of land.

Pursuant to Arizona Revised Statutes, Title 11, Chapter 6, Article 2, this Zoning Ordinance shall be consistent with and conform to the Yuma County Comprehensive Plan (Comprehensive Plan). A rezoning ordinance will be deemed in conformity with the county plan if it proposes land uses, densities or intensities within the range of identified uses, densities and intensities of the county plan. In the case of uncertainty in constructing or applying the conformity of any part of a proposed rezoning ordinance to the adopted county plan, the ordinance shall be construed in a manner that will further the implementation of, and not be contrary to, the goals, policies and applicable elements of the plan. The Land Use Element of the Comprehensive Plan shall be the primary chapter in the plan used to determine conformity along with the associated appendices. Other elements in the plan may be used as necessary in the case of uncertainty.

Section 103.00--Private Agreements

The provisions of this Ordinance are not intended to interfere with or annul any

easements, covenants, or other agreements between parties, which are more restrictive than the provisions of this Ordinance.

Section 104.00--Repeal of Conflicting Ordinances

All regulations and ordinances, and portions of regulations and ordinances of Yuma County in conflict with this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Zoning Ordinance Regulations first adopted September 22, 1970, were repealed by the Zoning Ordinance Regulations now in force, which took effect on and after 11:59 p.m. on November 28, 1997.

Zoning Ordinance Maps first adopted August 4, 1975 and December 1, 1975 (effective dates of Ordinance).

The Yuma County Arizona Zoning Ordinance and all Zoning Regulations now in force are amended by the Yuma County Arizona Board of Supervisors on August 21, 2006, and shall take effect 11:59 p.m. on -September 24, 2006.

Section 105.00--Separability

Should any article, section, or regulation of this Ordinance be decided by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole, or any part thereof other than the chapter, section, or regulation so declared to be unconstitutional or invalid.

Article II — General Rules for use of Language and Definitions

Section 201.00--General Rules for use of Language

All provisions, terms, phrases and expressions contained in this Ordinance shall be constructed in accordance with the following general rules:

A. In any case of any difference of meaning or implication between the text of this Ordinance and any heading, drawing, table, figure or illustration, the most restrictive text shall control.

B. Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples and not to be exhaustive lists of all possibilities.

C. References to days are calendar days unless otherwise stated. Excluding the first day and including the last day shall determine the time in which an act is to be done. If the last day is a Saturday, Sunday or holiday observed by Yuma County, that day shall be excluded.

D. Whenever reference is made to a resolution, ordinance, statute, regulation or document, it shall be construed as a reference to the most recent edition or amendment of such resolution, ordinance, statute, regulation or document, unless otherwise specifically stated.

E. Words in the masculine gender include the feminine.

F. Terms not defined within this Ordinance or the Yuma County Building Code shall have the meaning customarily assigned to them as defined in Webster's Dictionary (The Merriam-Webster Collegiate Dictionary, Eleventh Edition).

G. All public officials, bodies, and agencies to which references are made are those of Yuma County, unless otherwise indicated.

H. The words "shall," "will," and "must" are always mandatory. The words "may" and "should" are advisory and discretionary terms.

I. The words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary.

J. The singular includes the plural and the plural includes the singular (including numeric values), i.e. truck v. trucks).

K. Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

   1. "And" indicates that all connected items, conditions, provisions or events apply.
   2. "Or" indicates that one (1) or more of the connected items, conditions, provisions or events may apply or be optional.

L. The word "building" includes the word "structure."

M. The word "lot" includes the words "plot", "parcel", or "tract".

N. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

Section 202.00--Definitions

The following definitions shall be used for specified terms indicated below for use in this ordinance. Some words are defined in other parts of this ordinance for use specifically in the respective article or section.

Accessory dwelling unit (ADU): A habitable space that contains independent sanitary and cooking facilities on the same parcel as an existing primary dwelling intended to house family or guests of the occupants of the principal dwelling without compensation.

Acre: An area of forty-three thousand, five hundred sixty (43,560) square feet of land.

Acre, Commercial: An area of thirty-six thousand (36,000) square feet of land exclusive of streets, easements and other non-developable square footage.

Active open space: Space suitable for active recreation, hiking, picnicking, preservation of natural features, agriculture and other similar uses. (also see: greenway)

Active recreation: Recreational activities that utilize sporting and other facilities that may require substantial construction and maintenance, such as playgrounds, tennis courts, ball fields, basketball courts, golf courses and similar facilities.

Address: The site number assigned to a dwelling unit, business establishment, or other structure for purposes of mail delivery and emergency services.

Adult day care center: A publicly or privately operated place or home, however styled, that receives, on one (1) or more days of a week, six (6) or more elderly persons for temporary custodial care. (Also see: day care center)

Agriculture: All activities by the owner, lessee, agent, independent contractor and supplier conducted on any facility for the production of crops, livestock, poultry, livestock products or poultry products.

Alley: A public or private way, which generally affords a secondary means of access to the back or side of properties otherwise abutting on a street.

Alterations: (Used in the context of buildings and structures.) Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls, or rebuilding which expands the height or area thereof.

Apartment: A room, or suite of two (2) or more rooms which is designed or intended for occupancy by, or which is occupied by, one (1) family doing its cooking therein.

Asphalt: 1) A dark bituminous substance that is found in natural beds and is also obtained as a residue in petroleum refining and that consists chiefly of hydrocarbons. 2) an asphaltic composition used for pavements and as a waterproof cement.

Automotive Repair: General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers such as collision service, body repair and frame straightening; painting and upholstering; vehicle steam cleaning; and undercoating. Also includes incidental replacement of parts and motor service to passenger automobiles and trucks not exceeding one and one-half tons capacity.

Automotive Service Station: A commercial use of property for the servicing of motor vehicles to include the sale of motor fuel and oils, motor and vehicle lubrication, vehicle washing, vehicle waxing and polishing, the sale and service of vehicle tires, tubes, batteries, and the sale of vehicle accessories.

Bed and Breakfast Home Stay: The use of part of a dwelling to provide short-term lodging to guests for compensation, with or without the provision of meals to overnight guests, where no more than two (2) guest rooms are involved.

Bed and Breakfast Residence: The use of part of a dwelling to provide short-term lodging to guests for compensation, with or without the provision of breakfast to overnight guests, where no more than ten (10) guest rooms are involved (but not including B&B home stays, and not including hotels, where the provision of lodging is the principal use). (Also see: guest room)

Big Box Retail Store: A large retail store (generally more than 75,000 square feet) characterized by a large amount of floor space.

Biofuel: A renewable fuel product, whether solid, liquid, or gas, that is derived from recently living organisms or their metabolic by-products and meets applicable quality standards, including but not limited to ethanol and bio-diesel; and not including methane or any other fuel product from an anaerobic digester.

Biofuel Production Facility: A lawful operation on the same lot on which biofuel (as defined in this section) is derived from recently living organisms or their metabolic by-products. This term shall include all equipment, storage tanks and other improvements needed to produce, store, and transport the biofuel in a manner that meets all federal, state, and Yuma County standards and limitations.

Biomass Power Generating Facility: An electric generating facility that burns wood, agricultural products, other plant or animal waste, as fuels to produce steam which is converted to electricity, or a gasification, methane fermentation, or alcohol fuel production facility.

Board of Adjustment: Yuma County Board of Adjustment

Boardinghouse: A building other than a hotel where, for compensation, meals and/or lodging are provided for five (5) or more, but not exceeding nine (9) guests. (Also see: rooming house)

Buffer yard: An area of land having thereon, specified dimensions, types, and amounts of vegetation or structures that may be required to reduce or eliminate adverse effects of land uses upon adjoining land uses or streets.

Building: A structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate structure. (Also see: structure, or dwelling)

Building, Community: A public building designed or used for community activities of an educational, recreational, or public service nature.

Building, Front of: The side of a building most nearly parallel with and adjacent to the front of the lot on which it is situated.

Building, Principal: A building, including dwellings, in which is conducted the principle use of the lot on which it is situated.

Building Height: The vertical distance to the level of the highest point of the building wall, if the building has a flat roof, or to the highest point of the roof if the roof is of any other type, measured from the established grade of the curb, or from the average level of the finished ground surface across the front of the building.

Building Line: A line formed by the surface of the ground and the closing wall of a building, or portion thereof where carports, terraces, patios, enclosed courts, balconies, or other projections or appurtenances are portions of a building and extend beyond the enclosing walls of the building, the building lines shall be the outer face of such projections.

Building Official, Chief: The County official or other designated authority charged with the administration and enforcement of the Yuma County Comprehensive Building Safety Code.

Campground: Public and quasi-public open space areas with or without sanitation facilities or water, for overnight or limited camping. This may include the overnight parking of recreational vehicles.

Camper shell: a portable piece of equipment (as a specially-equipped cover or camping unit) placed on an automotive vehicle for use during casual travel and/or camping activities. Such units may be constructed of metal, fiberglass, plastic or other materials.

Canopy Tree: Any tree variety expected to reach a height in excess of thirty feet (30') at maturity (such as oaks, palms, pines, sycamores, some maples, etc.).

Carport: A permanent accessory building or portion of a principal building with a roof and two (2) or more open sides designated or used for the parking of motor vehicles of the occupants of the premises. (Also see: private garage)

Cargo Containers: A standardized, reusable container that was originally, specifically or formerly designed for use in packing, shipping, movement or transportation of freight, articles, goods or commodities.

Cement: A powder of alumina, silica, lime, iron oxide, and magnesium oxide burned together in a kiln and finely pulverized and used as an ingredient of mortar and concrete. also: any mixture used for a similar purpose.

Cemetery: A commercial or publicly owned and operated graveyard, or a church burial ground, used or designated for the interment of the deceased. This definition includes burial parks, mausoleum, and columbaria, but does not include family burial grounds as defined by this Ordinance.

Centerline of Street: The centerline of a street or highway, for the purpose of this Ordinance, shall be that which has been ascertained and determined by the County Engineer.

Certificate of Occupancy: A statement signed by the County Building Official, or their designee, setting forth that a building, structure, or use complies with the Zoning Ordinance and that the same may be used for the purposes stated therein.

Child Day Care Center: A child care arrangement or facility licensed by the Arizona Department of Health Services as a Day Care Center.

Cluster Development: The placement of more than one (1) building envelope on a single lot or parcel of land for the purpose of constructing single-family residential dwelling units in either attached or detached construction arrangement, and where the property ownership outside the building envelopes are commonly held by all single-family dwellings on that lot or parcel of land.

Cluster Subdivision: A subdivision in which lots are grouped or "clustered" on a subdivision site allowing the open space use of other parts of the site, as designed and approved in accord with the Cluster Development Standards in Section 302.03 of the Yuma County Zoning Ordinance.

Community Garden: A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person.

Concrete: A hard strong building material made by mixing a cementing material (as Portland cement) and a mineral aggregate (as sand and gravel) with sufficient water to cause the cement to set and bind the entire mass.

Condominium: An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building located on such real property. A condominium may include, in addition, a separate individual interest in other portions of such real property. (Also see: townhouse)

Day Care Center: (Including pre-schools, nursery schools, childcare or adult care.) Any building or portion thereof used for daytime care of four or more persons at any location other than their normal residence, excluding those who normally reside on the premises.

DBA: A unit for describing sound levels using an A-weighted decibel network. This network modifies the measured sound pressure level at the various frequencies to account for differences in the sensitivity of the human ear to sounds of different frequency. Also, a unit for expressing the relative intensity of sounds on a scale from zero for the average least perceptible sound to about 130 (decibels) for the average pain level.

Decibel (abbreviated db): A unit that describes the sound pressure level or intensity of sound. The sound pressure level in decibels is twenty (20) times the logarithm to the base 10 of the ratio of the pressure of the sound to a reference pressure of 0.0002 microbar.

Detention: Surface collection, storage, and distribution of storm water runoff for the purposes of compensating for increased runoff volume and decreased travel time associated with an increase in impervious surfaces over the contributing catchment, and to allow for the settling-out of pollutants borne by the runoff.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Development, Medium or High Density: Any land use density in the Yuma County Comprehensive Plan whose residential densities are between seven (7) and eighteen (18) dwelling units per acre. Said densities correspond to the Medium Density Residential (R-2) and High Density Residential (R-3) Districts. Said Districts would be limited and restricted as found in Section 705.03 (high hazard occupancies) of this Code. (Also, see High Hazard Occupancy)

Director: The Director of the Yuma County Department of Development Services.

Director, Planning: The Planning Director of the Yuma County Planning and Zoning Division, Department of Development Services.

Domestic Farm-Type Animals: Horses, cattle, sheep, goats, mules, burros, poultry, rabbits and swine or other cleft-hoof domestic animals. (Also see: livestock or farm animals)

Drainage Way: Any natural or man-made stream, watercourse, channel, ditch, or similar physiographic feature draining water from the land. (Also see: stream)

Dwelling: Any structure or portion thereof, which is designed or used exclusively for residential occupancy, inclusive of manufactured homes, recreation vehicles, and trailers but not including hotels, motels, boarding or lodging houses. (Also see: structure or building)

Dwelling, Multi-family: A building designed, constructed or reconstructed and used for two (2) or more dwelling units that are located on a single common lot, with each dwelling unit being connected by means of a common structural or load-bearing wall, or by means of a floor to ceiling connection, or at least ten linear feet (10'), with any other dwelling unit in the same building.

Dwelling, Principal: The initial, primary building or structure, including parts thereof, utilized as a dwelling on a property.

Dwelling Unit: One (1) or more rooms within a building arranged, designed or used for residential purposes for one (1) family and containing independent sanitary and cooking

facilities. The presence of cooking facilities conclusively establishes the intent to use for residential purposes.

Dwelling, Single Family: A building designed, constructed, or reconstructed and used for one (1) dwelling unit.

Detached: A building containing one (1) dwelling unit, which is located on an individual lot and is not physically attached to any other dwelling unit by any means.

Attached: A dwelling unit attached to one (1) or more dwelling units by common vertical walls.

Dwelling, Site-built: A dwelling requiring substantial assembly on-site and built on a permanent foundation.

Facade: The height and width of a building front including the parapet.

Factory-built Building: A residential or non-residential building conforming to current building code standards. Such units, or habitable areas thereof, which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site. This does not include a manufactured home, recreational vehicle or mobile home as defined in this section. (Also see: manufactured home)

Farm: Land and related buildings primarily used for agricultural purposes including production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy products, livestock, poultry, and all other forms of agricultural products having a domestic or foreign market. A farm use also includes the accessory uses and buildings necessarily incidental to such agricultural production (such as the packing or storing of the products).

Farm Animal, Large: Animals, including, but not limited to, horses, donkeys, burros, llamas, bovines, swine, bison, camels, ostriches, emu, and other animals or livestock of

similar size and type, except inherently dangerous mammals and inherently dangerous reptiles. (Also see: livestock, or domestic farm type animals)

Farm Animal, Small: Animals or fowl, other than a household pet, large animal, inherently dangerous mammals or inherently dangerous reptiles, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons not otherwise defined, rabbits, mink, chinchilla, and other animals or fowl of similar size and type. Young or miniature large animals are not included in this definition and are considered large animals. (also see: livestock, or domestic farm type animals)

Feedlot, Commercial: A feeding operation on a parcel of land where livestock are temporarily kept or exchanged in corrals or yards on a sustained basis and where feed is brought to the yard.

Fencing: A wall or fence provided for the purpose of protecting adjacent uses from potential noise, glare, trash, odor, visual disorder, or other harmful or noxious effects. (Also see: wall)

Fertilizer, Organic: A soil-enriching substance, which is prepared by biological degradation of animal or plant materials such as manure, sludge, leaves, husks, etc., and which contains no synthetic or chemical additives.

Fill: Any landscaping, facility, embankment or other material that is placed above the natural grade elevation primarily to raise the site elevation.

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal water of the unusual and rapid accumulation of runoff or surface water from any source.

Flood, One-Hundred Year: A flood that has a one percent (1%) chance of occurring during any year, based upon the criteria established by the Federal Emergency Management Agency (FEMA).

Floodplain: The areas adjoining the channel of a watercourse, or areas where drainage is or may be restricted by man-made structures, which have been or may be covered partially or wholly by floodwater from the One-Hundred (100) Year Flood or the combined area of the Flood way and the Flood way Fringe. The basis for identifying the floodplain is the Yuma County Floodplain Regulations Section 3.2 (February 9, 1984).

Floodplain Regulations: The Floodplain Regulations of Yuma County adopted February 9, 1984 relating to the use of land and construction of structures within the floodplain.

Floor Area: The sum of the enclosed areas on all floors of a building or buildings measured from the outside of exterior walls, including halls, lobbies, arcades, stairwells, elevator shafts, enclosed porches and balconies, and any below ground floor areas used for access or storage. Open terraces, patios, atriums, or balconies, carports, garages, breezeways, and screened porches are excluded from floor area calculations.

Floor Area Ratio: Ratio of floor area to lot area.

Frontage: The length of the property line of any one parcel or lot along a public right-of-way on which it borders.

Garage, Private: A detached accessory building or portion of a principal building having at least three sides and designed or used for the parking or temporary storage of motor vehicles owned by the occupants in the building to which such garage is accessory or attached.

Garage, Public: A building or portion thereof, other than a private garage, designed to be used for the care, servicing, repairing, equipping, hiring, selling, or storing of vehicles.

Greenway: A linear park network left in its natural state except for the introduction of trails used by the public. (Also see: active open spaces, cluster open space, common space and permanent open space)

Group Care Facility: A dwelling in which persons reside while receiving therapy or counseling to assist them in overcoming addiction to intemperate use of narcotics or alcohol, or in adjusting to society after or during imprisonment through such means as pre-release, work -release, or probationary programs.

Guest Room: A room which is designed or intended for occupancy by, or which is occupied by, one (1) or more guests, but in which no provision is made for cooking, and not including dormitories for sleeping purposes. (Also see: bed and breakfast home stay)

Hazardous Material: Any substance defined as a "hazardous substance" in Section 101 (Definitions) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA; 42 U.S.C. §9601 et seq.), as amended; or listed as a hazardous material in Section 302 (Extremely Hazardous Substances) of the Superfund Amendments and Reauthorization Act (SARA; 42 U.S.C. §11000 et seq.), as amended; or designated as a "hazardous substance" under Section 311 (Oil and Hazardous Substance Liability) of the Federal Water Pollution Control Act (FWPCA; 33 U.S.C. §1251 et seq.), as amended.

Health and Personal Care Facilities: Public or private health facilities, establishments, or institutions, however styled, where aged or physically handicapped persons reside and are furnished with meals and health or personal care on a continuing basis. Health care facilities include, but are not limited to, convalescent homes, nursing homes, rest homes, sanatoria, or homes for the elderly.

High Hazard Occupancy: Occupancy of land or premises, or the use of a building or structure, or of any portion thereof, that involves highly combustible, highly flammable or explosive material, or which has inherent characteristics that constitute a special fire hazard; including among others: metal powder factories and warehouses, cellulose nitrate plastic factories and warehouses, sales rooms, cereal mills, cotton gins, distilleries, explosives manufacture sales and storage, flour and feed mills, gasoline bulk plants, grain elevators, lacquer factories, liquefied petroleum gas charging or bulk storage plants, mattress factories, paint factories, waste paper plants, and liquid fertilizer manufacture and storage.

Historic Structure: Any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior), preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register of Historic Places, or as certified or individually listed on a local inventory of historic places in communities with historic preservation programs that has been certified or approved by the State of Arizona.

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary as qualifying as a registered historic district.

C. Listed individually on the State Study of Historic Places (a listing maintained by the Arizona Department of Cultural Resources, Division of Archives and History) or otherwise designated by the State of Arizona Historic Places.

Home Occupations: Any occupation conducted within a home for gain or support conducted entirely and only by residents within the dwelling.

Household: Any family living together as a single housekeeping unit in a dwelling unit.

Impervious surface: A surface resulting from human activity that obstructs or prevents infiltration of water into soil. Impervious surface includes, but is not restricted to: buildings and rooftops; walkways, driveways, and parking areas that are paved or compacted by pedestrian or vehicular traffic; solid decks and patios; pavement; recreation facilities that are paved or compacted; and any other paved, compacted, or partially impervious surface. For purposes of calculating the percentage of impervious surface coverage, the area of the perimeter of the lot or parcel shall be regarded as the actual area of the lot or parcel. The water surface of a lake, pond, or swimming pool is not considered impervious. A wooden slatted deck is not impervious if the area below the deck is treated to prevent erosion and compacting of the soil below the deck. "Pervious" asphalt and "pervious" concrete are considered impervious if the surface's perviousness is expected to decrease under normal use or its sub-base is compacted, as determined by the Engineering Division, Department of Development Services.

Impulsive Noise: Noises of relatively short duration generally produced by striking two (2) or more objects so as to be heard as separate distinct noises. (Also see: noise and sound)

Institutional and Educational Occupancy: The occupancy or use of a building, or structure, or land, or any portion thereof for the purpose of receiving educational instruction, religious training or worship, or by persons harbored or detained to receive medical, charitable or other care or treatment, or by persons voluntarily or involuntarily in group housing including among others: academics, libraries, schools, colleges, preschools, universities, asylums, hospitals, orphanages, chapels, houses of correction, penal institutions, churches, infirmaries, reformatories, convents, jails, sanitariums, homes for the aged, nurseries for infants, and labor camps.

Interstate Highway: Any section of a highway that is part of the National System of Interstate and Defense Highways.

Junk/Inoperable vehicle: Includes any motor vehicle, former motor vehicle or part of a motor vehicle, which is unusable or inoperable because of lack of, or defects in component parts, or damage from collision, deterioration or other factors.

Junk: An unorganized collection of debris, trash or clutter, which degrade(s) the peace, comfort, safety and well-being of a property, neighborhood or area within the County. Not limited to, scrapped or discarded furniture, glass, metal, trash, litter, debris, garbage, wood, rubber and plastic items, empty containers, machinery parts, auto parts, all types of appliances, building materials, all type of solid waste and abandoned or junk vehicles.[3]

Kennel: (in the context of commercial use) Any building, structure, or land area used for the boarding, breeding, training, showing, or raising of dogs or cats primarily for sale or profit, or for humane purposes, but not including pet shops, private kennels, and veterinary hospitals.

Kennel: (in the context of private use): Any building, structure, or land area used for the keeping of more than five (5) dogs or five (5) cats over the age of four (4) months, where such animals are kept as pets, hunting dogs, or guard dogs. This definition shall not apply to dogs or cats owned by an individual or club, where such animals are kept on a lot of five (5) or more acres, and, provided that any structures built for keeping of such animals are located one hundred feet (100') or more from the nearest adjacent dwelling,

and fifty feet (50') or more from any adjoining property. Pet shops, commercial kennels, and veterinary hospitals shall be exempt from the definition of private kennel.

Land Division: Improved or unimproved lands that are divided or proposed to be divided for the purpose of sale, lease or transfer, whether immediate or future, into five (5) or fewer lots or parcels any of which is ten (10) acres or less, measured to the center line of contiguous roads and easements, including residential condominiums defined in Arizona Revised Statues, Title 33, Chapter 9 and Title 11, Chapter 6, Article 1, Section 809.

Landfill: A place used for the disposal, abandonment or discarding by burial, incineration or other similar methods trash, refuse, rubble, waste materials, offal or dead animals. Such use shall not include any disposal of industrial or commercial processed by-products and/or material. (Also see: landfill, sanitary; landfill, land clearing)

Landfill, Construction and Demolition: A disposal facility which stores solid waste resulting solely from construction, remodeling, repair, or demolition operations on buildings or other structures, land-clearing debris (solid waste that is generated from land clearing activities, such as stumps, trees, brick, concrete, rock, clean soil, and used asphalt), untreated wood, and uncontaminated earth. (Also see: landfill)

Landfill, Land Clearing: A disposal facility that stores land-clearing debris (solid waste that is generated from land-clearing activities, such as stumps, trees, etc.), limbs, yard waste, and solid waste which consists of material that is virtually inert (such as brick, concrete, rock, clean soil, and used asphalt), and uncontaminated earth. (Also see: landfill)

Landfill, Sanitary: A planned method of disposing solid waste on land in a sanitary manner without creating nuisances or hazards to public health or safety utilizing engineering principles to: confine the solid waste to the smallest practical area; reduce it to the smallest practical volume; and, cover it with a layer of compacted earth at the conclusion of each day's operation or at such more frequent intervals as may be necessary. (Also see: landfill)

Landscape Plan: The design and specifications for the placement of all natural and man-made features (such as plantings, fencing, earth berms, buildings, parking, drives, walkways, pools, sculpture, etc.) within a specified exterior space.

Livestock: Farm animals kept for use, for propagation, or intended profit or gain and without limiting the generality of the foregoing included: dairy and beef cattle, horses, swine, sheep, laying hens, chicken and turkey broilers, turkeys, goats, geese, mink and rabbits. (Also see: farm animals, domestic farm type animals, or animals, domestic)

Loading and Unloading Area: That portion of the vehicle accommodation area used to satisfy the requirements of Section 908.00 of this Ordinance.

Lot: A lot that is part of a subdivision plat legally approved in accordance with the Yuma County Subdivision (Regulations) Ordinance and recorded with the Yuma County Recorder, or any other parcel of land that has been officially recorded by a plat or deed with the Yuma County Recorder, provided such parcel was not subject to the Yuma County Subdivision (Regulations) Ordinance or recorded before its effective date (July 2, 1975). (Also see: tract)

Lot, Corner: A lot abutting on two (2) or more streets at their intersection.

Lot Coverage: The percentage of the area of a lot which is occupied by all buildings or other covered structures.

Lot Depth: The shortest horizontal distance between the front lot line and the mid-point of the rear lot line.

Lot, Interior: A lot other than a corner lot or having more than one side fronting a road or street right-of-way.

Lot of Record: Any lot shown upon an official subdivision map duly approved and recorded prior to the effective date of this ordinance, or any lot for which a bona fide deed is of record in the office of the Yuma County Recorder or for which a valid, bona fide contract of sale is in full force and effect at the time this ordinance becomes effective, and said map, deed, or contract of sale is of record on said date.

Lot, Front of: The front of a lot shall be considered that side of the lot that fronts on a street. In the case of a corner lot, the narrowest side fronting on the street shall be considered to be the front of the lot. In case the corner lot has equal frontage on two (2) or more streets, the lot shall be considered to front on that street on which the greatest number of buildings have been erected on that side of the street within the same block.

Lot Improvement: A building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

Lot Line: The property lines bounding the lot.

Lot Line, Front: The front lot line is the dividing line between the street right-of-way and the front of the lot.

Lot Line, Interior: A lot line not abutting a street.

Lot, Irregular: A lot of such a shape or configuration that technically meets the area, frontage and width to depth requirements of this ordinance but meets these requirements by incorporating usual elongations, angles, curvilinear lines unrelated to topography or other natural land features.

Lot Line, Rear: The rear line of a lot not abutting a street, that divides two lots or is between a lot and an alley or easement; that is generally parallel to the front lot line.

Lot Line, Side: The side line of a lot is a dividing line between two lots or a lot and a street, provided it runs generally perpendicular to the front lot line. Any bounding line of a lot, which is not herein defined as a rear line or front line, shall be deemed a sideline.

Lot Line, Zero: A development concept wherein one wall of the building is on or immediately adjacent to the side lot line.

Lot, Multi-fronting: A lot abutting more than one (1) street.

Lot, Nonconforming: A lot or parcel of land that was of record and lawfully established and maintained but which, because of the enactment of the zoning ordinance or as a result of a land division not authorized by the County, no longer conforms to the land-use standards or use regulations of the zone in which it is located.

Lot, Recorded: A lot designed on a subdivision plat or deed, duly recorded pursuant to statute in the Recorder's Office.

Lot Size: Means the allowable minimum area and minimum width of lots and the density of residential development in terms of dwelling units per acre.

Lot Width: The largest horizontal distance between side lot lines, measured along the lines parallel to the lot's road frontage and located behind the minimum front yard setback applicable to the lot and in the front two-thirds of the lot's depth.

Major Street: A road designated as any Area Service Highway, Arterial Street, Major Collector or Interstate Frontage Road.

Manufactured Home: A structure manufactured after June 15, 1976 according to the specifications of the United States Housing and Urban Development standards at the time of manufacture, which are fabricated either in whole or in large sections at a factory, designed and constructed on a chassis for transportation to site, does not require substantial assembly on site other than connection to utilities, and is installed with or without a permanent foundation for residential occupancy exclusively. (Also see: mobile home, factory-built building)

Manufactured Home Park: Any tract of land, except a subdivision developed pursuant to the Yuma County Subdivision (Regulations) Ordinance, in contiguous ownership upon which two (2) or more manufactured home spaces are provided for lease or rental only to manufactured home occupants. (Also see: recreational vehicle park)

Manufactured Home Space: A plot within a manufactured home park designed for the accommodation of a single manufactured home in accordance with the requirements set forth in this ordinance.

Mansard: A sloped roof or roof-like facade architecturally comparable to a building wall.

Manufactured Home Stand or Pad: That portion of the manufactured home space designed for and used as the area occupied by the manufactured home proper.

Map, Plat: A drawing or graphic representing a tract of land showing the boundaries and location of individual properties and streets.

Medical Marijuana: Marijuana that the state of Arizona has authorized for possession, cultivation, storage, transportation, and sale.

Medical Marijuana Dispensary: A not-for-profit entity as defined in Arizona Revised Statutes, Title 36, Chapter 28.1 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to individuals authorized by the state of Arizona.

Mobile Food Vendors: Persons who operate mobile food service facilities selling food products at various locations either propelled by self-contained means or are towed from site to site.

Mobile Home: A structure built on or prior to June 15, 1976, on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a dwelling when connected to on-site utilities but does not include recreational vehicles and factory-built buildings. (Also see: manufactured home)

Motel: A building or group of buildings containing guest rooms or dwelling units, all of which have a separate entrance leading directly from the exterior of the building, with carports or parking spaces located on the lot and designed, used, or intended wholly or in

part to provide for the accommodation of automobile transients. Motel includes motor courts, motor lodges and tourist courts, but not manufactured home parks or recreational vehicle parks.

Motor Home**:** Any vehicle designed and/or used for living, sleeping and/or recreational purposes and equipped with wheels to facilitate movement from place to place, and including pick-up coaches (campers), motorized homes, boats, travel trailers, not meeting the specifications required for a manufactured home, park model or mobile home. (Also see: recreational vehicle)

Noise: A subjective description of an audible, sometimes undesirable, unwanted, or unwarranted sound. (Also see: sound)

Nonconforming Use: The lawful use of any building, lot, parcel or tract of land existing prior to December 1, 1975 or as amended thereto as of the effective date of these regulations.

Nursery Stock: Includes all trees, shrubs, vines, cacti, agaves, succulents, herbaceous plants whether annuals, biennials or perennials, bulbs corms, rhizomes, roots, decorative plant material, flowers, fruits pits or seeds, cuttings, buds, grafts, scions and other plants intended for sale, gift or propagation, either cultivated or collected in the wild, except seeds intended for propagation.

Open Space, Active: A specific area(s) for the benefit of the intended user(s) that involve physical or sedentary activities for individuals or groups of people in outdoor environments that may or may not be public or private open spaces or areas.

Open Space, Cluster: Open space, either natural or active, provided to compensate for lot size reductions from minimum lot area requirements in the applicable zone. (Also see: active open spaces, greenway, or common space, permanent open space)

Open Space, Common: Land area within a development not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. Common open space may be either natural open space or active open space. (Also see: active open spaces0

Open Space, Permanent: Land or water areas that are retained for use as active or passive recreation areas or for resource protection in an essentially natural undeveloped state by means of easements, right of ways, land dedications, and/or purchases of development rights. (Also see: open space, cluster; common space, or greenway)

Open Space, Public: Open space owned by a public agency, such as Yuma County, and maintained for the use and enjoyment of the general public.

Outdoor display and sales area: A designated area clearly established outside of a building or structure, used in conjunction with a business located within the building or structure on the same property for the intended display or sales of seasonal produce, new merchandise or the supply of services. (also see: roadside stand)

Parapet: The extension of a false front or wall above a roofline.

Parking Lot: An area, other than a street or alley, designed, constructed and devoted to open parking spaces and drive isles for motor vehicles.

Parking Space: A portion of the parking area established for the parking of one vehicle.
Pave or paving: To cover with concrete, asphalt, brick, stone slabs or blocks (such as cobblestones), or other manufactured products (such as concrete blocks) having the characteristics of concrete, asphalt, brick, or stone.

Paved: Covered with pavement. (Also, see pave or paving)

Pavement: An artificial covering on a street, road, parking lot, driveway, walkway, patio, or other natural surface of the ground composed of a material listed under definition of "pave or paving" herein.

Pavement, Permeable: Pavement, as defined herein, but designed, manufactured, or constructed to serve the same purposes as hard surfaces as well as to reduce surface runoff of water or to enhance recharge of groundwater by means of small openings, perforation, porosity, or similar techniques.

Personal Services: An establishment that primarily provides services generally involving the care of a person or their apparel, such as seamstress shops, shoe repair shops, dry cleaning and laundry pickup facilities, coin-operated laundry and dry cleaning facilities, barber shops and beauty salons, but not including facilities providing massage.

Pet: A domesticated animal which is part of a household and which is kept primarily for pleasure and not profit. Incidental proceeds connected with the showing or breeding of pets does not render them subject to the permit process. (Also see: animal, domestic)

Planting: Vegetative plantings and related improvements retained or introduced for the purpose of beautifying and enhancing property, controlling soil erosion and air temperature, reducing glare or noise, and buffering adjoining uses.

Plat Map: (See Map, Plat)

Prime Agricultural Land (Farmland): Land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, oilseed, and other agricultural crops as shown on the 1980 map titled: *Important Farmland, Yuma-Wellton Area, Yuma County, AZ/Imperial County, CA, 1980, USDA-Soil Conservation Service.* Example: *Prime Farmland* is land suitable for produce and melon crops located within the Yuma, Gila and Wellton-Mohawk Valleys.

Principal use: The primary use and chief purpose of a lot or building, as distinguished from an accessory use.

Private Garage: A building intended for, and used to store, the private motor vehicles of the family(ies) resident upon the premises. (Also see: carport)

Private Road: A private right-of-way over private property, which affords access to abutting lots and is not maintained by a public body.

Recreational Vehicle (RV): A vehicle that includes all of the following:

A. Built on a single chassis;
B. Four hundred (400) square feet or less in area when measured at its largest horizontal projections;

C. Designed to be self-propelled or permanently towed;
D. Designed primarily for use as temporary living quarters for recreational, camping, travel, or seasonal use and not for use as a permanent dwelling.
E. This definition shall also include camper shells, whether they are mounted or un-mounted on a vehicle. (also see: motor home, or travel trailer)
F. Park Model.

Recreational Vehicle Park: A parcel of land under single ownership on which three (3) or more recreational vehicles are occupied as temporary residences, regardless of whether or not a charge is collected for such accommodations. (Also see: manufactured home park)

Recreational Vehicle Park Space: Land for lease or rent within a recreational vehicle park designed for the accommodation of one recreational vehicle together with its accessory structures.

Recreational Vehicle Support Structure: A single, detached structure in an RVS Zoning District, which is constructed with a minimum floor area of 120 square feet and has either of the following:

A. bath facilities including lavatory, toilet, shower or any combination thereof or;
B. laundry facilities including washing, drying, water heater or any combination thereof.

An RV support structure shall meet the setback requirements as set forth in Section 609.5 of the Yuma County Zoning Ordinance.

Recycling Collection Center: A facility for the collection and temporary storage of cans, bottles, plastic, glass, cardboard, paper, aluminum, copper, batteries and similar recyclable materials discarded from businesses, residences or individuals. It includes compacting and packaging necessary to transport if done within enclosed buildings. The storage of recyclable materials outside the exterior of buildings is permissible only in enclosed containers. A recycling collection center does not include recycling processes, dismantling, burning, salvage scrap or reprocessing.

Residential District: includes the following districts:

- Suburban Ranch (SR),
- Suburban Site Built (SSB),
- Low Density Residential (R-1),
- Medium Density Residential (R-2),
- High Density Residential (R-3),
- Manufactured Home Park (MHP),
- Manufactured Home Subdivision (MHS),
- Recreational Vehicle Subdivision (RVS). and
- Planned Development (PD)

Restricted airspace: Airspace established pursuant to 14 CFR Part 73 that is assigned by the Federal Aviation Administration and identified by an area on the surface of the earth within which the flight of aircraft, while not wholly prohibited, is subject to restrictions. Restricted airspace denotes the existence of unusual, often invisible hazards to aircraft

such as artillery firing, aerial gunnery, guided missiles, or unmanned aerial vehicles, and unauthorized use of restricted airspace may be extremely hazardous to an aircraft and its occupants.

Retention: The storage and reduction of storm water runoff, which allows water runoff infiltration into the soil and groundwater basin regeneration.

Roofline: The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons or chimneys.

Rooming House: Any building, or portion thereof, which contains guest rooms which are designed or intended to be used, let, or hired out for occupancy by, or which are occupied by, five (5) or more, but not exceeding nine (9), individuals for compensation, whether the compensation be paid directly or indirectly. (Also: see boardinghouse)

Runoff: That portion of rainfall or other precipitation that is not absorbed by the soil, but rather flows across the ground surface and drains to a water body or other drainage collection facility.

Salvage: Discarded material or equipment that is dismantled, shredded or compressed which includes, but is not limited to, metal, paper, wood, plastic, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment and appliances.

Salvage Operations: A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes, but is not limited to metal, paper, wood, plastic, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment and appliances. The term also includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products, which may be returned to a condition in which they may again be reused for production.

Screening: Hedges, informal plantings, natural vegetative covers, berms, or fencing provided for protecting adjacent uses from potential noise, glare, trash, odor, visual disorder, or other harmful or noxious effects.

Roadside Stand**:** A temporary structure not permanently affixed to the ground, and readily removable in its entirety, which is used for seasonal display or retail sale of farm products including fresh fruits, vegetables, flowers, herbs or plants located on a lot where the principal use and zoning is for agricultural production. (Also see: outdoor display and sales area)

Setback or Setback Line: The establishment and placing of the minimum distance of a building face or structure to a line some distance from a property line or road right-of-way.

Setback, Between-Dwellings: The minimum distance by which any building or structure must be separated from any other building or structure, either between buildings on the same property or adjoining properties.

Setback, Front Yard: A line extending across the full width of the front property line between the side property lines which depth is measured as the distance between the street right-of-way lines and the required front setback line.

Setback, Rear Yard: A setback line extending across the full width of a site which depth is the minimum horizontal distance between the rear property line and a line on the site parallel thereto, except that on a corner lot, the rear yard setback shall extend only to the street side yard setback abutting the street.

Setback, Side Street: An area applied to that side of a lot, which has a side yard facing a public street, private street or access corridor that serves more than one lot.

Setback, Side Yard: An area between a side lot line and the near most point of the nearest building, swimming pool, tennis court, or like structure to it, extending from the required front set back to the required rear setback.

Sign: Any identification, description, animation, illustration, or device, illuminated or non-illuminated, which is visible from any street or road and which directs attention to any realty, product, service, place, activity, person, institution, performance, commodity, firm, business, solicitation, idea, or concept, including permanently installed or situated merchandise or any emblem, painting, banner, poster, bulletin board, pennant, placard, or temporary sign designed to identify or convey information, with the exception of state, municipal or national flags.

Site Plan: A graphic depiction (map) of land(s) to scale indicating the boundary of a property(ies) including various geographic and physical features or improvements related to the property and its surroundings, including adjoining streets or roads.

Soil Survey: The United States Department of Agriculture Soil Conservation Service *Soil Survey of Yuma-Wellton Area, Parts of Yuma County, Arizona and Imperial County, California*.

Sound: Rapid fluctuations of atmospheric pressure, which are audible to the human ear. (Also see: noise)

Sound Level Meter: An instrument for measuring the overall sound pressure level which complies with the standards set forth in the "American Standard Specification for General Purpose Sound Level Meters," American National Standards Institute (ANSI S1. 4-1961).

Special Flood Hazard Area (SFHA) (44 CFR § SS 59.1): An area having special flood or flood-related erosion hazards as defined by Floodplain Regulations Section 3.2.

Story: The vertical distance of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above, then the space between such floor and the ceiling next above it; provided that a cellar shall not be considered a story.

Stored: Something that has been placed or left in a location for preservation, later use or disposal.

Stream: Any natural drainage course draining twenty-five (25) or more acres of land. (Also see: drainage way)

Street: Any vehicular way that is a federal, state, county or private roadway.

Street Line: The dividing line between a lot, tract or parcel of land and a contiguous street. The street line also means the right-of-way line of a street, dedicated right-of-way or private roadway easement.

Street width: The horizontal distance between the side lines of a street, measured at right angles to the side lines.

Structure: That improvement which is built or constructed, such as an edifice or building of any kind or any piece of work artificially built-up or composed of parts joined in some definite manner. (Also see: building or dwelling)

Structure, Temporary: Anything constructed or erected which is readily movable and intended to be used, or used for a period not to exceed one hundred-eighty (180) consecutive days.

Subdivision: Means improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into six (6) or more lots, parcels or fractional interests, each of which is less than thirty-six (36) acres in area including property to the center line of dedicated roads or easements, if any are contiguous to the lot or parcel.

Surface: Roads, streets, walkways, driveways, parking lots, or other natural ground surfaces covered by gravel, sand, crushed stone, shell, or other loose, non-cohesive, uncemented conglomerate (as distinct from paved).

Substantial Damage: Damage, of any origin, sustained by a structure whereby the cost of restoring the structure to its before-damaged condition equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred.

Substantial Improvement or Major Repairs: Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the costs of which equals or exceeds fifty percent (50%) or more of the market value of the structure before the start of construction of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not include: (1) any improvement of a structure needed to comply with existing State and local health, sanitary, or safety ordinance specifications, or (2) any alteration of a "historic structure," provided the alteration will not preclude the structure's continued designation as a "historic structure".

Swap Meet: Any indoor or outdoor place, location, or activity where new or used goods or secondhand personal property are displayed and offered for sale, exchange or barter to the general public by numerous individual vendors, usually in compartmentalized spaces, where a fee may be charged to prospective buyers for admission or a fee may be charged for the privilege of offering or displaying such merchandise. The term swap meet also includes flea markets, auctions, open-air markets, farmers markets, or other similarly named activities. The term does not include supermarket or department store operations.

Townhouse: Any single-family dwelling unit, including the land underneath, designed to be sold (fee simple) as a unit, but from one of a group or series of two or more attached dwellings separated from one another by common property lines. (Also see: condominium)

Tract (or lot): A defined area of land, which may be occupied or unoccupied by uses permitted by this Ordinance, including any open spaces.

Trailer: A vehicle built on a chassis, designed for highway travel pulled by a private vehicle and not requiring a special permit.

Trailer, Travel: A self-contained vehicle without motive power being a portable structure with wheels built on a chassis, designed as a temporary dwelling for travel, recreation and/ or vacation purposes, which is not permanently affixed to the ground. This does not include a mobile home. (Also see also: recreational vehicle)

Travel Plaza (or Truck Stop): A commercial/industrial use of property for the refueling, maintenance and/or servicing of large over–the-road vehicles carrying large loads and which may, or may not, have service activities for such vehicles and their drivers.

Use: The function, purpose or activity for which land and/or structures are occupied, utilized and/or maintained.

Use, Accessory: A use customarily incidental and subordinate to the principal use of a lot or of a principal building and which is located on the same lot with the principal use or principal building.

Use, Principal: The primary or predominate use of land or buildings on a lot.

Use Permit, Special: A permit, when granted to a property, establishing a use in a zoning district where such a use is not a permitted use by right.

Use, Permitted: Any use allowed in the permitted uses category of a zoning district and subject to the restrictions and development standards applicable to that zoning district.

Use, Special: Any use allowed in the Special Uses category of a zoning district and requiring a Special Use Permit.

Utility Line: A publicly-owned, or State or locally approved private utility conduit transporting a utility service commodity, including water lines, sewer lines, storm sewer lines, electrical power lines, cable television lines, telephone lines and natural gas lines. Storm water retention and detention facilities, septic tanks and septic drainage lines, storage tanks for any utility-related purpose, utility substations and buildings housing utility commodities or equipment are not considered utility lines under this Ordinance.

Variance: A reduction or waiver of the terms of these regulations when, owing to peculiar conditions or circumstances on the property, a strict interpretation of which would result in an unnecessary hardship.

Vehicle: A piece of equipment used to convey people or goods by various motorized or non-motorized means. Vehicles include automobiles, trucks, motorcycles, trailers, traction engines, farm tractors, road building machines and any vehicle drawn, propelled or driven but does not include the cars of electric or steam railways running only upon rails.

Wall: Any structure for screening purposes forming a physical barrier, which is so constructed that one hundred percent (100%) of the vertical surface shall be closed solid, except for approved gates or other air, light, or physical access ways. (Also see: fencing)

Water supply: Surface or well water used as a source of water for drinking, culinary or food processing purposes after treatment.

Water supply watershed: Those lands classified as Urban Services Area/Water Supply Watershed or Non-Urban Area/Water Supply Watershed in the Adopted Comprehensive Plan, as amended.

Watershed: The land area that contributes runoff to a surface water body or watercourse (Also called a drainage basin or contributing area). A watershed includes hills, lowlands and the body of water into which the runoff drains.

Yard: The open space on the same lot with a building or group of buildings, which open space lies between the building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward.

Yard, Front: A yard extending across full width of the lot and lying between the front line of the lot and the nearest line of the building. The depth of a front yard shall be measured at right angles to the front line of the lot.

Yard, Rear: A yard extending across the full width of the lot and lying between the rear lot line of the lot and the nearest line of the building. The depth of a rear yard shall be measured at right angles to the rear line of the lot.

Yard, Required: The minimum open space as specified by these zoning regulations for front, rear and side yards, as distinguished from any yard area in excess of the minimum required.

Yard, Side: A yard between the building and the side lot line of a lot extending from the front yard to the rear lot line as defined or along the full lot depth in absence of front and rear yards and being the minimum horizontal distance between a side lot line and the side of the principal building. An interior side yard is the yard adjacent to a common lot line.

Zoning District: Any portion of the unincorporated area of Yuma County in which the same set of zoning regulations applies.

Zoning Map: The map adopted by Yuma County, as contained within the zoning ordinance that delineates the extent of each district established in the zoning ordinance setting forth precise boundaries of zoning districts within which the zoning regulations are effective.

Zoo: The public or private use of land, buildings or structures for keeping live animals (domestic or wildlife) for public exhibition and/or care.

Article III-- General Provisions

Section 301.00--Conformance Mandatory

Except as hereinafter provided:

A. No building shall be erected and no existing building shall be moved, altered, added to, or enlarged, nor shall any land or building be used, designed, or intended to be used for any purpose or in any manner other than the uses hereinafter listed as permitted in the district which such building or land is located.

B. No building shall be erected, reconstructed, or structurally altered to exceed the height limit hereafter designated for the district in which such building is located.

C. No building shall be erected, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the yard, lot area, and building location regulations hereafter designated for the district in which such building or open space is located.

D. No yard or other space provided around any building for the purpose of complying with the provisions of this Ordinance shall be considered as providing a yard or any open space for any other building. No yard or other open space on one (1) lot shall be considered as providing yard or open space for a building on any other lot.

Section 302.00--Development Standards and Use Regulations

302.01--Transitional Buffer Yards and Screening

A. Purpose

B. These regulations are intended to:

1. Preserve the value of buildings and protect their occupants' privacy by requiring spacing and screening between different types of uses or intensities.

2. Utilize spacing and screening together to buffer uses of one intensity from aspects of uses of a higher intensity and reduce the adverse effects of traffic, noise, dust, or odor.

3. Tailor transitional Buffer yard requirements to suit the intensity of the use and adjacent uses. The greater the difference in intensities, the deeper the transitional Buffer yard; the less the difference in intensities, the shallower the transitional Buffer yard.

4. Require adequate screening of commercial and industrial uses along streets both to preserve building values and to promote scenic beauty along transportation corridors of the County.

C. Application

1. Any new non-residential use or high density residential use (see footnotes to Table I), any change in a non-residential use to a more intensive class of use, or expansion of an existing non-residential or high density residential use by at least twenty -five percent (25%) of the floor area and/or impervious surface, associated with the use that is proposed on a lot adjoining a lot containing a less intensive class of existing use or a vacant lot zoned for less intensive uses, shall provide a transitional Buffer yard and screening meeting the requirements of this Section.

2. In the case of an expansion of an existing use, where the degree of expansion does not exceed fifty percent (50%), such expansion need only provide a transitional Buffer yard and screening that meets the requirements of this Section to a degree proportional to the degree of expansion. For example, a thirty percent (30%) expansion of an existing use shall provide a transitional Buffer yard meeting thirty percent (30%) of required Buffer yard depth and plant density requirements.

3. For purposes of this Section, existing uses shall include proposed uses for which a land use permit has been issued and remains valid, and the class of a use and zoning of vacant land shall be determined from Table I. These transitional Buffer yard regulations apply whether or not the adjoining lot is in the same zoning district. Additional applications of these standards are set forth in Subsection N.

D. Location of Transitional Buffer Yards and Screening

1. Transitional Buffer yards and screens shall be located along the perimeter of a lot or parcel, but not within any portion of an existing or planned road right-of-way, or public easement.
2. In instances where the area represented by a site plan is significantly less than the total area of the lot(s) of record, the Planning Director may permit the screening required between the proposed use and adjacent lot(s) to be located in a transitional Buffer yard surrounding the smaller area provided that:
   a. The depth of the transitional Buffer yard and type of screening provided for the smaller area is equal to or greater than required by Tables I of this Section; and,
   b. The transitional Buffer yards required in Table I of this Section are also provided around the perimeter of the lot(s) of record; and,
   c. The total area of the lot(s) of record, less the smaller area represented by the subject site plan, could meet the minimum requirements within the applicable zoning district, if considered as if it (they) were an independent lot(s) of record.

E. Depth of Transitional Buffer Yards

Transitional Buffer yard depth requirements are set forth in Table I of this Section. To determine the required Buffer yard depth, first identify the zoning district of the subject parcel. Then identify the zoning district of each adjacent parcel. Then use Table I to identify the required Buffer yard depth. [deleted (E)(1)]

F. Overlap with Other Yards

G. In the event that a transitional Buffer yard depth requirement conflicts with yard requirements within an applicable zoning district, the more stringent requirement shall apply.

H. Screening within Transitional Buffer Yards

Minimum screening requirements are set forth in Table II of this Section. To determine the required screening type, first identify the zoning district of the subject parcel. Then identify the zoning of each adjacent parcel. Then use Table I to identify the required screening type. Required screening may be composed of existing vegetation, planted vegetation, a fence, a wall, a landscaped earthen berm, or any combination of these screening measures, that meet the requirements set forth in 302.01(K).

I. Types of Screens

1. Type A - Opaque Screen: A screen that is opaque year round. This requirement can be met with a planting of vegetation that have a mature height of 10 feet or greater that creates an opaque screen, or a solid fence or wall of at least six feet in height.[1]
2. Type B - Broken Screen: A screen composed of either:
   a. One (1) canopy tree per forty (40) lineal feet of Buffer yard;
   b. One (1) under story tree per thirty (30) lineal feet of Buffer yard;
   c. One (1) shrub per six (6) lineal feet of Buffer yard; or
   d. Any combination of the above;
   e. Any other screening that meets or exceeds the degree of screening achieved by the above.
   f. The broken screen is intended to create the impression of spatial separation between uses without necessarily eliminating visual contact between the spaces.

J. Alternative Transitional Buffer Yards and Screening

K. Recognizing that a transitional Buffer yard is defined by both its depth and the density of screening within it, the Planning Director may allow a transitional Buffer yard's depth to be reduced by up to fifty percent (50%) from that specified in Table I if the density of screening within the Buffer yard is increased to an equivalent degree, provided the Buffer yard remains deep enough to accommodate the healthy growth and protection of the proposed screen plantings. Similarly, the Planning Director may also allow a transitional Buffer yard's reduced screening density by up to fifty percent (50%) from that specified in Table II if the Buffer yard's depth is increased to an equivalent degree. Reductions in the depth of the buffer yard or the density of the screening are only allowed when Type B screening is required.

L. Additional Transitional Buffer Yards and Screening Required

1. Any outside storage of junk, refuse, salvage or discarded materials shall be screened from adjacent rights-of-way by means of Type A screening.

2. Whenever a non-residential use is proposed along a major street, a ten (10) foot deep transitional Buffer yard and Type B screening shall be required adjacent to the major street right-of-way.
3. Whenever a non-residential use is proposed next to a residential use and is separated from the residential use by a public road, a ten (10) foot deep transitional Buffer yard and Type B screening shall be provided adjacent to the public road right-of-way.
4. Any outside storage shall be screened from adjacent properties and rights-of-way by means of Type B screening or its equivalent as approved by the Planning Director.
5. Uses and Structures Permitted Within Transitional Buffer Yards
6. A transitional Buffer yard may contain utility lines, driveways, or pedestrian or bicycle paths, provided that:
   a. The proposed locations of such uses are necessary for their proper functioning, and such uses cross the Buffer yard where feasible, rather than lie along the length of the Buffer yard; and,
   b. The total width of the Buffer yard is maintained; and,
   c. No screen required by this Ordinance is reduced or eliminated.
7. Signs shall be permitted within transitional Buffer yards provided that:
   a. They are completely screened from view from any point on adjacent residential properties; and,
   b. Placement of such signs will not violate other provision(s) of this Ordinance.

M. Transitional Buffer yards shall not be used for parking, loading, storage, or any activity that is either part of or accessory to the proposed use.

N. Maximum Time Allowed to Provide Screening

1. Fences or walls used for screening shall be completed prior to final inspection by the Yuma County Building Safety Division.
2. All vegetative screening shall be planted or installed during the first planting season (for the particular species) or within six (6) months after construction is completed, whichever comes first.

O. Requirements for Plants Used for Screening

1. Use of Existing Vegetation Encouraged

   Existing vegetation that meets or exceeds applicable screening requirements may be contains sufficient area surrounding the vegetation to ensure its protection from encroachments that may threaten its continued healthy growth.

2. Location and Spacing

3. Plants shall be staggered or clustered as necessary to maximize screening objectives and to meet the needs of the particular species of plants for root space, water, light, and circulation.
4. Minimum Height at Planting
5. Plants shall be of the following minimum heights at the time of planting:

    a. Canopy trees: Eight feet (8').
    b. Under-story trees: Six feet (6').
    c. Hedge plants: Three feet (3').
    d. Shrubs: One and one-half foot (1½').
6. Minimum Height at Maturity

    a. Canopy trees, under-story trees and hedge plants shall be of a variety that has a minimum mature height, which will meet the minimum screening requirements for which they were chosen.
    b. Shrubs shall be of a variety that has an average mature height of at least three (3) feet.

P. Maintenance of Screening

All screening shall be maintained to continue its effectiveness. If it deteriorates or dies, it shall be repaired or replaced during the next planting season, or within six (6) months.

Q. Clear View of Intersections

Transitional Buffer yards and screens shall not impede sight lines at intersections.

R. Conflict with Other Regulations

In the event that a regulation of this Section conflicts with one found elsewhere in this Ordinance, the more stringent regulation shall apply.

S. Reduction of Requirements

When a condition such as unusual topography, elevation or any other condition in relation to adjacent properties, size or shape of the parcel involved, or any other condition exists which would make strict adherence to this Ordinance impractical or impossible, the Board of Adjustment may reduce the transitional Buffer yard and screening requirements according to the variance procedures in Section 403.00. This does not negate the necessity for establishing screening and transitional Buffer yards for uses adjacent to vacant property, regardless of the ownership.

TABLE I: REQUIRED SCREENING AND TRANSITIONAL BUFFER YARD DEPTH

HOW TO READ THIS TABLE

IDENTIFY THE PROPOSED ZONING/USE OF THE PROPERTY (TOP OF CHART) AND THE EXISTING ZONING OF THE ADJACENT PROPERTY (LEFT COLUMN) AND FIND THE INTERSECTING CELL. EACH CELL IDENTIFIES THE TYPE OF SCREENING NECESSARY (SEE SECTION 302.01(K)) AND THE DEPTH OF THE REQUIRED TRANSITIONAL BUFFER YARD IN LINEAR FEET. X= NOT REQUIRED.

	ZONING/USE OF SUBJECT PARCEL												
	Residential		Non-Residential Zoned									Other[1]	
	Zoning districts with minimum a lot size												
	6,000 square feet or greater	Less than 6,000 square feet	RA	C-1	C-2	LI	HI	II	TCU	PF	SA/RL, VCO, & OS/RR	On site parking[6]	Outside Storage
ZONING OF ADJACENT PARCELS[7]													
Residential													
Minimum a lot size of 6,000 square feet or greater	X	B/X	B/X	A/20[2]	A/25[3]	A/30[4]	A/40[5]	A/100	A/30[4]	A/25[3]	X	A/X	B/X
Minimum a lot size less than 6,000 square feet	X	X	B/X	A/20[2]	A/25[3]	A/30[4]	A/40[5]	A/100	A/30[4]	A/25[3]	X	A/X	B/X
Residential Zoned and is separated by a:													
Public Street Right of Way	X	X	X	B/10	B/10	B/10	B/10	B/10	B/10	B/10	X	B/10	B/X
Railroad Right of Way	X	X	X	B/X	B/X	B/X	B/X	B/X	B/X	B/X	X	X	B/X
Canal Right of Way	X	X	X	B/X	B/X	B/X	B/X	B/X	B/X	B/X	X	X	B/X
Non-Residentially Zoned													
RA	X	X	X	B/10	B/10	B/20	B/20	A/100	B/X	B/X	X	X	B/X
C-1	X	X	X	X	X	B/15	B/15	B/40	B/X	B/X	X	X	B/X
C-2	X	X	X	X	X	B/10	B/10	B/40	B/X	B/X	X	X	B/X
LI	X	X	X	X	X	X	X	B/40	X	X	X	X	B/X
HI	X	X	X	X	X	X	X	B/40	X	X	X	X	B/X
II	X	X	X	X	X	X	X	X	X	X	X	X	B/X
TCU	X	X	X	X	X	X	X	B/40	X	X	X	X	B/X
PF	X	X	X	X	X	X	X	B/40	X	X	X	X	B/X
SA/RL, VCO, & OS/RR	X	X	X	X	X	X	X	B/40	X	X	X	X	B/X
Other													
Major Street	X	X	B/10	B/10	B/10	B/10	B/10	B/10	B/10	X	X	B/10	B/X
Non-major Street	X	X	X	X	X	X	X	X	X	X	X	B/5	B/X

[1] Certain particular uses on a parcel also require screening and transitional buffer yards, when the subject parcels zoning also requires screening and/transitional buffer yards the most restrictive requirement applies.

[2] When the required depth of a 20 foot transitional buffer yard exceeds 20% of the total distance between the edge of the side being buffered and the opposite boundary of the parcel, the required depth of the buffer yard shall be 20% of the total distance between the edge of the side being buffered and the opposite of the parcel.

[3] When the required depth of a 25 foot transitional buffer yard exceeds 20% of the total distance between the edge of the side being buffered and the opposite boundary of the parcel, the required depth of the buffer yard shall be 20% of the total distance between the edge of the side being buffered and the opposite of the parcel

[4] When the required depth of a 30 foot transitional buffer yard exceeds 30% of the total distance between the edge of the of side being buffered and the opposite boundary of the parcel, the required depth of the buffer yard shall be 30% the total distance between the edge of the side being buffered and the opposite of the parcel.

[5] When the required depth of a 40 foot transitional buffer yard exceeds 30% of the total distance between the edge of the of side being buffered and the opposite boundary of the parcel, the required depth of the buffer yard shall be 30% the total distance between the edge of the side being buffered and the opposite of the parcel.

[6] Applies to parking areas containing 10 or more spaces as per section 910.00

[7] If adjacent properties are not zoned by Yuma County, an equivalent zoning district, for the purposes of section 302.01, based on allowed uses and densities, shall determined by the planning director.

302.02--Hillside Development Standards

A. Purpose

The purpose of the Hillside Development Section is to allow and support the reasonable use and development of hillside areas while promoting the public health, safety, convenience and general welfare of the citizens of Yuma County and maintaining the character, identity, and image of hillside areas. The primary objectives of the hillside development standards are to:

1. Minimize the possible loss of life and property through the careful regulation of development;
2. Permit development that is compatible with the natural characteristics of hillside terrain, such as steepness of slope and significant land forms;
3. Protect watershed, natural waterways, and minimize disturbance of existing drainage patterns and soil erosion problems incurred in development alteration of hillside terrain;
4. Encourage the preservation of the existing landscape by maximum retention of natural topographic features;
5. Minimize the scarring of hillside construction;
6. Provide safe and convenient access to hillside development;
7. Alleviate harmful and damaging effects of on-site erosion, sedimentation, runoff, and accumulation of debris on adjacent, downhill properties.

B. General Provisions

1. The hillside development standards contained in this Section shall apply to any portion of a lot or parcel having a natural slope of fifteen percent (15%) or greater and a minimum height of slope of fifteen feet (15') as measured from a topographical contour map prepared and stamped by an Arizona-registered land surveyor.
2. This Section does not apply to a lot that is located within a subdivision for which a completed and approved final plat has been recorded prior to the adoption of this Ordinance.
3. The issuance of grading permits, building permits, hillside Development Plan approvals, or other approvals of improvement work on any real property subject to the regulations in this Section, shall not be conditioned on altering, modifying or not utilizing existing grading, construction or other improvements on such real property to conform to the regulations in this Section if such existing grading, construction or other improvement was completed in conformance with valid permits, issued prior to the adoption of this provision.
4. In those instances where there is a conflict between the provisions and requirements of this Section and those of the underlying zone or the subdivision ordinances, the provisions and requirements of this article shall apply.

C. Use Regulations

1. The use regulations that apply to property in any zoning district with which hillside development standards apply shall remain the same as specified in the primary zoning district unless otherwise specified herein.
2. A rezoning to allow industrial uses is not permitted on a land parcel, lot or project site having a natural slope of fifteen percent (15%) or greater.
3. Non-residential conditional uses within a rural or residential zone are not permitted on a land parcel, lot, or project site having a natural slope of fifteen percent (15%) or greater.
4. The total acreage of the project site may be used to calculate the number of dwelling units based on allowable density, provided that all other applicable provisions of this Section are satisfied.

D. Height Regulations

The height of all structures on portions of property having a natural slope of fifteen percent (15%) or greater shall not exceed twenty-five feet (25') from original natural grade through any building cross section, measured vertically at any point along that cross section from the original natural grade, provided this Section shall not apply to transmission or communication towers in excess of thirty feet (30') for which Special Use Permits have been issued.

E. Building Color

All exposed exterior walls and roofs of structures, retaining walls and accessory structures shall use the predominant soil or rock colors found on the parcel.

F. Other Regulations

Landscaping, parking, loading and unloading, and other regulations that pertain to a property to which hillside development standards apply shall remain the same as specified in the primary zoning district unless otherwise specified herein.

G. Development Standards

1. In all zoning districts, the extent of grading on that portion of a lot which has a natural slope of fifteen percent (15%) or greater shall be limited to a total area not to exceed the lot coverage limitations of the zoning district plus an area for construction purposes, to be reconstructed to original condition, prior to certificate of occupancy. The coverage requirement shall exclude all areas used for sanitary systems such as septic tanks and leach fields.
2. Slope Stabilization and Restoration

   Slope stabilization can be required, if necessary, as set forth in the Yuma County Comprehensive Building and Safety Code.
3. Utility Lines and Facilities

a. All new electrical power distribution lines, telephone lines, gas distribution lines, cable television lines, and appurtenant facilities shall be installed underground unless the applicant demonstrates, and the County determines on the basis of substantial evidence, that the installation of any of the foregoing lines and facilities above ground will better protect scenic qualities and environmental conditions.

b. The following types of lines and facilities may be excepted from the requirements above:

   1. Poles without overhead lines and used exclusively for fire or law enforcement alarm boxes, lighting purposes, or traffic control.

   2. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixtures and extending from one (1) location on the building to another location on the same building.

   3. Equipment appurtenant to underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts, provided that such facilities shall be located and designed so as to harmonize with the area and shall be appropriately screened and landscaped.

   4. Transmission lines, external distribution lines and existing distribution lines are not the owner(s) responsibility to underground if located offsite; under grounding lines onsite will be required, where feasible.

c. The location, design, installation and maintenance of electric power distribution lines, telephone lines, gas lines, cable television lines and appurtenant facilities shall be completed with the minimum soil and site disturbance as is feasible for economy and maintenance. Such lines shall be located within the street right-of-way whenever possible.

4. Drainage

   Natural drainage channels on hillside development sites shall preserve entrance and exit points retaining continuity with existing channels. Alluvial fans require drainage; however, they do not have defined entrance or exit points.

5. Cut and Fill Slopes

   All cut and fill slopes shall be completely contained by retaining walls, engineered stable lopes or by substitute materials acceptable under the provisions of the Yuma County Comprehensive Building and Safety Code.

H. Special Design Standards

Because of the unique problems inherent in the development of hillside areas, the following special standards and conditions apply:

1. Grades for streets and private access ways shall conform as closely as possible to natural topography, but shall not exceed fifteen percent (15%).

2. Street grades exceeding twelve percent (12%) shall have a maximum length of six hundred feet (600').
3. Horizontal alignments may provide curves with less than a one hundred foot (100') centerline radius upon approval by the County Engineer.
4. Various designs for turning and backing, as well as alternative types of cul-de-sacs, may be substituted for circular turnarounds (i.e. T, Y, L.) upon approval by the County Engineer.
5. Required paving width of the traffic lanes may be modified when off-street parking bays are developed and paved in the public right-of-way, upon approval by the County Engineer.
6. Centerline of the paving may be offset from the centerline of the right-of-way to provide parking bays in the right-of-way.
7. Where bridle trails are approved within the development, sidewalks may be replaced by the trails on the uphill side of the right-of-way.
8. Vertical curbs shall be required on the downhill side of streets having grades of six percent (6%) or greater; Concrete "U" or "V" gutter may be installed in lieu of conventional rolled or vertical curb consistent with the latest edition of the Yuma County Public Works Standards.
9. No grading shall be allowed on a corner lot which results in the ground level being increased so as to present an obstruction to vision above a height of three feet (3') above the grade of either street within an area formed by the lot lines on the street sides of such lot and a line joining points on such lot lines located a distance of thirty-three feet (33') from the point of their intersection.
10. A transverse street cross section with gutter on the uphill side may be used where approved by the County Engineer.
11. All cut and fill slopes shall be within the roadway right-of-way or roadway easement; slope maintenance easements for the roadway cuts and fills may be required by the County Engineer.
12. All excavated material shall be removed from lots and roadways but may be contained behind retaining walls or landscaped so that the slopes of any fill material will not be visible from any public street.
13. "Panhandle", double frontage, and other unorthodox lots may be permitted so long as it can be adequately demonstrated that this design will eliminate excessive cuts and fills and that no lot will be adversely affected by any other lot so arranged. The area of the "panhandle" (driveway access and/or utilities easements, etc.) shall not be calculated as part of the required lot area.
14. Private driveway access may be permitted to lots in lieu of the required street frontage. Each private access serving one (1) lot shall be a minimum of twenty feet (20') wide with a minimum paved surface of twelve feet (12') in width. Each private access serving *more* than one (1) lot shall have a minimum paved surface of twenty-two feet (22') in width. Additional easements for drainage or utilities shall be provided, where needed.

15. Maximum driveway grades shall not exceed twenty percent (20%) and meet the following standards:

    a. At the driveway entrance where the street crown slope is normally a negative two percent (-2%) and the positive slope of the driveway is equal to or exceeds the angle of departure fourteen point six percent (14.6%), the driveway must be redesigned to a positive slope of not more than eleven point five percent (11.5%).

    b. Additional increases in the positive slope may be made at ten foot (10') intervals. Each change cannot equal or exceed the angle of departure of fourteen point six percent (14.6%).

    c. Changes from a positive slope to a negative slope cannot equal or exceed the break over angle greater than nine point seven per cent (9.7%).

    d. When making a change from a negative slope to a positive slope, the sum of the two (2) slopes cannot equal or exceed the angle of departure of fourteen point six percent (14.6%).

16. Building sites shall be located in accordance with the recommendations of a soils and/or geological report, if needed, and the site shall be free of any geological hazards or unsuitable or unstable soil conditions unless otherwise proven that such conditions do not affect the building site's stability.

17. Retaining walls on the downhill side of the lots shall not be higher than six feet (6') at the property line; any additional retaining walls shall be set back from the first wall a minimum of one foot (1') horizontally for every one foot (1) in height above the first wall. Retaining walls shall not be used to terrace or otherwise alter natural terrain.

I. Preliminary Plat Requirements for Grades 15% or Greater

Additional "Preliminary Plat" requirements for plats with grades > 15%:

1. A topographic map of existing terrain with five-foot (5') contour intervals showing the nature and variations in the terrain.

2. A grading plan for each lot, showing:

    a. the natural topography of the total parcel to be platted,
    b. the location and size of all structures,
    c. the finish grade of all improvement locations, and,
    d. the depth and extent of all cuts and fills.

3. A geological hazard and soils report, prepared by a State of Arizona licensed geologist or civil engineer, may be required determining any site conditions that may affect slope stability, geologic hazards or other soil-bearing qualities, which would need to be addressed for proposed improvements.

J. Special Final Plat Requirements

Special Final Plat requirements shall also include:

1. A final grading plan that conforms to the requirements of the Yuma County Public Works Standards, Volumes I-III.
2. A detailed topographic map at a larger scale - two foot (2') contour interval - including suitable cross-sections or profiles of areas where streets, driveways, buildings, utilities, or grading are proposed.
3. Road profiles and cross-sections at all significant changes in slope are to show proposed and natural grades at the centerline of the road, the right-of-way line and the proposed building setback lines.
4. Locations of all building site areas and proposed driveways.

K. Procedural Regulations

1. A subdivision plat or Development Plan shall be submitted to and approved by the Department of Development Services for all uses on those portions of properties having a natural slope of fifteen percent (15%) or greater.
2. The subdivision plat shall be referred to the Planning and Zoning Commission upon report and recommendation from the Planning Director.
3. Recommendations by the Planning and Zoning Commission shall be submitted to the Board of Supervisors. Final approval by the Board of Supervisors may include reasonable additional requirements as to grading, cut and fill, slope restoration, signs, vehicular ingress and egress, parking, lighting, buildings setbacks , etc., to the extent that the noted purpose and objectives of this Section are maintained and ensured.

302.03--Sanitary Landfills

A. Application of Section

Sanitary landfills, as defined in Section 202 of this Ordinance, are permitted as special uses in Rural Area (RA), Heavy Industrial (HI), and Intensive Industrial (II) zoning districts.

B. Procedures

Sanitary landfills shall only be established as special uses approved in accordance with the Special Use Permit review procedures set forth in Section 402.00, as modified by the following:

1. Preliminary Site Plan

   An application for a special use permit for a sanitary landfill shall include the following:

   a. A preliminary site plan that indicates:

      1. Groundwater flow(s) within a five-hundred (500) foot radius of the site;
      2. Soils on the site according to the Soil Conservation Service Soil Survey of Yuma-Wellton Area;
      3. Location of community water supplies within one thousand feet (1,000') of the site;
      4. Drainage area upstream from the property; and
      5. Proposed access to the site, including the intersection with a state or county maintained road.

   b. A written report that includes:

      1. Applicant information;
      2. Name of person or persons responsible for operation and maintenance of the site;
      3. Proposed uses of the site after closing of the operations;
      4. Population and area expected to be served by the site;
      5. Anticipated type, quantity and source of material to be disposed of at the site;
      6. Anticipated lifetime of the project;
      7. Property owner(s) and/or their agent(s); and,
      8. Any other information pertinent to the proposed use.

2. Final Site Development Plan

If the Special Use Permit application is approved, the applicant shall then submit a final site Development Plan to the Planning Director. The final site Development Plan shall meet the requirements of Subsection D indicating the methods by which the standards of Subsection C shall be fulfilled, and be consistent with the approval of the special use application and preliminary plan. The plan shall be accompanied by evidence of approval of applicable plans and permits in accord with State regulations.

No land use permit for the landfill shall be issued, and no development of the landfill shall begin, unless and until the Planning Director has approved the final site Development Plan in full compliance with the requirements of this Section and all Federal and State permits, as needed, have been issued.

C. Site and Location Standards for Sanitary Landfills

1. Traffic and Access

Land clearing landfills and construction and demolition landfills shall be located where roads providing access to such landfills are constructed to Yuma County engineering standards for the width and rated tonnage of the trucks that will be using the landfill. The additional truck traffic to the site shall not cause roads providing access to the site to drop to a Level of Service below ”D" as defined by ADOT. Ingress to and egress from the landfill shall be along a road or driveway that intersects directly with a public, county or state-maintained road. Landfill traffic routed to and from such intersection shall not be through a residential neighborhood where the streets are primarily intended to provide access to adjacent residences.

2. Buffer Area

A buffer area of undisturbed land around all sides of the landfill shall be established to fulfill the following purposes: 1) conserving the value of buildings and protecting groundwater supplies on adjacent properties; 2) minimizing such operational effects of the landfill, including, but not limited to, noise, odor, dust, and vibrations; and, 3) protecting adjacent land uses that are particularly sensitive to the presence of a sanitary landfill. A standard, one hundred foot (100’) buffer area of undisturbed land shall be established around all sides of the landfill. The standard buffer area may be increased where it is necessary to fulfill the purposes of buffering.

3. Visual Screen

A visual screen of at least fifty percent (50%) opacity shall be established around that portion of the landfill that is excavated or being filled for current operations. Such screening is required only when the excavated or filled area is visible at eye level at ground elevation from public right-of-way, residences and buildings, but not including accessory buildings on properties adjacent to the landfill. Required artificial screening may be removed when, in the course of landfill operations, excavated or filled areas are stabilized in accordance with the standards and specifications of Yuma County regulations.

4. Existing Vegetation

The Board of Adjustment may exempt the applicant from all or part of the visual screening requirements of Subsection C.4. when existing vegetative cover will fulfill these requirements. Such natural screening may consist of existing vegetative cover including but not limited to trees and shrubs having opacity of not less than fifty percent (50%) at all seasons of the year. Screening may also consist of earthen berms or other artificial screens used individually or in combination with each other and existing vegetation to achieve a screening effect of at least fifty percent (50%) opacity during all seasons of the year. Screening materials and vegetation may be located in required buffer areas.

5. Modify Screen

   The Board of Adjustment may waive or modify the screening requirements where, due to topographic conditions, screening cannot provide a fifty percent (50%) opacity screening effect.

6. Waive Screen

   Screening requirements may be waived along those sides or portions of the landfill not visible from public right-of-way where the adjacent property owner, entitled to screening by this Section, indicates in writing to the Planning Director that such screening is not necessary or desirable.

7. Storage Prohibited in Buffer Areas

   Notwithstanding any other provision of this Ordinance, no vehicle or machinery storage and no accessory buildings are permitted within any buffer area.

8. Hours of Operation

   The hours of operation shall be limited from 7:00 a.m. to 7:00 p.m. except that the hours of operation may be extended when the Planning Director of Department of Development Services certifies that sanitary conditions require an extension of operating hours.

9. Stabilize Cover

   Sanitary landfills shall be covered in accordance with the "Solid Waste Management Rules" of the Arizona Department of Environmental Quality (ADEQ), or successor agency, Arizona Administrative Code Title 18 Chapter 13 as amended periodically. Sanitary landfills shall be stabilized in accordance with the Federal, State and County standards and specifications regarding soil erosion and sedimentation control.

10. Exterior Lighting

    Exterior lighting shall not cause illumination in excess of one (1) foot-candle at any property line; except that internally illuminated signs at the entrance to the landfill may exceed this standard subject to approval by the Planning Director.

11. Transitional Buffer yards and Screening

    Transitional Buffer yards and screening shall be established and maintained according to the requirements of Section 302.01 of this Ordinance. Where width of

the transitional Buffer Yard required by Section 302.01 exceeds the yard depth required by this Section, the Section 302.01 requirements shall control.

D. Site Development Plan Requirements for Sanitary Landfills

Site development plans shall be at a scale appropriate to show and include the following information:

1. All information required by the "Solid Waste Management Rules" (Arizona Administrative Code Title 18 Chapter 13) of the Arizona Department of Environmental Quality (ADEQ) or successor agency.
2. Proposed access to the landfill including its location on the site, intersection with a State or county-maintained road, sight distances, and construction and maintenance standards.
3. Views from streets, residences and other buildings enumerated in Subsection C.4. shall be illustrated through graphics showing topographic sections in the affected areas and through photographs.
4. Proposed screening and buffer areas shall be shown where it is required in initial and subsequent phases and the plan shall describe specifically how these requirements shall be fulfilled by providing dimensions, varieties, timing and/or other specifications or development schedules.
5. Location of utilities, accessory buildings, and storage areas.
6. Erosion control and final stabilization plans.
7. All current and proposed site developments not indicated above.

302.04--Land Clearing Landfills and Construction and Demolition Landfills

A. Application of Section

Land clearing landfills and construction and demolition landfills, as defined in Section 202 of this Ordinance, are permitted as special uses in any of the Rural Area and Industrial zoning districts in compliance with the terms and conditions of this Section and the Yuma County Zoning Ordinance.

B. Procedural Requirements

1. Land clearing landfills and construction and demolition landfills shall only be established as special uses approved in accordance with the Special Use Permit review procedures set forth in Section 402.00, as modified by the following:
2. Preliminary Site Plan

An application for a special use permit for a land clearing landfill or construction and demolition landfill shall include a preliminary site plan that indicates the following:

a. Groundwater flow within a 500-foot radius of the site;

b. Soils on the site according to the Soil Conservation Service *Soil Survey of Yuma -Wellton Area*;

c. Location of community water supplies within one thousand feet (1,000') of the site;

d. Drainage area upstream from the property; and,

e. Proposed access to the site, including the intersection with a state or county maintained road.

The application shall also include a written report that includes the following: applicant information; name of person or persons responsible for operation and maintenance of the site; proposed uses of the site after closing of the operations; population and area expected to be served by the site; anticipated type, quantity, and source of material to be disposed of at the site; anticipated lifetime of the project; property owner(s) and/or their agent(s); and, any other information pertinent to the proposed use.

3. Final Site Development Plan

If the Special Use Permit application is approved, the applicant shall then submit a final site development plan to the Planning Director. The final site development plan shall meet the requirements of Subsection D. and indicate the methods by which the standards of Subsection C. shall be fulfilled and be consistent with the approval of the special use application and preliminary plan. The plan shall be accompanied by evidence of approval of applicable plans and permits in accord with State regulations. No land use permit for the landfill shall be issued and no development of the landfill shall begin, unless and until the Planning Director has approved the final site development plan as fully complying with the requirements of this Section and, if required, all Federal and State permits have been issued.

C. Site and Location Standards for Land Clearing Landfills and Construction and Demolition Landfills

1. Traffic and Access

Land clearing landfills and construction and demolition landfills shall be located where roads providing access to such landfills are constructed to Yuma County engineering standards for the width and rated tonnage of the trucks that will be using the landfill. The additional truck traffic to the site shall not cause roads providing access to the site to drop to a Level of Service below "D" as defined by ADOT. Ingress to and egress from the landfill shall be along a road or driveway that intersects directly with a public-maintained road. Landfill traffic routed to and from such intersection shall not be through a residential neighborhood where the streets are primarily intended to provide access to adjacent residences.

2. Buffer Area

A buffer area of undisturbed land around all sides of the landfill shall be established to fulfill the following purposes: conserving the value of buildings and protecting groundwater supplies on adjacent properties; minimizing such operational effects of the landfill, including, but not limited to, noise, odor, dust, and vibrations; and

protecting adjacent land uses that are particularly sensitive to the presence of a land clearing landfill or construction and demolition landfill. A standard buffer area of undisturbed land of fifty feet (50') shall be established around all sides of the landfill. The standard buffer area may be increased where it is necessary to satisfy the purposes of buffering.

3. Visual Screen

A visual screen of at least fifty percent (50%) opacity shall be established around that portion of the landfill that is excavated or being filled for current operations. Such screening is required only when the excavated or filled area is visible from eye level at ground elevation from adjoining public-maintained streets, residences or buildings, not including accessory buildings on properties adjacent to the landfill. When, in the course of landfill operations, excavated or filled areas are stabilized in accordance with the standards and specifications of Yuma County regulations, required artificial screening may be removed.

4. Existing Vegetation

The Department of Development Services may exempt the applicant from all or part of the visual screening requirements of Subsection C.4., when existing vegetative cover will fulfill these requirements. Such natural screening may consist of existing vegetative cover including, but not limited to, trees and shrubs having an opacity of not less than fifty percent (50%) at all seasons of the year. Screening may also consist of earthen berms or other artificial screens used individually or in combination with each other and existing vegetation to achieve a screening effect of at least fifty percent (50%) opacity during all seasons of the year. Screening materials and vegetation may be located in required buffer areas.

5. Waive Screen

Screening requirements may be waived along those sides or portions of the landfill not visible from county maintained roads where the adjacent property owner(s) entitled to screening by this Section indicate(s) in writing to the Planning Director that such screening is not necessary or desirable.

6. Storage Prohibited in Buffer Areas

Notwithstanding any other provision of this Ordinance, no storage of vehicles or machinery and no accessory buildings are permitted within any buffer area.

7. Hours of Operation

The hours of operation shall be limited from 7:00 a.m. to 7:00 p.m. except that the hours of operation may be extended when the Planning Director certifies that sanitation conditions require an extension of operating hours.

8. Exterior Lighting

Exterior lighting shall not cause illumination in excess of one (1) foot-candle at any property line; except that internally illuminated signs at the entrance to the landfill may exceed this standard subject to approval by the Planning Director.

9. Transitional Buffer Yards and Screening

Transitional Buffer Yards and Screening shall be established and maintained according to the requirements of Section 302.01 of this Ordinance. Where width of the Transitional Buffer Yard required by Section 302.01 exceeds the yard depth required by this Section, the Section 302.01 requirements shall control.

D. Site Development Plan Requirements

1. Site development plans shall be at a scale appropriate to show and include the following information:
2. All information required by the "Solid Waste Management Rules" (Arizona Administrative Code Title 18 Chapter 13) of the Arizona Department of Environmental Quality, or successor agency.
3. Proposed access to the landfill including its location on the site, intersection with a public-maintained road, sight distances and construction and maintenance standards.
4. Views from streets, residences, and other buildings enumerated in Subsection C.4., shall be illustrated through graphics showing topographic sections in the affected areas and through photographs.
5. Proposed screening, where required in initial and subsequent phases, shall be shown, and the plan shall describe how these requirements shall be fulfilled by specifically mentioning dimensions, types or varieties, timing, and other specifications.
6. Buffer areas shall be indicated on site development plans.
7. Preparation of a drainage report and grading plan consistent with Yuma County Public Works Standards Volumes I-III.
8. Location of utilities, accessory buildings and storage areas.
9. Erosion control and final stabilization plans.
10. All current and proposed site development improvements not indicated above.

302.05--Water and Sewage Systems Requirements

A. For those parcels with access to both public water and sewer, the minimum parcel size shall conform to the applicable zoning district standard.

B. For parcels requiring on-site water and sewage disposal facilities, the minimum lot size shall provide sufficient area necessary for the safe accommodation of individual wells and sewage disposal systems as follows:

1. For parcels created after September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be at least one (1) acre, excluding streets, alleys and other rights-of-way and be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system.
2. For parcels created prior to September 25, 2006 where both the water supply and sewage disposal system are to be developed on the same lot, the minimum size shall be large enough to accommodate the residence, septic system and one hundred percent (100%) reserve/expansion of the septic system.

3. Where water from a community system is provided and a sewage disposal system is to be developed on the lot, the lot shall be large enough to accommodate the residence, septic system and one hundred percent (100%) expansion of the septic system. Lots smaller than one (1) acre within a subdivision may require an alternative type of septic system.

   The above standards are minimum standards. The Environmental Programs Division (Department of Development Services) may require more restrictive standards based upon adopted environmental and sanitary codes or regulations.

Section 302.06--Biofuel Production

Biofuel production in Rural Area zoning districts shall conform to the following requirements:

1. Biofuel production authorized by this Section shall be limited to a renewable fuel product, such as ethanol and biodiesel, derived from recently living organisms or their metabolic by product. Farmed based production of methane or any fuel product from an anaerobic digester shall be prohibited.
2. Structures, facilities and equipment used in the production or storage of biofuel shall comply with this ordinance, other ordinances, and applicable State and Federal laws and regulations.
3. The owner or operator of the biofuel production facility must provide the Planning Commission with proof that all necessary approvals have been obtained from the department of environmental quality and other State and Federal agencies that are involved in permitting any of the following aspects of biofuel production:
   a. Air pollution emissions.
   b. Transportation of biofuel or additional products resulting from biofuel production.
   c. Use or reuse of additional products resulting from biofuel production.
   d. Storage of raw materials, fuel, or additional products used in, or resulting from, biofuel production.
   e. Verification that the facility includes sufficient storage for raw materials, fuel, and additional products resulting from biofuel production; or the capacity to dispose of additional products through land application, livestock consumption sale or other lawful means.
4. Biofuel production facilities shall be limited to a maximum annual biofuel production capacity of not more than 500,000 gallons.
5. Facilities with an annual production capacity of more than 100,000 gallons of biofuel shall include all of the following:
   1. A detailed description of the process to be used to produce the biofuel.
   2. The number of gallons of biofuel anticipated to be produced annually.
   3. An emergency access and fire protection plan, subject to review and recommendation by emergency response agencies serving the County.
   4. Documentation of compliance with applicable requirements of this ordinance, other ordinances and State and Federal laws and regulations.

Section 303.00--Home Occupations

A. Home Occupations permitted herein shall comply with all of the following:

1. No display of products shall be visible from the street.
2. A home occupation shall be clearly incidental and subordinate to the use of the dwelling unit for residential purposes.
3. No mechanical equipment is allowed except that which is customarily used for domestic, hobby, or household purposes.
4. One sign is permitted in accordance with the requirements of Article VIII--Signs that are specified for the zoning district in which the home occupation is located (See sections 803.00, 804.00 and 805.00).

B. A home occupation shall not cause any sustained or unpleasant and unusual noises, vibrations, noxious fumes or odors, nor cause any parking problems or traffic congestion in the immediate neighborhood.

Section 304.00—Junk

Junk shall not be kept or stored on any property without being confined by a receptacle or container in a rear yard area. Such items considered debris, trash or clutter shall not constitute a fire or public safety hazard. Also see Section 1108.05 of this Ordinance.

Section 305.00-- Travel Plaza and Truck Stops

Travel Plazas and Truck Stops are a commercial/industrial use of property for the refueling, maintenance and/or servicing of large over–the-road vehicles carrying large loads and which may, or may not, have service activities for such vehicles and their drivers. These activities or services may include, but are not limited to, dispensing motor fuels and petroleum products directly into motor vehicles, restaurants or cafes, overnight accommodations, showers or laundry facilities, truck services, including repair services, and overnight truck parking. Such truck plaza or truck stop shall have parking area(s) of three (3) acres or more in association with two (2) or more of the above services and be located on or adjacent to roadways classified as arterial or Collector Street or higher classification.

Section 306.00--Statutory Exemptions

306.01--Commercial Acres

Nothing contained in these regulations shall prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agricultural purposes, if the tract concerned is not less than five (5) contiguous, commercial acres.

306.02--Agricultural Exemption

The use or occupation of land or improvements for general agricultural purposes according to Arizona Revised Statutes, Title 11, Chapter 6, Article 2 and Arizona Revised Statutes, Title 42, Chapter 12, Article 4 is exempt from all provisions of this Ordinance if the tract concerned is five (5) or more contiguous commercial acres.

306.03--Certificate of Exemption

This Ordinance shall not prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, mining, metallurgical, grazing, or general agricultural purposes if the tract concerned is five (5) or more contiguous commercial acres. However, property is not considered exempt from the Yuma County Zoning Ordinance or Yuma County Comprehensive Building Safety Code unless and until the Yuma County Planning & Zoning Division has issued a Certificate of Exemption for that property.

To secure a certificate of exemption, an applicant shall submit a Zoning Clearance Application, including site plans and other supporting documentation.

Only property classified by the Yuma County Assessor's Office or the Arizona Department of Revenue as property used for one of the purposes cited in the first paragraph of this section is eligible for exemption under this section.

If property that has been so classified is five (5) or more contiguous commercial acres, and is used for an exempted use, the property shall be exempted from the Yuma County Zoning Ordinance and/or Comprehensive Building Safety Code, unless the Planning Director determines that all or part of the property is not used primarily for one (1) or more of the purposes listed in the first paragraph of this section.

Any structures built under an exemption that do not meet the underlying zoning district and/or building safety standards may be required to comply with said standards if, at a future date, the exemption is no longer applicable.

If the Planning Director finds that all or part of the property is not used primarily for agricultural purposes as identified in this section, the property will no longer be exempt and shall be subject to the requirements of this ordinance. Any structures built under an exemption that do not meet the underlying zoning district and/or building safety standards may be required to comply with said standards if the exemption is no longer applicable.

Section 307.00--Permitted Uses

Uses designated as permitted by any district regulations shall be permitted upon compliance with all of the regulations specified for the zoning district in which the use is sought. Any use not specifically listed in a district, is explicitly not permitted in that zoning district.

Section 308.00—Buildable Area

The build able area of a lot does not include rights-of-way, easements, floodplains, slopes of fifteen percent (15%) or more and required setbacks.

Section 309.00--Permits

A. Permit Required

No grading, land leveling or excavation shall be commenced, no wall, structure, premises, or land used, building or part thereof shall be built, constructed or altered, nor shall any building be moved, nor shall any sign be erected or structurally altered (unless exempted), until application has been made and the proper permit has been obtained. When the Planning Director, with the technical assistance of other County departments or upon implementing a decision by the Board of Adjustment, has determined that the proposed land use may be made under the provisions of this Ordinance, a permit for the proposed use shall be issued. A fee to cover administration and inspection costs will be charged as determined by the Board of Supervisors. (Also see Article XII—Zoning Enforcement for further information)

B. Applications for permits required by Section 309(A) above shall be accompanied with the following information:

1. A site plan with the following information:

   a. The actual shape and dimensions of the lot to be built upon;

   b. The exact sizes and location of all existing and proposed buildings and accessory buildings on the lot;

   c. Utility line service locations for the property;

   d. The utility line drops from the service location on the property to the proposed building or structure to be erected or altered;

   e. The existing and intended use of each building or part of building, including the number of families or housekeeping units the building is designed to accommodate;

   f. Septic tank and leach lines, including setbacks between all existing improvements, proposed improvements and distances to property lines;

   g. The location, dimensions, and arrangements of all buffer yards required by this Ordinance, including a landscape plan showing the design and specifications for any plant materials earth berms, fences, or walls, retention of existing features, and new features for purposes of enhancing the property required thereon; and,

   h. Any other data deemed necessary by the Planning Director to determine compliance of a proposed development with the terms of this Ordinance.

2. A site plan shall not be required if all of the following criteria are met:

   a. Permit is for internal-improvements-only;

b. The existing septic capacity is not exceeded;

c. There is not a change in the permitted use of the structure; and,

d. The structure is permitted or nonconforming.

3. No certificate of occupancy or compliance shall be supported by the Planning Director nor issued by the Chief Building Official until applicable standards of this Ordinance have been met.

4. The Planning Director shall be responsible for determining compliance with any applicable standard of this Ordinance not under the purview of the Chief Building Official.

5. In addition to the above submittal criteria, the following information for non-residential use(s) shall include:

   a. Location of parking areas including the layout of spaces, and ingress and egress from public rights-of-way;

   b. Driveway entrance encroachment permit from the Arizona Department of Transportation (ADOT) or the Yuma County Engineer;

   c. Sign locations, if any, including ownership and type (identification, commercial, or those not requiring a permit); and,

   d. Any excavation, ground clearing, or earth moving other than that actually required for the building.

C. Exemptions

The following land uses shall be exempt from the permit requirements as stated in Subsections A and B above, unless the property at issue is located in a special flood hazard area, in which case these exemptions do not apply:

1. Farm uses and land primarily used for agriculture as identified in Section 202 of this ordinance.

2. Excavation for installation of septic tank systems under the control of Department of Development Services or grading permits issued by Yuma County Flood Control Division.

3. Fences six feet (6’) or less in height designed primarily to enclose the perimeter of a lot, wholly or partially.

4. Utility structures covering a well or pump, providing the structure is used only for a covering well and pump, utility poles or structures supporting utility lines, excavation for installation of underground utilities, transformer enclosures or pad-mounted transformers, or sewage treatment plants under the control of the Arizona Department of Environmental Quality.

5. Railroad, mining, metallurgical, grazing or general agricultural purposes, if the tract concerned is five (5) or more contiguous commercial acres (Arizona Revised Statutes, Title 11, Chapter 6, Article 2).

6. Agricultural composting, if the tract is five (5) or more contiguous commercial acres. (Arizona Revised Statutes, Title 11, Chapter 6, Article 2).

D. Permits In Flood Hazard Areas

Yuma County Floodplain Regulations require a floodplain use permit for any development within Special Flood Hazard Areas as defined by Yuma County Floodplain Regulations Sec. 3.2. Requirements regarding land use permits for property located within a special flood hazard area may be obtained at the Yuma County Department of Development Services – Engineering Division. Additional information may be located under Arizona Revised Statutes, Title 48, Chapter 21, Article 1.

E. Permit Revocation

1. The Planning Director may revoke any permit or other authorization granted under this Ordinance for:

   a. Failure to comply with the provisions of this Ordinance or the terms and conditions of the permit or authorization;

   b. False statements or misrepresentations made in securing the permit or authorization; or, if the permit or authorization was mistakenly granted in violation of applicable State or local law.

2. Before revoking a permit or other authorization, the Planning Director shall give the holder of the permit or authorization ten (10) days written notice of intent to revoke the permit or authorization. The notice shall state the reasons for the intended revocation and state that the holder may have an informal hearing on the intended revocation before the Planning Director. On revoking a permit or other authorization, the Planning Director shall give the holder of the permit or authorization a written notice of the revocation and the reasons for it. The holder of a revoked permit or authorization may, within ninety (90) days after the revocation, submit to the Planning Director a written request to reinstate the revoked permit or authorization. On determining that the conditions justifying the revocation have been eliminated and that the development fully complies with all applicable requirements of this Ordinance, the Planning Director may reinstate the permit or authorization.

3. A copy of all correspondence to the permit holder under this Section regarding possible revocation shall be copied to the parcel or lot property owner if different from the permit holder.

Section 310.00--Accessory Dwelling Unit (ADU)

When an accessory dwelling unit is permitted by a Special Use Permit in zoning districts that only permit one single family residence per parcel, the following conditions shall apply in order to ensure that the nature and character of the permitted use remains as a single family parcel.

A. The accessory dwelling unit shall meet principal building development standards and setback requirements.

B. The total number of dwelling units, principal and accessory dwelling unit, shall not exceed two dwelling units per parcel.

C. The accessory dwelling unit may be used intermittently or year-around.

D. The accessory dwelling unit and principal dwelling shall not be rented or leased as separate units

E. All utilities delivered to the accessory dwelling unit and principal dwelling shall be from a shared meter.

F. The accessory dwelling unit and principal dwelling shall share a common driveway used for ingress and egress.

Article IV -- Administration Section

Section 401.00--Manufactured Home Permits

401.01--Manufactured Home Placement Permits

A. A manufactured home placement permit shall be required for the installation of any manufactured home within Yuma County. No manufactured home built prior to June 15, 1976 shall be placed in Yuma County, except those relocated from another location on the same parcel. Application shall be made on the appropriate forms provided for this purpose by the Planning and Zoning Division and shall include a scaled site plan showing the location of the manufactured home, other structures or dwellings on the lot, septic tank and leach lines including setbacks between all improvements and distances to property lines.

B. The Zoning Inspector or his designee shall issue placement permits only if the manufactured home complies with all applicable zoning and building code requirements including use, setbacks, noise attenuation and distance to septic facilities. A fee to cover administration and inspection costs will be charged as determined by the Arizona Department of Housing (ADOH) Manufactured Housing Division and established by the Board of Supervisors.

C. All manufactured homes shall be anchored to the ground in conformance with the manufacturer's specifications or as approved by ADOH Manufactured Housing Division. All manufactured homes, which are set above the ground level, shall be skirted at the time of final inspection.

D. Placement permits shall be valid for a period of six (6) months from the date of issuance. A maximum of two (2) consecutive placement permits may be issued for the same mobile or manufactured home on the same lot or parcel. If the installation has not been approved for the mobile or manufactured home at the expiration of the second placement permit, the structure shall be removed for the lot or parcel.

E. For any mobile home constructed on or before June 15, 1976, a Mobile Home Rehabilitation Permit shall be obtained from the ADOH Manufactured Housing Division according to the following requirements prior to moving any mobile home from one location on a parcel to another location on the same parcel:

1. A rehabilitation certificate shall be obtained from the ADOH Manufactured Housing Division.
2. A manufactured home placement permit shall be required for the installation of any mobile home within Yuma County.
3. An individual having possession of a valid rehabilitation certificate from the Arizona Office of Manufactured Housing or a rehabilitation certificate issued by Yuma County prior to January 1, 2010 shall be exempt from obtaining a rehabilitation certificate.
4. No person shall occupy a mobile home until all applicable permits are issued and finalized by Yuma County Department of Development Services and the ADOH Manufactured Housing Division including a Certificate of Occupancy.

401.02--Nonconforming Mobile Homes

A mobile home is a transportable, manufactured structure designed to be used as a permanent residential dwelling, which was constructed prior to enactment of the National Manufactured Home Construction and Safety Standards Act, effective June 15, 1976. Because mobile homes were not constructed to accepted standards prior to that time, such homes shall not be considered as a permitted use in any zoning district. Mobile homes placed on lots prior to the enactment of this Ordinance may be considered legal, nonconforming mobile homes and can be relocated on the parcel on which it is located, but not to another parcel within the County.

Section 402.00--Special Use Permits

402.01--Purpose and General Considerations

A. Purpose

Regulations for the various zoning districts recognize and permit certain uses and developments that, because of their inherent nature, extent, and external effects, require special care in the control of their location, design, and methods of operation to ensure that their location in the particular district is appropriate and the public health, safety and general welfare is protected. Such uses and developments are designated as special uses or as uses allowed only pursuant to a Special Use Permit. This Section sets

forth procedure for submitting, reviewing and approving an application for a Special Use Permit and for issuance of such Permits.

B. General

Any use or development designated by applicable zoning district regulations as a special use, or as allowed only pursuant to a Special Use Permit, may be established in that district only after the use or development is authorized by a validly issued Special Use Permit. A Special Use Permit authorizes its holder to use or develop a particular parcel of land in a particular way, as specified by the Permit's terms and conditions. A Special Use Permit imposes on its holder the responsibility of ensuring that the authorized use or development continues to comply with the Permit's terms and conditions as long as the Permit remains valid. Issuance of a Special Use Permit does not relieve the Permit holder of the additional responsibility of obtaining a building permit or any other permit or approval required by any other applicable law.

C. Required Conclusions

The Board of Supervisors shall not approve an application for a Special Use Permit unless it first reaches each of the following conclusions based on findings of fact supported by competent, substantial and material evidence presented at the hearing. The considerations or factors listed below each required conclusion are intended to suggest some of the primary concerns pertinent to reaching the conclusion, but are not intended to be all-inclusive.

1. The proposed development will not materially affect or endanger the public health, safety or welfare.

   Considerations:

   a. Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections and sight lines at street intersections and curb cuts.

   b. Provision of services and utilities including sewer, water, electrical, garbage collection and fire protection.

   c. Soil erosion (airborne and sedimentation).

   d. Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater.

2. The proposed development complies with all regulations and standards applicable within the zoning district specifically applicable to the particular type of special use or class of special uses.

3. The proposed development will not substantially change or materially affect the adjoining property or the surrounding area.

   Considerations:

   a. The relationship of the proposed use and the character of development to surrounding uses and development, including evaluating possible conflicts between them, if any, and how these conflicts will be resolved or addressed.

   b. Whether the proposed development is beneficial to the public health, safety and general welfare of the community or County as a whole as to justify it subject to mitigation of its impact on the adjoining property and surrounding area.

4. The proposed development will be in harmony with the area in which it is located.

   Considerations:

   a. The relationship of the development in context with the Comprehensive Plan's goals and objectives and is a public necessity for the benefit of the community.

   b. The relationship of the proposed use and the character of development to surrounding uses, including possible conflicts between them and how these conflicts may be resolved.

402.02--Procedures for Reviewing Special Use Permit Applications

A. Pre-Application Conference

A person intending to submit a Special Use Permit application is *strongly* encouraged to confer with Planning Division staff members before submitting the application. At such conference, the development issues and requirements shall be explained and potential conflicts identified for customer information and consideration.

B. Application Submittal and Acceptance

A person requiring a Special Use Permit shall submit a Special Use Permit application to the Planning Division. The complete application shall contain all information that is identified on the checklist when the application is provided. The applicant shall also submit the application fee prescribed by the Board of Supervisors. The applicant shall be notified of the complete application after review by the Division. The application shall be accompanied by:

1. Complete scaled site plans, a description of the property involved and the proposed use with building floor plans and elevations of the proposed improvements, in detail.
2. A written statement accompanied by evidence demonstrating:
   a. That there are special circumstances or conditions applicable to the location of the property referred to in the application, which would make the special use appropriate on this property, though not in the zoning district at large.
   b. That the specific treatment of the proposed use will not contribute to a significant worsening of traffic safety or otherwise have an inordinately negative impact on nearby properties or otherwise affect the health and safety of persons residing or working in the area.
   c. That the special use request is substantially in conformance with the 2010 Yuma County Comprehensive Plan, as adopted.

C. Staff Review

After accepting an application as complete, the Case Planner shall be assigned to distribute the application for department staff and interagency review. The Staff shall determine compliance with all applicable plans, regulations and standards, and identify any other significant concerns.

The Case Planner shall consolidate agency/department comments and prepare a staff report that summarizes the comments, analysis and recommends approval or denial of the application.

D. Notice of Public Hearing Required: Planning and Zoning Commission

After the staff has completed its review and provided summary report of the pending action, the Planning and Zoning Commission shall hold a hearing on the application. At least fifteen (15) days before the hearing, the Case Planner shall cause a notice of the hearing to be published in a newspaper of general circulation in the County on the proposed development site. A written notice of the hearing shall be sent to the applicant and the owner of the property on which development is proposed as well as to the

owners of all real property within three hundred feet (300') from the property on which development is proposed (as identified on the most current County Assessors tax listings when the application is filed).

E. Submittal of Application: Board of Supervisors

The Department of Development Services Director shall send to the Board of Supervisors copies of the application before the public hearing including the recommendations of the Planning Director and Planning and Zoning Commission, and any written comments submitted by the public (or an accurate summary of those comments). The Planning Director shall send the applicant a copy of the Agenda Item Review Form, which shall include the Planning Director's and Planning and Zoning Commission's recommendations.

F. Notice and Hearing Required: Board of Supervisors

The Board of Supervisors may continue the hearing to a later meeting to accommodate additional witnesses or the presentation of additional testimony or evidence. If the time and place of the continued hearing is announced in open session during the hearing, no further notice need be given for the continued hearing.

G. Review and Decision: Board of Supervisors

If the Board of Supervisors approves an application that includes one or more plans qualifying as a site-specific Development Plan (under Arizona Revised Statutes, Title 11, Chapter 9, Article 1), it shall identify the approved plan(s) as a site-specific Development Plan triggering a vested right pursuant to Arizona Revised Statutes, Title 11, Chapter 9, Article 1.

H. Opportunity to Revise Application

After the Board of Supervisors has held the hearing and fully discussed the application, but before it takes action on the application, the applicant may ask the Board of Supervisors for permission to revise the application to address concerns raised during the hearing and Board of Supervisors discussion. If the Board of Supervisors grants the request, the revised application shall be submitted to the Planning Director and shall be reviewed in the same manner as an original application.

I. Withdrawal of Application

An applicant may withdraw a Special Use Permit application at any time by submitting written notice of the withdrawal to the Planning Director.

J. Timely Review of Applications

The Planning Director, Planning Staff, Planning and Zoning Commission, and the Board of Supervisors shall make every reasonable effort to process, review and act on Special Use Permit applications in a timely manner, consistent with the need to fully consider the proposal's impact with respect to the required conclusions.

402.03--Notice of Decision and Issuance of a Special Use Permit

A. The Board of Supervisors may approve the Special Use Permit with conditions, including time limits for the duration of the use. The Special Use Permit shall not become effective until after thirty (30) calendar days following approval by the Board of Supervisors.

B. The Department of Development Services Planning Staff shall send the applicant written notice of the Board of Supervisor's final decision. If the application is denied, the notice shall state the Board of Supervisor's reasons for its decision.

C. If the application is approved, the Department of Development Services Planning Staff shall issue the applicant a Special Use Permit identifying the property to which it applies, the development plans on which it is based, and any conditions to which it is subject.

D. Special Use Permits shall be permitted to be placed on the Board of Supervisors Consent Agenda.

402.04--Site Plans

A. Final Plan Approval Required

No use or development authorized by approval of a Special Use Permit application may be established until the Board of Supervisors has approved, or certified others' approval of, final plans for the authorized development, or for an approved phase thereof, as conforming to the plans, terms, and conditions of the Special Use Permit application approval and in compliance with all applicable requirements of this Ordinance.

B. Plan Modifications

The Planning Director may approve, or certify approval of, final plans that reflect minor modifications of the approved plans upon determining that the modifications remain consistent with the Board of Supervisor's approval of the Special Use Permit application.

For example, the modifications are necessary to comply with conditions of approval or would not significantly change the development's general function, form, intensity, character, appearance, demand on public facilities, relationships to adjacent properties, impact on adjacent properties, or other characteristics from that indicated by the plans and materials approved as part of the Special Use Permit application.

Before making such a determination, the Planning Director shall review the record of the proceedings on the Special Use Permit application and consider whether any proposed modification would require evidentiary support in addition to that on which the Board of Supervisors based its approval of the Special Use Permit application.

402.05--Validity of Permit

A. Special Use Permit Binding on Land

A Special Use Permit runs with the land covered by the Permit and shall be binding on the property owner.

B. Time Limits and Extensions

1. Starting Time Limits

Approval of a Special Use Permit application, as well as any County permit or approval granted pursuant to that approval, shall automatically become void if:

a. The approval authorizes development that requires a building permit, and the building permit has not been issued within two (2) years after the application's approval date; or

b. The approval authorizes a use or development that does not require a building permit, and such use or development is not substantially started within two (2) years after the application's approval date.

2. Extension of Starting and Completion Time Limits

a. On request by the holder of a Special Use Permit, the Planning Director may extend the date on which the Permit would otherwise expire under 402.05(B)(1)(a) by up to six (6) months on determining that:

The Permit has not yet expired;

1. The Permit holder has proceeded with due diligence and good faith to start or continue the authorized use or development; and,

2. Conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed use or development with respect to the public health, safety and general welfare.

b. If a Special Use Permit application is approved subject to a condition specifying a time limit for completion of authorized development, the Planning Director may grant a single extension to that time limit for a period of up to two (2) years, provided that:

1. The holder of the Permit requests such extension within one hundred twenty days (120) of the completion date;

2. The Permit holder has proceeded with due diligence and good faith to complete the authorized development by the completion date; and,

3. Conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed use or development with respect to the public health, safety, and general welfare.

C. Abandonment of Special Use Permit

1. On request by the holder of a Special Use Permit, the Planning Director shall approve the abandonment of the Special Use Permit on determining that the starting time limit established in 402.05.B. has not expired, or that the use or development authorized by the Permit no longer requires a Special Use Permit.

2. On approving the abandonment of a Special Use Permit, the Planning Director shall issue the Permit holder a certification of Permit abandonment.

402.06--Revocation of Special Use Permits

A. An action to revoke a Special Use Permit shall be initiated by the Planning Director's determination that the applicable property does not meet or is not in compliance with the conditions of approval for the Permit.

B. A notice shall be sent by registered mail to the holder of the Special Use Permit requiring compliance with the conditions of approval within ten (10) days of receipt of said notice. Following the Planning Director's determination that compliance is not forthcoming, a public hearing shall be immediately be set before the Board of

Supervisors to determine if the special use complies with the conditions of approval and for possible action.

C. The Board of Supervisors may approve or deny the revocation with or without conditions.

Section 403.00--Board of Adjustment

403.01--Board of Adjustment Member Appointments and Authority

A. There shall be a Board of Adjustment composed of five (5) members, one appointed from each supervisor district by the supervisor thereof. The members of the Board of Adjustment shall be appointed for staggered terms of four (4) years each. They shall be residents and taxpayers of the district from which they are appointed.

B. Vacancies shall be filled for the remainder of the unexpired term from the supervisor district in which that vacancy occurs.

C. Fees for variance applications and any other Board of Adjustment actions shall be established by the Board of Supervisors.

403.02--Powers and Duties

A. The Board of Adjustment shall exercise the following Powers:

1. Interpret the zoning ordinance when the meaning of any word, phrase or section is in doubt, when there is dispute between the appellant and enforcing officer, or when the location of a district boundary is in doubt.

2. Allow a variance from the terms of the ordinance when, owing to peculiar conditions on a property, a strict interpretation would work an unnecessary hardship, if in granting such variance the general intent and purposes of the zoning ordinance will be preserved.

B. The Board of Adjustment shall:

1. Adopt bylaws in accordance with provisions of the ordinance or resolution by which it is established.

2. Hold meetings at the call of the Chairman and at other times as the Board of Adjustment determines.

3. Have the Chairman, or in the Chairman's absence, the Acting Chairman, administer oaths and compel the attendance of witnesses.

4. Only hold public hearings.
5. Keep minutes of its proceedings showing the vote of each member on each question, as well as indicating member voting or failure to vote.
6. Keep records of its examinations and other official actions as public records and file them in the Office of the Board of Adjustment.

403.03--Criteria for Variance

A. Variances under Section 403.02 shall be granted only when, because of peculiar conditions applicable to the property, the strict application of the Zoning Ordinance deprives such property of privilege enjoyed by other property owners in the zoning district.

B. Variances are available only in cases where there is a hardship arising from conditions or circumstances unique to the development of a particular piece of land, not from personal considerations, personal convenience or financial hardships.

C. Any motion to grant a variance by the Board of Adjustment shall include specific, peculiar conditions applicable to the property, which exist to cause granting of a variance.

D. A variance shall not be granted which will have an adverse effect on public health, safety or welfare.

E. A variance shall not be granted if, in granting the variances a special privilege not commonly enjoyed by others in the zoning district will be conferred, or have a negative impact on the neighborhood.

F. The Board of Adjustment may require appropriate conditions or safeguards on any granted variances so that public health, safety and welfare are not compromised.

G. Variances shall not be granted if the condition is self-imposed or if a reasonable use of the land can be made in an alternative development scheme without the variance.

H. The fact that there are non-conforming uses of neighborhood lands, structures or buildings, in the same zoning district shall not be considered grounds for issuance of a variance.

403.04--Public Hearing Notice

The Planning Director shall give notice of all variance requests by one publication in a newspaper of general circulation no less than fifteen (15) days before the public hearing.

A. The Planning Director shall give notice of the public hearing by posting the subject property for which the variance or interpretation is requested at least fifteen (15) days prior to the date of the public hearing. The notice shall include:

1. The site address and assessor parcel number of the property for which the variance or appeal has been requested;
2. The date, time, and location of the public hearing;
3. A brief description of the variance or interpretation request to be considered at the public hearing; and,
4. A provision that anyone residing on or owning an abutting property and wanting to comment on the variance or interpretation request may appear at the public hearing or provide comment in writing to be received by the Planning Director prior to the public hearing.

B. The Planning Director shall, after setting a public hearing, cause a notification to be sent by first class mail to all property owners on the last assessment of the property who are located within three hundred feet (300') of the property being considered for the variance or interpretation.

C. The property owner notification for a variance shall include the following:

1. The property owner's name with mailing address, and the site address, assessor parcel number and variance case number for the property on which the variance or interpretation is being requested.
2. The date, time, and place of the Board of Adjustment public hearings, along with a general explanation of the matter to be considered at the public hearing to include planning staff's preliminary findings regarding the conditions and facts of the variance or interpretation.
3. A provision that anyone wanting to comment may appear at the Board of Adjustment hearing or provide comment in writing to be received by the Planning Director prior to the public hearing.

403.05--Appeal to the Board of Adjustment

An appeal to the Board of Adjustment may be made by any person who feels that there is error or doubt in the interpretation of the ordinance or that, due to unusual circumstances attaching to their property, unnecessary hardship is being inflicted on the individual(s).

The appeal shall state whether it is a plea for an interpretation or a variance and the grounds for the appeal.

403.06--Appeal to Superior Court

Any person aggrieved in any manner by an action of a board of adjustment may within thirty (30) days appeal to the superior court, and the matter shall be heard de novo.

403.07--Time Limit on Variance

A. A variance shall expire and shall be void one (1) year following the date on which the variance became effective unless, prior to the expiration of one (1) year, substantial construction is commenced. Substantial construction shall be defined as:

1. Having submitted plans for construction,
2. Building permit issued and paid for,
3. Having installed utilities such as electric, sewer, water and/or gas lines on the site,
4. Having foundation or footings inspected and finished floor for at least the first floor of a building poured and laid, and,
5. That no lapse of construction has occurred for more than sixty (60) days from any time point of the items 1-4 above.

B. A variance approval may be extended provided that, not earlier than thirty (30) days prior to the expiration date, a written request is made and presented at the next available Board of Adjustment hearing.

C. The Board of Adjustment may grant, deny, or modify an application for extension of a variance.

Section 404.00--Rezoning and Zoning Ordinance Amendments

404.01--Application for Amendment or Change

A. Purpose

This Section sets forth procedures for amending the text of this Ordinance and for amending the zoning map incorporated in this Ordinance ("rezoning"). These procedures are intended to allow changes to this Ordinance's text and zoning map that are consistent with the adopted Comprehensive Plan and otherwise advance the public health, safety and general welfare. They are not intended to relieve particular hardships or to confer special rights or privileges.

B. General

The Board of Supervisors may amend the text of this Ordinance or the zoning map incorporated in this Ordinance in accord with the provisions of this Section.

C. Initiation of An Amendment Request

1. Amendment of Ordinance Text

Amendment of the text of this Ordinance may be initiated by:

a. The Board of Supervisors by passing a motion directing County staff to initiate a zoning;

b. The Planning Commission on recommending and initiating an application for the zoning amendment.

2. Amendment of Zoning Map "Rezoning"

A proposal to amend this Ordinance's zoning map to rezone land to a different zoning district may be initiated by:

a. The Board of Supervisors, by passing a motion directing County staff to initiate a proposed amendment change; or,

b. Any owner of real property in Yuma County or authorized agent of a property owner by submitting a request for consideration of the proposal to the Board of Supervisors; or,

c. The Planning Commission, by approved motion recommending initiation of a proposed amendment change.

3. Supervisors' Acceptance of Text Amendments and Rezoning Requests

If a request for consideration of an amendment proposal is submitted to the Board of Supervisors (as provided by Paragraphs C.1.b and C.2.b above), the Board of Supervisors may refer the amendment proposal to the Planning Director for preparation of an application in accord with the provisions of this Section.

4. Pre-Application Conference

A person intending to submit a text amendment or rezoning application is strongly encouraged to confer with Department of Development Services staff before submitting the application. At such a meeting, staff shall explain requirements applicable to the application and identify potential conflicts with the Comprehensive Plan, including the Land Use Plan, other Comprehensive Plan Elements and/or relevant County policies concerning land development.

D. Content of Application

1. All Applications

   An application to amend this Ordinance shall include those forms, maps, plans and other documents prescribed by the Planning Director, as necessary, to:

   a. identify the applicant(s);

   b. describe the nature of the requested amendment; and,

   c. state justifications or reasons for the amendment.

   If the amendment request proposes amending the zoning map, the application shall also include those forms, maps, plans and other materials prescribed by the Planning Director as necessary to identify and describe the land proposed to be rezoned, to identify its owners and to identify and notify the owners of the properties adjacent to it. The applicant shall also submit the fee prescribed for the type of application by the Board of Supervisors.

2. Applications for Rezoning

   a. Signed by Property Owners

      An application to rezone land shall be signed by all owners of the land proposed to be rezoned, or by their authorized agents. Applications signed by a landowner's agent rather than the landowner shall also include documentation of the agent's authorization to sign on behalf of the owner.

   b. Proposed Rezoning Conditions

      A landowner applying to rezone land may propose conditions to be placed on the requested rezoning. The application shall specify any proposed conditions, in writing or with maps, plans or drawings.

E. Acceptance of Application

The Department of Development Services Planning Staff shall review amendment applications and determine whether it complies with submittal requirements. If the application does not comply with submittal requirements, the Yuma County Department of Development Services Planning Staff shall notify the applicant of the submittal deficiencies and invite the applicant to revise or correct the application deficiencies.

If, or when, the application complies with all submittal requirements, the Department of Development Services Planning Staff shall accept the application as complete and notify the applicant of its acceptance.

F. Notice of Rezoning Application Acceptance

The Department of Development Services Planning Staff shall provide notice of the application's acceptance. The notice shall briefly summarize the nature of the proposed amendment, invite interested persons to review the application at the Department of Development Services and submit written or oral comments on the application.

G. Staff Review

After accepting the complete application, the Case Planner shall review the application and analyze the proposed amendment's consistency with the Comprehensive Plan and the County's other development-related policies. The Case Planner shall notify and invite the applicant to address and/or consider revising the request to address those findings. The Case Planner shall prepare a staff report that summarizes the analysis and recommend approval or denial of the proposed amendment.

H. Planning Commission Review

1. Submittal of Application to the Commission

After completing the staff report, the Department of Development Services Planning Staff shall schedule the amendment application for review by the Planning Commission sending Planning Commission members copies of the amendment application and the staff report. The Department of Development Services Planning Staff shall also notify the applicant of the time and place of the Planning Commission meeting and send the applicant a copy of the staff report.

2. Commission Hearing of Presentations

At its meeting, the Planning Commission shall receive the amendment application and staff report and hear presentations of additional comments, exhibits, and arguments pertaining to the application by the Planning Director, Case Planner or other County Staff as well as the applicant and/or his designated agent. The Commission may also hear presentations by any other interested party. To avoid unnecessary delay, the Commission may impose reasonable limits on the number of persons heard and on the nature or the length of their presentation(s).

3. Commission Review and Action

Following hearing presentations, the Planning Commission shall review and discuss the amendment application, the staff report and additional information and/or comments submitted or presented to the Commission. The Commission shall recommend approval or denial of the proposed amendment based on the information presented to them. Before completing its review and making its recommendation, the Commission may refer the application to a committee of Commission members for further consideration. The Committee's recommendation shall be presented to the Planning Commission in deciding whether to recommend approval or denial of an amendment application. The Planning Commission shall consider whether the proposed amendment is consistent with the adopted Comprehensive Plan and otherwise advances the public health, safety and general welfare. The Planning Commission shall recommend approval or denial of the proposed amendment by motion based on Findings of Fact.

4. Opportunity to Revise Application

After the Planning Commission has heard presentations and completed its discussion of the application, but before the Commission recommends action on the application, the applicant may ask the Commission for permission to revise the application addressing concerns raised during the presentations and Commission discussion. If the Commission grants the request, the revised application shall be returned to the Department of Development Services Planning Staff for evaluation and review in the same manner as an original application.

I. Board of Supervisors Public Hearing and Review

1. Public Hearing Required

   The Board of Supervisors shall hold a public hearing in accordance with statutes, at a minimum.

2. Notice of Public Hearing

   The Department of Development Services Planning Staff shall provide notice of the public hearing.

3. Submittal of Application to Board of Supervisors

   Prior to the public hearing, the Department of Development Services Director shall send to the Board of Supervisors copies of the application, the recommendations of the Department of Development Services Planning Staff, the Planning Commission and any written comments submitted by the public (or an accurate summary of those comments) in accordance with Yuma County procedures. The Department of Development Services Planning Staff shall send the applicant a copy of the Agenda Item Review Form, which shall include the Department of Development Services Planning Staff and Planning Commission's recommendations.

4. Methods to streamline zoning agenda items

   a. Consent cases may be placed on the consent portion of a meeting agenda and acted upon without a public hearing by the Board of Supervisors in a single action when the all of the following criteria have been met:

      1. The Planning Commission has held a public hearing on the case and there was no demonstrated public opposition;
      2. The staff recommendation is for approval;
      3. The Planning Commission recommendation is unanimously for approval; and,
      4. There is no written citizen opposition to the case.

   b. If a consent item is removed from the consent portion of the agenda, it must be advertised and processed for a public hearing in accordance with Title 11, Chapter 6 of the Arizona Revised Statutes prior to being heard and acted upon.

   c. Expedited cases may be placed on the expedited portion of a meeting agenda acted upon in a single motion if all of the following criteria have been met:

      1. The Planning Commission has held a public hearing on the case and there was no demonstrated public opposition;
      2. The Planning Commission recommendation is unanimously for approval;
      3. The case had been legally advertised and noticed for public hearing at the Board of Supervisors meeting; and
      4. There is no written citizen opposition to the case.

   d. If an item is removed from the expedited portion of the agenda, it may be heard at that time.

5. Public Hearing

   a. At the public hearing, the Board of Supervisors may receive a presentation on the original or amended application and recommendations of the Department of Development Services Planning Staff and Planning and Zoning Commission, presentations or additional comments, exhibits, and arguments pertaining to the application by the Department of Development Services Planning Staff, the applicant, representatives of the Planning and Zoning Commission, and any other interested party.

   b. To avoid unnecessary delay, the Chairman, Board of Supervisors may impose reasonable limitations on the number of persons heard and on the nature and length of their presentation. The Board of Supervisors may adopt the recommendations of the Planning and Zoning Commission.

   c. The Board of Supervisors may continue the hearing to a later meeting to accommodate additional comments, information or speakers. If the Board of Supervisors continues the hearing to a named date, no further notice of the continued hearing is required.

6. Board of Supervisors Action

   Following the hearing, the Administrator Clerk of the Board of Supervisors shall return a notice of the Board of Supervisor's action to the Department of Development Services Director, the Planning Director and the Case Planner.

7. Identification of Site-specific Development Plans

   The Board of Supervisors may approve a change of zone conditioned on a schedule for development of the specific use or uses for which rezoning is requested. If, at the expiration of the period indicated in the schedule for develop, the property has not been improved for the use of which it was conditionally approved, the Board of Supervisors, after notification by registered mail to the owner and applicant requesting the rezoning, shall schedule a public hearing to granting an extension, determine compliance with the schedule for development or cause the property to revert to its former zoning classification.

8. Conditions of Approval

   All rezoning approved by the Board of Supervisors are subject to any conditions, which the Board of Supervisors may legally impose. A rezoning applicant must comply with all such conditions within sixty (60) days from the date of Board of Supervisors' approval of the rezoning unless the Board of Supervisors stipulates an alternative amount of time to comply with any conditions. No rezoning is final and no construction or placement permits shall be issued until all conditions are met. After all conditions are met, the official zoning maps of the County are updated and the rezoning applicant may apply for permits.

9. Emergency Measure

   A decision by the Board of Supervisors involving rezoning of land which is not owned by the County and which changes the zoning classification of such land or which changes the zoning standards of such land as set forth in 404.00 may not be enacted as an emergency measure and such a change shall not be effective for at least thirty (30) days after final approval of the change in classification by the

Board of Supervisors. Unless a resident files a written objection with the Board of Supervisors, the rezoning may be enacted as an emergency measure that becomes effective immediately by a four-fifths (4/5) majority vote of the Board of Supervisors.

J. Actions Subsequent to Final Decision

The Department of Development Services Planning Staff shall send the applicant written notice of the Board of Supervisors' final decision on the amendment application and shall file a copy of the decision in the Department of Development Services. If the Board of Supervisors approved the application, the Planning Director shall cause the changes to be recorded onto official copies of this Ordinance's text and/or zoning map.

K. Withdrawal of Application

An applicant may withdraw an amendment application at any time by submitting written notice of the withdrawal to the Planning Director.

Section 405.00 "Reserved for Future Use"

Section 406.00--Citizen Review Process

The Planning Director shall ensure an administrative process for all rezoning and specific plan applications that achieves the following:

A. Adjacent landowners and other potentially affected citizens will be notified of the application;

B. The County will inform adjacent landowners and other potentially affected citizens of the substance of the proposed rezoning; and,

C. Adjacent landowners and other potentially affected citizens will be provided an opportunity to express any issues or concerns that they may have with the proposed rezoning before the public hearing.

406.01--Authorizing Statute

The Board of Supervisors has adopted a citizen review process that applies to all rezoning and specific plan applications that require a public hearing.

Article V -- Establishment of Zoning Districts

Section 501.00--Districts Established

Plate V-1 District Classes

Yuma County is hereby divided into the following classes of districts:

Districts	Abbreviations
Rural Area - 40 acre minimum parcels	RA-40
Rural Area - 20 acre minimum parcels	RA-20
Rural Area - 10 acre minimum parcels	RA-10
Rural Area - 5 acre minimum parcels	RA-5
Suburban Ranch - 4 acre minimum parcels	SR-4
Suburban Ranch - 3 acre minimum parcels	SR-3
Suburban Ranch - 2 acre minimum parcels	SR-2
Suburban Ranch - 1 acre minimum parcels	SR-1
Suburban Site Built - 20 acre minimum parcels	SSB-20
Suburban Site Built - 10 acre minimum parcels	SSB-10
Suburban Site Built - 5 acre minimum parcels	SSB-5
Suburban Site Built - 4 acre minimum parcels	SSB-4
Suburban Site Built - 3 acre minimum parcels	SSB-3
Suburban Site Built - 2 acre minimum parcels	SSB-2
Suburban Site Built - 1 acre minimum parcels	SSB-1
Low Density Residential- 40,000 square feet minimum parcels	R-1-40
Low Density Residential- 20,000 square feet minimum parcels	R-1-20
Low Density Residential – 15,000 square feet minimum parcels	R-1-15
Low Density Residential- 12,000 square feet minimum parcels	R-1-12
Low Density Residential- 8,000 square feet minimum parcels	R-1-8
Low Density Residential - 6,000 square feet minimum parcels	R-1-6
Medium Density Residential	R-2
High Density Residential	R-3
Manufactured Home Subdivision - 20,000 square feet minimum	MHS-20
Manufactured Home Subdivision - 15,000 square feet minimum parcels	MHS-15
Manufactured Home Subdivision - 12,000 square feet minimum parcels	MHS-12
Manufactured Home Subdivision - 10,000 square feet minimum parcels	MHS-10
Manufactured Home Subdivision - 8,000 square feet minimum parcels	MHS-8
Manufactured Home Subdivision - 6,000 square feet minimum parcels	MHS-6
Manufactured Home Subdivision - 4,500 square feet minimum parcels	MHS-4.5
Manufactured Home Park	MHP
Recreational Vehicle Subdivision	RVS
Recreational Vehicle Park	RVP

Districts	Abbrevia-
Residential Commercial	RC
Local Commercial	C-1
General Commercial	C-2
Light Industrial-8,000 square foot minimum	LI-8,000
Light Industrial-20,000 square foot minimum	LI-20,000
Light Industrial-1 acre minimum	LI-1
Light Industrial-2 acre minimum	LI-2
Light Industrial-5 acre minimum	LI-5
Heavy Industrial-8,000 square foot minimum	HI-8,000
Heavy Industrial-20,000 square foot minimum	HI-20,000
Heavy Industrial-1 acre minimum	HI-1
Heavy Industrial-2 acre minimum	HI-2
Heavy Industrial-5 acre minimum	HI-5
Intensive Industrial	II
Planned Development	PD
Public Facilities	PF
Airport District	AD
Sensitive Areas and Resource Land District	SA/RL
Transportation, Communications and Utilities District	TCU
Visual Corridor Overlay District	VCO
Open Space, Recreation, and Resources Zoning District	OS/RR

Section 502.00--Adoption of Maps

502.01--Official Zoning Map(s)

A. The location and boundaries of the zoning districts shall be as shown on a geographic coverage layer entitled "Zoning" that is maintained as part of the County's geographic information system (GIS) under the certification of the Planning Director. This "Zoning" geographic coverage layer, as amended in accord with the provisions of Arizona Revised Statutes, Title 11, Chapter 6, Article 2 shall constitute the official zoning map for the County's zoning jurisdiction, and shall be part of this Ordinance, as described herein. The Planning Director shall revise the official zoning map to reflect any amendments after the effective date of this ordinance. The Planning Director may authorize printed copies of the official zoning map to be produced, and shall maintain digital or printed copies of superseded versions of the official zoning map for historical reference.

B. Where the ordinance establishing a zoning boundary identifies the boundary as following a particular feature, or reflects a clear intent that the boundary follows the feature, the boundary shall be construed as following that feature as it actually exists. The Planning Director shall note any such relationship between a zoning boundary and other mapped feature on the zoning map when identifying the zoning boundary.

All properties that are not covered by an official zoning map of Yuma County and are still within the boundaries of the County, or which come under the jurisdiction of Yuma County after the adoption of these regulations, by force of law, by change of ownership

or any other reason shall be zoned RA-40.

D. Where a certified field survey of one (1) or more of the features described in Subsection C, shows that a boundary is not accurately shown on the official zoning map, the Planning Director may certify necessary revisions to the zoning map to make it accurate.

Section 503.00--Boundaries of Zoning Districts

503.01--Approximation of Boundaries Using Property Lines

Where any uncertainty exists to a zoning boundary's relationship to other features shown on the map, the actual location of the boundary shall be determined using the following rules of interpretation:

A. A boundary shown on the zoning map as approximately following a river, stream, lake or other watercourse shall be construed as following the actual centerline of the watercourse. If, subsequent to the establishment of the boundary, the centerline of the watercourse should move because of natural processes (flooding, erosion, sedimentation, etc.), the boundary shall be construed as moving with the centerline of the watercourse.

B. A boundary shown on the zoning map as approximately following a ridgeline or topographic contour line shall be construed as following the actual ridgeline or contour line. If, subsequent to the establishment of the boundary, the ridgeline or contour line should move because of natural processes (erosion, slippage, subsidence, etc.), the boundary shall be construed as moving with the ridgeline or contour line.

C. A boundary shown on the zoning map as approximately following a lot line or parcel boundary shall be construed as following the lot line or parcel boundary as it actually existed at the time the zoning boundary was established. If, subsequent to the establishment of the zoning boundary, the lot line or parcel boundary should be moved as a result of a minor property line adjustment (such as from settlement of a boundary dispute), the zoning boundary shall be construed as moving with the lot line or parcel boundary only if the lot line or parcel boundary is moved not more than ten feet (10').

D. A boundary shown on the zoning map following a street, alley, railroad line or other right-of-way shall be construed as following the centerline of the street or railroad right-of-way. If such right-of-way is officially vacated or abandoned, the centerline rule shall apply. If subsequent to the establishment of the boundary, the centerline of the street or railroad right-of-way is moved as a result of its widening or a minor realignment (such as at an intersection), the boundary shall be construed as being moved with the centerline only if the centerline is moved no more than twenty-five feet (25').

E. A boundary shown on the zoning map as approximately following the zoning jurisdiction boundary of an adjacent municipality shall be construed as following that boundary as described in the ordinance or resolution establishing or extending the municipality's zoning jurisdiction (e.g., an annexation ordinance adopted by the municipality granting the municipality annexation of the area).

F. A boundary shown on the zoning map as approximately parallel to, or as an apparent extension of a feature described above, shall be construed as being actually parallel to, or an extension of, the feature.

G. If the specific location of the boundary cannot be determined from application of the above rules to the zoning map, it shall be determined by scaling the mapped boundary's distance from other features shown on the map.

Section 504.00-- Calculations and Rounding

Where provisions of this Ordinance require calculations to determine applicable requirements, any fraction/decimal results of the calculations shall be rounded as provided by this Subsection.

A. Minimum Lot Area, Maximum Density

1. The fractional/decimal results of calculations of the number of parcels or residential units allowed through subdivision or a land use permit based on a minimum lot area or maximum density requirement shall be rounded down to the next lowest whole number. For example, the Low Density Residential zoning district would allow a parcel to be proposed for development with up to six (6) dwellings per acre of site area, which would allow up to 15 dwelling units on a 2.6 acre parcel (6 x 2.6 = 15.6), and be rounded down to 15.

B. Lots of record that do not meet the required minimum lot size for the zoning district they are located in may be considered to be in compliance with the minimum lot size if they meet all of the following:

1. The parcel is greater than one (1) acre in size,

2. The lot was created prior to January 1, 2005,

3. The area of the lot is not more than one quarter of an acre less than the required minimum lot area for that zoning district, and

4. The property is in compliance with the provisions of this ordinance.

Section 505.00--Minimum Area Requirements

505.01--Minimum Area Requirements

Gross and Net Acreage Calculation: For the purpose of this regulation, minimum acreages in the Rural Area, Suburban Ranch and Suburban Site Built districts shall be deemed gross acres including rights-of-way. The minimum acres required in all other districts shall be considered net acreage exclusive of rights-of-way.

Section 506.00--Temporary Special Uses

Subject to the provisions in this Section, the Planning Director may grant a temporary special use permit for the following uses. Except as otherwise provided herein such permits shall authorize the temporary use for a period of no more than two (2) years. Temporary special use permits shall not be renewed except upon a compelling showing of the need.

A. Temporary Second Dwellings

In all zoning districts which allow residencies as a permitted use, the Planning Director may permit a second, nonpermanent dwelling on a lot when the landowner or occupant, or a family member of the landowner or occupant, requires at-home custodial care because of advanced age or medical condition.

1. The following shall be submitted as part of the application for the temporary special use permit:

A licensed physician's written statement certifying medical need for custodial care because of advanced age or medical condition;

a. An improvement permit from the Department of Development Services for a septic system or connection to a sanitary sewer, for the second dwelling, or a statement from the Department of Development Services Environmental Health Manager certifying that an improvement permit is not required;

b. A floor plan showing that the existing dwelling is insufficient to provide independent private living space for the needs of both the individual and the custodian(s); and,

c. An affidavit signed by the applicant declaring and acknowledging that the applicant will remove the second dwelling within sixty (60) days after the medical necessity ceases to exist or after the temporary special use permit expires, whichever occurs first.

2. If the temporary special use permit is approved by the Planning Director, adjacent property owners shall be notified that the temporary special use permit is for purposes of custodial care and that a rental unit on the property is not permitted.

   If the need for custodial care still exists after two (2) years, the Planning Director may renew the temporary special use permit. The Permit holder shall submit information to the Planning Director sufficient to make a finding that requirement A.1. and A.2. above, will still be met.

B. Temporary Development-Related Activities

In all zoning districts where such uses are prohibited, other than as permitted in Paragraph (C) of this section, the Planning Director may permit the following development-related activities:

1. Asphalt plants;
2. Quarries;
3. Saw mills;

Other types of uses which are necessary for development or redevelopment of the area; and, which will not have an unduly injurious effect upon adjoining or nearby areas which are already developed.

C. Temporary Quarries in Rural Area Districts

In Rural Area Districts, the Planning Director may grant temporary quarries for special materials not practicably available in other areas of the County as a temporary special use.

Section 507.00--Land Divisions

Unless allowed by section 507.01(D)(1), no lot or parcel of land shall be split or divided until a Land Division Permit is approved by the Department of Development Services.

No building or use permit shall be issued for lots or parcels reduced in size below the minimum lot area or lot width required by this Ordinance. However, for unimproved lot(s) or parcel(s) that existed prior to the effective date of this ordinance which are part of an approved subdivision and due to the original zoning or any amendments to the Yuma County Zoning and Subdivision Ordinances are not able to meet the minimum lot size or the lot width requirements of the zoning district may be used if split in accordance with the pattern previously established for the block, provided that any new lot so formed has not less than eighty percent (80%) of the minimum lot area and width required in the zone.

507.01--Procedures for Review of Land Division Proposals

A. Purpose

A review process of all land divisions is required ensuring that the division of land, as provided in Arizona Revised Statutes, Title 11, Chapter 6, Article 4, complies with applicable zoning regulations and does not constitute a subdivision.

B. Applicability

The provisions of this Section shall apply to land divisions of property located within the unincorporated territory of Yuma County.

C. Definitions

The following definitions are to be used specifically for the provisions, terms, phrases and expressions contained in this section.

1. Legal access: Access shall be not less than twenty feet (20') wide throughout its entire length and shall adjoin the subject parcel for a minimum distance of twenty feet (20'). Unless otherwise specified, access may be provided by one of the following:
   a. Direct frontage onto a public street;
   b. A permanent private easement of record for public ingress and egress;
   c. A valid court order recognizing a private right to use an existing private roadway;
   d. An approved State Land Department report of improvement for a farm road on State trust lands.
2. Minimum applicable county zoning requirements: means the minimum acreage and dimensions of the resulting lot, parcel or fractional interest as required by the County's Zoning Ordinance.
3. Utility easement: means an easement, a minimum of eight feet (8') in width, dedicated to the general public to install, maintain and provide access to/for sewer, electric, gas and water utilities.

D. Land Division Permit

1. General

No parcel of land may be divided by recordation into five (5) or fewer separate parcels, any of which is less than ten (10.0) acres, unless a Land Division Permit is approved by the Department of Development Services and so issued.

2. Land Division Approval Procedures; Application Review For

   a. Pre-Application Conference

      Individuals intending to submit an application for approval of a Land Division Permit are strongly encouraged to confer with the Department of Development Services before submitting the application. At such conference, the Planning and Zoning Division shall explain necessary requirements and identify applicable standards.

   b. Application Submittal and Acceptance

      1. Submittal

         Any applicant proposing a land division shall file a Land Division Permit application with the Department of Development Services. Said application shall include:

         i) A legal description of the existing parcel and legal descriptions of the proposed parcels including access and utility easements;

         ii) A scaled map with dimensions showing existing and future parcel lines and all easements;

         iii) A map size and format acceptable to the County Recorder; i.e., 8-1/2 inches x 11 inches, 8-1/2 inches x 14 inches, or 18 inches x 24 inches;

         iv) Preparation of property map/plat by a Registered Land Surveyor or Registered Civil Engineer including legal descriptions.

         The Planning Director may waive this requirement in areas where quarter-quarter section, east half-west half or north half-south half descriptions are deemed adequate. A separate fee as established by the Yuma County Board of Supervisors to file a Land Division permit shall be charged for each application.

      2. Acceptance and Application

         The Planning and Zoning Division shall review the application and determine whether it is complete. If it is incomplete, the applicant will be notified for appropriate corrections. When the application complies with submittal requirements, it shall be accepted as complete.

   c. Planning Staff Review

      Upon receipt of a complete application, the staff shall review the application, determine whether the proposed land division complies with all applicable regulations, identify any noncompliant features of the proposal, and, whenever feasible, recommend modifications or corrections for noncompliant features. The Department of Development Services shall approve or deny the Land Division Permit within thirty (30) days. All of the following findings are required for approval:

      1. The lots, parcels or fractional interests each meet the minimum applicable County zoning requirements of the applicable zoning designation.

2. The applicant provides a standard preliminary title report, or other acceptable document, that demonstrates legal access to the lots, parcels or fractional interests.

3. The applicant provides a statement from a licensed surveyor or engineer, or other evidence acceptable to the County, stating whether each lot, parcel or fractional interest has physical access that is traversable by a two-wheel drive, passenger motor vehicle.

4. The applicant identifies and reserves the necessary and appropriate utility easements to each lot, parcel or fractional interest created by the land division.

d. Staff Action

The Planning and Zoning Division shall approve or deny the application as submitted based on findings as to the application's compliance with all applicable provisions of this Ordinance.

If a land division does not comply with one (1) or more of the items listed in Subsection 507.01(E)(2)(c), the permit shall be approved if the applicant signs an acknowledgment of deficiencies on the land division permit confirming that no building or use permit will be issued by the County unless or until the lot, parcel or fractional interest has met the requirements of Subsection 507.01(E)(2)(c). Any approval of a land division under this Section may include staff comments regarding:

1. Statutory requirements for legal and physical on-site access that must be satisfied as a condition to the issuance of a building or use permit for the lots, parcels or fractional interests.

2. Topographic, hydrologic or other site constraints, requirements or limitations that must be addressed as conditions to the eventual issuance of a building or use permit.

e. Noticing of Access or Zoning Deficiencies

Legal access and/or minimum County zoning requirement deficiencies shall be noticed in the deed and said notice shall consist of a detailed description of deficiencies.

f. Removal of Deficiencies from the Deed

If zoning or access deficiencies are corrected, through a zoning change a variance, or through acquisition of access, it shall be the responsibility of the property owner to remove the deficiencies, with notice provided to Department of Development Services prior to re-recordation of the deed showing removal of deficiencies.

g. Application Withdrawal

An applicant may withdraw an application for land division approval at any time by submitting written notice of the withdrawal to the Planning Director.

3. Notice of Decision

   The Department of Development Services shall send the applicant written notice of the final decision on the application and shall file a copy of the decision in the Planning and Zoning Division office. If the application is denied, the notice shall state the reasons for the denial.

4. Land Division Permit Recordation

   An approved Land Division Permit shall be recorded with the Yuma County Recorder with any document dividing land under this section. Recordation shall occur within six (6) months of approval by the Department of Development Services, or the approval shall lapse and become void. Digital submission of land division maps to the Department of Development Services is required if the maps are prepared by a Registered Land Surveyor or Registered Civil Engineer.

E. Subdivision and Land Division Enforcement

1. General

   It shall be unlawful for a person or persons acting in concert to avoid the provisions of this Section or subdivision laws of the State of Arizona to divide a parcel of land into six (6) or more lots, or to sell or lease six (6) or more lots through a series of owners or conveyances. Pursuant to Arizona Revised Statutes, Title 32, Chapter 20, the County Attorney's Office or the Arizona Department of Real Estate, may enforce this regulation.

2. Violations

   Any offer to sell, sales contract, or deed of conveyance of a subdivision may be a misdemeanor before a plat, in full compliance with the provisions of these regulations has been duly recorded in the Office of the Yuma County Recorder. Further, any such offer, sales contract, or conveyance of a parcel of land that is the result of a land division, for which no Land Division Permit has been issued pursuant to this Ordinance, shall be a misdemeanor.

3. Daily Separate Violations

   Each day that a violation of these regulations continues to exist shall constitute a separate offense.

F. Improvements

If an approved land division involves any associated improvements, the construction or installation and maintenance of such improvements shall be subject to the approval of the Department of Development Services. Such improvements may include a private road, public road widening, water supply or sewage disposal system other than individual wells and/or septic system, stormwater management facilities or easements, erosion and sedimentation control devices or any other improvements required as part of the approval.

Article VI-- Zoning District Regulations

Section 601.00--Rural Area Zoning District (RA)

601.01--Purpose

The purpose of this district is to conserve and preserve farms, agricultural related resources, continued agricultural use and other open space land uses fostering orderly growth in rural areas, preventing urban and agricultural land use conflicts, and allowing rural lot development with emphasis on preserving the character of farming communities. Principle uses permitted in this zoning district include residential uses on large parcel sizes, farms, agricultural-related land uses, and open space or recreational uses. These regulations apply to all four (4) of the Rural Area districts: Rural Area-40 Acre Minimum (RA-40), Rural Area-20 Acre Minimum (RA-20), Rural Area-10 Acre Minimum (RA-10), and Rural Area-5 Acre Minimum (RA-5).

601.02--Permitted Uses

The following are allowed uses on properties in any of the four Rural Area (RA) zoning districts subject to compliance with the development standards listed below.

A. One (1) single-family dwelling unit, site-built, factory-built or manufactured home.

B. Ranch/Farm headquarters office to conduct business related to farming and ranching operations.

C. Farm Labor housing.

D. Farms and ranches for the production of crops and/or raising of animals.

E. Lakes, ponds, lagoons, irrigation and storm water retention facilities.

F. Home occupations.

G. Plant nurseries, nursery stock, and greenhouses for propagation, cultivation and wholesale distribution of plants produced on the premises, provided such uses do not include retail sales. Open storage is limited to plants or packaged fertilizer and the buildings and structures used in connection with the operation.

H. Kennels.

I. Seasonal roadside stands offering farm products for sale such as vegetables, fruits, pumpkins, flowers, and Christmas trees.

J. Storage of agricultural related equipment. Agricultural related equipment is defined as: mechanical equipment used primarily, but not solely for the production of crops and/or raising of animals, or custom farming services.

K. Warehouse and storage of agricultural products such as bales of alfalfa hay, bales of cotton, citrus, lettuce, fruit cartons and grain silos.

L. Accessory buildings and uses customarily incidental to the above uses such as ga rages and carports, patios, storage sheds, barns, corrals and arenas, private swimming pools, pool house, tennis courts, fish ponds, walls and fences, signs and park ing.

601.03--Special Uses

The following are allowed as special uses in any of the four Rural Area (RA), districts.

A. Agricultural processing, including cotton ginning and compressing, grist milling services, seed milling, corn shelling services, citrus, date, cantaloupe and lettuce packing, and other contract sorting, grading and packing services.

B. Cemeteries, crematoriums, columbaria, and mausoleums including associated on-site mortuary.

C. Churches, including accessory buildings and columbaria.

D. Commercial apiaries and aviaries.

E. Cultural events such as rodeos, barbeques, pet fancier competitions and crop mazes.

F. Horse stables, or custom farming services.

G. Dude ranches, health resorts, hunting and fishing clubs, organized group camps and play campgrounds.

H. Game preserves.

I. Golf Courses including clubhouses, putting greens, practice driving ranges, including accessory buildings.

J. Hospitals, convalescent homes, homes for the aged, nursing homes.

K. Institutions of an educational, charitable or philanthropic nature.

L. Land clearing, landfills, and construction and demolition landfills.

M. Libraries, museums, art galleries, parks, playgrounds and community buildings.

N. Organic fertilizer manufacturing and storage.

O. Private clubs and fraternal organization facilities.

P. Stadiums, fairgrounds, arena, field houses, race tracks, amusement parks or other similar amusement facilities.

Q. Private airstrips.

R. Private or charter schools.

S. Publicly or privately owned or operated fire stations, sheriff stations and post offices.

T. Public or private utility installations for gas, electric, water, wastewater.

U. Public parks or buildings.

V. Public schools.

W. Sanitary landfills.

X. Accessory Dwelling Units

Y. Wireless Communication Facilities. (See Section 1115.00)

Z. Biofuel Production Facilities. (See Section 302.06)

AA. Biomass Power Generating Facility.

601.04--Parcel Size Requirements

Minimum parcel sizes for each of the districts are shown in the following Plate VI-1.

Plate VI-1: Minimum Parcel Size

RA-40	40 acre minimum parcel size
RA-20	20 acre minimum parcel size
RA-10	10 acre minimum parcel size
RA-5	5 acre minimum parcel size

A parcel for a home site may be separated from the rest of the acreage provided it is at least one-half (1/2) acre in gross area and at least one hundred feet (100') wide but the total area of the two (2) parcels must meet the minimum acreage for the district in which it lies, and no other residences will be permitted on the rest of the acreage.

601.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the Minimum lot width and setback requirements for a principal building in the four Rural Area districts as shown in the following Plate VI-2.

Plate VI-2 Minimum Lot Width & Setbacks

District	**Minimum Width**	**Minimum Front yard Setback**	**Minimum Side yard Setback**	**Minimum Rear yard Setback**
RA-40	660 feet	50 feet	50 feet	34 feet
RA-20	660 feet	50 feet	50 feet	34 feet
RA-10	330 feet	50 feet	20 feet	34 feet
RA-5	220 feet	50 feet	20 feet	34 feet

601.06--Building Height

Structures shall not exceed sixty feet (60') in height except as provided in Section 1103 of this Ordinance.

601.07--Accessory Buildings and Uses

Accessory buildings require the same setbacks as the principal structure as shown above in Plate VI-2, except that all buildings housing animals shall be set back at least fifty feet (50') from all property lines. See Section 1106.00 of this Ordinance for additional information.

Section 602.00--Suburban Ranch Zoning District (SR)

602.01--Purpose

The purpose of this district is to allow low density residential development in semi-rural areas. Large minimum lot sizes are required so that agricultural land uses, as well as the keeping of a limited number of horses and farm animals, can occur without negatively affecting surrounding residential properties. These regulations apply to all four (4) of the Suburban Ranch districts: Suburban Ranch-4 Acre Minimum (SR-4), Suburban Ranch-3 Acre Minimum (SR-3), Suburban Ranch-2 Acre Minimum (SR-2) and Suburban Ranch-1 Acre Minimum (SR-1).

602.02--Permitted Uses

The following are allowed uses on properties in any of the four (4) Suburban Ranch (SR) zoning districts subject to compliance with the design standards listed below.

A. One single-family residence per parcel, either site-built or manufactured home.

B. Raising of field, bush, or tree crops.

C. The raising of poultry, rabbits, and other small farm animals for domestic use, as well as 4H and FFA (Future Farmers of America) are permitted. The keeping of horses and other large farm animals shall be limited to one (1) animal per ten thousand (10,000) square feet of side and rear yard area.

D. Home occupations.

E. Uses customarily accessory to the above uses such as garages and carports, storage sheds, barns, private swimming pools, walls and fences and parking subject to the provisions found in appropriate sections of this ordinance.

602.03--Special Uses

The following are allowed as Special Uses in any of the four (4) Suburban Ranch (SR) districts:

A. Public schools, hospitals, convalescent homes, homes for the aged, nursing homes, churches and institutions of an educational, charitable or philanthropic nature.

B. Golf courses, community swimming pools, and other recreational or community facilities.

C. Kennels.

D. Public parks, buildings and utility installations.

E. Accessory Dwelling Units

F. Wireless Communication Facilities (See Section 1115.00)

602.04--Parcel Size Requirements

Minimum parcel size for the four (4) Suburban Ranch districts are shown in Plate VI-3.

Plate VI-3: Minimum Parcel Sizes

SR-4	4 acre minimum parcel size
SR-3	3 acre minimum parcel size
SR-2	2 acre minimum parcel size
SR-1	1 acre minimum parcel size

602.05--Minimum Lot Width & Principal Buildings Setback Requirements

The minimum lot width and setback requirements for a principal building for each of the four Suburban Ranch Districts are shown in the following Plate VI-4.

Plate VI-4: Minimum Lot Width & Setbacks

District	Minimum Width	Minimum Front yard Setback	Minimum Side yard Setback	Minimum Rear yard Setback
SR-4	120 feet	25 feet	10 feet	25 feet
SR-3	120 feet	25 feet	10 feet	25 feet
SR-2	120 feet	25 feet	10 feet	25 feet
SR-1	120 feet	25 feet	10 feet	25 feet

602.06--Building Height

Structures in any of the Suburban Ranch districts shall not exceed forty feet (40') in height except as provided in Section 1103.00 of this ordinance.

602.07--Accessory Buildings and Uses

See Section 1106.00 of this ordinance.

Section 603.00--Suburban Site Built Zoning District (SSB)

603.01--Purpose

The purpose of this district is to accommodate residential land uses on larger lots in the more rural, outlying areas of the County where adequate services and facilities exist or may be developed to support such development. Uses such as single family dwellings, farming, and agricultural-related land uses are allowed. These regulations apply to all

seven (7) of the Suburban Site Built districts: Suburban Site Built-20 Acre Minimum Parcels (SSB-20), Suburban Site Built-10 Acre Minimum Parcels (SSB-10), Suburban Site Built -5 Acre Minimum Parcels (SSB-5), Suburban Site Built-4 Acre Minimum Parcels (SSB-4), Suburban Site Built-3 Acre Minimum Parcels (SSB-3), Suburban Site Built-2 Acre Minimum Parcels (SSB-2) and Suburban Site Built-1 Acre Minimum Parcels (SSB-1).

603.02--Permitted Uses

The following are allowed uses on properties in any of the seven Suburban Site Built (SSB) zoning districts subject to compliance with the design standards listed below.

A. One single-family site-built residence per parcel.

B. Raising of field, bush or tree crops.

C. The raising of poultry, rabbits, and other small farm animals for domestic use, as well as 4H and FFA (Future Farmers of America) are permitted. The keeping of horses and other large farm animals shall be limited to one (1) animal per ten thousand (10,000) square feet of side and rear yard area.

D. Home occupations.

E. Uses customarily accessory to the above uses such as garages and carports, storage sheds, barns, private swimming pools, walls and fences and parking subject to the provisions found in appropriate sections of this ordinance.

603.03--Special Uses

The following are allowed as Special Uses in any of the seven (7) Suburban Site Built (SSB) districts:

A. Public schools, hospitals, convalescent homes, homes for the aged, nursing homes, churches and institutions of an educational, charitable or philanthropic nature.

B. Golf courses, community swimming pools, and other recreational or community facilities.

C. Kennels.

D. Public parks, buildings and utility installations.

E. Accessory Dwelling units.

F. Wireless Communication Facilities (See Section 1115.00)

603.04--Parcel Size Requirements

Minimum parcel size for each of the seven (7) Suburban Site Built districts are shown in Plate VI-5.

Plate VI-5: Minimum Parcel Sizes

SSB-1	1 acre minimum parcel size
SSB-2	2 acre minimum parcel size
SSB-3	3 acre minimum parcel size
SSB-4	4 acre minimum parcel size

SSB-5	5 acre minimum parcel size
SSB-10	10 acre minimum parcel size
SSB-20	20 acre minimum parcel size

603.05--Minimum Lot Width & Principal Buildings Setback Requirements

Minimum lot width and setback requirements for all principal buildings in the Suburban Site Built Districts are shown in Plate VI-6.

Plate VI-6: Minimum Lot Width & Setbacks

District	Minimum Width	Minimum Front yard Setback	Minimum Side yard Setback	Minimum Rear yard Setback
SSB-1	120 feet	25 feet	10 feet	25 feet
SSB-2	120 feet	25 feet	10 feet	25 feet
SSB-3	120 feet	25 feet	10 feet	25 feet
SSB-4	120 feet	25 feet	10 feet	25 feet
SSB-5	120 feet	25 feet	10 feet	25 feet
SSB-10	220 feet	25 feet	10 feet	25 feet
SSB-20	220 feet	25 feet	10 feet	25 feet

603.06--Building Height

Structures in any of the Suburban Site-Built districts shall not exceed forty feet (40') in height except as provided in Section 1103.00 of this ordinance.

603.07--Accessory Buildings and Uses

See Section 1106.00 of this ordinance.

Section 604.00--Low Density Residential Zoning Districts (R-1)

604.01--Purpose

The purpose of this district is to provide areas for low density single-family residential. Only those additional uses that are permitted which are complimentary and subordinate to, and can exist in harmony with, a residential neighborhood. These regulations apply to all six (6) of the Low Density Residential districts: Low Density Residential- forty-thousand (40,000) square foot minimum (R-1-40), Low Density Residential- twenty thousand (20,000) square foot minimum (R-1-20), Low Density Residential- fifteen thousand (15,000) square foot minimum (R-1-15), Low Density Residential – twelve thousand (12,000) square foot minimum (R-1-12), Low Density Residential-eight thousand (8,000) square foot minimum (R-1-8) and Low Density Residential - six thousand (6,000) square foot minimum (R-1-6).

604.02--Permitted Uses:

The following are allowed uses on properties in any of the six (6) Low Density Single Family Residential (R-1) zoning districts subject to compliance with the design standards listed below.

A. Single family site-built dwellings.

B. Home occupations.

C. Accessory buildings or use such as garages, carports, storage sheds, walls and fences, and private swimming pools.

D. Only in the R-1-40 zoning district, the raising of poultry, rabbits and other small farm animals for domestic use, as well as 4H and FFA are permitted. The keeping of horses and other large farm animals shall be limited to one animal per ten thousand square feet of side and rear yard area. Any building or shade for the animals shall be at least one hundred feet (100') from any other residences.

604.03--Special Uses

The following are allowed as Special Uses in any of the six (6) Low Density Residential (R-1) districts.

A. Adult day care centers.

B. Assisted living facilities, convalescent homes, homes for the aged, nursing homes.

C. Child day care centers.

D. Clubs, Lodges, sorority/fraternal halls, senior centers and community centers.

E. Pre-schools, elementary, middle, and high schools (public, private, and charter)and colleges (including administrative and faculty offices).

F. Hospitals, clinics and 24-hour urgent care centers.

G. Churches, church classrooms and meeting rooms, parsonages, convents, monasteries, and other religious institutions and accessory facilities.

H. Institutions of an educational, charitable or philanthropic nature, libraries and museums.

I. Kennels.

J. Privately or publicly owned golf courses, golf driving ranges.

K. Temporary real estate offices.

L. Public and private parks including: greenways; pocket parks; neighborhood parks; community parks; playgrounds and other community facilities.

M. Accessory Dwelling Units.

N. Utility Installations.

O. Wireless Communication Facilities. (See Section 1115.00)

604.04--Parcel Size Requirements

Minimum parcel sizes for Low Density Residential districts are shown as follows:

Plate VI-7: Minimum Parcel Size

R-1-40	40,000 square feet minimum parcel size
R-1-20	20,000 square feet minimum parcel size
R-1-15	15,000 square feet minimum parcel size
R-1-12	12,000 square feet minimum parcel size
R-1-8	8,000 square feet minimum parcel size
R-1-6	6,000 square feet minimum parcel size

604.05--Minimum Lot Width & Principal Buildings Setback Requirements

Minimum lot widths and setbacks for all principal buildings in the Low Density Residential districts are shown in the following Plate VI-8.

Plate VI-8: Minimum Lot Widths & Setbacks

District	Minimum Width	Minimum Front yard	Minimum Side yard	Minimum Rear yard	Minimum Side Street
R-1-40	100 feet	20 feet	7 feet	20 feet	10 feet
R-1-20	100 feet	20 feet	7 feet	20 feet	10 feet
R-1-15	80 feet	20 feet	7 feet	20 feet	10 feet
R-1-12	80 feet	20 feet	7 feet	20 feet	10 feet
R-1-8	70 feet	20 feet	7 feet	10 feet	10 feet
R-1-6	60 feet	20 feet	7 feet	10 feet	10 feet

604.06--Building Height

Structures in any of the R-1 Low Density Residential districts shall not exceed thirty-five feet (35') in height except as provided in Section 1103 of this Ordinance.

604.07--Maximum Lot Coverage

The principal buildings and accessory buildings shall cover not more than fifty percent (50%) of the lot area.

604.08--Accessory Building Development Standards

See Section 1106.00 of this ordinance.

Section 605.00--Medium Density Residential Zoning District (R-2)

605.01--Purpose

The purpose of this district is to provide areas for medium density, single family residential on minimum lot sizes of four thousand (4,000) square feet and maximum densities or permitted that are complimentary to, and can exist in harmony with, a residential neighborhood.

605.02--Permitted Uses

The following are allowed uses on properties in the Medium Density Residential (R-2) zoning district subject to compliance with the design standards listed below.

A. Single family site-built dwellings, attached or detached.

B. Multi-family, site-built dwelling units.

C. Home occupations.

D. Uses customarily incidental to the above uses such as garages and carports, storage sheds, private swimming pools, walls and fences, signs and parking subject to the provisions found in appropriate sections of this ordinance.

605.03--Special Uses

The following are allowed as special uses in the Medium Density Residential (R-2) district:

A. Adult day care centers.

B. Pre-school, elementary, middle and high schools (public, private and charter) and colleges (including administrative and faculty offices).

C. Hospitals, clinics, and 24 hour urgent care centers.

D. Assisted living facilities, convalescent homes, homes for the aged, nursing homes.

E. Child day care centers.

F. Churches, church classrooms and meeting rooms, parsonages, convents, monasteries.

G. Institutions of an educational, charitable or philanthropic nature: libraries and museums.

H. Clubs, lodges, sorority/fraternal halls, senior centers and community centers.

I. Kennels.

J. Privately and publicly owned golf courses, golf driving ranges.

K. Public and private parks including: greenways; pocket parks; neighborhood parks; community parks; playgrounds and other community facilities.

K. Temporary real estate offices.

L. Utility installations.

M. Wireless Communication Facilities. (See Section 1115.00)

605.04--Parcel Size Requirements

The minimum parcel size for lots within the R-2 district is four thousand (4,000) square feet per dwelling unit except lots for townhouses which may be reduced to three thousand (3,000) square feet as long as overall density of development does not exceed twelve (12) units per acre, excluding rights-of-way and common lots. Modification to allow building footprints surrounded by common lots may be approved by the Board of Supervisors with preliminary subdivision plat or site plan approval if deemed compatible with surrounding development provided overall density, setbacks, height and coverage regulations are met. Parcel size for special uses shall be as approved by the Board of Supervisors.

605.05--Minimum Lot Width & Principal Buildings Setback Requirements

Minimum lot widths and setbacks for all principal buildings in the Medium Density Residential district are shown in Plate VI-9.

Plate VI-9: Minimum Lot Widths & Setbacks

Type of Units	**Minimum Lot Width**	**Minimum Front yard Setback**	**Minimum Side yard Setback**	**Minimum Rear yard Setback**	**Minimum Side street**
Detached	40 feet	20 feet	7 feet	10 feet	10 feet
0 Lot Line	40 feet	20 feet	0 & 14 feet	10 feet	10 feet
0 Lot Line	30 feet	20 feet	0 & 7 feet	10 feet	10 feet
Multifamily	40 feet	20 feet	7 feet	10 feet	10 feet

* Must be approved by the Planning & Zoning Commission at the time of Preliminary Subdivision Plat approval.

605.06--Building Height

Structures in the R-2 district shall not exceed two (2) stories or thirty-five feet (35') in height except as provided in Section 1103 of this Ordinance.

605.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the R-2 district is fifty percent (50%).

605.08--Accessory Buildings

See Section 1106.00 of this ordinance.

Section 606.00--High Density Residential Zoning District (R-3)

606.01--Purpose

The purpose of this district is to permit single, double and multiple family site-built dwellings. The intent of this district is a high-density housing.

606.02--Permitted Uses

The following are allowed uses on properties in the High Density Residential (R-3) zoning district subject to compliance with the design standards listed below.

A. Single-family site-built dwellings, attached or detached.

B. Multi-family site-built dwelling units.

C. Home occupations.

D. Uses customarily incidental to the above uses such as garages and carports, storage sheds, private swimming pools, walls and fences, signs and parking, subject to the provisions found in pertinent sections of this ordinance.

606.03--Special Uses

The following are allowed as special uses in the High Density Residential (R-3) district.

A. Public schools, hospitals, convalescent homes, homes for the aged, nursing homes, churches and institutions of an educational, charitable, or philanthropic nature.

B. Golf courses, public swimming pools and other recreational or community facilities.

C. Kennels.

D. Public parks or facilities and utility installations.

E. Boarding and lodging houses and fraternities or sororities.

F. Wireless Communication Facilities. (See Section 1115.00)

606.04--Parcel Size Requirements

The maximum density within the R-3 district is two thousand (2,000) square feet per dwelling unit. The minimum parcel size is four thousand (4,000) square feet, except lots for townhouses which may be reduced to one thousand five hundred (1,500) square feet as long as overall density of development does not exceed eighteen (18) dwelling units per acre, excluding rights of way and common lots. Parcel size for special uses shall be as approved by the Board of Supervisors.

606.05--Minimum Lot Width & Principal Buildings Setback Requirements

Minimum lot widths and setbacks for all principal buildings in the High Density Residential district are shown in the following Plate VI-10.

Plate VI-10: Minimum Lot Widths & Setbacks[5]

Type of Units	Minimum Lot Width	Minimum Front yard Setback	Minimum Side yard Setback	Minimum Rear yard Setback	Minimum Side street Setback
Detached Residence	30 feet	20 feet	7 feet	10 feet	10 feet
0 Lot Line	30 feet	20 feet	0 & 14 feet	10 feet	10 feet
0 Lot Line Attached*	20 feet	20 feet	0 or 14 feet	10 feet	10 feet
Multifami-	30 feet	20 feet	7 feet	10 feet	10 feet

* Must be approved by the Planning and Zoning Commission at the time of Tentative Map approval.

606.06--Building Height

Structures in the R-3 district shall not exceed sixty feet (60') in height, except as provided in Section 1103 of this ordinance.

606.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the R-3 district is fifty percent (50%).

606.08--Accessory Buildings

See Section 1106.00 of this ordinance.

Section 607.00--Manufactured Home Subdivision Zoning District (MHS)

607.01--Purpose

The purpose of this district is to provide orderly development of residential subdivisions accommodating manufactured or site built homes. These regulations apply to all seven (7) of the Manufactured Home Subdivision districts:

Manufactured Home Subdivision-Four Thousand, Five Hundred (4,500) Square Feet Minimum (MHS-4.5); Manufactured Home Subdivision-Six Thousand (6,000) Square Feet Minimum (MHS-6); Manufactured Home Subdivision-Eight Thousand (8,000) Square Feet Minimum (MHS-8); Manufactured Home Subdivision-Ten Thousand (10,000) Square Feet Minimum (MHS-10); Manufactured Home Subdivision-Twelve (12,000) Thousand Square Feet Minimum (MHS-12); Manufactured Home Subdivision-Fifteen Thousand (15,000) Square Feet Minimum (MHS-15), and Manufactured Home Subdivision-Twenty (20,000) Thousand Square Feet Minimum (MHS-20).

607.02--Permitted Uses

The following are allowed uses on properties in any of the seven (7) Manufactured Home Subdivision (MHS) districts subject to compliance with the design standards listed below.

A. One single-family residence per parcel either site-built or manufactured home.

B. Home occupations.

C. Uses customarily accessory to the above uses such as garages and carports, storage sheds, private swimming pools, walls and fences and parking subject to the provisions found in appropriate sections of this ordinance.

607.03--Special Uses

The following are allowed as special uses on properties in each of the Manufactured Home Subdivision (MHS) districts:

A. Public schools, hospitals, convalescent homes, homes for the aged, nursing homes, churches and institutions of an educational, charitable, or philanthropic nature.

B. Golf courses, community swimming pools, and other recreational or community facilities.

C. Kennels.

D. Public parks or facilities and utility installations.

E. Accessory Dwelling Units.

F. Wireless Communication Facilities. (See Section 1115.00)

607.04--Minimum Parcel Size Requirements

Minimum parcel sizes for various uses on properties in the Manufactured Home Subdivision Districts are showing in Plate VI-11.

Plate VI-11: Minimum Parcel Sizes

Districts	Minimum Parcel
MHS-4.5	4,500 square feet
MHS-6	6,000 square feet
MHS-8	8,000 square feet
MHS-10	10,000 square feet
MHS-12	12,000 square feet
MHS-15	15,000 square feet
MHS-20	20,000 square feet

607.05--Minimum Lot Width and Principal Building*s* Setback Requirements

Minimum lot widths and setbacks for all principal buildings in the Manufactured Home Subdivision Districts are shown in the following Plate VI-12.

Plate VI-12: Minimum Lot Width & Setbacks

Minimum Lot Width	50 feet
Minimum Front Yard Setback	10 feet
Minimum Side Yard Setback	7 feet
Minimum Rear Yard Setback	10 feet
Minimum Side Street Setback	10 feet

607.06--Building Height

Structures in the Manufactured Home Subdivision districts shall not exceed twenty feet (20') in height, except as provided in Section 1103 of this ordinance.

607.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the Manufactured Home Subdivision districts is fifty percent (50%).

607.08--Accessory Buildings

See Section 1106.00 of this ordinance for accessory building standards.

Section 608.00--Manufactured Home Park Zoning District (MHP)

608.01--Purpose

The purpose of this district is to provide orderly development of manufactured home parks accommodating manufactured homes or recreational vehicles and related facilities.

608.02--Permitted Uses

The following are allowed uses on properties in the Manufactured Home Park (MHP) district subject to compliance with the design standards listed below.

A. One (1) manufactured home or recreational vehicle residence per space. Caretaker's residence may be site-built.

B. Community or recreational facilities intended to serve the needs of persons within the manufactured home park.

C. Uses customarily incidental to the above uses such as garages and carports, storage sheds, private swimming pools, walls and fences, signs and parking subject to the provisions found in appropriate sections of this ordinance.

608.03--Special Uses

A. Any commercial, public, or institutional use intended to serve the needs of persons within the park.

B. Kennels.

C. Wireless Communication Facilities. (See Section 1115.00)

608.04--Minimum Parcel and Space Size Requirements

The minimum parcel size for the Manufactured Home Park district is sixteen thousand (16,000) square feet.

The minimum space size in the Manufactured Home Park district is three thousand two hundred (3,200) square feet.

608.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum space width and setbacks for all principal buildings or vehicles in the Manufactured Home Park district:

Plate VI-13: Minimum Lot Width & Setbacks

Minimum separation between occupied structures:	6 Feet
Front setback from the interior streets:	3 Feet
Park perimeter property line setback:	6 Feet
Minimum space width:	40 Feet

608.06--Building Height

Structures in the Manufactured Home Park district shall not exceed twenty feet (20') in height except as provided in Section 1103 of this ordinance.

608.07--Maximum Space Coverage

The maximum space coverage for all principal and accessory buildings or vehicles is fifty percent (50%).

608.08--Accessory Buildings

See Section 1106.00 of this ordinance for accessory building standards.

608.09--Minimum Development Standards

A. The owners or owners' agents of a tract of land proposed to be developed as a manufactured home park shall submit a plan for the development and use of the park as drawn by a registered engineer to the Department of Development Services.

   The Planning Director, upon review of the proposed plan, may approve the park plan in accordance with the following minimum requirements:

   1. The plan shall clearly define individual Manufactured Home spaces and adequately provide for vehicle parking and traffic flow;
   2. In the mobile home park office area, there shall be at least two (2) parking spaces;
   3. The minimum distance between Mobile Homes and permanent buildings within the park shall be fourteen feet (14').
   4. A minimum six foot (6') high, sight obstructing wall or fence shall be required on any perimeter adjacent to a major street, railroad, canal, or other potential safety hazard or uses deemed incompatible by the Planning Director. The height of said wall or fence shall be determined from the highest point of ground at the project boundary adjacent to the major street. A higher wall may be required to screen an incompatible use at the discretion of the Planning Director.
   5. Perimeter road improvements shall be required in accordance with the guidelines for Improvements of Perimeter Streets as contained in the Yuma County Subdivision Regulations.
   6. There shall be a minimum of two (2) points of ingress and egress to the park in order to allow emergency access. All roadways within the park shall be a minimum of thirty-two feet (32') in width and shall be built and continuously maintained in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat sufficient to meet this requirement.
   7. Drainage and flood control facilities shall conform to Yuma County Public Works Standards, Volumes I – III, and Yuma County Floodplain Regulations (latest editions).

B. Upon the written request of the developer, the Planning Director will evaluate the status of completion of the Manufactured Home Park and upon determining that there is a state of reasonable completion and that it is not a threat to health, safety and welfare, the Planning Director may issue a conditional occupancy permit which allows usage of the completed portion of the park but mandates that all requirements shall be met within a specified time limit not to exceed one (1) year. If the requirements are not met within the specified time, the occupancy permit shall be withdrawn.

C. Approved plans shall be valid for up to three (3) years. However, if the developer/owner is unable to complete his project within these three (3) years, the developer/owner shall submit in writing a request for up to an additional one (1) year not later than sixty (60) days prior to the plan's expiration date. The request shall indicate the extraordinary reasons for the delay in completion on which the Planning Director may grant the time extension.

Section 609.00--Recreational Vehicle Subdivision Zoning District (RVS)

609.01--Purpose

The purpose of this district is to provide orderly development of subdivisions accommodating recreational vehicles as well as manufactured homes.

609.02--Permitted Uses

The following are allowed uses on properties in the Recreational Vehicle Subdivision (RVS) district subject to compliance with the development standards listed below.

A. One (1) single-family residence per parcel limited to a recreational vehicle, manufactured home, or site-built home. However, if a parcel has an area of at least six thousand (6,000) square feet, one (1) additional recreational vehicle may occupy the parcel.

B. Home occupations.

C. Uses customarily accessory to the above uses such as garages and carports, storage sheds, private swimming pools, walls and fences, and parking subject to the provisions found in appropriate sections of this ordinance.

609.03--Special Uses

The following are allowed as special uses on properties in the Recreational Vehicle Subdivision (RVS) district.

A. Public schools, hospitals, convalescent homes, homes for the aged, nursing homes, churches and institutions of an educational, charitable, or philanthropic nature.

B. Golf courses, community swimming pools, and other recreational or community facilities.

C. Kennels.

D. Public parks or facilities and utility installations.

E. Wireless Communication Facilities. (See Section 1115.00)

609.04--Minimum Parcel Size Requirements

The following are the minimum parcel sizes for the corresponding uses in the Recreational Vehicle Subdivision district:
Plate VI-14: Minimum Parcel Size

Recreational Vehicle or Manufactured Home	2,400 square feet
Site-Built Residence	4,500 square feet
Special Uses	Approved by Special Use permit

609.05--Minimum Lot Width and Principal Buildings Setback Requirements

The following are the minimum lot width and setbacks for all principal buildings in the Recreational Vehicle Subdivision (RVS) district:

Plate VI-15: Minimum Lot Width & Setbacks

Minimum Lot Width	40 feet
Minimum Front Yard Setback	10 feet
Minimum Side Yard Setback	7 feet
Minimum Rear Yard Setback	10 feet
Minimum Side Street Setback	10 feet
Minimum Setback Between Dwellings	14 feet

609.06--Maximum Height Allowance

Structures in the Recreational Vehicle Subdivision district shall not exceed twenty feet (20') in height except as provided in Section 1103 of this ordinance.

609.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the RVS district is fifty percent (50%).

609.08--Accessory Buildings and uses

See Section 1106.00 of this ordinance for accessory building standards.

Section 610.00--Recreational Vehicle Park Zoning District (RVP)

610.01--Purpose

The purpose of this district is to provide orderly development of recreational vehicle parks.

610.02--Permitted Uses

The following uses are allowed on properties in the Recreational Vehicle Park (RVP) district subject to compliance with the design standards listed below.

A. One (1) recreational vehicle residence per space. Caretaker's residence may be site-built.

B. Community and recreational facilities intended to serve the needs of persons within the recreational vehicle park.

C. The following uses customarily incidental to the above uses: Garages and carports, storage sheds, private swimming pools, walls and fences, signs and parking subject to the provisions found in appropriate sections of this ordinance.

610.03--Special Uses

A. Any public, commercial, public or institutional use intended to serve the needs of persons within the park.

B. Wireless Communication Facilities. (See Section 1115.00)

610.04--Minimum Parcel Size Requirements

The minimum parcel size for the Recreational Vehicle Park district is sixteen thousand (16,000) square feet.

The minimum space size in the Recreational Vehicle Park district is one thousand two hundred (1,200) square feet.

610.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum setback requirements for this district.

Plate VI-16: Minimum Setbacks

Minimum separation between occupied structures	6 feet
Front setback from interior (private) street	3 feet
Park perimeter property line	5 feet

610.06--Maximum Height Allowance

Structures in the Recreational Vehicle Park district shall not exceed twenty feet (20') in height except as provided in Section 1103 of this ordinance.

610.07--Maximum Space Coverage

The maximum coverage on each space for all uses is fifty percent (50%).

610.08--Accessory Buildings and Uses

See Section 1106.00 of this ordinance for accessory building standards.

610.09--Minimum Development Standards

A. An owner or owner's agent of a property proposed to be developed as a recreational vehicle park shall submit to the Department of Development Services a plan for the development and use of the park as drawn by a registered engineer. The Planning Director, upon review of the proposed plan, may approve the park plan in accordance with the following criteria.

   1. The park plan clearly defines individual Recreational Vehicle spaces and adequately provides for additional vehicle overflow parking.
   2. The Recreational Vehicle park office area shall provide, at minimum, three (3) pull through parking spaces of the length necessary for a vehicle pulling a Recreational Vehicle to park temporarily while inquiring about renting a space. The office shall also provide at least three (3) other standard parking spaces. In addition, all other buildings in the Park provided for the use of occupants shall provide a minimum of one (1) parking space for each five hundred (500) square feet of floor space in the building(s).
   3. The minimum distance between RVs and permanent buildings within the park shall be ten feet (10').
   4. A six foot (6') high sight obstructing wall or fence shall be required on any perimeter adjacent to a major thoroughfare, railroad, canal, or other potential safety hazard or uses deemed incompatible by the Planning Director. The height of said wall or fence shall be determined from the highest point of ground at the project boundary adjacent to the major street. A higher wall may be needed to screen an incompatible use.
   5. Perimeter road improvements shall be required in accordance with the current Department of Development Services guidelines.
   6. There shall be a minimum of two (2) points of ingress and egress to the park in order to allow emergency access. All roadways within the park shall be a minimum of thirty-two (32) feet in width and shall be built and continuously maintained in a dust free condition by application of an aggregate base course (ABC) covered by a penetration and chip seal coat sufficient to meet this requirement.
   7. Drainage and flood control facilities shall conform to Yuma County Public Works Standards, Volumes I – III, and Yuma County Floodplain Regulations (latest editions).

B. Upon the written request of the developer/owner, the Planning Director will evaluate the status of completion of the Recreational Vehicle Park. Upon determining that there is a state of reasonable completion and that there is not a threat to health, safety and public welfare, the Planning Director may issue a conditional occupancy permit which allows usage of the completed portion of the park but mandates that all requirements shall be met within a specified time limit not to exceed one (1) year. If the requirements are not met within the specified time, the occupancy permit shall be withdrawn.

C. Approved plans shall be valid for up to three (3) years from approval of the plan. However, if the developer/owner is unable to complete his project within these three (3) years, the owner shall submit in writing sixty (60) days prior to the plan's expiration date, a request for up to one (1) additional year. The request shall indicate the

extraordinary reasons for the delay in completion on which the Planning Director may grant the time extension.

610.10--Minimum Parking Requirements

Each Recreational Vehicle space shall provide for at least one (1) vehicle parking space other than the Recreational Vehicle occupying the recreational vehicle park space. See Article IX "Parking and Loading" of this Ordinance for additional information.

Section 611.00--Local Commercial District (C-1)

611.01--Purpose

This district is intended to promote and preserve convenient shopping areas, which contain retail and service establishments to meet the daily needs of the neighborhood.

611.02--Permitted Uses

In order to preserve the neighborhood character of uses in this district, no single establishment may exceed six-thousand square feet (6,000 sf) of gross floor area or have drive-through facilities without a Special Use Permit. No outdoor activities or storage for the permitted uses listed below are allowed except for vehicle parking unless the applicant has been granted a Special Use Permit to allow outdoor activities and/or storage. The following are allowed uses on properties in the Local Commercial (C-1) district, subject to compliance with the development standards listed in this section.

A. Amusement enterprises.

B. Art, craft, music and dancing schools.

C. Barbershops, beauty and nail salons, and therapeutic massage.

D. Bookstores, magazines, newsstands and tobacco stores.

E. Bars, pubs, nightclubs, cabarets, live entertainment, and amplified music.

F. Child care and childcare home service facilities.

G. Coffee shops, espresso and frozen shake shops.

H. Consumer goods and general retail sales, service, rental, or repair (except motor vehicles).

I. Convenience stores and mini-marts.

J. Executive and professional offices including physicians, attorneys, accountants, financial and real estate services.

K. Grocery stores, specialty food stores and beverage sales.

L. Hospitals, urgent care centers, convalescent homes, homes for the aged, nursing homes.

M. Ice cream parlors, candy stores, jewelry stores and gift shops.

N. Instructional facilities.

O. Institutions of an educational, charitable or philanthropic nature.

P. Libraries, museums, art galleries, parks, playgrounds and community buildings.

Q. Mini-storage facilities.

R. Pharmacy, optical, chiropractic, and podiatry services.

S. Plumbing and electrical supply shops.

T. Private and charter schools, public elementary, middle schools, and high schools.

U. Publicly or privately owned or operated fire stations, sheriff stations and post offices.

V. Restaurants serving alcohol, take out food, bars and cocktail lounges.

W. Social clubs, lodges, fraternities or non-profit organizations.

X. Utility substations including public and private utility installations for gas, water, wastewater, electric.

Y. Veterinary services and animal boarding.

Z. Video rental stores.

AA. Water sales and dispensing.

BB. Accessory uses customarily incidental to above uses.

CC. Wireless Communication Facilities. (See Section 1115.00)

611.03--Special Uses

The following are allowed as special uses on properties in the Local Commercial (C-1) District.

A. Business, professional or trade schools.

B. Caretaker's or proprietor's residences in conjunction with an established permitted use.

C. Commercial planned developments and commercial condominiums.

D. Cemeteries, crematoriums, columbaria, and mausoleums including associated on-site mortuary.

E. Churches including accessory buildings.

F. Drive-through facilities for permitted uses under Section 611.02 of this code.

G. Establishments over six thousand (6,000) square feet of gross floor area.

H. Fabrication or assembly of goods or materials directly related to a principal use as permitted herein.

I. Kennels.

J. Motor or other fuels dispensing, automobile service stations and carwash services.

K. Outdoor activities and/or unscreened storage.

L. Mobile food vendors that remains at a specific site or on a single parcel for more than two (2) hours.

611.04--Maximum and Minimum Parcel Size Requirements

All parcels in the C-1 district shall be at least eight thousand (8,000) square feet where both public water and sewer service are provided. See Section 302.05.

611.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum lot width and setbacks for all principal buildings in the Local Commercial (C-1) District:

Plate VI-17: Minimum Lot Widths & Setbacks

Minimum Lot Width	60 feet
Minimum Front Yard Setback	20 feet
Minimum Side Yard Setback	5 feet*
Minimum Rear Yard Setback	10 feet
Minimum Side Street Setback	10 feet

* Zero lot lines may be applied if adjacent parcel is also zoned commercial or industrial and fire protection regulations of the International Building Code are met.

611.06--Maximum Height

Structures in the C-1 District shall not exceed thirty-five feet (35') in height except as provided in Section 1103 of this ordinance.

611.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the C-1 District is fifty percent (50%).

611.08--Accessory Buildings and Uses

See Section 1106.00 of this ordinance.

Section 612.00--General Commercial District (C-2)

612.01--Purpose

The purpose of this district is to allow a full range of retail and wholesale goods, trade services and community businesses, which are not suited to other commercial districts. The district provides for regional retail and wholesale shopping as well as direct consumer service provided on occasion, rather than on a daily basis.

612.02--Permitted Uses

The following uses are allowed on properties in the General Commercial (C-2) District subject to compliance with the development standards listed below:

A. Antique stores, second hand stores, and auction studios.

B. Appliance, computers, electronic and hardware stores.

C. Art, craft, music and dancing schools.

D. Automobile accessory stores and tire sales including recapping and re-treading. Overnight truck parking, travel plaza/truck stop, installation of auto glass, and automotive service stations that do not include overnight accommodations.

E. Automotive sales, rental and repair.

F. Bakeries, supermarkets, grocery stores, food, beverage and water sales and dispensing.

G. Barbershops, beauty shops, nail salons and therapeutic massage.

H. Bicycle, motorcycle, moped, all terrain vehicle (ATV) sales, rental, repair or storage.

I. Boats, jet skis, and marine craft sales, rental, repair or storage.

J. Bookstores, stationary, card, magazines stores and newsstands.

K. Business, professional or trade schools.

L. Business equipment sales and rentals, business support services including copying and printing, janitorial services, security services.

M. Bus, train, or boat depots.

N. Car washes and automotive detail centers.

O. Childcare and childcare home service facilities.

P. Convenience stores and mini-marts.

Q. Churches including accessory buildings.

R. Department stores, warehouse clubs, superstores, and big box retail stores.

S. Equipment sales or rentals.

T. Farm coop, feed and livestock supply stores.

U. Financial institutions including banks, credit unions, loan centers, check cashing.

V. Furniture, carpet, drapery, paint, shade, upholstery, wall-covering warehousing retail sales and services.

W. General retail sales, service, rental, or repair.

X. Hospitals, urgent care medical centers, convalescent homes, assisted living facilities, and nursing homes.

Y. Hotels, motels, and lodges.

Z. Indoor movie theaters.

AA. Instructional facilities.

BB. Institutions of an educational, charitable or philanthropic nature.

CC. Kennels.

DD. Laundry and dry cleaning establishments.

EE. Libraries, museums, art galleries, parks, playgrounds and community buildings.

FF. Light manufacturing, fabrication or assembly of goods or materials incidental to any permitted use provided the fabrication or assembly area uses no more than twenty five percent (25%) of the total floor area.

GG. Manufactured home sales, rental, repair or storage.

HH. Mini-storage facilities.

II. Outdoor/display sales.

JJ. Pet shop and pet grooming facilities.

KK. Pharmacies.

LL. Private and charter schools, public elementary, middle schools, and high schools.

MM. Professional and executive offices for physicians, accountants, attorneys, realtors, and insurance services.

NN. Publicly or privately owned or operated fire stations, sheriff stations and post offices.

OO. Recreational vehicle sales, rental and service.

PP. Restaurants serving alcohol, take out food, bars and cocktail lounges.

QQ. Retail plant nurseries and lawn and garden supply stores.

RR. Social clubs, lodges, fraternities or non-profit organizations.

SS. Sporting goods stores.

TT. Utility substations including public and private utility installations for gas, water, waste water, or electric.

UU. Veterinary hospital/clinic and boarding services.

VV. Video rental and sales store.

WW. Wholesaling of consumer goods.

XX. Wireless Communication Facilities. (See Section 1115.00)

612.03--Special Uses

The following are allowed as special uses on properties in the General Commercial (C-2) District:

A. Caretaker or proprietor's residence in conjunction with an established permitted use.

B. Cemeteries, crematoriums, columbaria and mausoleums, including associated on-site mortuaries.

C. Commercial planned developments and commercial condominiums.

D. Large residential community care centers.

E. Public garages.

F. Recycling collection centers.

G. Stadiums, fairgrounds, arenas, field house, race track, amusement park or other similar amusement facilities.

H. Storage and dispensing of motor vehicle or other fuels.

I. Swap meet or other open air sales.

J. Travel plazas.

K. Mobile food vendors that remain at a specific site or on a single parcel for more than two (2) hours.

L. Medical marijuana dispensaries (subject to the conditions and requirements of Section 1116).

612.04--Minimum Parcel Size Requirements

All parcels in the C-2 district shall be at least eight thousand (8,000) square feet where both public water and sewer service are provided. See Section 302.05.

612.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum lot width and required yard setbacks for principal buildings in the General Commercial (C-2) District:

Plate VI-18: Minimum Lot Width & Setbacks

Minimum Lot Width	60 Feet
Minimum Front Yard Setback	20 Feet
Minimum Side Yard Setback	5 Feet*
Minimum Rear Yard Setback	10 Feet
Minimum Side Street Setback	10 Feet

* Zero lot lines may be applied if adjacent parcel is also zoned commercial or industrial and firewall regulations of the International Building Code are met.

612.06--Building Height

Structures in the General Commercial District (C-2) shall not exceed sixty feet (60') in height except as provided in Section 1103.00 of this ordinance.

612.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the General Commercial District (C-2) is fifty percent (50%).

612.08--Accessory Buildings and Uses

See Section 1106.00 of this ordinance.

Section 613.00--Light Industrial Zoning District (LI)

613.01—Purpose

The purpose of this district is to permit certain commercial uses and light industries which are not obnoxious or offensive to adjoining properties due to emission of odor, smoke, gas, noise, vibration, or other causes. This district is not intended to permit manufacturing or production of items considered hazardous such as ammunition, fireworks, gas or dangerous chemicals. These regulations apply to all Light Industrial Districts: LI-8,000 square feet minimum (LI-8,000); LI-20,000 square feet minimum (LI-20,000); LI-1 acre minimum (LI-1); LI-2 acre minimum (LI-2); LI-5 acre minimum (LI-5).

613.02--Permitted Uses

The following are allowed uses on properties in the Light Industrial (LI) district subject to compliance with the purpose statement above and the development standards listed below:

A. Administrative and professional offices.

B. Airport facilities.

C. Apparel, clothing or other products manufactured from textiles.

D. Animal boarding or auctions, veterinary hospital, or kennels.

E. Automobile repair

F. Automobile accessory stores and tire sales including recapping and re-treading. Overnight truck parking, travel plaza/truck stop, installation of auto glass, and automotive service stations that do not include overnight accommodations.

G. Building materials sales yards, including sale of aggregate, rock, sand, gravels, decorative rock and the like as an incidental part of the main business.

H. Contractor's sales and equipment yards.

I. Convenience store or mini-mart.

J. Heavy equipment sales, rental, and repair.

K. Hotels (including a motels, lodges or inns) and customary accessory facilities including, but not limited to, cocktail lounge, restaurant, gift shop, barbershop, beauty salon or news stands.

L. Ice and cold storage plants.

M. Manufacturing, including processing, assembly and/or packaging.

N. Medical centers, doctor's offices, or clinics and/or laboratories for medical, dental, research, experimental and testing.

O. Moving and storage businesses.

P. Printing, newspaper publishing and binding, including engraving and photo engraving.

Q. Production and/or marketing services related to agricultural production.

R. Rental equipment yards.

S. Restaurant facilities provided such use is accessory to an industrial facility.

T. Retail lumber yards including incidental mill yards.

U. Swap meets or other open-air sales.

V. Warehousing and storage facilities.

W. Wholesaling and distributing operations.

X. Utility substation including public and private utility installations for gas, water, waste water, electric, television, radio, and cellular telephone transmitter towers and stations.

Y. Wireless Communication Facilities. (See Section 1115.00)

613.03--Special Uses

The following are allowed as special uses on properties located in the Light Industrial (LI) district.

A. Any industrial, commercial, or institutional uses not allowed under Permitted Uses in the Light Industrial Zoning District, and which comply with the purposes of the district.

B. Caretaker or proprietor's residence in conjunction with an established permitted use.

C. Land clearing landfills, and construction and demolition landfills.

D. Recycling collection centers.

E. Slaughtering and dressing of animals.

F. Stadiums, fairgrounds, arenas, field houses, race tracks, amusement parks or other similar amusement facilities.
G. Medical marijuana dispensaries (subject to the conditions and requirements of section 1116)
H. Medical marijuana cultivation (subject to the conditions and requirements of Section 1116)

613.04--Prohibited Uses

Outdoor storage of materials is prohibited except that materials may be stored outdoors if concealed from view by screening. Salvage is not allowed.

613.05--Minimum Parcel Size Requirements

Minimum Parcel Size:

LI-8,000	8,000 square feet minimum parcel size
LI-20,000	20,000 square feet minimum parcel size
LI-1	1 acre minimum parcel size
LI-2	2 acre minimum parcel size
LI-5	5 acre minimum parcel size

All 8,000 square foot parcels, or property divided into 8,000 square foot lots in the LI District shall require public water and sewer services. See Section 302.05. Parcels zoned Light Industrial (LI) prior to January 4, 2007 shall now be in the Light Industrial-8,000 square foot minimum parcel size (LI-8,000) district.

Minimum District Size: Sixteen thousand (16,000) square feet.

613.06--Minimum Lot Width & Principal Buildings Setback Requirements

The minimum lot width and setbacks for the Light Industrial (LI) are as follows:

Plate VI-19: Minimum Lot Width & Setbacks

Minimum Lot Width	60 Feet
Minimum Front Yard Setback	20 Feet
Minimum Side Yard Setback	5 Feet*
Minimum Rear Yard Setback	10 Feet
Minimum Side Street Setback	10 Feet

* Zero lot lines may be applied if adjacent parcel is also zoned commercial or industrial and fire regulations of the International Building Codes are met.

613.07--Building Height

Structures in the Light Industrial District (LI) shall not exceed sixty (60) feet in height except as provided in Section 1103 of this ordinance.

613.08--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the LI District is fifty

613.09--Accessory Buildings

See Section 1106.00 of this ordinance.

Section 614.00--Heavy Industrial Zoning District (HI)

614.01—Purpose

The purpose of this district is to permit heavy industrial uses and related activities in suitable locations to protect residential and commercial districts from uses which may create noise, smoke, odor, dust, or other objectionable influences. These regulations apply to all heavy industrial districts: HI-8,000 square feet minimum (HI-8,000); HI-20,000 square feet minimum (HI-20,000): HI-1 acre minimum (HI-1); HI-2 acre minimum (HI-2); HI-5 acre minimum (HI-5).

614.02--Permitted Uses

The following are allowed uses on properties in the Heavy Industrial (HI) District subject to compliance with the development standards listed below:

A. Associated processing of raw materials under extraction.

B. Asphalt and concrete batch plants.

C. Bottling and cooperage works.

D. Bulk storage of oil, gasoline and jet fuel and associated distribution.

E. Cabinet shops, carpentry, electrical, plumbing and heating shops; welding sheet metal and machine shops and lumber milling.

F. Chemical laboratories, electronic products and instrument manufacturing.

G. Contractor's yards.

H. Commercial airports or heliports.

I. Correctional facilities.

J. Farm equipment storage, sales and repair.

K. Feedlots, hatcheries, dairies, stockyards and slaughterhouses.

L. Food processing, canneries, coolers, and meat packing plants.

M. Foundries casting lightweight, nonferrous metal not causing fumes or odors.

N. Junk yards, wrecking yards, and auto dismantling yards. These uses shall be screened by a solid fence or wall and no materials shall be stored in such a manner as to project from or be visible above the fence or wall when viewed externally from a point at the same elevation as the materials being stored.

O. Kennels.

P. Plants and yards for formulation and manufacture of fertilizers, herbicides, and pesticides.

Q. Production and/or marketing services related to agricultural production.

R. Professional, administrative and general business offices related to the primary industrial use.

S. Propane distributorship and sales and services of related equipment.

T. Manufacturing, compounding, assembling or treating of articles or merchandise from the following formulated materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, metal paint, plastics, rubber, precious or semiprecious stones, shell, tars, tobacco and wood.

U. Manufacturing of pottery and ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.

V. Manufacturing, processing, refining packaging or treating of goods, materials or by providing electric power, oil or gas, except the rendering or refining of fats and oils, bone and meat products or similar substances commonly recognized as creating offensive conditions in the handling.

W. Manufacturing, compounding, processing, packing or treating of such products as candy, cosmetics, perfumes, pharmaceuticals, toiletries and food products (except the rendering or refining of fats and oils).

X. Manufacturing, assembling, fabrication, warehousing and wholesale distribution of goods, wares, merchandise, articles, substances or compounds, which are not flammable, explosive or likely to create fire, radiation or explosive hazards to surrounding property.

Y. Manufacturing, assembling, testing or repairing of devices, equipment and systems of an electrical, electronic or electromechanical nature.

Z. Mining of sand, gravel, and landscaping rock.

AA. Recycling facilities and collection centers.

BB. Storage warehouses.

CC. Truck terminal, truck Plaza, truck washing and fueling facility, including major repair.

DD. Warehouses for collection, packaging and distribution of agricultural and horticultural products.

EE. Wholesale distributors of petroleum products.

FF. Wholesaling of consumer goods.

GG. Utility substation including public and private utility installations for gas, water, wastewater, or electric.

HH. Wireless Communication Facilities. (See Section 1115.00)

614.03--Special Uses

The following are allowed as special uses on properties located in the (HI) Heavy Industrial District.

A. Any industrial, commercial, or institutional uses not allowed under permited uses in the industrial zoning district, and which comply with the purposes of the district.

B. Cemeteries, Crematoriums, incinerators, columbaria, and mausoleums including associated onsite mortuaries.

C. Fabrication or assembly of goods or materials directly related to a principal use as permitted herein.

D. Land clearing landfills, and construction and demolition landfills.

E. Manufacture and/or storage of fireworks, explosives or hazardous materials.

F. Planned industrial developments and industrial condominiums.

G. Sanitary landfills.

H. Stadiums, fairgrounds, arenas, field house, race tracks, amusement park or other similar amusement facilities.

I. Tanning, rendering refining, glue or soap manufacture or tallow works.

J. Caretaker or proprietor's residence in conjunction with an established permitted use.

K. Biofuel Production Facilities

L. Biomass Power Generating Facility

614.04--Prohibited Uses

Outdoor storage of materials is prohibited, except that materials may be stored outdoors if concealed from view by screening from public or private roadways.

614.05--Minimum Parcel Size Requirements

Minimum Parcel Size:

HI-8,000	8,000 square fee minimum parcel size
HI-20,000	20,000 square feet minimum parcel size
HI-1	1 acre minimum parcel size
HI-2	2 acre minimum parcel size
HI-5	5 acre parcel size

Parcels zoned Heavy Industrial (HI) prior to January 4, 2007 shall now be in the Heavy Industrial-8,000 square foot minimum parcel size (HI-8,000) district.

Minimum District Size: Thirty-two thousand (32,000) square feet.

614.06--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum lot width and setbacks for all principal buildings in the Heavy Industrial (HI) District:

Plate VI-20: Minimum Lot Width & Setbacks

Minimum Lot Width	60 Feet
Minimum Front Yard Setback	10 Feet
Minimum Side Yard Setback	5 Feet*
Minimum Rear Yard Setback	10 Feet
Minimum Side Street Setback	10 Feet

*Zero lot lines may be applied if adjacent parcel is also zoned commercial or industrial and firewall regulations of the Yuma County International Building Codes are met.

614.07--Building Height

Structures in the Heavy Industrial (HI) District shall not exceed sixty-five feet (65') in height except as provided in Section 1103 of this ordinance.

614.08--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the Heavy Industrial (HI) District is fifty percent (50%).

614.09--Accessory Buildings

See Section 1106.00 of this ordinance.

Section 615.00--Intensive Industrial District (II)

615.01—Purpose

The purpose of this district is to provide areas suitable for the location and operation of the most intense manufacturing and industrial activities and allow those uses, which are more objectionable or incompatible with uses allowed in other districts.

615.02--Permitted Uses

The following are allowed uses on properties in the Intensive Industrial (II) District subject to compliance with the development standards listed below:

A. Canneries.

B. Commercial feedlots.

C. Fertilizer plants.

D. Kennels.

E. Refineries.

F. Meat packing plants.

G. Tallow works.

H. Utility substation including public and private utility installations for gas, water, waste water, electric, television, radio, and cellular telephone transmitter towers and stations.

I. Wireless Communication Facilities. (See Section 1115.00)

J. Biolfuel Production Facilities

K. Biomass Power Generating Facility

615.03--Special Uses

A. Land clearing, construction and demolition landfills.

B. Sanitary landfills.

C. Any other uses not otherwise listed in this Ordinance, but which complies with the intent of this district.

615.04--Minimum Parcel Size Requirements

Minimum Parcel Size: Forty thousand (40,000) square feet.

615.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum setbacks for all principal buildings in the Intensive Industrial (II) District.

Plate VI-21: Minimum Lot Width & Setbacks

Minimum Front Yard Setback	50 Feet
Minimum Side Yard Setback	25 Feet
Minimum Rear Yard Setback	50 Feet
Minimum Side Street Setback	50 Feet

Note: A minimum setback of two hundred feet (200') is required between any Intensive Industrial (II) use and any less intensive abutting district boundary.

615.06--Building Height

Structures in the Intensive Industrial (II) District shall not exceed sixty-five feet (65') in height except as provided in Section 1103 of this ordinance.

615.07--Maximum Lot Coverage

The maximum lot coverage for all principal and accessory buildings in the Intensive Industrial (II) District is fifty percent (50%).

615.08--Accessory Buildings

All accessory buildings shall meet the same development standards as the principal buildings as set forth above.

Section 616.00--Planned Development Zoning District (PD)

616.01--Definition

The Planned Development (PD) District is an alternative to conventional land use regulations, substituting procedural protections for the requirements in other districts of this ordinance and allowing flexibility in requirements. Rezoning to the PD District requires simultaneous approval of a specific plan of development.

616.02--Purposes and Intents

Yuma County recognizes that, in certain instances, the objectives of the Comprehensive Plan and the Land Use Regulations may be best achieved by development of planned areas, which may not conform in all respects to existing zoning districts. Yuma County has determined that in the best interest of the health, welfare and safety of the citizens of Yuma County, specific planned communities can provide better alternatives for some land development than the conventional zoning districts. The purpose of the PD district is to encourage imaginative and innovative planning, particularly with respect to diversification in the land use and flexibility in site designs, respect to various features, including, but not limited to, spacing, heights, density, open space, circulation, preservation of natural features, and innovative development that results in the availability of a variety of residential/ commercial/industrial opportunities.

616.03--Application Requirements

Application for the PD District is a rezoning request and subject to state and local provisions such as found in Section 404.00 (Rezoning) of this ordinance. In addition, each application for approval of a PD District shall be accompanied by appropriate fees as set by resolution of the Board of Supervisors including such information and representative materials required by this ordinance deemed necessary by the Planning Director and shall include at least the following:

A. Development Plan

The rezoning application shall be accompanied by a Development Plan that shall consists of:

1. The proposed development drawn at appropriate scale to be readable, but so that the print size does not exceed twenty-four inches by thirty-six inches (24”x36”). Lettering shall be of sufficient size to be reasonably legible when reduced to eight and one-half inches by eleven inches (8 ½” x 11”).
2. Title of the project, such as "Planned Development for __" in bold-faced lettering.
3. Name, address and phone number of the owner, developer, applicant and firm or person who prepared the plan.
4. North arrow, scale (written and graphic) and dates of preparation and subsequent revision.
5. Inset vicinity map showing the relationship of the proposed project to existing area development and surrounding zoning.
6. Legal description of the entire property to be rezoned.
7. Boundaries of the planned area (including bearings and distances).

1. Existing perimeter streets, including centerlines, names, dimensions of existing and proposed dedications.
2. Scheme of proposed arterial and collector streets with proposed right-of-way widths and all points of ingress and egress to the site.
3. The general location of proposed residential areas including housing types and densities proposed for each area, local and general commercial areas, light and heavy industrial areas, open space, public areas, drainage areas and any proposed facilities such as golf courses, parks, recreation centers, sewage treatment facilities, school(s) or church sites, etc.
4. Proposed ownership and method(s) of control and maintenance, locations of landscaping, open areas, streets, recreational facilities, refuse disposal and utilities.
5. Typical lot layout of including those on cul-de-sacs, corners, clusters and any other unusual locations. Layout shall include building pad(s) or envelope(s), minimum setbacks, minimum lot dimensions and restrictions on height or material for individual fences or walls.

13. Location and width of all existing roadways or utility easements including rights-of-way on or adjacent to the property.
14. Preliminary drainage plan showing existing and proposed contours, existing drainage pattern, and proposed plan for handling both on-site and off-site storm water runoff.
15. Location, type, height, and material of proposed perimeter fences or walls, proposed signage and proposed landscaping.
16. Proposed phases and/or subdivision lines.
17. Location and proposed improvement of interior roads and paved walkways.

B. Development Data

The Development Plan shall be accompanied by a land use table or tables to include the following data:

1. Total gross acreage, area in streets, public open space area and net area of all intended uses.
2. Total number of each type of dwelling unit, the total number of all dwelling units proposed and overall density proposed.
3. Comparison table of requirements of existing zoning and variations proposed under the PD District including lot area, setbacks, lot widths, building heights, parking, signage and fencing.
4. Proposed utilities and services including water, sewer, electricity, telephone, cable television, solid waste disposal, police, fire/rescue and public schools.
5. Comparison table of existing requirements and variations proposed under the PD District including rights-of-way, pedestrian walkways, and pavement widths for each type of street proposed (arterial, collector, local, limited, etc.) including both interior and perimeter roadways.

C. Narrative Report

The following information shall be included in a supporting narrative report:

1. Title Page. The title page should clearly indicate "Planned Development for _____", the name of the applicant and the date.

2. Purpose of Request. The first section of the report shall explain the project proposal. It may be helpful to discuss the site's selection and why it has been chosen. The applicant shall state the advantages and benefits of the proposed development in detail.

   Description of Proposals. The character and type of development proposed shall be thoroughly explained. The provisions for the maintenance of the common area, public areas, landscaping and private streets should be identified and discussed. All of the proposed non-residential buildings and structures and their intended usesshall be described. (If applicable, deed restrictions and bylaws of a Homeowner/ Property Owner Association be prepared and submitted at an early stage of processing.)

4. Relationship to Surrounding Properties. Surrounding land use and zoning shall be described including compatibility with adjoining uses. The impact of the proposal on surrounding properties in each direction shall be discussed. The estimated impact on schools shall also be explained.

5. Location and Accessibility. The advantages of the proposed location shall be explained, including the means of access, distance from major streets and surrounding road conditions. Any proposed interior streets, sidewalks, drives or parking areas and proposed improvements shall also be described.

6. Timing of Development. A section of the report shall contain a schedule of development phasing, if applicable.

7. Public Utilities and Services. The availability and adequacy of proposed utilities and services must be thoroughly discussed, including potential extensions or upgrades needed to serve the development.

8. Appendix or appendices. Attach copies of correspondence with federal, state, local, semi-private or private agencies/entities or organizations and, if necessary, providing background information or clarification of information submitted with or provided in the application.

9. Traffic Impact Study. A traffic impact assessment shall be provided and, if needed, a full traffic impact study be required, in accordance with Yuma County Public Works Standards Section 7.3.

D. Covenants

Copies of proposed restrictive covenants pertaining to each area or use in the PD District shall be filed with the proposal.

616.04--Public Hearings

After proper application has been prepared for a PD District, the Commission and Board of Supervisors shall hold public hearings as provided in Section 404.00 of this ordinance.

616.05--Plan Criteria

The plan may be approved as submitted or be adjusted or amended in such a manner or to such extent as it may be deemed appropriate in the public interest, or not be approved.

The plan shall conform with the following general criteria:

A. The project location, design and size are such that the development: will be well integrated with the surroundings; is planned and developed with the intention to harmonize with any existing or proposed development in the adjacent neighborhood; or, in the case of a departure of character from surrounding uses, that the location and design will adequately reduce the impact of the development so that the project will not be detrimental to adjacent property(ies).

B. The streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic has been accommodated through the provision of appropriately designed streets and the responsibility for maintenance of such streets has been shown and provided.

C. The project plan will not adversely or substantially alter or affect the adjacent property (ies) in the area being included and, in the absence of an appropriate physical barrier (s), the uses of least intensity are arranged along the boundaries of the project. Additionally, larger buffer areas to adjacent properties may be applied, as follows:

   1. Structures located along the perimeter of the planned development shall be set back a distance sufficient to protect the privacy and amenity afforded the adjacent existing uses.

   2. Structures located on the perimeter of the planned development shall be permanently screened in a manner sufficient to protect the privacy and amenity of the adjacent existing uses.

D. That every structure containing residential, commercial or industrial units shall have direct access to a public street or court, walkway or other common area dedicated to public use or owned and maintained as common ground.

E. That height of all structures shall be appropriate for the use and location of the development.

F. That the project location, design, size and uses are such that traffic generated by the development can and will be accommodated safely.

G. That the project location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or planned public or private facilities and services.

H. That the project location, design, size and uses are such that adequate open space and greenways can and will be accommodated.

616.06--Building Permits for the PD District

A. For the purpose of implementing a PD District, building permits may be issued for buildings or structures in the area covered by the approved Development Plan if they conform to the Development Plan and with all other applicable ordinances and regulations not specifically modified by the Board of Supervisors approval of the Development Plan. (Also see Article XII—Zoning Enforcement for further information)

B. A Development Plan may be amended, changed or modified only through the procedure prescribed herein.

C. A development schedule shall be submitted as part of the Development Plan and the construction and provision of all the common open spaces and public and recreational facilities shown on the Development Plan must proceed at the same rate as the construction of buildings or structures. If the Zoning Inspector should find that the rate of building construction is greater than the rate at which common open areas and public and recreational facilities are being constructed or provided, he shall notify the developer and planning staff that no new permits for construction will be issued until the rate of construction conforms with the development schedule.
D. The development schedule shall, if necessary, provide for staged construction of the Development Plan. Building permits will not be issued for any specific stage of the Development Plan unless the common open space allocated to that stage by the development schedule has been conveyed to the appropriate parties.

616.07--Regulation of Planned Developments During Development and After Completion

A. Upon the project completion, the use of the land and the construction, modification or alteration of any buildings or structures within the development will be governed by the approved Development Plan rather than by any other provisions of the Zoning Ordinance.

B. Any minor extensions, alterations or modifications of existing buildings, structures or elements of the plan may be authorized by the Planning Director, if they are consistent with the purposes and intent of the plan.

C. All other changes in the Development Plan, including use of commercial buildings, must be approved under the procedures authorized by this ordinance for the amendment of the zoning map. No changes may be made in the Development Plan unless they are required for the continued, successful functioning of the planned development or unless they are required by changes in conditions that have occurred since the plan was approved except through changes in the County's development policy.

D. Any building or structure that is damaged or destroyed may be reconstructed only in compliance with the Development Plan unless an amendment to the plan is approved under Paragraph B.

E. Changes in the use of designated areas shall only be authorized by an amendment to the Development Plan under Paragraph B of this section.

Section 617.00--Open Space, Recreation and Resources Zoning District (OS/RR)

617.01--Purpose

The purpose of this district is to provide areas or space for relaxation, peace and/or physical stimulation from manmade development. The Open Space, Recreation and Resources District provides for recreational opportunities and space for public and private recreational parks, resorts and similar facilities apart from significant urban development densities. This district also provides, preserves and protects open space or natural areas from incompatible development.

617.02--Permitted Uses

The following uses are permitted within the district:

A. Agriculture cultivation and production, the outdoor growing and harvesting of cacti, shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food and fiber crops.

B. Botanical gardens.

C. Ecological, historical, cultural, paleontological, or geological resource sites.

D. Exercise, walking, hiking and bicycling, off-road vehicle areas and parks, riding and horse stables including arenas, equestrian trails and academies.

E. Exotic animal parks, zoos (private and public) and animal rehabilitation centers.

F. Nature preserves, wilderness and wildlife management areas.

G. Outdoor amphitheaters and arenas (private or public).

H. Professional, administrative and general business offices related to the primary, permitted use.

I. Public and private parks including greenways, pocket parks, neighborhood parks, community parks, regional and conservation parks and special use parks as defined in the adopted Comprehensive Plan.

J. Public and privately-owned recreational facilities, picnicking facilities, day use areas, and public gathering areas, including private and public golf courses or golf driving ranges.

K. Public and private recreational facilities including health/fitness clubs, public gathering areas, mini-golf courses, water parks, inline skating hockey parks, skateboard parks, soccer parks, baseball parks, BMX parks and fishing lakes.

L. Public fish hatcheries and preserves.

M. Visitor information centers, information kiosks and monuments.

617.03--Special Uses

A. Any utility facilities owned and operated by a private, governmental, quasi-governmental or non-profit agency.

B. Caretaker residence (site-built or manufactured home).

C. Cemeteries, crematoriums, incinerators, columbaria, or mausoleums including associated on-site mortuaries.

D. Churches, church classrooms and accessory buildings.

E. Concession stands, tour companies and guides with facilities located or operating on public land.

F. Fiber-optic cable systems support facilities.

G. Drainage improvement projects, including channel rectification and alteration.

H. Incidental on-site administrative offices, vehicle, supply and equipment storage and repair related to the above uses.

I. Lakes and waterways.

J. Marinas, including yacht clubs, fueling docks and incidental boat rental, storage and sales.

K. Private and charter schools.

L. Public schools.

M. Public utility buildings and public service or utility uses, including and not limited to service yards, water, wastewater, and storm water retention, treatment and disposal facilities.

N. Recreational, seasonal and resort hotels and conference centers, recreational vehicle parks, campgrounds, dude ranches and guest ranches.

O. Shooting range and archery range.

P. Stadiums, fairgrounds and arenas.

Q. Visitor-oriented businesses, which supply commodities such as groceries or other foods, drugs, notions, hardware, novelties, souvenirs and rock and mineral samples.

R. Water transmission, conveyance and support facilities for the production, generation, storage or transmission of water.

S. Wireless Communication Facilities. (See Section 1115.00)

617.04—Minimum Parcel Size Requirements

The minimum lot size for the OS/RR District shall be: five (5) acres

617.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum lot width and setbacks for all principal buildings in the Open Space, Recreation and Resource (OS/RR) District:

Plate VI-22: Minimum Parcel Width & Setbacks

Minimum Parcel Width	100 Feet
Minimum Front Yard Setback	100 Feet
Minimum Side Yard Setback	50 Feet
Minimum Rear Yard Setback	50 Feet

617.06--Building Height

Structures in the Open Space and Recreational Resources (OS/RR) District shall not exceed forty (40) feet in height, except as provided in Section 1103 of this Ordinance.

617.07--Maximum Lot Coverage

Maximum lot coverage for all principal and accessory private buildings in the Open Space and Recreational Resources (OS/RR) District is fifty percent (50%).

617.08—Accessory Buildings and Uses

All accessory buildings shall meet the same development standards as the principal buildings as set forth above.

Section 618.00--Sensitive Areas and Resource Lands Zoning District (SA/RL)

618.01--Purpose

The purpose of this district is to provide areas for environmental conservation, maintenance, and enhancement of ecological, aesthetic and or cultural value, and to preserve and protect sensitive areas and resource lands from incompatible development.

618.02--Permitted Uses

The following uses are permitted within the district:

A. Administrative offices, public buildings and grounds or uses related to the primary use including fee collection stations.

B. Botanical gardens.

C. Agricultural, historical and natural resource research sites and experimental facilities.

D. Ecological, historical, cultural, paleontological or geological resource sites.

E. Exercise, walking, hiking, biking, parks and equestrian trails.

F. Fishing lakes, public fish hatcheries and preserves.

G. Wildlife nature preserves, wilderness areas and wildlife management areas.

H. Public camping, campgrounds and campsites.

I. Regional mountain preserves and conservation parks, special use parks, public parks with publicly-owned recreational and picnicking facilities.

J. Visitor information center(s), information kiosks, interpretive sites and monuments.

618.03--Special Uses

A. Caretaker residence (site-built, manufactured home or recreational vehicle).

B. Concession stands, tour companies and guides located or operating on public land. Visitor-oriented businesses that supply commodities, such as groceries or other foods, drugs, notions, hardware, novelties, rock and mineral samples and souvenirs.

C. Public utility buildings and public service or utility uses, including but, not limited to, service yards, water, wastewater, and storm water retention, treatment and disposal facilities.

D. Any other use not listed under permitted uses, which comply with the general intent of the Sensitive Areas and Resource Lands (SA/RL) district.

E. Wireless Communication Facilities. (See Section 1115.00)

618.04--Minimum Parcel Size Requirements

The minimum lot size for the Sensitive Areas and Resource Lands (SA/RL) District shall be one (1) acre for all private lands.

618.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum lot width and setbacks for all principal buildings in the Sensitive Areas and Resource Lands (SA/RL) district:

Plate VI-23: Minimum Parcel Width & Setbacks

Minimum Lot Width	50 feet
Minimum Front Yard Setback	10 feet
Minimum Side Yard Setback	7 feet
Minimum Rear Yard Setback	10 feet
Minimum Side Street Setback	10 feet

618.06--Building Height

Structures in the Sensitive Areas and Resource Lands (SA/RL) District shall not exceed thirty-five feet (35') in height except as provided in Section 1103 of this Ordinance.

618.07--Maximum Lot Coverage

Maximum lot coverage for all private principal and accessory buildings in the SA/RL District is 40%. Lot coverage for public lands shall be compatible with building site locations and natural resource constraints on the site.

618.08--Accessory Buildings and Uses

All accessory buildings shall meet the same development standards as the principal buildings as set forth above.

Section 619.00--Public Facilities Zoning District (PF)

619.01--Purpose

The purpose of this district is to allow uses and sites that serve the community or public need.

619.02--Permitted Uses

The following uses are permitted within the district:

A. Non-profit agencies or organizations that provide a service to the community or serve a public need.

B. Community centers, libraries, museums and similar cultural uses.

C. Chapel(s) operated as an accessory to cemeteries, mausoleums, columbaria and crematoriums.

D. Facilities for the production, generation, treatment, storage or transmission of water by a special district.

E. Facilities for the production or generation of electrical energy by a special district.

F. Government offices and public safety facilities (including law enforcement and fire protection).

G. Hospitals, medical centers, drug and alcohol rehabilitation centers, mental health treatment centers and urgent care centers.

H. Administrative offices (on-site), including vehicle and equipment storage and repair related to the above uses.

I. Parks and recreational facilities, including publicly-owned golf courses.

J. Pre-schools, elementary schools, middle schools, high schools, colleges and universities.

K. Public utility buildings and public service or utility uses, including, but not limited to, service yards, water, wastewater and storm water treatment and disposal facilities.

L. Special district electrical substation facilities receiving less than one hundred thousand (100,000) volts.

M. Wireless Communication Facilities. (See Section 1115.00)

619.03--Special Uses

A. Caretaker residences.

B. Cemeteries, crematoriums, incinerators, columbaria, and mausoleums including associated on-site mortuaries.

C. Collection and recycling facilities as an accessory use to the primary use.

D. Correctional facilities with accessory facilities.

E. Special district electrical substation facilities receiving one hundred thousand (100,000) volts or more.

F. Stadiums, fairgrounds and arenas.

619.04--Minimum Parcel Size Requirements

All parcels in the Public Facility (PF) District shall be at least six thousand (6,000) square feet where public water and sewer service is provided in accordance with this Ordinance.

619.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum parcel width and required setbacks for all principal buildings in the Public Facilities (PF) district:

Plate VI-24: Minimum Parcel Width & Setbacks

Minimum parcel width	60 feet
Front Yard setback	50 feet
Side Yard setback	25 feet
Rear Yard setback	50 feet

619.06--Building Height

Structures in the Public Facility (PF) District shall not exceed thirty-five feet (35') in height except as provided in Section 1103 of this Ordinance.

619.07--Maximum Lot Coverage

Maximum lot coverage for all principal and accessory building in the Public Facility (PF) District is forty percent (40%).

619.08--Accessory Buildings and Uses

All accessory buildings shall meet the same development standards as the principal buildings as set forth above.

Section 620.00--Transportation, Communications and Utilities Zoning District (TCU)

620.01--Purpose

The purpose of this district is to allow utility administrative and operational sites, which serve the community or public need, and to protect these sites from encroaching incompatible use.

620.02--Permitted Uses

The following uses are permitted within the district:

A. Any utility facilities owned and operated by a governmental, quasi-governmental or non-profit agency.

B. Facilities for fiber optic cable systems.

C. Facilities for the production, generation, storage or transmission of water.

D. Facilities for the production or generation of geothermal, water, solar-powered, wind, co-generated power or electrical energy.

E. Facilities for the production of coal-fired or natural gas energy.

F. Fire protection works and facilities.

G. Flood control works, including channel rectification and alteration.

H. Incidental on-site administrative offices, vehicles, supply and equipment storage and repair related to the permitted uses in this section.

I. Observatory and meteorological towers.

J. Public airports and air traffic control towers, public auxiliary airfields, railroads and railroad spurs, public roads and highways.

K. Publicly-owned solid waste transfer stations and recycling centers.

L. Public utility buildings and public service or utility uses, including and not limited to service yards, water, wastewater, and storm water retention (over 1 acre in area), treatment and disposal facilities.

M. Wireless Communication Facilities. (See Section 1115.00)

620.03--Special Uses

A. Caretaker residences.

B. Parks and recreational facilities, including publicly owned golf courses.

C. Collection, recycling facilities as an accessory use to the primary use.

620.04--Minimum Parcel Size Requirements

All parcels in the Transportation, Communications and Utilities (TCU) District shall be a minimum of eight thousand (8,000) square feet.

620.05--Minimum Lot Width & Principal Buildings Setback Requirements

The following are the minimum parcel width and required setbacks for all principal buildings in the Transportation, Communications and Utilities (TCU) district:

Plate VI-25: Minimum Parcel Width & Setbacks

Minimum parcel width	60 feet
Front and street yard setbacks	10 feet
Side yard setback	5 feet
Rear yard setback	10 feet

620.06--Building Height

Structures in the Transportation, Communications and Utilities (TCU) District shall not exceed fifty feet (50') in height except as provided in Section 1103 of this Ordinance.

620.07--Maximum Lot Coverage

Maximum lot coverage for all principal and accessory buildings in the Transportation, Communications and Utilities (TCU) District is not to exceed fifty percent (50%) and as determined by facility type and site plan approval by the Planning Director.

620.08--Accessory Buildings and Uses

All accessory buildings shall meet the same development standards as the principal buildings as set forth above.

Section 621.00--Visual Corridor Overlay District (VCOD)

621.01--Purpose

The purpose of this Section is to ensure that lands adjacent or contiguous to Visual Corridors are developed in a manner that preserves, enhances and is in harmony with the natural scenic beauty and rural character viewed by travelers on the corridors. Further, the Visual Corridor Overlay (VCOD) District is intended to mitigate potential adverse impacts on the Visual Corridors by adjacent or contiguous land uses. Ensuring the buffering and screening of uses will in turn contribute to and enhance trade, tourism, capital investment and the community's general welfare. Visual Corridor Development Standards are to be applied to areas identified as Visual Corridors in the adopted Comprehensive Plan.

621.02--Permitted Uses

All uses allowed within the underlying base zoning district, except that no industrial uses shall be permitted and no off-site (billboard) signs shall be allowed.

621.03--Development Standards

A. The building types, locations and arrangements should be designed and sited to complement and enhance the open space and natural character of the corridor.

B. The unique qualities of the corridor shall be preserved, such as landmark buildings, views and vistas, and natural features which merit special consideration.

C. Signage (e.g. type, location, size, illumination, spacing, and number) shall be designed harmonious with the natural features of the area.

D. All development shall provide landscaping utilizing native plant materials to provide a minimum of a fifty-foot (50') buffer between any new buildings or structures and the Visual Corridor right-of-way.

621.04--General Requirements

The following general requirements apply to the Visual Corridor Overlay District:

A. For the purposes of this Ordinance, a Visual Corridor Overlay District is a district that supplements the underlying zoning district established on the site. In addition to the requirements of the underlying zoning district(s), the requirements herein shall apply to all new construction, additions, alterations, or expansions to existing buildings, parking lots or vehicular storage areas, unless explicitly exempted.

B. All uses permitted in the underlying zoning district are allowed unless specifically restricted in the overlay district.

C. Industrial development shall not be permitted within the Visual Corridor Overlay District.

D. The Visual Corridor Overlay District width shall be five hundred (500) feet in each direction from the centerline of the visual corridor right-of-way, for a total width of one thousand (1,000) feet.

E. Signage:

   1. Maximum sign height shall be twenty (20) feet.
   2. Maximum sign area shall be one hundred fifty (150) feet.
   3. Maximum number of pole signs shall be one (1) per parcel.
   4. Maximum number of wall signs shall be one (1) per building or structure.

Section 622.00--Residential Commercial Zoning District (RC)

622.01--Purpose

The purpose of this district is to allow various retail business, service and professional activities in neighborhoods and urban/suburban service areas. Parcels may contain permanent residential units with ancillary but significant non-residential activities. Typically, living units are similar in nature to tenant flats located above street level or directly adjacent to commercial activities.

622.02--Permitted Uses

The following are allowed uses on properties in the Residential Commercial (RC) district subject to compliance with the design standards listed below.

A. Single-family dwellings, multi-family dwellings, condominiums, and townhouses.

B. Art, craft, music and dancing schools.

C. Art galleries, picture framing businesses and photography studios.

D. Antique and coin shops.

E. Barbershops, beauty and nail salons and therapeutic salons.

F. Bookstores and news stands.

G. Bicycle shops.

H. Candy, ice cream and snack sales.

I. Coffee and tea retail sales.

J. Computer internet rental services.

K. Clothing and apparel sales.

L. Craft shops for the manufacture of art, jewelry, silverware, ceramics, sewing and quilting, leather goods, toys, bookbinding, editorial and designing, printing and lithography.

M. Executive, professional and general business offices.

N. Fabric and notions sales.

O. Financial Institutions such as banks, credit unions, and savings and loan offices provided the facility is limited to 5,000 square feet of gross floor area.

P. Florists.

Q. Gifts, jewelry, stationary and card stores.

R. Health and personal care stores.

S. Neighborhood grocery stores, specialty food stores, fruit and vegetable stores, and beverage sales.

T. Pet grooming.

U. Pharmacies and herbal remedy sales.

V. Shoe shops.

W. Tailor shops.

622.03--Special Uses

The following are allowed as Special Uses on properties in the Residential Commercial (RC) District:

A. Automotive supply stores.

B. Bars and pubs.

C. Beer, wine and liquor stores.

D. Bed and breakfasts.

E. Cigar, cigarette & tobacco retail sales.

F. Restaurants and serving take out foods.

G. Variety stores.

H. Video rental and sales stores.

I. Wireless Communication Facilities. (See Section 1115.00)

622.04--Permitted Uses Hours of Operation

Hours of operation shall be from 7 A.M. to 10 P.M. Extended hours of operation shall require a special use permit.

622.05--Minimum Parcel Size and Width Requirements

All parcels in the RC District shall be at least eight thousand (8,000) square feet where both public water and sewer service are provided in accordance with this Ordinance.

Minimum parcel width: 60 feet.

622.06--Minimum Required Yards

The required yards are as follows:

Plate VI-26: Minimum Parcel Setbacks

Yards	Setbacks
Front Yard	10 feet
Side Yard	None, except where the side yard of the lot abuts a residential lot, in which case the side yard shall not be less than 20
Rear Yard	None, except where the rear yard of the lot abuts a residential lot, in which case the rear yard shall not be less than 20

622.07--Building Height

Structures in the Residential Commercial district shall not exceed thirty-five (35) feet in height except as provided in Section 1103 of this Ordinance.

622.08--Maximum Lot Coverage

Maximum lot coverage: Fifty percent (50%) of the lot area. When lot coverage exceeds thirty percent (30%), a central sewage system is required.

622.09--Accessory Buildings and Uses

See Section 1106.00 of this Ordinance.

Article VII -- Airport District

Section 701.00--Purpose

The purpose of the establishment of the Airport District (AD) is the encouragement of compatible land uses in the vicinity of airports and the promotion of the general public health, safety and welfare of airport users as provided in Title 28, Chapter 25 of the Arizona Revised Statutes.

Section 702.00--General

702.01--Restrictiveness of the District

The provisions and regulations of the Airport District, if more restrictive, shall prevail over existing zoning districts or rezoned districts over which the Airport District is superimposed.

702.02--Restrictiveness of Other Districts

Procedures and requirements of other articles within these regulations shall apply to the establishment of authorized land uses within the Airport District.

Section 703.00--Applicability

703.01--Nonconforming Uses

Nothing contained herein shall require any change or alteration in a lawfully established, erected or relocated building or land use in existence at the time of adoption or amendment of these regulations.

Section 704.00--Surfaces and Zones, Establishment and Definitions

704.01--Airport Approach Zones

In order to establish and enforce the provisions of this Article, there are hereby created and established, specific airport approach zones consisting of the areas on or underlying the primary, approach, transitional, horizontal and conical surfaces as shown on the Official Yuma County Airport District Noise Overlay Map, the Airport Runway Approach Clearance Map and the AUX-II AICUZ Map (as provided by the Arizona State Land Department) for the purpose of preventing the growth, development, erection or construction of Airport Hazards.

704.02--High Noise or Accident Potential Zones; Noise Intensity Zones

There are also created and established over and in the vicinity of airports so zoned Clear Zones, Accident Potential Zones (APZ), High Noise or Accident Potential Zones (HNAPZ), and Noise Intensity Zones in order to minimize exposure of the general public to aircraft crash and accident hazards and high noise levels considered to be hazardous to health.

704.03—Definitions

The following definitions are to be used specifically for the provisions, terms, phrases and expressions contained in this article.

A. Primary Surface: The Primary Surface is the Airport runway length plus a two hundred foot runway overrun beyond each end of surfaced runways. The width of the Primary

Surface is the width of the approach surface at the end of the primary surface.

B. Approach Surface: Approach Surfaces are established longitudinally beyond the ends of each runway, centered on an extension of the runway centerline extending uniformly upward and outward from a specified width at the end of the primary surface. Approach surface criteria for specific runway categories and uses are established as shown in Plate VII-1.

C. Transitional Surfaces: Transitional Surfaces extend upward and outward perpendicular to the runway centerline at a slope of one foot (1') vertical in seven feet (7') horizontal from the sides of the Primary Surface and the sides of the Approach Sufaces.

D. Inner Horizontal Surface: The Inner Horizontal Surface is an oval shaped plane one hundred fifty feet (150') above the established airfield elevation consisting of arcs of seven thousand five hundred foot (7,500') radius centered on the end of each runway with tangential interconnections.

E. Conical Surface: The Conical Surface extends from the periphery of the Inner Horizontal Surface upward and outward at a slope of one foot (1') in twenty feet (20') to a height of five hundred feet (500') above the established airfield elevation.

F. Outer Horizontal Surface: The Outer Horizontal Surface is a plane five hundred feet (500') above the established airfield elevation extending outward from the periphery of the Conical Surface for a horizontal distance of thirty-thousand feet(30,000').

G. Clear Zones: Clear Zone means an area three thousand feet (3,000') long measured along the extended runway centerline beginning at the end of all main military runways and three thousand feet (3,000') wide centered on and measured at right angles to the extended runway centerline.

H. Accident Potential Zone 1 (APZ-1): Accident Potential Zone One (APZ-1) means an area three thousand feet (3,000') wide by five thousand feet (5,000') long that starts at the end of each clear zone and that is centered and measured on the extended runway centerline, terminating five thousand feet (5,000') from the end of each runway.

I. Accident Potential Zone 2 (APZ-2): Accident Potential Zone Two (APZ-2) means an area three thousand feet (3,000') wide by seven thousand feet (7,000') long that starts at the end of each accident potential zone one and that is centered and measured on the extended runway centerline, terminating fifteen thousand feet (15,000') from the end of each runway.

J. High Noise or Accident Potential Zone for Marine Corps Air Station-Yuma: High noise or accident potential zone means any property located within the noise contours established by the most recent air installation compatible use zone report recognized by the military airport including the arrival and departure corridor that is the accident potential zone one and the accident potential zone two plus the land area described as follows: starting two hundred feet (200') from the end points of the main runways and at a width of three thousand feet (3,000') and symmetrical about a centerline between the runways extending outward to a point thirty thousand feet (30,000') from the point of beginning. The outer width is seventeen thousand five hundred feet (17,500').

K. High Noise or Accident Potential Zone for the Ancillary Military Facility (Auxiliary Field-II (AUXII)): The high noise or accident potential zones and the arrival and departure corridors designated as the accident potential zone one (1) and the accident potential

zone two (2) plus the land area described as follows: starting two hundred feet (200') from the end point of the runway and at a width of three thousand feet (3,000') symmetrical about the centerline of the runway extending outward to a point approximately fifty-thousand feet (50,000') to Avenue 1E from the point of beginning. The outer width is nine thousand, three hundred, eighteen and seven-tenths feet (9,318.7').

L. Military Airport: Military airport means an airport that is operated by an armed force of the United States and that is primarily used for military fixed wing aircraft operations, excluding a runway or airstrip that is not immediately adjacent to facilities primarily used for operational control, maintenance and permanent parking of aircraft.

M. Territory in the Vicinity for Marine Corps Air Station-Yuma and Laguna Army Airfield:

Territory in the vicinity of a military airport means any property located five (5) miles to the north, south and west, and ten (10) miles to the east of the center of the main runway of a military airport.

N. Territory in the Vicinity for the Ancillary Military Facility (Auxiliary Field – II (AUX-II)): Territory in the vicinity for the ancillary military facility (Auxiliary Field-2) is as defined in Arizona Revised Statutes, Title 28, Chapter 25, Article 7.

O. Ancillary Military Facility: Ancillary Military Facility means the military auxiliary field that is recognized by the military airport and political subdivisions in Yuma County and that is identified on a map that is prepared by the State Land Department and kept on file with the State Land Department and the State Real Estate Department.

P. Greater Than 75 dB Noise Zone: The Greater Than 75 dB Noise Zone is the area within the 75 Ldn contour line as developed and delineated on the Yuma County Airport District Noise Overlay Map by the application of the day-night average sound level methodology of sound measurement.

Q. 70 dB Noise Zone: The 70 to 75 dB Noise Zone is the area between the Ldn 70 contour line and the Ldn 75 contour line delineated on the Yuma County Airport District Noise Overlay Map as developed by the Ldn Methodology.

R. 65 dB Noise Zone: The 65 to 70 dB Noise Zone is the area between the Ldn 65 contour line and Ldn 70 contour line delineated on the Yuma County Airport District Noise Overlay Map as developed by the Ldn Methodology.

S. Accident Potential and Noise Zone limitations: Where Accident Potential Zones and Ldn area co-exist on the same ground area, the most restrictive limitation shall apply.

T. Noise Contours that Divide Lots: When, at the time of the adoption of this regulation, a noise contour line divides or traverses an individually designated or identified parcel or lot consisting of less than forty (40) acres, the parcel or lot at the election of the owner, shall be treated as lying within the noise zone in which fifty-one percent (51%) of the property is situated. The burden of proof of the acreage percentage shall be upon the applicant.

U. Runway Approach Departure Safety Areas (RADSA)West area: all property located within 1/8 of a mile (nominal) north and south of the extended centerline of Runway 8-26 following existing property lines between the west property line of the airport and the west right-of-way line of 4th Avenue, Yuma, Arizona.

East area: all property located in the area bounded by, the west right-of-way line of Avenue 3E on the west, east-west lines 1/8 of a mile (nominal) north and south of the extended centerline of Runway 8-26 following existing property lines and the east right -of-way line of Avenue 4E on the east, Yuma, Arizona.

V. Airport Industrial Overlay District-1 (AIOD-1): Property located within an area bounded by the north right-of-way line of 32nd Street on the north, the west right-of-way line of Avenue 3E on the west, the east right-of-way line of Avenue 4E on the east, and that area which is more than 1/8 of a mile (nominal) north of the extended centerline of Runway 8-26 following existing property lines, Yuma, Arizona.

Additionally, this overlay district shall apply to property located within an area bounded by the future alignment of 36th Street (the east-west mid-section line) on the south, the west right-of-way line of Avenue 3E on the west, the east right-of-way line of Avenue 4E on the east, and a northern boundary that is 1/8 of a mile (nominal) south of the extended centerline of Runway 8-26 following existing property lines, Yuma, Arizona.

W. Airport Industrial Overlay District-2 (AIOD-2): Property located within an area bounded by the future alignment of 36th Street (east-west mid-section line) on the south, the west right-of-way line of 4th Avenue on the west, the west airport property line on the east, and that area which is more than 1/8 of a mile (nominal) south of the extended centerline of Runway 8-26 following existing property lines, Yuma, Arizona.

X. Restricted airspace: Restricted airspace, as defined in Section 202.00 of this ordinance, includes restricted airspace assigned to Yuma Proving Ground, Marine Corps Air Station Yuma, and/or Yuma International Airport.

Section 705.00--Surfaces and Zones, Height and Use Regulations

705.01--Visibility Impairment

No use shall be made of land underlying any surface boundaries created by the Article in such a manner as to create electrical interference with radio communications between the airport tower and aircraft, or make it difficult for airport users to distinguish between airport lights and vicinity lights, result in glare or impair visibility in the vicinity of the airport, cause the gathering of large quantities of birds, or otherwise endanger the landing, take off or maneuvering of the aircraft.

705.02--Height Limits

No structure, building or trees shall be erected, altered, monitored or allowed to grow in any primary, approach, transitional, horizontal or conical surface established by this article to a height in excess of the applicable height limit herein established as surface boundaries.

705.03--Ten Thousand Foot Limits

As defined in Section 202 of this code, the following land uses are prohibited under approach surfaces within ten thousand feet (10,000') of the Primary Surface or within Clear Zones and Accident Potential Zones:

A. High Hazard Occupancies

B. Institutional and Educational Occupancies

C. Medium and High Density Residential Developments

705.04--Hazard Marking and Lighting

When, in the opinion of the Zoning Inspector, the erection or existence of any pole, tower, tank or other structure shall constitute a hazard to operation of aircraft in the vicinity of the airport, the owner of the structure or plant material shall, at his own expense, install, operate and maintain such markers and lights as may be necessary to indicate to aircraft operators the presence of an airport hazard, as provided in the current edition of FAA Advisory Circular 70/7460-1.

Section 706.00--Clear Zone, APZ, Noise Zone, RADSA, Runway Approach Surface Criteria, and AIOD Use Regulations

706.01--Restrictiveness of Regulation

The provisions, regulations and building codes of the Airport District, if more restrictive, shall prevail over those of the zoning districts over which Clear Zones, High Noise and Accident Potential Zones, Noise Zones, Runway Approach Departure Safety Areas, and Airport Industrial Overlay Districts Use Regulations are superimposed.

706.02--Clear Zone

No new construction or parking is allowed in the Clear Zone.

706.03--Accident Potential Zones (APZ-1 and APZ-2)

Accident Potential Zones are those zones, which, based on national averages have significant aircraft crash potential. Permitted land uses and population densities for APZ-1 and APZ-2 are shown on the Land Use Matrix.

706.04--Noise Zones

Noise Zones are delineated on the Yuma County Airport District Noise Overlay Map as the areas bounded by the noise contours. Noise contours are delineated in terms of Ldn values established through the analysis of sound measurements of composite aircraft operations on and in the vicinity of the airport. The construction of habitable structures shall be regulated to assure suitable noise attenuation characteristics based on location within a particular noise zone. Regulation of sound attenuation or Noise Level Reductions (NLR) characteristics will be accomplished through the application of appropriate zoning regulations and the enforcement of building codes acceptable to the Division of Building and Safety in the addition to existing structures. Permitted land uses including the construction of habitable structures are regulated as shown on the Land Use Matrix.

All real property within the unincorporated area of Yuma County that is located within the Yuma County Noise Exposure and Compatibility Map in Appendix D of the Yuma County 2010 Comprehensive Plan shall comply with the Land Use Matrix.

Territory in the HNAPZ but outside the accident potential zone one (1), two (2) and noise contour lines shall be treated as lying within the 65-70 Ldn sound level.

706.05--Runway Approach Departure Safety Areas (RADSA)

Permitted land uses and population densities in the RADSA are shown on the RADSA/AIOD -1/AIOD-2 Land Use Compatibility Matrix.

706.06--Airport Industrial Overlay Districts (AIOD-1 and AIOD-2)

Permitted land uses and population densities for AIOD-1 and AIOD-2 are shown on the RADSA/AIOD-1/AIOD-2 Land Use Compatibility Matrix.

706.07--Runway Approach Surface Criteria

Plate VII-1 Runway Approach Surface Criteria

Runway Category	Width at Primary	Slope	Width at 5,000 feet	Width at 10,000 feet
Visual	500 feet	1 to 20	1,500 feet	n/a
Non-Precision	3,000 feet	1 to 34	2,000 feet	4,000 feet
Precision	1,500 feet	1 to 50	3,000 feet	4,000 feet

Precision Instrument runway approach surfaces extend beyond ten thousand (10,000) feet at a slope of one in forty (1:40) to a distance of fifty thousand (50,000) feet and a width of sixteen thousand (16,000) feet

Plate VII-- 2 Land Use Matrix
Day— Night Sound Level in Decibels High Noise or Accident Potential Zone

Zoning and development in High Noise or Accident Potential Zone	65-69	70-74	75-79	80-84	85 +	APZ One	APZ Two
Residential uses other than the residential uses listed below	No (13)	No (13)	No (13)	No (13)	No	No	No
Single family residential that is subject of zoning approved on or before December 31, 2000 that permits one dwelling unit per acre or less	Yes (9)	Yes (10)	Yes (11)	No (13)	No (13)	No	No (13)
Single family residential that is the primary residence for persons engaging in agricultural use and ancillary residential buildings incident to the primary agricultural use	Yes (9)	Yes (10)	Yes (11)	Yes (12)	No (13)	No	No (13)

Plate V
trix

3. TRANSPORTATION, COMMUNICATIONS AND UTILITIES							
Railroad and rapid rail transit	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (15)
Highway and Street Right-of-way	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Motor Vehicle Parking	Yes	Yes	Yes	Yes	Yes	Yes	Yes (15)
Communications (noise sensitive)	Yes	Yes (2)	Yes (3)	No	No	Yes (15)	Yes (16)
Utilities	Yes	Yes	Yes	No	No	Yes (15)	Yes (16)
Other transportation, communications and utilities	Yes	Yes (5)	Yes (6)	Yes (7)	Yes (8)	Yes (15)	Yes (16)
COMMERCIAL/RETAIL TRADE							
Wholesale Trade	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes
Zoning and development in High Noise or Accident Potential Zone	**65-69**	**70-74**	**75-79**	**80-84**	**85 +**	**APZ One**	**APZ Two**
Building Materials Retail	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes
General Merchandise Retail	Yes	Yes (1)	Yes (2)	No	No	No	No
Food Retail	Yes	Yes (1)	Yes (2)	No	No	No	No
Automotive and Marine	Yes	Yes (5)	Yes (6)	No	No	No	No
Apparel and accessories Retail	Yes	Yes (1)	Yes (2)	No	No	No	No
Eating and Drinking Places	Yes	Yes (1)	Yes (2)	No	No	No	No
Furniture and Home Furnishings Retail	Yes	Yes (1)	Yes (2)	No	No	No	No
Other Retail Trade	Yes	Yes (1)	Yes (2)	No	No	No	No
PERSONAL AND BUSINESS SERVICES							
Finance, Insurance and Real Estate	Yes	Yes (1)	Yes (2)	No	No	No	Yes
Personal Services	Yes	Yes (1)	Yes (2)	No	No	No	Yes
Business Services	Yes	Yes (1)	Yes (2)	No	No	No	Yes
Repair Services	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes
Contract Construction Services	Yes	Yes (5)	Yes (6)	No	No	No	Yes
Indoor Recreation Services	Yes	Yes (5)	Yes (6)	No	No	No	Yes
Other Services	Yes	Yes (5)	Yes (6)	No	No	No	Yes
INDUSTRIAL/MANUFACTURING							

Food and Kindred Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Textile Mill Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Apparel	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Lumber and Wood Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Furniture and Fixtures	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Paper and Allied Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Printing and Publishing	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Chemicals and Allied Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	No
Zoning and development in High Noise or Accident Potential Zone	**65-69**	**70-74**	**75-79**	**80-84**	**85 +**	**APZ One**	**APZ Two**
Petroleum refining and related industries	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	No
Rubber and miscellaneous plastic	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Stone, Clay and Glass Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Primary Metal Industries	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Fabricated Metal Products	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
Professional, Scientific & Controlling Instruments	Yes	Yes (1)	Yes (2)	No	No	No	No
Miscellaneous manufacturing	Yes	Yes (5)	Yes (6)	Yes (7)	No	No	Yes (16)
PUBLIC AND QUASI-PUBLIC SERVICES							
Government Services	Yes (1)	Yes (2)	Yes (2)	No	No	No	Yes (16)
Cultural Activities, including churches	Yes (1)	Yes (2)	No	No	No	No	No
Medical and other health services	Yes (1)	Yes (2)	No	No	No	No	No
Cemeteries	Yes (5)	Yes (6)	Yes (7)	No	No	No	Yes
Non-profit Organizations	Yes (1)	Yes (2)	No	No	No	No	Yes
Correctional Facilities	Yes (1)	Yes (2)	Yes (3)	Yes (4)	No	No	Yes
Other Public and Quasi-public services	Yes (1)	Yes (2)	No	No	No	No	Yes (16)
OUTDOOR RECREATION							

Playgrounds and Neighborhood parks	Yes	Yes	No	No	No	Yes (15)	Yes
Community and Regional	Yes	Yes	No	No	No	Yes	Yes
Nature Exhibits	Yes	No	No	No	No	No	No
Spectator Sports, including Arenas	Yes (14)	Yes (14)	No	No	No	No	No
Golf Courses and Riding Stables	Yes	Yes (5)	Yes (6)	No	No	Yes (15)	Yes
Water based Recreational areas	Yes	Yes (5)	Yes (6)	No	No	No	No
Resort and Group Camps	Yes (1)	Yes	No	No	No	No	No
Auditoriums and Concert Halls	Yes (6)	Yes	No	No	No	No	No
Zoning and development in High Noise or Accident Poten-	**65-69**	**70-74**	**75-79**	**80-84**	**85 +**	**APZ One**	**APZ Two**
Outdoor Amphitheaters and Mu-	Yes	Yes	Yes	No	No	No	No
Other outdoor recreation	Yes	Yes (14)	Yes (14)	No	No	No	No
RESOURCE PRODUCTION, EXTRACTION AND OPEN SPACE							
Agriculture (Except Livestock)	Yes (9)	Yes (10)	Yes (11)	Yes (12)	Yes (13)	Yes (13)	Yes (13)
Livestock Farming and Animal Breeding	Yes (9)	Yes (10)	Yes (11)	Yes (12)	Yes (13)	Yes (13)	Yes (13)
Forestry Activities	Yes (9)	Yes	Yes	Yes	Yes	No	Yes
Fishing Activities and related ser-	Yes	Yes	No	No	No	No	No
Mining Activities	Yes	Yes	Yes	Yes	Yes	No	Yes (16)
Permanent Open Space	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Water Areas	Yes	Yes	No	No	No	No	No

(1) Measures to achieve an outdoor to indoor noise reduction level of twenty-five (25) decibels must be incorporated into the design and construction of all buildings and the political subdivision must make an express finding, as part of approval, that use of noise reduction level criteria will not alleviate outdoor noise.

(2) Measures to achieve an outdoor to indoor noise reduction level of thirty (30) decibels must be incorporated into the design and construction of all buildings and the political subdivision must make an express finding, as part of approval, that use of noise reduction level criteria will not alleviate outdoor noise.

(3) Measures to achieve an outdoor to indoor noise reduction level of thirty-five (35) decibels must be incorporated into the design and construction of all buildings and the political subdivision must make an express finding, as part of approval, that use of noise reduction level criteria will not alleviate outdoor noise.

(4) Measures to achieve an outdoor to indoor noise reduction level of forty (40) decibels must be incorporated into the design and construction of all buildings and the political subdivision must make an express finding, as part of approval, that use of noise reduction level criteria will not alleviate outdoor noise.

(5) Measures to achieve an outdoor to indoor noise reduction level of twenty-five (25) decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.

(6) Measures to achieve an outdoor to indoor noise reduction level of thirty (30) decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.

(7) Measures to achieve an outdoor to indoor noise reduction level of thirty-five (35) decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.

(8) Measures to achieve an outdoor to indoor noise reduction level of forty (40) decibels must be incorporated into the design and construction of portions of buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.

(9) Measures to achieve an outdoor to indoor noise reduction level of twenty-five (25) decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.

(10) Measures to achieve an outdoor to indoor noise reduction level of thirty (30) decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.

(11) Measures to achieve an outdoor to indoor noise reduction level of thirty-five (35) decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.

(12) Measures to achieve an outdoor to indoor noise reduction level of forty (40) decibels must be incorporated into the design and construction of new residential buildings or expansions of existing residential buildings.

(13) No new residential buildings or expansions of existing residential buildings are permitted.

(14) Compatible if special sound reinforcement systems are installed.

(15) No above ground buildings or structures.

(16) No new buildings or improvements or expansion of non-agriculture buildings or improvements for uses that result in the release of any substance into the air that would impair visibility or otherwise interfere with operating aircraft, such as any of the following:

(a) Steam, dust and smoke.

(b) Direct or indirect reflective light emissions.

(c) Electrical emissions that would interfere with aircraft and air force communications or navigational aid systems or aircraft navigational equipment.

(d) The attraction of birds or waterfowl such as operation of sanitary landfills or maintenance of feeding stations.

(e) Explosives facilities or similar activities.

(17) Uses not listed are presumed to not be compatible. If the political subdivision and the military airport mutually agree that an individual use is compatible and consistent with the high noise or accident potential zones of the military airport or ancillary military facility, the use shall be presumed to be compatible.

Plate VII--3 Runway Approach/Departure Safety Area, Airport Industrial Overlay District Compatibility Matrix

RADSA/AIOD-1/AIOD-2 LAND USE COMPATIBILITY MATRIX		
Land Use Category/Activity	**RADSA/AIOD-1 (Footnotes 1a, 1b, 2)**	**AIOD-2 (Footnotes 1c, 2)**
Manufacturing of:		
Food and kindred products	Y	Y
Textile mill products	Y	Y
Lumber and wood products	Y	Y
Furniture and fixture	Y	Y
Paper and allied products	Y	Y
Printing and publishing industries	Y	Y
Stone, clay and glass products	Y	Y
Primary metal industries	Y	Y
Fabricated metal products	Y	Y
Miscellaneous manufacturing	Y	Y
Caretakers Residence	Y	Y
Transportation, Communications and Utilities		
Railroad, rapid rail transit and street railway uses or ancillary office/ maintenance facilities but not terminals, stations or transit centers	Y	Y
Truck terminals	Y	Y
Airports	Y	Y
Highway and street right-of-way	Y	Y
Vehicle storage/parking lots	Y	Y
Utilities (below ground okay; above ground requires review as to placement)	Y	Y
Other transportation, communication and utility facilities	Y	Y
Caretakers Residence	Y	Y
Trade/Commercial		
Wholesale trade exclusive of membership-based businesses	Y	Y
Storage	Y	Y
Retail trade building materials, hardware and farm equipment	N	Y

RADSA/AIOD-1/AIOD-2-LAND USE COMPATIBILITY MATIRX		
Retail trade general merchandise	N	Y
Retail trade food	N	Y
Retail trade automotive, marine craft, aircraft and accessories	N	Y
Retail trade furniture, home furnishings and equipment	N	Y
Retail trade B restaurants and eating and drinking establishments	N	Y
Caretakers Residence	N	Y
Service		
Finance, insurance and real estate services	Y	Y
Personal services	Y	Y
Cemeteries	Y	Y
Business services	Y	Y
Professional services	Y	Y
Repair services	Y	Y
Contract construction services	Y	Y
Governmental services excluding libraries or facilities with auditoriums, meeting halls, etc.	Y	Y
Miscellaneous	Y	Y
Caretakers Residence	Y	Y
Cultural, Entertainment and Recreational		
Nature exhibits	Y	Y
Parks with passive open space areas, not with active recreation space facilities that concentrate people	Y	Y
Caretakers Residence	Y	Y
Resources Production and Extraction		
Agricultural	Y	Y
Livestock farming and animal breeding	Y	Y

RADSA/AIOD-1/AIOD-2 LAND USE COMPATIBILITY MATRIX		
Land Use Category/Activity	**RADSA/AIOD-1 (Footnotes 1a, 1b, 2)**	**AIOD-2 (Footnotes 1c, 2)**
Agriculturally-related activities	Y	Y
Forestry activities and related services	Y	Y
Fishing activities and related services	Y	Y
Mining activities and related services	Y	Y
Caretakers Residence	Y	Y
Other resource production and extraction	Y	Y
Miscellaneous		
Existing uses (July 31, 2002)	Y	Y

RADSA/AIOD-1/AIOD-2 Land Use Compatibility Footnotes

1a. A maximum of one (1) person per 2,800 square feet of net lot area (15.55 people per acre) shall be allowed (applies to RADSA).

1b. A maximum of one (1) person per 1,100 square feet of net lot area (39.6 people per acre) shall be allowed (applies to AIOD-1)

1c. A maximum of one (1) person per 900 square feet of net lot area (48.4 people per acre) shall be allowed (applies to AIOD-2)

2. The occupancy/density standards of the Uniform Building Code will apply in determining the maximum number of persons per square feet of building area (applies to RADSA, AIOD-1 and AIOD-2).

3. In order to establish a 200-foot wide corridor free of surface obstructions along the 34th Street alignment within the RADSA, a north and south building or structure setback of 100-feet from the centerline of 34th Street alignment shall be maintained. To achieve this, the property owner shall select from one of the following development options listed below:

   a. At the time of development of a 34th Street alignment, 49-foot half-width right-of-way is to be dedicated to the County for the construction of a collector street, and an adjoining 51-foot no-build easement will be granted to the County. The no-build easement may be used for a shallow retention basin and/or parking and, the no-build easement may be included within the calculation of the total net lot area in regards to determining density of people per acre. The no-build easement is not required to be landscaped. If landscaping is not emplaced, an approved permanent dust control measure shall be utilized.

   b. In lieu of street construction, a 100-foot half-width right-of-way may be dedicated to the County.

   c. In lieu of 34th Street construction, a 100-foot half-width no-build easement may be granted to the County, provided a separate and distinct industrial collector street is constructed to serve the internal property. All development conditions specified in item b above apply here, except that all vehicles parked in the 100-foot, no-build easement shall be limited to the outer 51 feet of the no-build easement.

4. Factors to be considered in land use or site development include labor intensity, occupancy loads, building configuration and location, parking and vehicular circulation, structural coverage, flashing light or other exterior light sources, the extent of storage or use of explosive materials or flammables, release of airborne particulates or pollutants which may obscure vision or pose potential explosive hazards; generation of electromagnetic fields or transmission of electrical signals or impulses that would interfere with aircraft operations or radio transmissions or other processes or uses of similar character or origin.
5. Above ground electrical transmission lines are not allowed.
6. West AIOD Clear Zone owned by Yuma County and maintained by the Yuma County Airport Authority for runway protection is limited to those uses established by Federal Aviation Regulations (FAR) and approved by the Federal Aviation Administration.
7. Land use categories and/or activities not listed in this land use compatibility matrix are not permitted.
8. All existing uses (as of the July 31, 2002) are fully grandfathered and permitted to lawfully operate within the limits of the existing zoning at the effective date of the Plan's adoption subject to:

   a. Facility/use expansion allowed to maximum permitted under current zoning.

   b. Compliance with nonconforming use regulations where/if applicable.

   c. Approach/departure clearance surface slope criteria and other airport surfaces where applicable.

   By fully grandfathering, it is meant that all current uses shall be allowed to continue the current category of use, i.e., property with a current retail sales use (such as a car dealership) can continue to be used for any use within that category (such as retail clothing sales) and shall be allowed to develop or redevelop to the fullest extent allowed under the present Building Code, Fire Code, development standards, and Lot Coverage standards. Vacated facilities may be re-established within three (3) years if of the same category of land use. The grandfathering specifically does NOT apply to zoning on property that is currently zoned Light Industrial. A light industrial use would NOT be grandfathered. A light industrial use could be built on that parcel, if however, it was one of the uses in the list of approved uses for the underlying AIOD or RADSA area and conformed with the occupant load limitations for that AIOD or RADSA area. The occupant load for grandfathered uses would NOT be restricted other than is presently provided in the Building and Fire Code restrictions.

Section 707.00--Administration and Enforcement

707.01--Administrative Agency

The Planning and Zoning Division, Department of Development Services of Yuma County is hereby designated the administrative agency charged with the duty of administering the regulations herein prescribed.

707.02--Enforcing Officer

The Board of Supervisors shall appoint a person qualified by training or experience in planning, zoning or code enforcement as Airport Zoning Inspector, who shall have all authority conferred by state law necessary to enforce the Airport District regulations. Until such appointment is made, or in the event of vacancy or disability therein, the duties of the Airport Zoning Inspector shall be vested in the Planning Director.

707.03--Implementation

The Airport Zoning Inspector may adopt such procedures as are consistent with the purpose and intent of these Regulations for the implementation thereof.

Section 708.00--Amendments

708.01--Criteria for Amendments

The permitted land uses within the Airport District Zones may be amended in accordance with the provisions of Section 404.00, as necessary, when in conformance with the purpose and intent of these Regulations whenever any of the following applies:

A. Evidence shows that the operation of the Airport has or will change substantially and that such changes will be permanent.

B. Additional information concerning the health hazards of high noise levels or accident potential associated with aircraft operations becomes available.

C. New evidence is provided which indicates that modifications to any portion of the Airport District is appropriate.

D. When evidence shows that:

   1. There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that district; and that,

   2. The strict application of the regulations would cause an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights; and that,

   3. The granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

708.02--Petition for Amendment

Any owner or owners of property underlying the Airport District may petition for amendment of Airport District Zone boundaries and shall present studies and analysis accomplished by a competent engineer, architect or acoustical consultant, which indicate that amendment to zone boundaries or building codes are appropriate.

708.03--Field Tests

Complaints alleging non-compliance with the provisions of this Article may be resolved through the conduct of a field test accomplished by a competent engineer, architect or acoustical consultant. When the field test confirms that non-compliance with the provisions of this article exist, the builder shall pay the cost of the field test and required structural modification. The complainant shall bear the costs of the test if the structure is in compliance.

Section 709.00--Nonconforming Residential Subdivisions

Residential Subdivisions, as defined by the Arizona Revised Statutes and the Yuma County Subdivision Regulations, which have been previously zoned residential and the subdivision plat recorded with the Yuma County Recorder prior to the effective date of these Airport District Regulation Amendments, shall be allowed to develop in accordance with those Airport Regulations in effect at the time the final plat was recorded.

Section 710.00--Airport Board of Adjustment

710.01--Board Responsibilities

The Yuma County Board of Adjustment (Section 403.00) shall function as the Airport Board of Adjustment in accordance to the powers and duties noted within this section.

710.02--Powers and Duties

A. The ABOA shall exercise the following powers:

   1. Hear and decide appeals from an order, requirement, decision or determination made by the administrative agency in the enforcement of the airport zoning regulations.

   2. Hear and decide special exceptions to the terms of the airport zoning regulations on which the ABOA may be required to pass under the regulations.

   3. Hear and decide specific variances.

B. The concurring vote of a majority of the members of the ABOA is sufficient to:

   1. Reverse an order, requirement, decision or determination of the administrative agency.

   2. Decide in favor of the applicant on any matter on which it is required to act under the airport zoning regulations.

C. The ABOA shall:

   1. Adopt regulations in accordance with provisions of the ordinance or resolution by which it is established.

2. Hold meetings at the call of the Chairman and at other times as the ABOA determines.
3. Have the Chairman, or in the Chairman's absence, the acting Chairman, administer oaths and compel the attendance of witnesses.
4. Hold only public hearings.
5. Keep minutes of its proceedings showing the vote of each member on each question, or if a member is absent or fails to vote, indicating that fact.
6. Keep records of its examinations and other official actions as public records and file them in the office of the Planning Director.

710.03--Variances

A. A person who wants to erect or increase the height of a structure, permit the growth of a tree or otherwise use the person's property in violation of an airport zoning regulation adopted under this article may apply to the Airport Board of Adjustment for a variance from the airport zoning regulation in question.

B. A variance shall be allowed if a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest, would do substantial justice and would be in accordance with the spirit of the regulation and this article.

C. A variance may be allowed subject to any reasonable conditions the Airport Board of Adjustment deems necessary to fulfill the purposes of this article.

710.04--Public Hearing Notice

A. The Planning Director shall give notice of the public hearing by posting the subject property for which the variance or interpretation is requested at least fifteen (15) days prior to the date of the public hearing. The notice shall include: the site address and assessor's parcel number of the property for which the variance or appeal has been requested; the date, time, and location of the public hearing; a brief description of the variance or interpretation request to be considered at the public hearing; and a provision that anyone residing on or owning an abutting property and wanting to comment on the variance or interpretation request may appear at the public hearing or provide comment in writing to be received by the Planning Director prior to the public hearing.

B. The Planning Director shall, after setting a public hearing, cause a notification to be sent by first class mail to all property owners, as shown on the last assessment of the property, located within three hundred feet (300') of the property being considered for the variance or interpretation.

C. The property owner notification for a variance shall include the following:

1. The property owner's name with mailing address, and the site address, assessor parcel number and variance case number for the property on which the variance or interpretation is being requested.

2. The date, time, and place of the Airport Board of Adjustment public hearing, along with a general explanation of the matter to be considered at the public hearing to include planning staff's preliminary findings regarding the conditions and facts of the variance or interpretation.

3. A provision that anyone wanting to comment may appear at the Board of Adjustment hearing or provide comment in writing to be received by the Planning Director prior to the public hearing.

710.05--Appeals to the Airport Board of Adjustment

A person who is aggrieved or a taxpayer who is affected by a decision of an administrative agency made in the administration of airport zoning regulations, or a governing body of a political subdivision, that is of the opinion that a decision of the administrative agency is an improper interpretation of airport zoning regulations, may appeal to the Airport Board of Adjustment (ABOA).

710.06--Appeals to Superior Court

A person who is aggrieved or a taxpayer who is affected by a decision of an ABOA, or a governing body of a political subdivision that is of the opinion that a decision of Board of Adjustment is invalid, may file a verified petition in the superior court setting forth that the decision is invalid, wholly or partially, and specifying the grounds. The petition shall be filed within thirty (30) days after the decision is filed in the Office of the Board of Adjustment.

710.07--Conditions of Approval

In granting a variance, the ABOA, may place a condition on the variance that requires the owner of the structure or tree in question to permit the political subdivision, at its own expense, to install, operate and maintain markers and lights on the structure or tree as necessary to indicate the presence of an airport hazard.

710.08--Time Limit on Variance

A. A variance shall expire and shall be void one (1) year following the date in which the variance becomes effective unless prior to the expiration of one (1) year substantial construction is commenced. Substantial construction shall be defined as:

   1. Having submitted plans for construction,

   2. Building permit issued and paid for,

   3. Having installed utilities such as electric, sewer, water and/or gas lines on the site,

   4. Having foundation or footings inspected and finished floor for at least the first floor of a building poured and laid, and

   5. That no lapse of construction has occurred for more than sixty (60) days from any time point of items 1-4 above.

B. A variance may be extended provided, that prior to the expiration date, a written request is made at the next available Board of Adjustment hearing.

C. The Board of Adjustment may grant, deny, or modify an application for extension of a variance.

ARTICLE VIII--Signs

Section 800.00--General Sign Regulations

800.01--Purpose

For the purpose of encouraging the positive economic development of the County in preserving the natural beauty of the area, promoting traffic safety, safeguarding public health, facilitating law enforcement and fire protection, protecting existing property values in both residential and non-residential areas, these regulations are designed to prevent over-concentration, improper placement and excessive height, bulk and area of outdoor signs. Unlike on-site identification signs that are part of a business, off-site signs are a separate and distinct use and should be regulated differently from on-site signs. It is intended that off-site signs be located away from residential areas and that such signs be regulated to protect the character of the area wherein off-site signs are located, and that property values and visual aesthetics in these areas be preserved.

800.02--Construction and Maintenance Standards

All signs shall meet the standards of construction, maintenance, permit and inspection procedures as set forth in the latest edition of the Yuma County Comprehensive Building and Safety Code, which is a part of these regulations by reference.

800.03--Prohibited Signs

A. No sign shall be located in or project over any public right-of-way, except those approved by encroachment permit. No sign shall be erected within future public rights-of -way or setback lines as established in Section 1104.

B. No sign shall be attached to a utility pole, stovepipe, gutter drain or fire escape, nor impair access to the roof. No off-site sign shall be attached to, supported by or constructed through any part of a building.

800.04--Illumination

All signs may be illuminated or non-illuminated but all illumination shall be neither intermittent nor flashing nor varying in intensity and must be in accordance with the Outdoor Lighting Section of these regulations. (See Section 1109.00)

800.05--Traffic Hazard

No sign shall be erected or maintained at or near any intersection of streets, alleys or other public rights-of-way in such a manner as to obstruct free and clear vision; or at any location where such sign, by reason of its position, shape, color or illumination, may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device or with any device mounted on a law enforcement or fire protection vehicle; or which makes use of the words STOP, LOOK, or DANGER, or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse pedestrian or vehicular traffic on any adjacent rights-of -way. (See also Section 1101 regarding sight distance.)

800.06--Permits Required

No sign shall hereafter be erected, re-erected, constructed, altered, or maintained, except as provided by this ordinance and a permit for the same has been issued by the Chief Building Official. A separate permit shall be required for each sign or signage added to an existing freestanding structure.

EXEMPTIONS:

The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.

A. The changing of the advertising copy or message on a painted or printed sign only.

B. Painting, repainting, or cleaning of an advertising structure or the changing of the advertising or message thereon shall not be considered an erection or alteration which requires a sign permit unless there is an alteration in size or a structural change is made.

C. Sign under twenty (20) square feet but may not exceed eight feet (8') in height or width.

D. Window signs.

E. All temporary signs delineated in Section 810.

F. Changing plastic sign faces in a sign which is not changing the business activity.

G. Signs not visible from a public right-of-way.

800.07--Application

Application for a sign permit shall be made in writing upon forms furnished by the Planning and Zoning Division. Such application shall contain the legal description of the property, as well as the name and address of the owner and the sign contractor or erector. The Building Official may require the filing of plans or other pertinent information where, in his/her opinion, such information is necessary to insure compliance with the ordinance. Standard plans may be filed with the Building Official.

800.08--Identification

All freestanding and off-site signs shall have permanently affixed, in a conspicuous place, the permit number and date of issue. Such identification numbers shall be maintained legible by the owner or his authorized agent.

800.09--Definitions:

The following definitions are to be used specifically for the provisions, terms, phrases and expressions contained in this article.

Clearance: The smallest vertical distance between the edge of the grade of the adjacent street or ground underneath the sign and the bottom edge of the sign, including framework and embellishments.

Copy: The words, letters, symbols or illustrations used on a sign surface.

Height: The vertical distance measured from the highest point of the sign to either the grade of the nearest edge of the adjacent street or the grade beneath the sign, whichever gives the greatest sign height.

Maintenance: The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

Marquee: A permanent canopy projecting over an entrance as of a hotel or theater.

Pole Cover: Covers enclosing or decorating poles or other structural supports of a sign.

Sign, Abandoned: A sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal sign owner can be found.

Sign Area: Sign or copy area or that surface area of a sign structure available for conveying a message, including the supporting trim or frame. The sign area is that portion of the decoration where the copy is mounted on or affixed to a solid structure, such as a building wall. The sign area shall be calculated by determining the smallest rectangle, triangle, circle, or combination of geometric figures that will enclose the copy and associated decoration. Where signs employ cutouts, the area of such appurtenances shall be included in the total sign area.

Sign, Attached: An on-site sign attached or erected against a building.

Sign, Awning: A sign painted on, printed on, or attached flat against the surface of an awning.

Sign, Banner: A sign made of fabric or any non-rigid material with no enclosing framework.

Sign, Billboard: A sign used for off-site advertising.

Sign, Construction: A temporary sign identifying an architect, contractor, subcontractor, lender and/or material supplier participating in construction on the property on which the sign is located.

Sign, Development: An on-site sign at the entry of a development indicating the name of a park, subdivision, complex or center.

Sign, Directional: An on-site sign near an access way indicating traffic flow into, out of or within the property.

Sign, Flashing: Any sign displaying flashing sequential or intermittent light source or lights of varying intensity used primarily to attract attention, except for signs indicating time and/or temperature, which change at intervals of at least five (5) seconds.

Sign, Festoon: A sign where incandescent light bulbs, banners, balloons, pennants or other such features are hung, strung overhead or tied together and which are not an integral, physical part of the building or structure they are intended to serve.

Sign, Freestanding : An on-site sign, which is self-supporting and not attached to, or abutting any building.

Sign Height: The height of a sign is the vertical distance measured from the top of the sign and supporting frame or trim, if any, to the ground at the base of the sign or street grade level, whichever may be the lower.

Sign Illegal: A sign, which does not meet the requirements of this Ordinance. A sign which was lawfully constructed and erected but which fails to comply with any of the provisions of this Section by virtue of an amendment to the Yuma County Zoning Ordinance.

Sign, Illuminated: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

Sign, Improperly-maintained: Any sign, together with its supports, braces, buoys, and anchors, which is not maintained in accordance with the Building Ordinance. (Also, see sign, unsafe)

Sign, Incidental: A small sign, emblem, or decal informing the public of goods, facilities or services available on the premises. Also includes a sign(s) providing only information for the convenience and necessity of the public, such as "entrance," "exit," "no admittance," etc.

Sign, Obsolete: A sign identifying business establishments no longer in existence, products no longer being sold, services no longer being rendered, or events, which have already occurred.

Sign, Off-Site: A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located.

Sign, On-Site: A sign that pertains to the use of the premises on which the sign is located.

Sign, Painted-Wall: Any sign that is applied with paint or similar substance on a wall.

Sign, Projecting: A sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.

Sign, Real Estate: An on-site sign advertising the sale, lease or rental of a property.

Sign, Roof: Any sign erected on or through the roof of a building.

Sign Face: The surface of a sign on which the copy is placed.

Sign, Separation: Spacing of signs based on lineal distance between the leading edges of two (2) sign faces.

Sign, Swinging: Any sign face which is suspended at one or more points, but is not rigidly and permanently anchored to a building, wall, post, or other support structure.

Sign, Temporary: A sign which is: 1) not constructed according to the requirements of the Yuma County Comprehensive Building Code; and, 2) shall not be considered a temporary sign unless otherwise exempted from permit requirements by the provisions of this Section. Realtor signs, promotional signs, political signs, directional signs, ideological signs or like signage not constructed or intended for permanent use are considered temporary signs.

Sign, Under-Canopy: A sign suspended beneath a canopy, ceiling, roof, or marquee.

Sign, Unlawful: Any sign installed, erected, or constructed in violation of any of the provisions of the Yuma County Zoning Ordinance or Building Ordinance. *(*Also see: Sign, illegal, or Sign, nonconforming.)

Sign, Unsafe: Any sign which is structurally unsound or otherwise unsafe according to the provisions of the Building Ordinance. *(*Also see: Sign, Improperly-maintained.)

Sign, Wall: A sign attached parallel to the wall of a building. This definition includes painted, individual letter and cabinet signs and signs on mansard roofing.

Sign, Window: A sign installed inside a building or painted onto a window and intended to be viewed from the exterior of the building.

Section 801.00--Off-Site Sign Regulations

801.01--Permitted Districts for Off-Site Signs

Off-site signs shall be permitted in the following zoning districts: RA, C-1, C-2, LI, HI & II. The following matrix identifies the maximum sign face area, maximum height and minimum separation of signs in each zoning district that permits off-site signs.

Existing nonconforming six hundred, seventy-two (672) square foot signs may be relocated to the LI, LI*, HI, HI*, II or II* districts. The relocation shall be within a five (5) mile radius of the previous location and comply with all other sections of this ordinance. Application for such permits shall be made within thirty (30) days of destruction or removal of the nonconforming sign.

Zoning District	**C-1**	**C-2**	**LI**	**LI***	**HI/II**	**HI*/II***	**RA**
Area (Square feet)	72	300	300	400	300	672	300
Height (feet)	25	35	35	35	35	35	25
Spacing (feet)	600	600	600	800	600	800	1200

*Signs designed to be read from freeways as defined by Arizona Department of Transportation.

801.02--Off-Site Sign Setbacks

All off-site signs shall be located at least one hundred feet (100') from the intersection of public rights-of-way. No portion of the sign shall be within ten feet (10') of front property line(s) or five feet (5') of side or rear lines. Sign supports shall be set back at least fifteen feet (15') from the front property line(s), street or State highway right-of-way lines, whichever is further from the street/highway. Rear setback lines for off-site signs shall be at least sixty feet (60') from State highway rights-of-way unless otherwise designated by other zoning requirements i.e., Visual Corridor Overlay District (VCOD).

801.03--Sign Area

Where a sign has two (2) or more faces, the area of all faces shall be included in determining the sign area, except that only one (1) face of a double-faced or "V" shaped sign shall be considered where the angle between faces does not exceed thirty (30) degrees and "V" shape is designed so that it is no greater than fifty-four (54) inches between faces at the apex.

Where the sign is a statue or similar three-dimensional (3-D) figure, the sign area shall be the sum of the four (4) vertical rectangular faces of the smallest polyhedron that entirely encloses such statute or figure.

Section 802.00--On-Site Sign Regulations

802.01--On-Site Sign Setbacks

On-site freestanding signs in any district shall be set back a minimum of ten feet (10') from any street right-of-way line, except:

That for any signage not exceeding five (5) feet maximum height, a minimum of a five (5) foot setback from the street right-of-way line shall be required, but no closer than twenty (20) feet from any driveway.

When the visible clearance of the bottom edge of any sign is greater than eight feet (8') in height, the front edge of the sign may overhang the ten foot (10') setback to a maximum of five feet (5') from the street right-of-way line.

Section 803.00--On-Site Signs in RA, SA/RL, and OS/RR Districts

The following signs are permitted in any of the RA, SA/RL, and OS/RR districts subject to the conditions specified:

803.01--Attached Signs

Attached signs shall not exceed fifteen percent (15%) of any facade nor total more than one hundred fifty square feet (150') per lot or parcel. No attached sign shall project above the highest point of the building.

803.02--Freestanding Signs

One (1) freestanding sign for each frontage is permitted with a maximum area per sign of thirty-two square feet (32') and maximum height of twenty-five feet (25').

803.03--Directional Signs

Two (2) directional signs per parcel are permitted, each with a maximum area of six square feet (6') and a maximum height of three feet (3').

803.04--Development Signs

One (1) development sign for each entry is permitted with a maximum area of thirty-two square feet (32') and a maximum height of eight feet (8').

Section 804.00--On-Site Signage in the SR, SSB, R-1, MHS and RVS Districts

The following signage is permitted in any of the above districts as set forth in this section.

804.01--Attached Signs

One (1) attached sign is permitted with a maximum area of three square feet (3'). No attached sign shall project above the highest part of the building.

804.02--Freestanding Signs

One (1) freestanding sign per frontage is permitted with a maximum area of two (2) square feet and a maximum height of four feet (4').

804.03--Directional Signs

One (1) directional sign per lot shall be permitted with a maximum area of two square feet (2') and a maximum height of three feet (3').

804.04--Development Signs

One (1) development sign per entry is permitted with a maximum area of twenty-four square feet (24')and a maximum height of four feet (4') if a monument sign or five feet (5') if attached to perimeter wall.

Section 805.00--On-Site Signage in R-2 and R-3 Districts

The following signage is permitted in R-2 and R-3 districts subject to the conditions specified.

805.01--Attached Signs

Attached signage shall not exceed fifteen percent (15%) of any facade nor total more than twenty-four (24) square feet per lot or parcel. No attached sign shall project above the highest point of the building.

805.02--Freestanding Signs

One (1) freestanding sign per frontage is permitted with a maximum of two square feet (2') per foot of frontage but not to exceed twenty-four (24) square feet for developments with fifty (50) or less dwelling units or thirty-two square feet (32') for developments with over fifty (50) dwelling units. No sign shall exceed six feet (6') in height.

805.03--Directional Signs

One (1) directional sign per entry is permitted with a maximum area of six square feet (6') and a maximum height of three feet (3').

805.04--Development Signs

One sign (designating the name of the development or subdivision) is permitted with a maximum area of fifty square feet (50') and a maximum height of six feet (6'). Such signs may be either on perimeter walls or on freestanding monument signs but may not block visibility at intersections, vehicle entryways or exits.

Section 806.00--On-Site Signs in MHP Districts

The following signage is permitted in MHP districts subject to the conditions specified:

806.01--Attached Signs

Attached signage shall not exceed fifteen percent (15%) of any facade nor total more than twenty-four (24) square feet per lot or parcel. No sign shall project above the highest point of the building.

806.02--Freestanding Signs

One (1) freestanding sign per frontage is permitted not to exceed thirty-two square feet (32') for parks with fifty (50) or less spaces or sixty square feet (60') for parks with over fifty (50) spaces. No sign shall exceed twenty feet (20') in height.

806.03--Directional Signs

One (1) directional sign per entry is permitted with a maximum area of six square feet (6') and a maximum height of three feet (3').

806.04--Development Signs

One (1) sign (designating the name of the park) is permitted with a maximum area of fifty square feet (50') and a maximum height of six feet (6'). Such signs may be either

on a perimeter wall or on a freestanding monument sign but may not block visibility at intersections.

Section 807.00--On-Site Signs in RVP Districts

The following signage is permitted in RVP districts subject to the conditions specified:

807.01--Attached Signs

Attached signage shall not exceed fifteen percent (15%) of any facade nor total more than one hundred fifty square feet (150') per lot or parcel. No attached sign shall project above the highest point of the building.

807.02--Freestanding Signs

One (1) freestanding sign per frontage is permitted in a maximum of two square feet (2') per lineal foot of frontage but not to exceed three hundred square feet (300') in parks along I-8 or Highway 80 or two hundred square feet (200')in parks along other roadways. No such sign shall exceed thirty-five feet (35') in height on parcels fronting on I-8 or Highway 80 or twenty feet (20') in height on other roadways.

807.03--Directional Signs

One (1) directional sign per entry is permitted with a maximum area of six square feet (6') and a maximum height of three feet (3').

807.04--Development Signs

One (1) sign (designating the name of the park) is permitted with a maximum area of fifty square feet (50') and maximum height of six feet (6'). Such signs may be either on a perimeter wall or on a freestanding monument sign but shall not block visibility at intersections or driveways.

Section 808.00--On-Site Signs in RC and C-1 Districts

The following signage is permitted in RC and C-1 districts subject to the conditions specified:

808.01--Attached Signs

Attached signage shall not cover more than fifteen percent (15%) of any facade. No attached sign shall project above the highest point of the building.

808.02--Freestanding Signs

One (1) freestanding sign per street frontage is permitted but not to exceed one hundred fifty square feet (150'). No sign shall exceed twenty-five feet (25') in height.

808.03--Directional Signs

One (1) directional sign per entry is permitted with a maximum area of twelve square feet (12') and a maximum height of three feet (3').

808.04--Development Signs

One (1) sign per entry (designating the name of the development) is permitted with a maximum area of fifty square feet (50') and a maximum height of six feet (6'). Such signs may be either on a perimeter wall or on a freestanding monument sign no closer than five feet (5') to property lines and twenty feet (20') to any driveway.

Section 809.00--On-Site Signs in C-2, LI, HI, & II Districts

The following signage is permitted in C-2, LI, HI and II districts subject to the conditions specified:

809.01--Attached Signs

Attached signage shall not cover more than fifteen percent (15%) of any facade not to exceed three hundred square feet (300') per business. No attached sign shall project more than four feet (4') above the highest point of the building.

809.02--Freestanding Signs

One (1) freestanding sign per street frontage is permitted with a maximum of two (2) square feet per foot of street frontage but not to exceed three hundred square feet (300'). No sign shall exceed thirty-five feet (35') in height. Drive-in menu board signs shall be permitted if not visible from the street.

809.03--Directional Signs

One (1) directional sign per entry is permitted with a maximum area of twelve square feet (12') and a maximum height of three feet (3').

809.04--Development Signs

One (1) sign per entry (designating the name of the development) is permitted with a maximum area of fifty square feet (50') and maximum height of six feet (6'). Such signs may be, either on a perimeter wall or on a freestanding monument sign no closer than five feet (5') to property lines and twenty feet (20')to any driveway.

Section 810.00--Temporary Signs

810.01--Signs, Banners, and Flags

A. All zoning districts may have:

1. One small sign that shall not exceed four square feet.
2. Flags, logos or other appurtenant symbols may be placed or erected to a height not exceeding thirty-five feet above average grade level. No time limits or setbacks apply.

B. Zoning Districts may also have one of the following additional signs:

1. RA, SA/RL, OS/RR -- One sign per frontage is permitted with a maximum area of thirty-two square feet and maximum height of eight feet. Such signs shall be no closer than fifteen feet to front property lines and five feet from side or rear property lines.
2. SR, SSB, R-1, MHS, RVS -- One sign per frontage is permitted with a maximum area of four square feet and a maximum height of four feet with no minimum set-backs.
3. R-2 & R-3, MHP, RVP -- One is permitted with a maximum area of four square feet per dwelling unit but not to exceed thirty-two square feet. No such sign shall exceed eight feet in height or be closer than ten feet to any front property line.
4. RC, C-1, C-2, LI, HI and II -- One is permitted with a maximum area of thirty-two square feet. No such sign shall exceed eight feet in height or be closer than ten feet to any front property line.
5. RA, RC, C-1, C-2, LI, HI and II -- Balloons, including festoons. They may be any size, but shall not be erected or suspended over one hundred feet above average grade level. A festoon consists of a decorative chain or strip hanging between two (2) points. Such signs may include incandescent light bulbs, banners, balloons, pennants or other such features as are hung or strung overhead and which are not an integral physical part of the building or structure they are intended to serve.

810.02--Additional Signs During Construction

In addition to a project information sign required under Section 810.04 the following signs shall be permitted as indicated;

Rural, SA/RL, OS/RR -- One sign per frontage is permitted with a maximum area of thirty-two square feet and maximum height of eight feet. Such signs shall be no closer than fifteen feet to front property lines and five feet from side or rear property lines.

SR, SSB, R-1, MHS, RVS -- One sign per frontage is permitted with a maximum area of sixteen square feet and a maximum height of six feet. Such signs shall be no closer than ten feet to front property lines.

R-2, R-3, MHP, RVP, RC, C-1, C-2, LI, HI, II -- One sign per frontage is permitted with a maximum area of thirty-two square feet and maximum height of eight feet. Such signs shall be no closer than ten feet to front property lines.

810.03--Enforcement

All temporary signs, so defined and delineated in this code, may be placed without permits. However, any such sign found to be not in compliance with the design standards or time constraints contained in this section shall be removed immediately upon written notice of violation from the County Zoning Inspector.

810.04--Project Information Signs

A. Any person that requires a building permit or grading permit of one (1) acre or greater shall install and maintain a project information sign in accordance with the requirements below.

B. The sign shall be installed prior to beginning actual construction activities and initiating any type of earth-moving operations.

C. The sign shall be installed at a prominent location near the main entrance of the construction site. Traffic visibility shall be maintained by placing the sign back from the main ingress/egress location and at any applicable intersection for proper sight-triangle clearances.

D. The sign may be removed once,

   1. The final for the building permit is approved by the Chief Building Official, or,
   2. Final stabilization has been achieved on all portions or the site of which person is responsible and is approved by the County Environmental Programs Section.

E. The following information shall be displayed on the project information sign:

Project Size	**1.01-9.99 Acres**	**Over 10 Acres**
Sign Size	36″ H x 48″ W	48″ H x 96″ W
Developer Name	3″	4″
Project Name	3″	4″
Company Phone Number ###-###	3″	4″
IF YOU HAVE DUST COMPLAINTS Please call Yuma County Dust Control Hotline, 928-217-DUST (3878)	2.25″	3″

F. The project information sign text height shall be at a minimum as shown on the template above, and must contrast with lettering, typically black text with white background.

G. The lower edge of the sign board must be a minimum of three (3) feet and a maximum of five (5) feet above grade.

Plate VIII--3: Temporary Signs - No Permits Required.

Sign Type	Zoning District	Maximum Area	Maximum Height	Minimum Setback
Temporary Signs	RA, SA/RL, OS/RR	32 square feet	8 feet	15 feet (front) 5 feet (side & rear)
	SR, SSB, R-1, MHS, RVS	4 square feet	4 feet	None
	R-2, R-3, MHP, RVP	4 square feet/du 32 square feet	8 feet	10 feet (front)
	RC, C-1, C-2, LI, HI, II	32 square feet	8 feet	10 feet (front)
Small sign	All	4 square feet	None	None
Balloons & Festoons	Commercial, Industrial, Rural	None	100 feet	None
Flags, Logos & Symbols	All	None	35 feet	None
Construction	RA, SA/RL, OS/RR	32 square feet	8 feet	15 feet (front) 5 feet (side & rear)
	SR, SSB, R-1, MHP, RVS	16 square feet	6 feet	10 feet (front)
	R-2, R-3, MHP, RVP, RC, C-1	32 square feet	8 feet	10 feet (front)
	C-2, LI, HI or II	32 square feet	8 feet	10 feet (front)
Project Information Signs	All	See section 810.04 (E)	See section 810.04 (E)	None

Article IX-- Parking and Loading Regulations

Section 900.00--Purpose

The parking and loading regulations are established to reduce street congestion and traffic hazards by the establishment of minimum standards to insure adequate number, size and location of off–street parking and loading spaces to be provided with the various land uses permitted in this Section.

Section 901.00--Definitions

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined below shall have the meaning indicated when used in this section.

Circulation Area: That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

Driveway: A private way beginning at the property line of a lot abutting a public road, private road, easement or private right-of-way giving access from that public road, recorded easement, recorded private road or private right-of-way leading to a building, use, or structure on that lot. A driveway may not serve more than a single lot unless it runs along a lot line shared by two (2) lots and serves no more than those two (2) lots.

A commercial driveway serving commercial or industrial property locations is permitted provided: a) a private access easement is recorded in conjunction with a development plan;

and, b) the property owner(s) accept full responsibility for maintaining a roadway surface in a dust-free condition.

Gross Floor Area: The total area of a building measured by taking the exterior dimensions of the building at each floor level intended for occupancy or storage. (Also see: floor area)

Parking Area: That portion of a lot used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas and parking areas (spaces and aisles).

Parking Aisles: That portion of the parking area consisting of lanes providing access to parking spaces. There shall be a minimum of twelve (12) foot width for one-way traffic and twenty-four (24) foot width for two-way traffic.

Section 902.00--Number of Parking Spaces Required

All new developments, or changes of use in any zoning district, shall comply with the parking standards set forth below. Any fraction of a parking space shall be counted as one (1) parking space. The table of Parking Requirements set forth below cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the Zoning Inspector shall determine the parking requirements using this table as a guide.

Plate IX-1: Parking Requirements

Use	Parking Requirements
Airport, Bus or Rail Station	One (1) space per one hundred (100) square feet of gross floor area.
Art/ Vocational School	One (1) space per one hundred (100) square feet of gross floor area.
Asylum, Prison, Detention Facility	One (1) space for each ten (10) inmates based on maximum capacity.
Car Wash, Conveyer Type	One (1) space for every three (3) employees on the maximum shift plus stacking lane equal to five (5) spaces. Self-service type equal to two (2) spaces for drying and cleaning purposes per stall plus two (2) stacking spaces in front of each stall.
College (including dorms)	Eight (8) spaces per classroom or one (1) per four (4) seats in main auditorium, whichever is greater.
Convenience or Grocery Store	One (1) space per one hundred fifty (150) square feet of gross floor area.
Day Care Facilities	Adult/Child day care services, large: One (1) space for each employee plus two (2) spaces for each seven (7) children.
Drive-In Theater	One (1) space per speaker outlet, plus one (1) for each employee.
Driving Range	One (1) space per tee plus one (1) space per two hundred (200) square feet in building gross floor area.
Educational Facilities	Elementary and secondary schools, kindergartens and parochial schools shall provide one (1) space for each five (5) students of legal driving age, one (1) space for each three (3) non-teaching employees, and one (1) space for each classroom.
Emergency Service	One (1) space per two hundred (200) square feet of gross floor area.
Financial and Professional Services Public Offices	One (1) space per two hundred (200) square feet of area within principal building plus stacking lane equal to five (5) spaces per drive thru window (ten (10) spaces if window serves two (2) stations).
Food/ Beverage Establishments	One (1) space per one hundred (100) square feet of gross floor area plus one (1) space per every four (4) outdoor seats, plus one (1) stacking lane of five (5) spaces per drive-thru window.
Gas Station	One (1) space per two hundred (200) square feet of gross floor area of building devoted primarily to gas sales operation, plus sufficient parking area to accommodate vehicles at pumps and one (1) car behind each pump without interfering with other parking spaces.
Home Occupation	Four (4) spaces for offices of physicians or dentists; two (2) spaces for all others.
Hospital or Medical Center	Two (2) spaces per bed or one (1) space per one hundred fifty (150) square feet of gross floor area, whichever is greater.
Hotel/Motel, Guest House, Boarding House	One (1) space for each room for rent plus additional space for restaurant or other facilities (in accordance with other sections of this table).

Plate IX-1: (Continued)	
Use	**Parking Requirement**
Indoor Recreational (Alleys, Rinks)	Four (4) spaces per court or alley (if they can be measured in such a fashion--example: tennis courts or bowling alleys) or one (1) space per two hundred (200) square feet of gross floor area used in a manner not susceptible to such calculation.
Landfill	One (1) space for every two (2) employees on maximum shift.
Libraries, Museums, Art Galleries	One (1) space per three hundred (300) square feet of gross floor area.
Manufacturing/ Processing	One (1) space for each employee on maximum shift, which includes administrative and janitorial employees.
Medical Offices	One (1) space per four hundred (400) square feet of gross floor area.
Miniature Golf Course, Skateboard Park, Water Slide & Similar Uses	Three (3) spaces per hole or one (1) space per three hundred (300) square feet of area plus one (1) space per two hundred (200) square feet of building gross floor area.
Multi-family Residences	Two (2) spaces for each unit. Multi-family units limited to the elderly require only one (1) space per unit, plus ¼ (0.25) spaces per unit for guest parking.
Nursing Homes Institutions/ Assisted Living	One (1) space for every three (3) beds shall be required and one (1) for each staff member.
Public Assembly Facilities: Religious Facilities, Auditoriums, Assembly Halls, Community Centers, Clubs, Lodges	One (1) space for each fifty (50) square feet of gross floor area used for public assembly.
Research Offices	One (1) space per one hundred fifty (150) square feet of gross floor area.
Retail sales and rentals	One (1) space per two hundred (200) square feet of gross floor area.
RV Parks	Two (2) spaces per dwelling unit plus one (1) space per room rented out.
Salvage Yard	One (1) space per two hundred (200) square feet of gross floor area.
Single Family Residence (Recreational Vehicle, Manufactured Housing or site built) or duplex	Two (2) spaces per dwelling unit plus one (1) space per room rented out.
Storage & Parking Operation	One (1) space for every two (2) employees on the maximum shift but not less than one (1) space per five thousand (5,000) square feet of area devoted to storage (whether inside or outdoors).
Swap Meet, Agricultural Sales	One (1) space per five hundred (500) square feet of lot area used for storage, display or sales.

Plate IX-1: (Continued)	
Use	**Parking Requirements**
Theaters, Stadiums	One (1) space for every three (3) seats. (Eighteen (18)
Vehicle or MH Sales, Service, Repair, Rental	One (1) space per two hundred (200) square feet of gross floor area. All sales, service, repair and rental facility lots used for vehicle parking shall meet the parking area surface requirements in Section 906.00 (Parking Area Surfaces).
Veterinarians/ Kennels and	One (1) space per two hundred (200) square feet of gross
Wholesale Sales	One (1) space per four hundred (400) square feet of

Section 903.00--Parking Space Dimensions

Each Parking space shall contain a rectangular area at least twenty feet (20') long and nine feet (9') wide (eleven feet (11') wide for handicapped). Lines demarcating parking spaces shall be provided where three (3) or more spaces are adjacent. These may be drawn at various angles in relation to curbs or aisles so long as the parking spaces so created contain within them the rectangular area required by this section. For parallel parking, spaces shall not be less than twenty-two feet (22') by nine feet (9').

Section 904.00--Required Widths of Parking Area Aisles and Driveway

A. Parking Aisles

Plate IX-2: Parking Angle and Aisle Width

	0 Degrees	45 Degrees	60 Degrees	90 Degrees
One-way Traffic Aisle	12 Feet	18 Feet	18 Feet	24 Feet
Two-way Traffic Aisle	24 Feet	24 Feet	24 Feet	24 Feet

B. Driveways shall be not less than twelve feet (12') in width for one-way traffic and twenty-four feet (24') in width for two-way traffic. Where parking angles exceed sixty (60) degrees, two-way traffic aisles are required.

C. This section does not apply to parking areas serving one (1) or two (2) dwelling units on a parcel.

Section 905.00--General Design Requirements

A. Vehicle parking areas shall be designed so that vehicles may exit without backing onto a public street. This requirement does not apply to parking areas serving one or two dwelling unit properties. Backing onto arterial streets is prohibited, unless or if other means are not possible.

B. Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians, structures or other vehicles.

Section 906.00--Parking Area Paving and Surfacing

A. Parking areas that include lanes for drive-thru windows or that have more than twenty-five (25) required parking spaces shall either: (1) be graded and paved with asphaltic concrete over aggregate base course (ABC), or (2) Portland cement concrete over consolidated subgrade. The pavement structure shall be designed by a professional engineer.

B. Parking areas that are not covered with the type of paving specified in Subsection (A) that require more than six (6) spaces shall be graded and surfaced with a dust-inhibitor treated aggregate base course (ABC). The perimeter of such parking areas shall be defined by bricks, stones, railroad ties, or other similar devices. The driveway leading from the street or the property line shall be surfaced as provided in Yuma County Public Works Construction Standards.

C. Parking spaces in areas paved in accordance with Subsection (A) shall be appropriately marked with single-striped painted lines or other markings.

D. Parking areas shall be properly maintained by the owner.

E. A nonconforming use shall comply with this Subsection if the following occurs:

   1. The nonconforming use expands the floor area of the business by twenty-five percent (25%) or more; or

   2. The total amount of required parking for the business, after expansion, exceeds ten (10) parking spaces; or

   3. The nonconforming use changes to a conforming use and the required parking is ten (10) or more parking spaces.

Section 907.00--Joint Use of Required Parking Spaces

A. One (1) parking area may contain required spaces for several different uses but, except as otherwise provided in this section, the required space assigned to one (1) use may not be credited to any other use.

B. To the extent developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday, but is generally ninety percent (90%) vacant on the weekends, another development that operates only on weekends could be credited with ninety percent (90%) of the spaces on that lot. Or, if a church parking lot is generally occupied only to fifty percent (50%) of capacity on days other than Sunday, another development could make use of fifty percent (50%) of the church's spaces on those other days.

C. Joint use parking agreements between adjoining properties, or in planned developments on the same property, shall be in a form approved by the County identifying:

   1. The number of vehicle spaces provided for each land use activity(ies);

2. The dates and times when said activities are conducted; and,
3. Subsequently recorded with the County Recorder's Office prior to occupancy or use of said property or facilities.

Section 908.00--Loading and Unloading Areas

A. Whenever the operation of any development requires that goods, merchandise or equipment be delivered to or shipped from that development by trucks larger than one (1) ton, an on-site loading and unloading area(s) shall be provided in accordance with this section.

B. The loading and unloading area shall accommodate the numbers and types of vehicles that are likely to use this area. The following table indicates the minimum number and size of spaces required.

Plate IX-3: Loading/ Unloading Space Requirement

Gross Leasable Building Area (GLBA)

From	To	Number of Loading/Unloading Spaces*
3,000	19,999	1
20,000	79,999	2
80,000	127,999	3
128,000	191,999	4
192,000	255,999	5
256,000	319,999	6
320,000	391,999	7
In addition, one (1) space for each additional seventy-two thousand (72,000) square feet, or fraction thereof, over 391,999 square feet GLBA.		

Minimum dimensions of twelve (12) feet by forty feet (40) and overhead clearance of fourteen (14) feet from street grade required.

C. Loading and unloading areas shall be so located and designed that the vehicles can complete the loading and unloading operations without obstructing or interfering with any public right-of-way or interior driveway traffic flows.

Section 909.00--Parking for the Handicapped

A. All new buildings and facilities or altered portions of existing buildings and facilities required to be handicap accessible shall comply with the handicap accessibility requirements of the latest version of the Americans with Disabilities Act (ADA) guidelines.

B. Parking spaces for the handicapped shall be at least eleven feet (11') wide and twenty feet (20') deep and be clearly designated by the international symbol of accessibility, with a marked, five foot (5') wide unloading/loading area adjacent to the parking space. The unloading area shall be clearly defined and marked. The designated parking

spaces shall be located as close as possible to entryways and provided with access ramps or curb cuts.

C. **Number of Handicap Accessible Parking Spaces**

Handicap accessible spaces shall be in conformance with the table below. All residential projects are exempt from these provisions except as otherwise provided.

Total Parking in Lot	Required minimum number of accessible parking
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

1. For facilities providing medical care and other services for persons with mobility impairments, handicap parking space requirements shall be in accordance with the following:

   A. General health care facilities: Employee and visitor handicap parking spaces shall comply with the table above.

   B. General outpatient facilities: At least ten percent (10%) of the total number of parking spaces provided serving each outpatient facility shall be handicap accessible spaces.

   C. Specialized outpatient facilities: At least twenty percent (20%) of the total number of parking spaces provided shall be handicap accessible spaces for facilities specializing in treatment or services for persons with mobility impairments.

2. Handicap accessible parking spaces for apartments: At least one space or two per cent (2%) of the total overall number of parking spaces, whichever is greater, shall be reserved handicap accessible parking spaces.

Section 910.00--Screening and Planting Requirements for On-Site Parking Areas

A. Screening Parking Lots from Residential Properties

1. Residential properties shall be any property, which has a current residential use or is zoned for residential use.

2. When adjacent to residential properties or separated from residential properties by public rights-of-way, on-site parking areas defined as containing ten (10) or more spaces shall be screened by a landscaped buffer area.*

3. Screening shall be required along any property line or required setback line for that portion of the lot, which adjoins or lies across the street, alley or other public way from a residential property, except for necessary driveways. When the parking lot is separated from the residential property by a public road, a ten-foot (10') deep transitional Buffer yard and Type B screening shall be provided adjacent to the public road right-of-way. *(See Section 302.01: Transitional Buffer Yards and Screening)*

4. So that the adjacent residents are not unreasonably disturbed, either by day or by night, by vehicle operations, parking areas adjacent to any residential property shall be screened from view by a solid wall or fence with a minimum height of six (6) feet, or permanently maintained dense vegetation meeting the requirements of Type A screening. *(See Section 302.01: Transitional Buffer Yards and Screening)*

B. Road Rights-of-Way or Alleys

On-site parking areas, as defined above in Subsection 910.00(A)(2)., adjacent to major street rights-of-way shall have a ten-foot (10') deep transitional buffer yard and Type B screening. Parking lots shall be visually screened from all other abutting road rights-of-way and alleys by a landscaped buffer area at least five feet (5') in width with Type B screening.* *(See Section 302.01: Transitional Buffer Yards and Screens)*

* Requirement applies except for single-family dwellings, two-family dwellings, individual mobile/manufactured homes, and recreational vehicles on a lot of record.

C. Planting

1. Perimeter Adjacent to Public Streets

   Any combination of planting meeting Type B screening requirements. (*See Section 302.01: Transitional Buffer Yards and Screens)*

2. Islands

   a. Each planting island shall be landscaped and maintained, having no less than one (1) tree planted therein, with appropriate groundcovers and having a dimension of not less than four feet (4') by four feet (4').

   b. Planting islands shall be evenly distributed throughout the parking area, and no parking space shall be located more than one hundred twenty feet (120') from a planting island.

C. All parking spaces shall be blocked or curbed to prevent vehicles from overhanging planting islands, landscaped yards or damaging adjacent fences or screens by more than one foot (1').

3. Access Visibility

At all points of ingress and egress from on-site parking areas, unobstructed visibility shall be maintained in accordance with the provisions of Section 302.01 of this Ordinance.

4. Plans

Whenever a parking area is required to be landscaped, the information included in the approved landscaping plan shall be submitted to the Department of Development Services as part of the plan for a parking lot or site or development plan.

D. Compliance

Buffer yards and screening shall comply with the requirements of Section 302.01: Transitional Buffer Yards and Screening.

E. Reduction of Screening Requirement

When a condition, such as unusual topography, elevation in relation to adjacent proper ties, size or shape of the parcel involved or any other condition exists which would make strict adherence to this Ordinance impractical or impossible, the Board of Adjustment may reduce the transitional buffer yard and screening requirements ac cording to the variance procedures in Section 403.00. This does not negate the necessity for establishing screening and transitional buffer yards for uses adjacent to vacant property, regardless of the ownership

Article X -- Nonconforming Use

Section 1001.00--Purpose

This Article is intended to limit nonconforming uses of land, buildings, or structures existing at the time of its effective date by prohibiting or limiting an enlargement, re-establishment after abandonment, or restoration after destruction of the use. Nothing in this ordinance shall affect existing uses of property or the right to its continued use or the reasonable repair or alteration thereof for the purpose for which said use, at the time the ordinance affecting the property, takes effect. The Yuma County Zoning Ordinance originally became effective on December 1, 1975.

Section 1002.00--Permit Holders and Nonconforming Projects

When a required building permit has been issued prior to the ordinance's effective date and the proposed use does not conform to the requirements of the zoning district, the proposed use shall be considered the same as a lawful use if construction has been started or a contract for construction has been let prior to the effective date of the ordinance. The proposed use shall be completed in accordance with the terms of the required permit on the condition that a valid permit was issued and was not revoked nor expired.

For building projects designed to be completed in stages, construction may be competed according to regulations in effect on the date of approval pursuant to schedules of development approved by the County.

Nonconforming projects approved by special use permit shall be allowed to be completed so long as the use is commenced or a building permit is obtained within one (1) year of approval. Applicable zoning regulations for a nonconforming building are those in place at the time of the issuance of the building permit or at the time of approval of a special use permit or preliminary plat.

Section 1003.00--Change from a Nonconforming Use to Another Nonconforming Use

An existing nonconforming use of property may not be changed to another nonconforming use of property.

Section 1004.00--Nonconforming Mobile Home Parks, Manufactured Home Parks, & Recreation Vehicle Parks

Nonconforming mobile home parks, manufactured home parks and RV parks may continue to be occupied and units within these parks may be replaced. All replacement units and structures must be at least six (6) feet from any other occupied unit or occupied structure. Upon application to replace a unit within a nonconforming park, all applications shall include scaled plans of the nonconforming park if no previous plans have been filed. These plans shall be filed and approved by the Department of Development Services. (*New spaces may not be added without rezoning the new area to the appropriate district and compliance with the design and development standards of that district).*

Section 1005.00--Change to a Conforming Use

A nonconforming use changed to a conforming use shall not thereafter revert to a nonconforming use.

Section 1006.00--Alterations & Repairs

Reasonable repairs and alterations of existing non-conform in uses of property are permitted. *(For the purpose of this section, uses in the C-1, C-2, LI, HI, and II Districts shall be considered business use)*.

Section 1007.00--Nonconforming Business Use Expansion

A nonconforming business use within a district may expand if such expansion does not exceed one hundred percent (100%) of the floor area of the original business.

Section 1008.00--Change in Intensity

An increase in the use intensity does not constitute a change in a nonconforming use. However, a change of the use, or addition of new uses, constitutes a use intensification and is not permitted.

Section 1009.00--Restoration of Nonconforming Use

A nonconforming structure damaged or destroyed may be restored and the nonconforming use may be resumed, provided that the restoration is started within six (6) months and completed within one (1) year from start of restoration and the location and area covered on the lot remains the same or comes more into compliance with the zoning regulations. Structures, as used in this paragraph, include on-premise signs and billboards.

Section 1010.00--Abandonment of Use

A nonconforming use shall be considered abandoned or discontinued when:

A. The characteristic equipment and/or the furnishings of the nonconforming use have been removed and have not been replaced by similar equipment within twelve (12) consecutive months. In the case of residential uses, the time period shall be eighteen (18) consecutive months; or

B. The building or premises are left vacant or unused for a period of twelve (12) consecutive months or more. In the case of residential uses, the time period shall be eighteen (18) consecutive months; or

C. The use has been replaced by a conforming use.

Section 1011.00--Nonconforming Lots

The following provisions apply to lots of record:

1. Any lot of record, which does not conform to the minimum lot area or width requirements for the zoning district in which it is located, may be used for any use permitted in the zoning district. Each side yard setback on lots of nonconforming width may be reduced to ten percent (10%) of the width of the lot, but in no case shall the side yard setbacks be less than five (5) feet on each side. This section does not apply to nonconforming mobile home parks, nonconforming manufactured home parks or nonconforming recreational vehicle parks. Nonconforming mobile home parks, nonconforming manufactured home parks and nonconforming recreational vehicle parks must comply with setback requirements of Section 1004.00.

2. Any lot of record shall not be reduced in any manner below the lot area and dimension requirements of this Ordinance for the zoning district in which it is located, or if a lot is already less than the minimums so required, such lot area or dimension shall not be further reduced.

3. Any lot of record shall not be reduced or diminished so as to cause the yards, lot coverage or other open spaces to be less than that required by this Ordinance or to decrease the lot area per dwelling unit except in conformity with this Ordinance.

Section 1012.00--Use of Existing Nonconforming Access Way

Legally recognized access ways not in conformance with zoning regulation Section 1203.00 but which have existed prior to the adoption of zoning on a property, shall be recognized as existing nonconforming means of access to existing uses.

Article XI-- Additional Use and Setback Regulations

Section 1101.00--Sight Distance at Intersections

On corner lots at public street intersections in any district, no fence, wall, hedge or landscaping higher than three (3) feet shall be erected, placed, planted or allowed to remain, nor any obstruction to vision other than a post, column or tree not exceeding one (1) foot in its greatest cross sectional dimension between a height of three (3) feet and eight (8) feet above the established centerline grades of either street within that triangular area (unobstructed sight triangle) formed by the property lines on the street side of such lot and a diagonal line joining points located at a distance of thirty three (33) feet from the point of intersection.

Section 1102.00--Additional Yard and Open Space Regulations

1102.01--Existing Buildings

Required yard or other open space around any existing buildings, or which is hereafter provided around any building for the purpose of complying with these regulations, shall not be construed as providing a yard or open space for any other building.

1102.02--Setback Exceptions

Every part of a principal building or its attachments shall meet the required setbacks of the district in which they rest, except as follows:

A. Ordinary projections of window sills, cornices, eaves and other ornamental features may project a distance not exceeding two feet (2') into any required yard.

B. Chimneys may project a distance not exceeding two feet (2') into any required yard.

C. Bay windows and balconies and such features, which do not touch the ground, may project a distance not exceeding three feet (3') into the required front, side or rear yard, provided such projection shall be at least five feet (5') from any property or setback line.

D. Uncovered stairs and necessary landings may project a distance not exceeding six feet (6') into the required front or rear yard, provided that such stairs and landings shall not extend above the entrance floor of the building except for a railing not to exceed three feet (3') in height.

E. Terraces, patio covers, awnings, carports, platforms and ornamental features may project into any required side yard, provided such features shall be distant at least three feet (3') from any lot line or setback line.

F. Compressor units, condensing units, cooling towers, evaporative condensers or any similar devices, shall be located no closer than three feet (3') to the side or rear lot line and shall meet required setbacks of the principal building to the front lot line.

G. Agricultural and horticultural plant arbors are exempt and may be installed at the lot line (zero (0) lot setback).

H. Pumps, filtration equipment, heaters, and other apparatus required for the operation of pools, spas, and hot tubs shall be installed per manufacturer's specifications; however, if these devices are installed within the side yard setback, a minimum clearance of three feet (3') shall be maintained from either the dwelling unit or the property line for fire access.

I. Solar panels and associated equipment shall be installed per manufacturer's specifications; however, if these devices are installed within the side yard setback, a minimum clearance of three feet (3') shall be maintained from either the dwelling unit or the property line for fire access. No portion of the solar panels and associated equipment that is installed within the established side yard setback shall exceed a height six feet above grade.

Section 1103.00--Additional Height Regulations

A. Chimneys, church steeples, refrigeration coolers or ventilating fans, elevator bulkheads, fire towers, ornamental towers or spires, mechanical appurtenances necessary to operate and maintain the building, and other uninhabited space, may be erected to a height not exceeding one hundred feet (100'), if such is set back from each lot line at least one foot (1') for each foot of additional height above the height limit otherwise permitted in the zoning district, in which the structure is located.

B. Wireless Communication Facilities shall comply with Section 1115.05(B).

Section 1104.00--Additional Setback Lines

1104.01--Setbacks from Section Lines

The following setback lines are hereby established:

A. Major streets, Section Line Roads, State and Federal Highways:

   1. Seventy-five feet (75') from, and on both sides of, the centerline of all existing or proposed major streets, section line roads, State and Federal Highways, where service roads are required.

   2. Fifty feet (50') from, and on both sides of, the centerline of all existing or proposed major streets, section line roads, State and Federal Highways, where service roads are not required.

B. Mid-section Line Roads: Forty feet (40') from, and on both sides of, the centerline of all existing or proposed mid-section line roads.

C. Collector Streets and Quarter-Line Roads: Thirty feet (30') from, and on both sides of, the centerline of all existing and proposed collector roads.

D. Local Streets: Twenty-five feet (25') from, and on both sides of, the centerline of all existing or proposed local streets, except that this requirement shall be increased to thirty feet (30') for local streets abutting properties in Multiple-Family Residential, Commercial and Industrial zoning districts.

1104.02--Establishment of Setback Lines

On any lot wherein a setback line has been established, yards required by the regulations for the zoning district in which such lot is located shall be measured from the setback line.

1104.03--Compliance with Setback Lines

Buildings or structures hereafter erected, altered or relocated shall not be placed within the established setback lines.

1104.04--Mobile Food Vending Setbacks

Mobile food vendors, such as hot dog and taco stands, shall not be located within the established setback lines.

Section 1105.00--Number of Principal Buildings on a Lot

1105.01--Building Placement

Every building, which contains dwelling space, shall be located on a lot in conformance with principal building setback requirements as defined in these Zoning Regulations.

1105.02--Multiple Building Placement

Where a lot is located in a Multiple-Family Residential, Commercial or Industrial zoning district, more than one (1) principal building may be located on the lot, but only when the locations of such buildings conform to all the space requirements for the zoning district in which the lot is located. Yard regulations in such case shall be applied around all the principal buildings on the lot.

Section 1106.00--Accessory Buildings and Uses

Accessory buildings, accessory uses or the storage of recreational vehicles are allowed upon a lot when the principal residential building, inclusive of recreational vehicles, manufactured homes and site built homes, has been established.

A stored manufactured home is not allowed in any of the following residential zoning districts: Rural Area, Suburban Ranch, Suburban Site-Built, Low Density Residential, Medium Density Residential, High Density Residential, Manufactured Home Subdivision, Recreational Vehicle Subdivision, Manufactured Home Park, Recreational Vehicle Park and Residential Commercial.

The storage of recreational vehicles is not allowed unless the principal residential building is occupied. Stored recreational vehicles shall not be occupied overnight. A connection for battery recharging purposes shall be allowed. (refer to Section 1104.00 for setback requirements).

1106.01--Cargo Containers

Cargo containers are not allowed as accessory uses in any zoning district, except as provided below:

A. Cargo Containers are permitted in Suburban Ranch (SR) and Suburban Site Built (SSB) Districts for lots of two acres or greater in size, Local Commercial (C-1) lots greater than 20,000 square feet in size, Rural Area (RA), General Commercial (C-2) and Industrial Districts subject to the following conditions:

   1. Cargo containers shall meet all setback requirements for the district.
   2. Cargo containers may not occupy any required off-street parking spaces.
   3. Outdoor cargo containers may not be stacked, except when used for cargo purposes in the industrial districts.

4. Cargo containers are not allowed for human occupancy.

5. Licensed contractors may use cargo containers in any zoning district for temporary storage of equipment and/or materials at a construction site during construction that is authorized by a County building permit.

6. In the Suburban Ranch (SR), Suburban Site Built (SSB) and Local Commercial (C-1) districts, cargo containers shall be limited to one (1) per parcel, shall not be larger than four hundred feet in size, shall be painted in a mono-color and shall not be used for advertisements.

B. Cargo containers may be used in conjunction with moving and transport purposes incidental to residential and commercial districts.

C. Cargo containers intended to be used as a permanent, accessory use in residential and commercial zoning districts, except as provided in 1106.01 (A), may be considered as a Special Use Permit in accordance with Section 402.00. Cargo containers used as permanent accessory buildings must meet principal building development standards including setbacks, lot coverage and height regulations for the zoning district in which it lies.

D. Containers that are designed to be used for storage and appear to be cargo containers, yet do not meet the specifications for commercial shipping, packing, or transportation of freight, shall comply with the requirements of this section.

1106.02--Setbacks

Accessory buildings shall meet the minimum principal building front yard setback for the zoning district within which they lie. Accessory buildings may be built, and recreational vehicles may be stored, in the rear or side yard of the property but shall not occupy more than thirty percent (30%) of the rear yard and shall not be nearer than three feet (3') to any side or rear lot line or setback line. When a garage is entered from an alley, it shall not be located nearer than ten feet (10') to the alley line. Accessory buildings must be set back at least three feet (3') from the principal residential building to be considered detached. Accessory buildings less than three feet (3') from the principal residential building are considered a part of the principal residential building and must meet principal building setbacks.

Section 1107.00--Temporary Buildings and Uses

1107.01--Application for Temporary Uses

The following regulations shall govern the operation of temporary uses:

A. Permit applications for a temporary building or Temporary Use Permit shall be made to the Department of Development Services and shall contain the following information:

   1. A description of the property to be used, rented or leased for the temporary use, including a scaled site plan eight and one-half inches (8 ½") by eleven inches (11") (minimum) showing all information necessary to accurately portray the property and it's existing and proposed improvements;

   2. A description of the proposed use;

   3. Sufficient information to determine the yard requirements, sanitary facility location (s) and availability of on-site parking space to service the proposed use; and

   4. A summary of any response from the notification of all contiguous property owners that shall occur at least thee (3) business days prior to issuance of the permit.

B. The provisions of this Section shall apply to the uses and conditions hereinafter enumerated. Where this Section prescribes regulations more restrictive than the zone in which a use or special use is permitted, the provisions of this Section shall apply.

1107.02--Temporary Use Permits

A. All temporary uses shall be subject to the issuance of a temporary use permit by the Planning Director. In the issuance of such a permit by the Planning Director, the time period for which the permit is issued and the permitted hours of operation and other conditions, such as walls or fences, signs, lighting and parking which are deemed necessary to reduce possible detrimental effects to surrounding developments and to protect the public health, safety and welfare, shall be so indicated. Upon a finding by the Planning Director that a properly permitted temporary use has become detrimental to the public health, safety and welfare, the Planning Director may revoke said temporary use permit.

B. All temporary structures, including recreational vehicle temporary second dwelling units, must meet principal building setbacks, lot coverage and height regulations for the zoning district in which it lies.

1107.03--Temporary Buildings and Uses Requiring Permits

A. Contractor's office and storage yards, travel trailers used as a caretaker's residence may be allowed in conjunction with construction work only during the period of such construction. Any temporary use permit approved for such contractor's office and storage yard, mobile home or travel trailer shall be limited to a period of time not to exceed one (1) year from the date of such approval, but said permit may be renewed for like periods, thereafter, upon the property owner submitting satisfactory evidence indicating that the need continues to exist. Unless such temporary use permit is

renewed, such use shall be removed from the property, upon the expiration of the previously approved temporary use permit or within ten (10) days after completion of the construction work, whichever occurs first.

B. Temporary real estate offices, subject to securing a temporary use permit and the following:

   1. Such office shall be located on the property being subdivided for sale as individual lots and its use shall be limited to the sale of the subdivided lots.

   2. Such office shall be subject to the height, yard and intensity of use regulations for the zoning district in which it is located.

   3. Any temporary use permit approved for such office shall be limited to a period of time not to exceed one (1) year from the date of issue and said permit may be renewed for like periods, thereafter, if all lots in the property being subdivided have not been sold.

   4. Unless such temporary permit is renewed, such office shall be removed from the property being subdivided upon the expiration of the previously approved Temporary Use Permit or when the last lot in said property is sold, whichever occurs first.

C. Circuses, carnivals and similar transient amusement enterprises, subject to not more than thirty (30) days of site occupation and operation in any six (6) month period.

D. Christmas trees or pumpkin sales lots, subject to not more than forty (40) days of site occupation and operation in any three hundred, sixty (360) day period.

E. Campaign offices, subject to not more than seventy (70) continuous days of site occupation and operation.

F. Religious, patriotic, historic or similar displays or exhibits within yards, parking areas, subject to not more than thirty (30) days of display in any one (1) year period for each exhibit.

G. Outdoor art and craft shows and exhibits, subject to not more than fifteen (15) days of operation or exhibition in any ninety (90) day period.

H. Batch plants.

I. Parking lot and other outdoor sales sponsored by merchants limited to one (1) sale per calendar quarter. Rummage and other outdoor sales sponsored by local non-profit organizations limited to one (1) sale in each six (6) month period.

J. Stands for the sale of jewelry, furs, rugs and similar home-type products subject to not more than thirty (30) days in any three hundred sixty (360) day period.

K. Stands for the sale of produce subject to not more than thirty (30) days in any three hundred, sixty (360) day period. Said stands shall not be located within any public right-of-way and shall be kept free of litter and debris, including the sale of produce raised on the premises.

L. Temporary second dwelling unit for guests, relatives and/or caretakers in an RV for a period up to one (1) year. There shall be no extensions allowed and no re-application permitted within twelve (12) months of expiration of such permits. Such temporary second dwelling units shall not be used as rentals.

M. The raising of poultry, rabbits, goats , veal, cavy (guinea pigs), lambs and other small companion animals in residential zoning districts where not specified as a permitted use, by persons enrolled in organizations such as 4-H and / or FFA sanctioned projects, subject to not more than a continuous eight months within a one year period. There must be a minimum period of four months between any eight month period. The keeping of horses, market steers, and swine is excluded and not permitted. Any Temporary Use Permit for these types of sanctioned projects must specifically state the number of and type of animals to be raised, and must meet all applicable County Health and Department of Development Services requirements.

N. Recreational vehicle can be used as temporary sales offices in commercial and industrial districts for the sales of RV's motorhomes and automobiles for a temporary period not to exceed two months with a temporary use permit. The time limit may be extended by the Planning Director by two month periods as needed.

1107.04--Extension or Modification of Limitations

Upon written application, the Planning Director may extend the time within which temporary uses may be operated (up to a period of ninety (90) days) or may modify the limitations under which such uses may be conducted if the Planning Director determines that such extension or modification is in accordance with the purpose of the zoning regulations.

1107.05--Condition of Site Following Temporary Usage

Each site occupied by a temporary use shall be left free of debris, litter or any other evidence, including off-site signs, of the temporary use upon completion or removal of the use and shall thereafter be used only in accord with the provisions of the zoning regulations.

Section 1108.00--Additional Use Requirements

1108.01--Airports, Heliports or Landing Fields

Authorization for the special use and operation of airports, heliports and landing fields shall require the observance of approach surface and clear zone criteria, standard training flight paths, and restricted air space as provided in Article VII, Airport Approach District.

1108.02--Cemeteries

For purposes of these regulations, cemeteries and associated uses may be granted by Special Use Permit in any district. The application for such Special Use Permit shall provide a plot map and indicate, among other things, the total number of lots, roads, landscaping and maintenance provisions.

1108.03--Fences, Walls and Hedges

A. All fences, walls and hedges must be in compliance with Section 1101—Sight distance at intersections.

B. In all residential districts as defined in Section 202.00 and in rural area (RA) zoning districts, the following regulations shall apply:

1. Fences or walls shall not exceed six (6) feet in height within established rear and side yard setbacks.

2. For parcels with a size less than five acres

   a. No fence, wall or hedge exceeding three (3) feet in height above grade shall be erected, placed, planted or allowed to remain in or along the front or side lot line of any required front yard except the non-access side or sides of double or triple fronting lots, but in any case subject to Section 1101—Sight distance at intersections.

   b. An extension of the fence or wall located in or along the front yard setback or established in any required street side yard that is at least 80% transparent is allowed so long as the total height of the fence or wall and the extension do not exceed six (6) feet.

3. In districts with a minimum parcel size of at least five acres no fence, wall or hedge exceeding six (6) feet in height above grade shall be erected, placed, planted or allowed to remain in or along the front yard setback or established in any required street side yard.

4. No fence shall contain barbed wire, razor wire, electrical current or charge of electricity, or similar hazardous materials or devices except in and those districts that allow the keeping of livestock as a permitted use.

C. For Uses in districts not covered under section 1108-03(B)

1. Barbed wire or similar materials are allowed, if located on top of a fence or wall that is at least six (6) feet in height.

2. Barbed wire or similar materials are allowed when a parcel is being used as a feedlot, hatchery, dairy, meat packing plant, slaughterhouse, exotic animal park, zoo, or animal rehabilitation center.

D. No fence shall contain razor wire, broken glass or similar hazardous materials or devices.

E. Correctional facilities are exempt from section 1108.03.

1108.04--Gasoline Station Pumps

In any district, no service station gasoline pump shall be located closer than twenty-five feet (25') to any street line. In determining setback requirements, a gasoline pump and/or its canopy shall be considered a building.

1108.05--Maintenance of Yards and Open Spaces

No yard or open space shall be used for the storage of junk in any district, except in the Heavy Industrial (HI) District or Intensive Industrial (II) District.

In any Rural Area (RA) District actively being used for the business of farming, items accessory to the farming business may be stored.

Weeds or other plant growth, which constitute a hazard to other property or persons, shall not be allowed to proliferate in any district.

In any district, any vehicle being repaired or restored for longer than a thirty (30) day period shall be stored safely within a lawful building or structure or behind a lawful screening fence in such a manner as to not be visible from beyond the lot boundaries.

In any district, the use of fill is allowed. Fill should be used to augment the natural characteristics of a parcel (i.e., raise the level of a parcel to alleviate high ground water related septic problems or leveling of a parcel) or to enhance the development potential of a parcel. The disposal of refuse, discarded building material, vegetative matter, organic matter and similar items are not considered appropriate for fill and require an Aquifer Protection Permit from the Arizona Department of Environmental Quality (ADEQ). The material(s) used for fill must meet the following standards:

A. In accordance with Arizona Revised Statutes, Title 49, Chapter 4, Article 1, inert materials are those that, when exposed to water, will not decompose or leach substances for which aquifer water quality standards have been established (pursuant to Arizona Revised Statutes, Title 49, Chapter 2, Article 2) including broken concrete, asphaltic pavement, brick, rock, gravel, sand and soil.

B. Shall be non-biodegradable (i.e. cannot be broken down by bacteria in the environment).

C. Material must meet all Arizona Department of Environmental Quality (ADEQ) standards for fill.

1108.06--Outdoor Theaters

The following minimum regulations shall apply to outdoor theaters:

A. The minimum lot area shall be ten (10) acres.

B. No outdoor theater shall be located within three hundred yards (300) of any residential district.

C. The face of the screen shall be located a minimum of seven hundred feet (700') back from the highway or street right-of-way line, if visible from said highway or street.

D. Only one-way traffic shall be permitted on the site of an outdoor theater.

E. There shall be at least one (1) emergency exit.

F. Entrance lines shall be capable of handling a minimum of thirty percent (30%) of theater capacity.

1108.07--Storage Facilities, Elevated

Any elevated storage facility, water tower or other structure where a large weight would be supported by legs, structural wall or other supports shall be so located that, should it collapse, its reclining length would still be contained on the property on which it was erected; i.e. one foot (1') for every foot of height.

1108.08--Storage, Flammable

The following minimum regulations apply to the dispensing and bulk storage of all flammable products in all zoning districts except Rural (RA) districts:

A. Storage tanks shall bear the valid label of a recognized approving agency or be approved by the State Fire Marshal.

B. Commercial or industrial bulk storage tanks above ground shall be diked or riveted to provide a retention basin sufficient to contain one hundred ten percent (110%) of the total storage capacity of the tanks.

1108.09--Swimming Pools, Hot Tubs, Jacuzzi's and Pool Mechanical Equipment

Swimming pools, spas, and hot tubs shall be permitted in all zoning districts; however, they shall not be located closer than five feet (5') to any lot line. A site plan shall be required prior to issuing a building permit. When swimming pools are to be located on lots using septic tanks, the site plan shall show the location of the septic tank and required leach fields.

Every swimming pool, spa, and hot tub shall be provided with an approved barrier in accordance with the Yuma County Comprehensive Building Safety Code.

Pumps, filtration equipment, heaters, and other apparatus required for the operation of pools, spas, and hot tubs are exempt from the enclosure requirements and shall meet the requirements of Section 1102.02(H).

1108.10--Mutual Garages Across Lot Lines

An accessory building, such as a detached carport or garage, may be constructed across a common lot line by written agreement between the two adjoining property owners when:

A. Such agreement is recorded in the Office of the County Recorder;

B. A copy is provided to the Department of Development Services; and,

C. Subject to compliance with Yuma County Comprehensive Building and Safety Code fire protection regulations.

1108.11--Mutual Dwellings Across Lot Lines

In districts in which two-household dwellings are permitted, a two-household dwelling may be constructed across a common lot line when separated on the line by a fire wall, provided a written agreement between the two (2) adjoining property owners is recorded in the Office of the County Recorder, and a copy is provided to the Department of Development Service.

1108.12--Roof Drainage

Surface water from rooftops shall not be allowed to drain directly onto adjacent lots.

1108.13--Zero Lot Line Requirements

Zero (0) lot line side yards may be approved in any residential district at the time of site plan, preliminary plat or park plan approval or amendment. End units of attached dwellings shall meet the regular side or side-street setbacks. The opposite interior side yard on detached units shall be a minimum of twice (2-times) the side yard setback required for the district in which the development lies.

1108.14--Water Features, Fountains, and Mechanical Equipment

Water features and fountains shall be permitted in all zoning districts; however, no water feature shall be located closer than five feet (5') to any lot line. The pumps, filtration equipment, electrical equipment and apparatus shall be a minimum of three feet (3') from any lot line.

Built-in outdoor barbeques, outdoor kitchens, and fireplaces shall be permitted in residential zoning districts; however, they shall not be located closer than five feet (5') from any lot line.

1108.15--Construction Equipment, Truck, or Trailer Storage in Residential Districts

The storage of any truck, including a tractor truck or its trailer(s) having a rated capacity of more than one and one-half (1.5) tons as well as the storage of construction equipment such as bulldozers, graders, cement mixers, compressors, dump trucks and other equipment of similar size and/or weight shall not be permitted on any lot in residential districts. However, such construction equipment may be placed on a lot where such construction utilizes said equipment during the project(s) thereon and where a building permit has been issued by the County for said construction for the duration of the construction at that site.

1108.16--Recreational Vehicle, Boat, or Trailer Storage

The storage of recreational vehicles, boats or trailer storage is prohibited in required front yard setbacks.

1108.17—Property Condition

No structure or building, including but not limited to manufactured homes, recreational vehicles, mobile homes or factory build buildings, pools, or existing equipment shall be on a parcel in an unsafe condition. Structures, buildings, pools, and existing equipment that are deemed to be in an unsafe condition are in violation of this section. An unsafe condition is considered to exist if any of the following conditions are evident:

- A building or structure having inadequate means of structural ingress/egress.
- A building or structure having inadequate ventilation.
- A fire hazard exists.
- A situation that is dangerous to human health or the public welfare.
- A structure that is being occupied without the required occupancy permits.

1108.18—Community Gardens

A. Community gardens are allowed in all zoning districts.

B. The community garden's operating rules (i.e., governance structure, hours of operation, maintenance, and security, etc.) shall be posted on the property.

C. The community garden shall be designed and maintained to prevent irrigation water, pesticides, and fertilizer from draining onto adjacent properties or the right-of-way.

D. The community garden shall be designed and maintained to prevent the ponding of water that could contribute to the breeding of mosquitos.

E. Retail sale of produce on site shall be limited to produce grown on the site and parking shall meet the requirements of Article IX.

F. Sheds and greenhouses are permitted and shall meet applicable zoning district setbacks for accessory structures.

G. Permanent structures, excluding greenhouses, shall meet the maximum lot coverage requirements of the applicable zoning district.

H. Small amenities such as benches, bike racks, raised/accessible planting beds, compost or waste bins, picnic tables, seasonal farm stands, fences, garden art, rain barrels, and children's play areas are allowed.

I. Composting containers shall be located a minimum of three feet from side and rear property lines and covered to reduce odor.

Section 1109.00--Outdoor Lighting Regulations

1109.01--Purpose

The principal purpose of the Outdoor Lighting Regulations is to create standards for outdoor lighting, which do not conflict with the reasonable use and enjoyment of property within the County of Yuma and with astronomical observations. It is the intention of this section to encourage the conservation of energy while increasing nighttime safety, utility, security and productivity through regulation of the types, kinds, construction, installation and use of outdoor, electrically powered illuminating devices, lighting practices and systems.

1109.02—Definitions

The following definitions are to be used specifically for the provisions, terms, phrases and expressions contained in this article.

Fully shielded means: Fixtures that are shielded in such a manner that light rays emitted by the fixtures, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Outdoor light fixture means: Artificial outdoor illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot, or flood lights for buildings and structures, recreational areas, parking lot and area lighting, landscape lighting, billboards and other signage (advertising or other) and street lighting.

Partially shielded means: Fixtures that are shielded in such a manner that the bottom edge of the shield is below the plane of the centerline of the lamp reducing light above the horizontal.

1109.03--General Requirements

A. All exterior illuminating devices, unless otherwise stated in this Ordinance, shall be fully or partially shielded. The requirements for shielding light emissions from outdoor light fixtures shall be as set forth in the following table (Plate XI-1):

Plate XI-1: Shielding Requirement

Fixture Lamp Type	Shielding Requirement
Low Pressure Sodium (Note 1)	Partially Shielded
High Pressure Sodium	Fully Shielded
Metal Halide (Note 2)	Fully Shielded
Fluorescent (Note 3)	Fully Shielded
Quartz (Note 4)	Fully Shielded
Incandescent 150 Watt or less	None
Any light source of 70 Watt or less	None
Glass tubes filled with Neon, Argon, Krypton	None

Footnotes:

1. This is the preferred light source to minimize undesirable light emission into the night sky affecting astronomical observations.
2. Metal halide lighting, used primarily for display purposes, shall not be used for security lighting after 11:00 P.M. Metal halide lamps shall be installed only in enclosed luminaries. These lamp fixtures shall be "filtered," a glass, acrylic or translucent enclosure of the light source (Quartz glass does not meet this requirement).
3. Outdoor advertising signs of the type constructed of translucent materials, and wholly illuminated from within, do not require shielding. Dark backgrounds with light lettering and warm white and natural lamps are preferred to minimize detrimental effects.
4. For purposes of this Regulation, quartz lamps shall not be considered an incandescent light source.
5. If any subdivision proposes to have installed street, or other common or public area outdoor lighting, the final plat shall contain a statement certifying compliance with these regulations.

B. Signs

1. Flagpoles: Bottom-mounted, fully shielded lights shall be used and be connected to a timer which extinguishes all but the minimal light source necessary to illuminate the flag between sunset and sunrise.
2. Lighting, Bottom Mounted: Outdoor advertising sign lighting by any type of bottom -mounted outdoor lighting system or fixture, installed at or on the lower portion of any outdoor advertising sign or fixture. Said lighting fixture shall be prohibited unless said lighting fixture(s) is (are) shielded to confine the light to the sign face.
3. Lighting, Top-mounted: Outdoor advertising sign lighting fixtures used to illuminate outdoor advertising signs with light fixtures mounted on the top of the sign structure.
4. Mercury Vapor Lamp(s): Mercury vapor lamps and fixtures are prohibited for use as outdoor lighting.
5. Off-Site Signs, Outdoor Advertising: The illumination of outdoor advertising off-site signs, including those internally illuminated, is prohibited between the hours of 12:00 a.m. midnight and sunrise.

6. Recreational Facilities Lighting Fixtures: Public or private recreational facilities, which are illuminated with outdoor lighting fixtures conforming to these regulations may operate at any time with such illumination. Outdoor recreational facilities not conforming to these regulations shall not be illuminated after 11:00 p.m. except to conclude a specific recreational or sporting event or any other similar activity conducted at or in the facilities, which was in progress under such illumination prior to 11:00 p.m.
7. Searchlights: Prohibited.

1109.04--Permanent Exemptions

A. Nonconforming Fixtures: Legally installed, outdoor lighting not conforming to the provisions of this Regulation shall be allowed to remain.

B. Fossil Fuel Lights: All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels are exempt from all requirements of this code.

C. State and Federal Facilities: Outdoor light fixtures installed on and in connection with those facilities and land owned or operated by the Federal Government or the State of Arizona or any department, division, agency or instrumentality thereof, are exempt from all requirements of this regulation. Voluntary compliance with the intent of this regulation at those facilities is encouraged.

1109.05--Submittal of Plans

Submittal Contents: The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving outdoor light fixtures shall submit (as part of the application for permit) evidence that the proposed work will comply with this regulation. The submittal shall contain, but shall not be limited to, the following:

A. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors and other devices;

B. Descriptions of the illuminating devices, fixtures, lamps, supports, reflectors and other devices and the description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required);

C. Photometric data, such as that furnished by manufacturers, or similar, showing the angle of cut-off light emissions.

Section 1110.00--Sexually Oriented Uses

1110.01--Purpose

It is the purpose of this section to regulate adult-oriented businesses uses to promote the health, safety and general welfare of the citizens of the County, and to establish reasonable and uniform regulations for the location and concentration of sexually oriented uses within the County.

1110.02--Location Restrictions and Definitions

Any adult oriented business, as defined in Arizona Revised Statutes, Title 11, Chapter 6, Article 2, shall be located a distance of not closer than one thousand feet (1,000') from a property line of a lot used for any religious, educational or day care facility, library, public park, residence, residential district boundary or another adult-oriented business.

1110.03--Visibility by General Public

No nudity or sexual activities or audio-visual materials describing or depicting such acts shall be visible from any area normally accessible to the general public.

Section 1111.00--Disclosure Statements as Conditions of Rezoning

A. Barry M. Goldwater Air Force Range Disclosure Statement

   Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a rezoning of real property situa ted within three (3) miles of the Barry M. Goldwater Air Force Range, the owner of such real property, or their legal representative, shall file and cause to be recorded with the Yuma County Recorder's Office, a Range and Military Ground Support Disclosure Statement. The Range Disclosure Statement shall be prescribed by the Planning Director and be available to the public. The Range Disclosure Statement shall include, but not limited to, statements that occupants of the subject property, will encounter aircraft operations and slow-moving vehicles, will experience ordnance detonations, and vibrations and high energy electronic emitters which may disturb radio and television reception.

B. Avigation Disclosure Statement

   Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or rezoning of property located within any of the established high noise zones or accidental potential zones of the Marine Corps Air Station Auxiliary Field-2 or the air station, the owner of the subject real property, or their legal representative, shall file, and cause to be recorded, an Avigational Disclosure Statement with the Yuma County Recorder's office. The Disclosure Statement is for the purpose of informing current or future owners of the subject property that, as a result of the property's close proximity to the established high noise zones or accident potential zones, they may experience inconvenience and/or discomfort from noise, vibrations or other effects.

C. Restricted Airspace and/or Military Training Routes Disclosure Statement

Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a Rezoning of property located under restricted airspace and/or military training routes, the owner of the subject real property shall file, and cause to be recorded, a Disclosure Statement indicating that occupants may be subjected to discomfort, inconvenience and vibrations from military aircraft operations associated with the nearby Marine Corps Air Station/ Yuma International Airport and/or Yuma Proving Ground. Occupants should be prepared to accept aircraft flyovers at altitudes as low as 200 feet Above Ground Level (AGL) as normal and necessary to the functioning of the air station/ airport and proving ground.

D. U.S. Army Yuma Proving Ground Disclosure Statement

Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a rezoning of real property situated within one (1) mile of the U.S. Army Yuma Proving Ground, the owner of such real property, or their legal representative, shall file, and cause to be recorded, a Range Disclosure Statement with the Yuma County Recorder's office.

The Range Disclosure Statement shall be prescribed by the Planning Director and be available to the public. The Range Disclosure Statement shall include, but not limited to, statements that occupants of the subject property, may be subjected to discomfort, inconvenience, and vibrations arising from (but not limited to) test weapons systems, artillery fire, ordnance detonations, aircraft operations and air delivery, fast and slow moving vehicles, and high energy, electronic emitters which may disturb radio and television reception during a twenty-four (24) hour period. The property owner should be prepared to accept such inconvenience or disturbances as a normal part of living near an area of active, around-the-clock military operations.

E. Agricultural Disclosure Statement

Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a rezoning of real property which is located within one quarter (¼) mile of land being used for agricultural purposes, or zoned for agricultural purposes, the owner of such real property shall cause to be recorded an Agriculture Disclosure Statement with the Yuma County Recorder's office. The Disclosure Statement is for the purpose of informing current or future owners of the subject property may be subjected to discomfort and inconvenience arising from (but not limited to) plowing, aerial spraying, harvesting, irrigation, and cultivation which generates dust, noise, odor, and slow moving vehicles. The property owner should be prepared to accept the inconvenience or discomfort as a normal part of living in an area with a strong, agriculture economic base.

F. Area Service Highway Disclosure Statement

Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a rezoning of real property which is located within one quarter (¼) mile of land being used for a regional transportation corridor for commercial transit purposes, the owner of such real property shall file, and cause to be recorded, an Area Service Highway Disclosure Statement with the Yuma County Recorder's office. The Disclosure Statement is for the purpose of informing current or future owners of the subject property may be subjected to discomfort and inconvenience arising from (but not limited to) noise, fumes, and fast-moving vehicles. Property owners should be prepared to accept such inconvenience or discomfort as a normal part of living near a regional transportation corridor for commercial transit.

G. Infrastructure Disclosure Statement

Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a rezoning of real property, which is located where no roadway infrastructure improvements support the property, the owner of such real property shall file, and cause to be recorded, an Infrastructure Disclosure Statement with the Yuma County Recorder's office. The Disclosure Statement is for the purpose of informing current or future owners of the subject property that Yuma County will be held harmless and not obligated to make improvements to roadway infrastructure supporting the property.

H. Flood Plain Disclosure Statement

Within sixty (60) days after the Yuma County Board of Supervisors grants a Special Use Permit or a rezoning of real property, which is located in or adjacent to the Special Flood Hazard Area, as determined by Yuma County Floodplain Regulations Section 3.2, the owner of such real property shall file, and cause to be recorded, a Flood Plain Disclosure Statement with the Yuma County Recorder's office. The Disclosure Statement is for the purpose of informing current or future owners that the property may be subjected to flooding, high ground water and fast moving currents. The property owner should be prepared to accept the flooding hazard as a part of living in an area located in the 100-year flood plain.

Section 1112.00—(Deleted)

Section 1113.00--Assisted Living Facilities

1113.01--Purpose

This section broadens the permitted uses in residential zoning districts by including assisted living facilities of similar character to a residential district's previously permitted uses.

1113.02--Definitions

The following definitions are to be used specifically for the provisions, terms, phrases and expressions contained in this Section.

Assisted living facility: A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuing basis that operates under the supervision of a manager certified pursuant to Arizona Revised Statues, Title 36, Chapter 4, Article 6.

Directed care services: Programs and services, including personal care services, provided to persons who are incapable of recognizing danger, summoning assistance, expressing need or making basic care decisions.

Health care institution: Every place, institution, building or agency, whether organized for profit or not, which provides facilities with medical services, nursing services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies as defined in Arizona Revised Statutes, Title 36, Chapter 1, Article 2.1 and hospice service agencies.

Inpatient beds or resident beds: Accommodations with supporting services, such as food, laundry and housekeeping, for patients or residents who generally stay in excess of twenty -four (24) hours.

Personal care services: Assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and the administration of medications and treatments by a nurse who is licensed pursuant to Arizona Revised Statutes, Title 32, Chapter 15 or as otherwise provided by law.

Residential care institution: A health care institution other than a hospital or a nursing care institution, which provides resident beds or residential units, supervisory care services, personal care services, directed care services or health-related services for persons who do not need inpatient nursing care.

Residential unit: A private apartment, unless otherwise requested by a resident, that includes a living and sleeping space, kitchen area, private bathroom and storage area.

Supervisory care services: General supervision, including daily awareness of resident functioning and continuing needs, the ability to intervene in a crisis and assistance in the self-administration of prescribed medications.

1113.03--Permitted Uses

The use of a single-family residence as an assisted living facility, when providing inpatient beds or resident beds, but not residential units, is a permitted use as a household in all RA, SSB, SR, R-1, MHS, RVS, RC and C-1 districts. The assisted living facility, when providing inpatient beds, resident beds, or residential units, is a permitted use in the following zoning districts: R-2, R-3 and C-1.

1113.04--Special Uses

Where not permitted a use by Section 1113.03, assisted living facilities are allowed as a special use in all RA, SSB, SR, R-1, R-2, R-3, MHS, RVS, RC and C-1 districts.

Section 1114.00—Noncompliant Uses

1114.01—Purpose

Enable residents of parcels that do not qualify as nonconforming, that do not meet the minimum parcel size or lot width requirements of their zoning district, that were created

prior to September 24, 2006, and already contain a residence, to be able to obtain the building/placement permits necessary to improve the quality of the already existing residential use without having to rezone the parcel.

1114.02—Applicability

Section 1114 shall apply when there is a residential use on a parcel that meets all the following criteria:

A. The parcel was created according to law prior to September 24, 2006.

B. An existing dwelling unit was established on the parcel prior to September 24, 2006.

C. Residential use on parcels on which the residential use does not meet the setback requirements of the zoning district in which it is located are eligible for qualification as a noncompliant use so long as the setbacks existing on September 24, 2006 are maintained, or if changed are brought closer to complying with the required setbacks.

D. Aside from not meeting minimum parcel size and minimum lot width the parcel and the residential use on it meets all other requirements of the zoning ordinance, except for setbacks when they meet the requirements of Section 1114.02(3).

E. The parcel is not being used for uses other than residential uses.

1114.03—Change from a Noncompliant Use

An existing noncompliant use of property shall not be changed to include and/or be used as a nonresidential use and remain classified as a noncompliant use.

1114.04—Change to a Conforming Use

A noncompliant use changed to a conforming use shall not thereafter revert to a noncompliant use.

1114.05—Change in Intensity

A residential dwelling unit located on a parcel that qualifies as noncompliant shall be allowed to expand, so long as the requirements on maximum lot coverage, required setbacks, and maximum height of structures for the zoning district that the parcel is located in are complied with. An additional dwelling unit cannot be added to a noncompliant parcel.

1114.06—Restoration on Noncompliant Use

A noncompliant structure damaged or destroyed may be restored and the noncompliant use may be resumed, provided that the restoration is started within six (6) months and completed within (1) year from start of restoration and the location and area covered on the lot remains the same or becomes more compliant with the zoning regulations.

1114.07—Abandonment of Use

A noncompliant use that is abandoned shall not be allowed to be reestablished. A noncompliant use shall be considered abandoned or discontinued when:

1. The characteristic equipment and/or the furnishings of the noncompliant use have been removed and have not been replaced by similar equipment within eighteen(18) consecutive months; or

2. The building or premises are left vacant or unused for eighteen (18) consecutive months; or

3. The use has been replaced by a compliant use.

Section 1115.00 --Wireless Communication Facilities

Section 1115.01 –Purpose

The purpose of this section is to establish general and specific guidelines for the regulation of wireless communication facilities. In order to preserve and promote the public health, safety, convenience and general welfare of the County, this section is established to:

A. Protect the County's natural resources and visual environment from the potential adverse visual effects of the wireless communication facilities, through careful design and location standards;

B. Preserve the safety of aviation operations at the Marine Corps Air Station/Yuma International Airport aviation complex and the Barry M. Goldwater Range;

C. Prevent harm to adjoining public or private property by improper placement of wireless communication facilities;

D. Limit the number of towers needed to serve the County by encouraging facilities to be placed on existing buildings and structures where possible, and encouraging co-location of wireless communication facilities on existing structures.

E. Streamline and expedite any existing permitting procedures in accordance with the intent of any Federal and State laws.

Section 1115.02 --Definitions

Antenna: Any device or equipment for the transmission or reception of electro-magnetic waves, which may include omni-directional antenna (rod), directional antenna (panel) or parabolic antenna (disc).

Cell-On-Wheels (COWS) Apparatus: An abbreviation for a temporary wireless communications facility.

Co-Location: Means use by two (2) or more wireless communication providers located on the same tower or alternative structure.

Distributed Antenna System (DAS): A type of physical structure or apparatus used to support or augment the performance of an existing WCF network. The maximum size parameters to be considered a DAS and regulated as such through the zoning ordinance are the following:

A) Height: 6 feet
B) Diameter or Width: 24 inches
C) Additional height to an existing support device, structure or pole: 6 feet
D) Any size parameter beyond the above specifications shall deem the DAS by definition as a WCF, and be regulated accordingly through the zoning ordinance.

FCC: Federal Communication Commission, an independent government agency who regulates interstate and international communications by radio, television, wire, satellite and cable.

Temporary Wireless Communications Facility: A facility that is placed and is not deployed in a permanent manner.

Wireless Communication Facility: Any towers, poles, antennas, wireless communication tower accessory structures or other structures intended for use in connection with the transmission or receipt of cellular, global system of mobile communication, microwave, personal communication services, radio, specialized or enhanced specialized mobile radio or television signals, or any other spectrum-based transmission/receptions.

Wireless Communication Facility, Concealed: A facility designed to be architecturally integrated into a building so that the antenna, support structures, cabling and equipment are completely encased or hidden or designed in a manner that blends into the environment so the antenna structure cannot be seen or, if seen, cannot be recognized as wireless communication facilities. Concealed wireless communication facilities include, but are not limited to, architecturally screened roof-mounted facilities such as elevator or stairway penthouses, chimneys, flues, vents and roof-top equipment storage areas. Artwork or architectural design features such as church spires, clock towers and signs or flag poles may also be considered concealed wireless communication facilities if they encase or hide the wireless communication facility.

Wireless Communication Facility, Disguised: A facility designed and sited so that the antenna structure is minimally obtrusive and appears to be part of the physical surroundings. Disguised wireless communication facilities include, but are not limited to, a monopalm, a monocactus, or monopine. The location of a wireless communication facility on athletic field light poles, water towers, street lights, traffic light or utility poles, walls and fences, and suspended wire antennas would also be considered disguised if the antennas, cabling and related equipment and structures are not commonly recognized as a wireless communication facility.

Wireless Communication Facility, Monocactus: A single, freestanding and unguyed three-dimensional structure in the shape of a saguaro or similar cactus erected on the ground that houses one or more antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a cactus.

Wireless Communication Facility, Monopalm: A single, freestanding and unguyed structure in the shape of a palm tree erected on the ground that supports one or two disguised antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a palm tree.

Wireless Communication Facility, Monopine: A single, freestanding and unguyed structure in the shape of a pine tree erected on the ground that supports one or more antenna. The structure must be anatomically correct in its color, texture and design to give the appearance of a pine tree.

Wireless Communication Facility, Monopole: A single, freestanding and unguyed pole-type structure erected on the ground that supports one or more antenna.

Wireless Communication Tower Accessory Structure: Any structure located as the base of a wireless communication tower for housing base receiving or transmitting equipment.

Wireless Communication Tower Height: The vertical distance measured from the base of a tower or other support structure to the highest point on the wireless communication facility, including the antenna and other attachments.

Section 1115.03 –Applicability

All wireless communication facility towers or antennas located within the unincorporated areas of Yuma County are subject to this Section.

The following facilities are exempt from the application of this section:

A. Amateur radio facility owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.

B. Maintenance, repair or reconstruction of a wireless communication facility and related equipment, provided that there is no change in height or any other dimension of the facility.

C. Wireless communication facilities used by a governmental agency for public safety purposes.

Section 1115.04 --Zoning Regulations

Plate XI -2: This plate delineates the treatment of WCF's per zoning district

<table>
<tr><th>DISTRIBUTED ANTENNA SYSTEMS (DAS'S):</th><th>DISTRICTS WCF'S ARE PERMITTED BY RIGHT:</th><th>DISTRICTS WCF'S ARE PERMITTED WITH A SUP:</th><th>DISTRICTS PERMITTED BY RIGHT IF THE WCF IS CONCEALED:</th><th>DISTRICTS PERMITTED BY RIGHT IF THE WCF IS DISGUISED:</th></tr>
<tr><td rowspan="7">PERMITTED IN ALL ZONING DISTRICTS EXCEPT THE VCOD. IN THE VCOD DISTRICT, THEN A SUP IS REQUIRED.</td><td>C-1</td><td>RA</td><td rowspan="9">ALL DISTRICTS EXCEPT THE FOLLOWING DISTRICTS:
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A SUP IS REQUIRED FOR THESE ZONING DISTRICTS.</td><td rowspan="9">All districts EXCEPT THE FOLLOWING DISTRICTS:
OS/RR
SA/RL
VCOD
A SUP IS REQUIRED FOR THESE ZONING DISTRICTS.</td></tr>
<tr><td>C-2</td><td>SR</td></tr>
<tr><td>LI</td><td>SSB</td></tr>
<tr><td>HI</td><td>R-1</td></tr>
<tr><td>II</td><td>R-2</td></tr>
<tr><td>TCU</td><td>R-3</td></tr>
<tr><td>PF</td><td>MHS</td></tr>
<tr><td></td><td></td><td>MHP</td></tr>
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<tr><td></td><td></td><td>OS/RR</td><td>RA*</td><td>RA*</td></tr>
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<tr><td></td><td></td><td>RC</td><td></td><td></td></tr>
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* In the Rural Area (RA) zoning district, proposed concealed or disguised WCF'S are not permitted by right if the subject parcel is located in or adjacent to a parcel that is defined by the United States Department of Agriculture (USDA) as prime agricultural farmland. In those instances, then a Special Use Permit (SUP) would be required to be obtained prior to the establishment of the proposed WCF. This is to allow for the review and discussion of any affects of a WCF on the highest potential producing agricultural areas of Yuma County.

All new structure, including co-locations, shall obtain building permits prior to construction or installation.

Section 1115.05 –Performance and Usage Standards

All wireless communication facilities must demonstrate compliance with the following standards in this section.

A. Adverse Impact

Wireless communication facilities shall not create an adverse impact toward the view from any public park, natural resource area, historic and cultural site or visual corridors as defined by or delineated in the Yuma County Comprehensive Plan. Wireless communication facilities that create an adverse impact shall be concealed or disguised to minimize the visual impact to the area.

B. Wireless Communication Facilities Height and Setback Requirements.

No tower shall exceed a height of one hundred fifty (150) feet from grade and wireless communication facilities shall be setback from each lot line at least one (1) foot for each foot of additional height above the height limit otherwise permitted in the zoning district in which the structure is located. The additional one foot above the zoning district height maximum is in addition to the normal building setback of the zoning district in which the proposed WCF is to be located in.

C. Fencing

Wireless communication towers shall be enclosed by a security fence not less than six (6) feet in height, and the wireless communication tower accessory structure shall be constructed in a manner that reasonably prevents unauthorized personnel from climbing the support structure. Nothing herein shall prevent security fencing which is necessary to meet other state or federal requirements.

D. Airport District

Wireless communication facilities shall be developed in accordance with Article VII of the Yuma County Zoning Ordinance pertaining to the Airport District.

Section 1115.06 –Co-location Considerations

New wireless communication facilities must demonstrate compliance with the following standards in this section.

A. A new wireless communication facility and related equipment must be designed and constructed to accommodate co-location of additional wireless communication facilities or providers when technically feasible and not in conflict with the height limitations in this section.

B. New wireless communication facilities with a height greater than eighty (80) feet shall be designed to accommodate both the applicant's antenna and comparable antenna for at least two (2) additional users.

C. Before a new wireless communication facility is permitted**,** the applicant must provide evidence that existing structures cannot accommodate applicant's proposed antenna by co-locating. Appropriate evidence includes:

1. No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements;
2. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements;
3. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment, and cannot be reinforced to provide sufficient strength;
4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing structure or the antenna on the existing structure would cause interference with the applicant's proposed antenna**;** and
5. The fees, costs or contractual provisions required by the owner of the existing structure, or the cost to adapt the existing structure for co-location, is unreasonable.

D. All co-location applications not involving substantial change as defined by the FCC, will be decided within sixty (60) days; per FCC, failure to decide co-location would mean the application is deemed granted.

Section 1115.07 –Approval Procedures

A. Applicants seeking approval of a new wireless communication facility must submit a building permit application which includes the following:

1. Qualification as an applicant and statement of compliance. A copy of the FCC license for the wireless communication facility, or license to operate within Yuma County, and a signed statement from the owner or operator of said facility attesting that it will comply with FCC regulations.
2. Affidavits showing conformance with all Federal Aviation Administration lighting and marking requirements.
3. A certificate, report or plan stamped by an Arizona-licensed, professional engineer that indicates the equipment and tower will be in compliance with applicable building code requirements.
4. Visual impacts of the proposed facility. Elevation drawings of the proposed facility, and any other proposed structures, showing height above ground level.
5. Information specific for protection and preservation of military airports and ancillary military facilities.
   a. The longitude and latitude of the location of the proposed wireless communication facility specifying the latest North American Datum coordinate system, as well as, site address or location;
   b. The mean sea level (MSL) elevation of the site where the proposed wireless communication facility is to be located, as well as, the wireless communication tower height and overall structure elevation;
   c. The electrical power output and signal transmission and receiving of the proposed wireless communication facility, including signal transmission and receiving frequency information; and
   d. The proposed lighting plan to meet federal requirements.

6. Other relevant information the County may deem necessary.

B. Applications for new wireless communication facilities involving substantial change as defined by the FCC or otherwise required by this Ordinance will be approved or denied within one hundred fifty (150) days.

C. Applicants seeking approval of a temporary wireless communication facility must submit an application for a Temporary Use Permit in accordance with the following requirements:

1. Permit applications for a Temporary Use Permit for a temporary wireless communication facility shall be made to the Department of Development Services and shall contain the following information:

   a. A description of the property to be used, rented or leased for the temporary wireless communication facility, including a scaled site plan eight and one-half inches (8 ½") by eleven inches (11") (minimum) showing all information necessary to accurately portray the property and its existing and proposed improvements;

   b. The longitude and latitude of the location of the proposed wireless communication facility specifying the latest North American Datum coordinate system, as well as, site address or location;

   c. The mean sea level (MSL) elevation of the site where the proposed wireless communication facility is to be located, as well as, the wireless communication tower height and overall structure elevation;

   d. The electrical power output and signal transmission and receiving of the proposed wireless communication facility, including signal transmission and receiving frequency information; and

   e. The proposed lighting plan to meet federal requirements.

2. All temporary wireless communication facilities shall be subject to the issuance of a temporary use permit by the Planning Director. The maximum time span for a temporary permit is 180 days. In the issuance of such a permit by the Planning Director, the time period for which the permit is issued and the permitted hours of operation and other conditions, such as walls or fences, signs, lighting and parking which are deemed necessary to reduce possible detrimental effects to surrounding developments and to protect the public health, safety and welfare, shall be so indicated. Upon a finding by the Planning Director that a properly permitted temporary use has become detrimental to the public health, safety and welfare, the Planning Director may revoke said temporary use permit.

3. Each site occupied by a temporary wireless communication facility shall be left free of debris, litter or any other evidence, including off-site signs, of the temporary use upon completion or removal of the use and shall thereafter be used only in accord with the provisions of the zoning regulations.

Section 1115.08 – Design Standards for Concealed or Disguised WCF'S

The following standards are for each type of WCF and are used to clarify development expectations.

A. Concealed wireless communication facilities

1. Bulk requirements. Shall meet standards governing the maximum building height, lot coverage and principal building setbacks for the zoning district in which the WCF is to be located.

2. Design guidelines. A site plan must be approved by the Yuma County Department of Development Services demonstrating the proposed WCF meets the definition of a concealed WCF as specified in Section 1115.02 above. Site plans for concealed WCF's must demonstrate the following in order to be approved:

   a. The antenna is fully enclosed, screened or obscured so that it is not visible at all or, if visible, it is not recognizable as a WCF to a casual observer;

   b. The antenna does not extend more than twelve (12) inches from the building or structure to which it is attached;

   c. The concealed WCF and its support structure, if located in a sign, shall adhere to the sign standards in Article VIII of the zoning ordinance;

   d. The support equipment is located entirely within an equipment enclosure that is architecturally compatible with the surrounding area, completely screened from view;

   e. A WCF concealed as a flagpole shall be required to fly a flag in compliance with the accepted protocol for the type of flag flown. The flag and pole shall be visible from the building entrances used by the public. The diameter of the pole structure must not exceed twenty-four (24) inches; and

   f. The installation of a concealed WCF shall be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation.

B. Disguised Wireless Communication Facilities

   1. Bulk requirements. Shall meet standards governing the lot coverage for the zoning district in which the WCF is to be located.

      a. Height maximums per type of disguise design.

         Monocactus: 35 feet
         Monopalm: 75 feet
         Monopine: 80 feet
         Monopole: 80 feet
         Broadleaf: 65 feet

      b. Setbacks.

         (1) The minimum setback from all property lines and other structures upon a parcel for all disguised WCF'S shall be the height of the proposed WCF plus fifteen (15) feet in all zoning districts in which they are permitted.

         (2) The setbacks for any wireless communication tower accessory structure that is supporting a disguised WCF must comply with the principal use or building setback requirements of the underlying zoning district in which it is to be located.

2. Design guidelines. A site plan must be approved by the Yuma County Department of Development Services demonstrating the proposed WCF meets the definition of a disguised WCF as specified in Section 1115.02 above. Site plans for disguised WCF'S must demonstrate the following in order to be approved:

   a. Monocactus:
      (1) The structure must be built of steel or fiberglass and clad with faux finish that starts at the base of the pole and continues to the top of the structure.
      (2) The diameter of the pole structure must not exceed thirty (30) inches at its widest point.
      (3) All antenna and cables must be concealed within the pole structure.
      (4) The number and size of any "arms" must be sized to be proportional to the height of the monocactus.
      (5) No microwave dishes are permitted.
      (6) No climbing pegs are permitted on the pole structure.
      (7) The installation of a monocactus shall be done in a manner that minimizes the removal of mature vegetation or the disturbance of natural desert vegetation.

   b. Monopalms:

      (1) All monopalms must be anatomically correct and contain a minimum of 55 palm fronds.
      (2) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.
      (3) The entire length of the antenna must be disguised by the palm fronds.
      (4) The pole structure must be built of steel or fiberglass and clad with faux bark. The faux bark shall start at the base of the pole and continue to the height of the first palm frond attachment. The balance of the pole structure and the attachments must be painted to blend with the palm fronds.
      (5) The diameter of the pole structure must not exceed twenty-six (26) inches at its widest point.
      (6) All cables must be concealed within the pole structure.
      (7) Microwave dishes shall be limited to one (1) square foot in size and must be concealed within the trimmed leaf cluster (often referred to as the "pineapple") of the monopalm or within the palm fronds.
      (8) The trimmed leaf cluster shall be mounted directly below the palm fronds and shall be painted to blend with the pole structure.
      (9) No more than two (2) microwave dishes are permitted on each monopalm.
      (10) No climbing pegs are permitted on the pole structure.
      (11) The installation of a monopalm shall be done in a manner that minimizes the removal of mature vegetation.

c. Monopine or other broadleaf tree:

(1) The pole structure must be built of steel or fiberglass and clad with faux bark. The faux bark shall start at the base of the pole and continue to the height of the first branch attachment. The balance of the pole structure and the attachments must be painted to blend with the branches.

(2) The diameter of the pole structure must not exceed thirty-six (36) inches at the base and shall taper to no greater than twenty-eight (28) inches at the top of the pole structure.

(3) All cables must be concealed within the pole structure.

(4) The branches must:

(i) Be constructed to a density of 2.5 branches for each one vertical foot of pole, and

(ii) Start attachment at no greater than fifteen (15) feet above finished grade and continue to the top of the pole, and

(iii) Be a minimum of eight (8) feet long around the circumference of the lower level and shall taper appropriately as the branches progress upwards.

(5) The entire length of all antenna and their attaching apparatus shall be disguised by the branches and the antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(6) Microwave dishes shall be limited to one (1) square foot in size and must be painted the same shade of green as the branches. The attaching apparatus must also be painted the same shade of green as the branches.

(7) No more than four (4) microwave dishes are permitted on each monopine or broadleaf tree.

(8) No climbing pegs are permitted on the pole structure.

(9) The installation of a monopine or broadleaf tree shall be done in a manner that minimizes the removal of mature vegetation.

d. Ball field light poles. WCF's may be added to legally existing or proposed ball field light poles in compliance with the following design guidelines:

(1) The maximum allowable width of an antenna array is four (4) feet.

(2) The antenna array shall not extend more than thirty (30) inches from the structure to which it is attached.

(3) The maximum allowable length of each antenna is ten (10) feet.

(4) The diameter of the pole structure must not exceed thirty-six (36) inches.

(5) The addition of a WCF to a ball field light must not increase the height of the light structure by more than ten (10) feet.

(6) All cables must be concealed within the pole structure.

(7) Microwave dishes shall be limited to two (2) square feet in size.
(8) No more than two (2) microwave dishes are permitted on each ball field light pole.
(9) All microwave dishes, antennas, and attaching apparatus must be painted to match the ball field light pole.
(10) The installation of ball field light poles shall be done in a manner that minimizes the removal of mature vegetation.

Section 1115.09 –Abandonment

A. Any wireless communication facility that is not operated for a continuous period of twelve (12) months is considered abandoned, and the facility owner shall remove all portions of the facility within ninety (90) days. If the abandoned wireless communication facility is not removed within ninety (90) days, Yuma County may, after 30 days notice to the wireless communication facility owner, remove it and recover all costs from the facility owner, including all attorney's fees and court costs that may arise while collecting these costs.

B. If the owner of an abandoned wireless communication facility cannot be located or is no longer in business, the requirements of Subsection A are the responsibility of the landowner on whose property the facility is located.

Section 1116.00 — Medical Marijuana

1116.01—Purpose

Marijuana in any form, including *medical marijuana*, is illegal under federal law pursuant to the Controlled Substances Act (21 U.S.C. § 811). However, the Arizona Medical Marijuana Act (Proposition 203, passed by Arizona voters in 2010) states that under state law, a qualifying patient who has a debilitating medical condition to obtain and use marijuana to treat or alleviate the qualifying debilitating medical condition or its associated symptoms. Proposition 203 also contains provisions for dispensaries to provide medical marijuana to qualifying patients Because this change in state law means that it is possible that medical marijuana dispensaries will be operating in Yuma County, the County has a duty to ensure that the dispensaries are located and operated in a manner that least harms the health, safety and general welfare of its citizens. Furthermore, Yuma County does not condone the use of medical marijuana or violation of federal law.

1116.02— Requirement to Obtain a Special Use Permit

A medical marijuana dispensary and medical marijuana cultivation require a Special Use Permit.

1116.03—Application

In addition to the application requirements detailed in Section 404.02 of the Yuma County Zoning Ordinance, an applicant for a Special Use Permit allowing for the operation of a medical marijuana dispensary and/or medical marijuana cultivation must complete a supplemental application that includes all of the following information:

A. If the application is by an agent for the owner, the authorization must include a signed affidavit from the owner that the owner knows that the proposed use of the property is for a medical marijuana dispensary and/or medical marijuana cultivation.

B. A copy of the operating procedures adopted in compliance with Arizona Revised Statutes, Title 36, Chapter 28.1.

C. A site plan demonstrating how the proposed cultivation site meets all security requirements.

1116.04—Mandatory Conditions of Approval

All Special Use Permit applications for medical marijuana dispensaries must address and abide by the following conditions of approval, and items A, B, and C must address and abide by Arizona Revised Statutes, Title 36, Chapter 28.1. The Board of Supervisors may impose conditions of approval that are more restrictive than those required by this section. All special use permits providing for the operation of a medical marijuana dispensary must:

A. Provide to the Department of Development Services a copy of the registration certificate issued by the State of Arizona prior to commencing operations.

B. Meet all requirements for a medical marijuana dispensary to qualify for and maintain its certificate of registration.

C. Comply with operating procedures.

D. Prohibit anyone from consuming medical marijuana on the premises.

E. Prohibit signage or advertising using the word "marijuana" or "cannabis," or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols. Such signage and advertising must clearly indicate that the products and services are offered only for a medical marijuana patients and primary caregivers.

F. Prohibit anyone under the age of eighteen years on the premises.

G. Prohibit medical marijuana dispensary activities including, without limitation, cultivating, growing, processing, displaying, selling and storage from being conducted outdoors.

H. Operate only between the hours of 9:00 a.m. and 8:00 p.m.

I. Prevent medical marijuana or paraphernalia from being displayed or kept in a manner that is visible from outside the subject parcel.

J. Install security surveillance cameras that monitor all entrances, along with the interior and exterior of the premises. Recordings from these cameras must be maintained in retrievable manner for at least 90 days from the date recorded.

K. Install and maintain in good working condition robbery and burglary alarm systems.

L. Post a legible sign stating that:

1. The use or distribution of marijuana is a violation of federal law.

2. The possession, use or distribution of marijuana for nonmedical purposes is a violation of state law.

3. Consumption of marijuana on the premises is prohibited.

4. No one under the age of eighteen years is permitted on the premises.

M. Record a notarized affidavit in which applicant acknowledges that the operation of medical marijuana dispensary is a violation of federal law.

N. Record a notarized wavier in which the applicant agrees to hold Yuma County harmless against any federal law enforcement actions that may result from the activities of the medical marijuana dispensary being that is the subject of the special use permit.

1116.05— Medical Marijuana Dispensary and Cultivation Location Restrictions

Any medical marijuana dispensary must be located a distance of not closer than five hundred feet from a property line of a parcel that:

A. Has an established residence, religious facility, educational or day care facility, library, public park, or medical marijuana dispensary.

B. Is zoned for residential use by Yuma County.

1116.06— Deleted

1116.07—Security and Screening Standards for the Cultivation of Medical Marijuana

A. Medical marijuana may only be cultivated in an indoor area equipped with locks or other security devices that permit access only by those authorized by state law to cultivate medical marijuana.

B. Medical marijuana is not allowed to be cultivated in a location or manner that is visible from any area normally accessible to the general public or from any point off the parcel.

C. All requirements, standards and conditions for the cultivation of medical marijuana in State statute and regulations must be met at all times.

Article XII-- Zoning Enforcement

Section 1201.00--Permits

Assessor, Arizona Revised Statutes, Title 11, Chapter 2, Article 9, Permits

A. A building permit is required for any construction of a building, or an addition thereto, exceeding a cost of one thousand dollars ($1,000). The building permit shall be filed with the Department of Development Services.

B. If a contractor is employed for any construction exceeding the cost of ten thousand dollars ($10,000), a building permit may not be issued unless the contractor holds a valid privilege tax license issued pursuant to Arizona Revised Statutes, Title 42, Chapter 5, Article 1 for engaging or continuing in the business of contracting.

C. One (1) copy of the building permit required by the terms of subsection A of this section shall be transmitted to the County Assessor and one (1) copy to the Director of the Department of Revenue. The permit copy provided to the Assessor and the Department of Revenue shall have the permit number, the issue date and the parcel number for which the permit is issued. On the issuance of the certificate of occupancy or the certificate of completion, or on the expiration or cancellation of the permit, the Assessor and the Department of Revenue shall be notified in writing or in electronic format of the permit number, parcel number, issue date and completion date.

D. If a person has constructed a building or an addition to a building without obtaining a building permit, a county shall not require a subsequent owner to obtain a permit for the construction or addition done by the prior owner before issuing a permit for a building addition, except that nothing in this section shall be construed as prohibiting the enforcement of an applicable ordinance or code provision which affects the public health or safety.

1201.01--Zoning Inspector, Arizona Revised Statutes, Title 11, Chapter 6, Article 2, Permits

It is unlawful to erect, construct, reconstruct, alter or change the use of any building or other structure within a zoning district covered by the ordinance without first obtaining a building permit from the inspector and, for that purpose, the applicant shall provide the zoning inspector with a sketch of the proposed construction containing sufficient information for the enforcement of the zoning ordinance. No permit shall be required for repairs or improvements of a value not exceeding five hundred (500) dollars. The inspector shall issue the permit when it appears that the proposed erection, construction, reconstruction, alteration or use fully conforms to the zoning ordinance. In any other case, the inspector shall withhold the permit.

1201.02--Building Safety, Arizona Revised Statutes, Title 11, Chapter 6, Article 5, Permits

It is unlawful to perform any work without the required permits under the provisions of the Building, Fire, Mechanical, Electrical and/or Plumbing Codes adopted by the Yuma County Board of Supervisors.

Section 1202.00--Fees

A fee shall be charged upon the issuance of each building permit based upon a schedule determined by the Board of Supervisors.

With each permit issued, the Zoning Inspector shall provide the permittee with a placard to be erected in a prominent position on the premises where the permit is to be used. The placard shall be of a distinctive color, easily identifiable and shall state the date issued and the work authorized by said permit. Such placard must, at all times, be displayed during construction, repair or alteration.

Section 1203.00--Access to Parcel

Access shall be not less than twenty feet (20') wide throughout its entire length and shall adjoin the subject parcel for a minimum of twenty feet (20'). Unless otherwise specified, access may be provided by: direct frontage onto a public street; a permanent private easement of record for public ingress and egress; a valid court order recognizing a private right to use an existing private roadway; or, an approved State Land Department report of improvement for a farm road on state trust land.

Section 1204.00--Enforcement of Regulations

It shall be the duty of the County Zoning Inspector and all department officials and public employees vested with the authority to issue permits or licenses, to enforce the provisions of these regulations and issue no such license or permit for uses, buildings, or purposes where the same would be in conflict with the provisions of these regulations and any license or permit if issued in conflict with the provisions of these regulations shall be null and void.

Section 1205.00--Violation & Offense

It is unlawful to erect, construct, reconstruct, maintain or use any land in any zoning district in violation of any regulation or any provision of this Ordinance and any such violation constitutes a public nuisance. Any person, firm, or enterprise, whether principal, agent, owner, tenant or employee, violating the Ordinance, or any part thereof, is guilty of a Class 2 misdemeanor and upon conviction thereof, shall be punished in accordance with Arizona Revised Statutes. Each and every day during which illegal erection, construction, reconstruction, alteration, maintenance or use continues is a separate offense.

Such person, firm or corporation shall be deemed guilty of a separate offense for each day during which any such violation or failure to comply with these regulations are committed, continued or permitted. Any building, structure or improvement set up, erected, built, or maintained, or any use of property contrary to the provisions of these regulations, shall be and the same is hereby declared to be unlawful and public nuisance. The County Attorney shall, upon request of the Board of Supervisors or, on his own initiative, immediately commence all necessary actions or proceedings for the abatement, enjoinment, and removal thereof in the manner provided by law; shall take such other lawful steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate, enjoin and remove such building or use and restrain and enjoin any person, firm or corporation from setting up, erecting, building, moving or maintaining any such building or using any property contrary to the provisions of these regulations or otherwise violating these regulations.

Section 1206.00--Responsibility to Correct Violations

All misdemeanors provided for herein shall be cumulative and exclusive. The conviction and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions or to remove prohibited buildings, structures or improvements, nor prevent the enforcement, correction, or removal thereof.

Section 1207.00--Rights of Neighbors

In addition to the other remedies provided for in this article, any adjacent or neighboring property owner who is especially damaged by the violation of any provision of these regulations, in addition to the other remedies provided by law, injunction, mandamus, abatement, or any other appropriate action, may institute proceedings to prevent or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use.

Section 1208.00--Withholding of Permits

It shall be unlawful to knowingly petition for and/or obtain any permit which conflicts with or violates the provisions of any federal, state, county or local statute, ordinance, rule or regulation relating to, but not limited to health regulations or sanitary and wastewater facilities, fire, building, plumbing, electrical, mechanical codes; and drainage, Flood plain, or right-of-way encroachments regulations.

To provide for the enforcement of this section, the county shall withhold any permit for properties upon which a use of the property, building or any other structure does not meet the standards expressed in this section.

Section 1209.00--Zoning Rules of Procedure

These rules shall apply in all cases involving the public hearing and determination of violations before the Hearing Officer.

1209.01--Commencement of Action and Notice of Hearing

A. Every action brought before the Hearing Officer for any violation of the Yuma County Zoning Ordinance shall be initiated by a complaint with the Hearing Officer by the Zoning Inspector. Whenever the Zoning Inspector files a complaint with the Hearing Officer, a hearing shall be held after serving notice of the hearing on the alleged violator.

B. Notice of the hearing and a copy of the complaint shall be personally served on the alleged violator at least five (5) days prior to the hearing. Service of the Notice shall be affected by delivering a copy of the notice and of the complaint to that individual personally or by leaving copies thereof at that individual's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.

C. Alternative Method of Service. If the Zoning Inspector is unable to personally serve the notice, the notice may be served by depositing the notice and a copy of the complaint being served in the post office, postage prepaid, to be sent to the person to be served by any form of mail requiring a signed and returned receipt. A notice served by this alternative method shall be served at least thirty (30) days prior to the hearing.

1209.02--Sufficiency of the Complaint

No complaint shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific violation, which the violator is alleged to have committed, if the complaint contains either a written description of the violation of the Zoning Ordinance or the section number of the violation.

1209.03--Counsel

If the alleged violator desires to be represented by a designated representative at the hearing, the alleged violator shall give written notice of such representation to the Hearing Officer.

1209.04--Discovery

A. Pre-public hearing discovery shall not be permitted (No pre-public hearing discovery means there will be no depositions, interrogatories, etc., before the actual public hearing).

B. Immediately prior to the public hearing, both parties shall produce for inspection by the opposing party any prepared exhibits and written, taped or recorded statements of any witness, which may be offered at the public hearing.

1209.05--Rules of Procedure

A. The Arizona Rules of Evidence shall not apply. Evidence is subject to determination by the Hearing Officer that it is relevant and material.

B. Procedure:

1. The Hearing Officer shall call the case and briefly describe the procedures to be followed. The Hearing Officer may question any or all witnesses or parties to the action.
2. The Hearing Officer shall give oaths and all testimony shall be given under oath or affirmation.
3. The parties shall stipulate all facts not in dispute.
4. County Inspector's cross examination of respondent's witnesses.
5. County Inspector's statement.
6. Testimony of the County Inspector's witnesses.
7. Respondent's cross examination of inspector's witnesses.
8. Respondent's statement.
9. Testimony of the respondent's witnesses.

C. At the conclusion of the hearing, the hearing officer shall determine whether a zoning violation exists and, if a violation is found to exist, may impose civil penalties up to the maximum fine for a Class 2 misdemeanor for each day of each violation.

D. If a civil penalty is imposed, the hearing officer may suspend the fine and schedule a hearing to determine compliance. If all violations are corrected prior to the hearing to determine compliance, the hearing officer may reduce the fine.

E. Appeal: Any party to the hearing may appeal the decision of the Hearing Officer.

All such appeals shall be to the Yuma County Board of Supervisors. Notice of appeal shall be given to the Hearing Officer not more than ten (10) working days after the Hearing Officer has rendered his/her judgment. The notice shall set forth all relevant facts, conclusions of law, the judgment being appealed and the reasons therefore.

F. Upon receipt of the notice of appeal, the Department of Development Services, on behalf of the Hearing Officer shall, within thirty (30) calendar days, prepare and transmit the complete record to the Clerk of the Board of Supervisors and schedule the appeal before the Board of Supervisors.

G. The Hearing Officer shall notify all parties of the date, time and place of the appeal hearing, by certified mail to the last known address of the parties, at least ten (10) days prior to the date of the hearing.

H. All appeals to the Board of Supervisors shall be upon the record. The Chairperson of the Board of supervisors shall preside at all appeal hearings and shall decide on all questions pertaining to procedure. Each party shall be allowed five (5) minutes to present oral arguments. Time limits may be extended at the discretion of the Chairperson. All members of the Board of Supervisors shall be allowed to question all parties appearing before them. Decisions to uphold or deny the Hearing Officer's judgment shall be decided upon motion and majority vote of the members of the Board of Supervisors.

I. The Board of Supervisors may uphold the Hearing Officer's decision, reverse the Hearing Officer's decision, modify the Hearing Officer's civil sanction to a lesser amount, or remand for further proceedings. A copy of the decision shall be sent to the party's last known address by certified mail.

J. Any appeal arising from a decision of the Board of Supervisors shall be to the Superior Court of the State of Arizona.

1209.06--Record

Every document or object filed in the proceedings shall constitute part of the record. A recording of the proceeding shall be made by audio tape and constitute a part of the record.

Section 1210.00--Hazard Abatement Procedure

1210.01--Duty of Owner, Lessee, Occupant of Property; County Rights, Arizona Revised Statutes, Title 11, Chapter 2, Article 4

A. This section of the Ordinance establishes the duty of all owners, lessees or occupants of buildings, grounds or lots located in the unincorporated areas of Yuma County to remove rubbish, trash, weeds, filth, debris, or dilapidated buildings which constitute

a hazard to public health or a hazard to public safety from any and all buildings, grounds, lots, contiguous sidewalks, streets or alleys.

B. This section of the Ordinance provides that if any person with an interest in the property, including an owner, lien holder, lessee or occupant of the buildings, grounds or lots, after notice as provided herein, does not remove the rubbish, trash, weeds, filth, debris or dilapidated buildings and abate the condition which constitutes a hazard to public health and safety, the county may, at the expense of the owner, lessee or occupant, remove, abate, enjoin or cause the removal of the rubbish, trash, weeds, filth, debris or dilapidated buildings.

C. This section of the Ordinance establishes the right of the County to assess upon property the County's costs, including incidental and any associated legal costs, of the removal, abatement or injunction of rubbish, trash, weeds, filth, debris or dilapidated buildings from any lot or tract of land located in the unincorporated areas of the County.

1210.02--Violation; Penalties

Any person, firm or corporation that places any rubbish, trash, filth or debris upon any private or public property located in the unincorporated areas of Yuma County not owned or under the control of the person, firm, or corporation is guilty of a Class 1 misdemeanor and, in addition to any fine which may be imposed for a violation of any provision of this section, any person, firm, or corporation in violation of this section, is liable for all costs which may be assessed pursuant to this section of the Ordinance for the removal of rubbish, trash, filth, or debris.

1210.03--County Removal of Hazard

A. If any person with an interest in the subject property, including an owner, lien holder, lessee or occupant of the buildings, grounds or lots, after notice as required by Section, 1210.04 (C), does not remove the rubbish, trash, weeds, filth, debris or dilapidated buildings and abate the condition which constitutes a hazard to public health and safety, the county may, at the expense of the owner, lessee or occupant, remove, abate, enjoin or cause the removal of the rubbish, trash, weeds, filth, debris or dilapidated buildings.

B. As used in this section, occupant does not include any corporation or association operating or maintaining rights-of-way for and on behalf of the United States government, either under contract or under federal law.

C. Before the removal of a dilapidated building, the Board of Supervisors shall consult with the State Historic Preservation Officer to determine if the building is of historical value.

D. If the County removes a dilapidated building pursuant to this section of the Ordinance, the County Assessor shall adjust the valuation of the property on the property assessment tax rolls from the date of removal.

E. As used in this section, a dilapidated building means any real property structure that is in such disrepair or is damaged to the extent that its strength or stability is substantially less than a new building or it is likely to burn or collapse and its condition endangers the life, health, safety or property of the public.

1210.04--County Abatement Procedure

A. Complaint and Property Inspection:

The Zoning Inspector shall review all alleged violations of this section of the Ordinance. Upon receiving a report or upon the Zoning Inspector's own discovery of a violation of any provision of this section of the Ordinance, the inspector shall inspect the site of the alleged violation. If a violation of this section is discovered, a notice of abatement will be issued.

If the Zoning Inspector determines there is a violation of this section of the Ordinance, written notice shall be made to the owner, any lien holder, occupant or lessee not less than thirty (30) days before the date set for compliance.

B. Content of Notice: The notice shall contain a minimum of the following:

1. The telephone number and address of the Department of Development Services;
2. The mailing address and assessor's parcel number of the property;
3. A brief description of the hazardous conditions, which constitutes a violation of this section of the Ordinance, and the actions necessary to correct the hazardous conditions;
4. A demand for the removal of the hazardous condition;
5. An estimate of the cost of County removal of the hazardous condition;
6. A date for compliance;
7. Reference to this section of the Ordinance and Arizona Revised Statutes, Title 11, Chapter 2, Article 4;
8. A Statement informing the violator of the right to appeal the notice of violation and any subsequent assessment to the Board of Supervisors;
9. A brief statement in the Spanish language approximately as follows: This is an important notice. Your rights concerning the property located at (property address) may be affected. Please immediately contact (Zoning Inspector) at the Department of Development Services, (telephone number).

C. Service of Notice:

The Zoning Inspector shall either personally serve or mail by certified mail the notice to the owner, any lien holder, occupant or lessee. If served by certified mail, the notice shall be mailed to the owner, lien holder, occupant, or lessee's last known address or the address to which the tax bill for the property was last mailed. If the owner does not reside on the property, and is not the person being served with the notice of violation, a duplicate notice shall also be sent to the owner at the owner's last known address.

D. Estimated Cost of Abatement:

The notice of estimated cost of County removal shall include the estimated cost of the removal of the hazardous condition. In addition, the notice shall state the actual costs of any additional inspections, incidental costs and any associated legal costs,

which will also be assessed upon the property if the hazardous condition is not removed by the violator within the prescribed period of time.

E. Hazard Abatement:

If the hazard has not been abated by the compliance date established in the notice, the County Zoning Inspector will issue an order of abatement directing the abatement of the property by the County within ten (10) days from that date.

1210.05--Assessments

Once the hazardous condition has been removed, abated, or enjoined by the County, the actual costs of abatement, including the costs of additional inspections, incidental costs, and any associated legal fees shall be assessed upon the property from which the hazardous condition was removed, abated, or enjoined.

The assessment shall in part consist of an itemized billing for all costs, the dates the costs were incurred, and the legal description of the property. The County shall record the assessment in the County Recorder's office for Yuma County. A copy of the recorded assessment shall be served upon the owner, any lien holder, occupant, or lessee in the manner set forth in Section 1210.04 (C) above, along with a written statement the assessment may be appealed to the Board of Supervisors.

Any assessment recorded after the effective date of this section of the Ordinance is prior and superior to all other liens, obligations or other encumbrances, except liens for general taxes and prior recorded mortgages. A sale of the property to satisfy an assessment obtained under the terms of this section of the Ordinance shall be made on a judgment of foreclosure and order of sale. The County may bring an action to enforce the lien in the superior court in the county in which the property is located at any time after the recording of the assessment, but failure to enforce the lien by such action does not affect its validity. The recorded assessment is prima facie evidence of the truth of all matters recited in the assessment and of the regularity of all proceedings before the recording of the assessment.

Imposed assessments run against the property until they are paid and are due payable to the Department of Development Services in equal annual installments as follows:

A. Assessments of less than five hundred dollars ($500) shall be paid within one (1) year after the assessment is recorded.

B. Assessments of five hundred dollars ($500) or more but less than one thousand dollars ($1,000) shall be paid within two (2) years after the assessment is recorded.

C. Assessments of one thousand dollars ($1,000) or more but less than five thousand dollars ($5,000) shall be paid within three (3) years after the assessment is recorded.

D. Assessments of five thousand dollars ($5,000) or more but less than ten thousand dollars ($10,000) shall be paid within six (6) years after the assessment is recorded.

E. Assessments of ten thousand dollars ($10,000) or more shall be paid within ten (10) years after the assessment is recorded.

A prior assessment, for the purposes provided in this section of the Ordinance, is not a bar to a subsequent assessment or assessments for such purposes and any number of liens on the same lot or tract of land may be enforced in the same action.

1210.06-- Appeal

The owner, any lien holder, lessee or occupant receiving a written notice or any subsequent assessments pursuant to this section of the Ordinance may appeal from both the notice and/or the assessments to the Yuma County Board of Supervisors in the following manner:

A. All such appeals shall be filed in writing with the Clerk of the Board of Supervisors.

B. For notices, the notice of appeal shall be filed with the Clerk of the Board of Supervisors not more than fifteen (15) calendar days after service of the violation notice. For appeal of assessments, the notice of appeal shall be filed with the Clerk of the Board of Supervisors not more than fifteen (15) calendar days after service of the recorded assessment.

C. The filing of an appeal to an assessment has the effect of precluding the County from seeking a judgment of foreclosure and order of sale on the property until such time as the Board of Supervisors takes legal action on the appeal.

D. The notice of appeal filed by the appellant shall identify the property and state clearly and succinctly all relevant facts and all reasons why the appellant should not be held responsible for the abatement or removal of the hazardous condition, or why the appellant should not be held responsible for any assessment subsequent to County removal, abatement, or injunction of the hazardous condition.

E. Upon receipt of the notice of appeal the Clerk of the Board of Supervisors shall schedule the matter for appeal to the Board of Supervisors within thirty (30) calendar days, or as soon thereafter as is practical.

F. The Clerk of the Board of Supervisors shall also transmit copies of the notice of appeal to the County Attorney and the Zoning Inspector. The Zoning Inspector shall transmit a certified copy of all public records regarding the case to the Clerk of the Board of Supervisors so they may be presented to the Board of Supervisors prior to the date set for the appeal.

G. The Clerk of the Board of Supervisors shall notify the appellant, the Zoning Inspector, and the County Attorney of the date, time and place of the appeal hearing by certified mail unless waived by the parties at least ten (10) days prior to the date of the hearing.

H. All appeals to the Board of Supervisors shall be upon the record. The Chairperson of the Board of Supervisors shall preside at all appeal hearings and shall decide all questions pertaining to procedure.

I. Each party shall be allowed five (5) minutes to present oral arguments. Time limits may be extended at the discretion of the Chairperson. All members of the Board of Supervisors shall be allowed to question all parties appearing before them. Decisions to reverse or modify the notice or assessment shall be decided upon motion and majority vote of the Board of Supervisors. Failure to obtain a majority vote to reverse or modify the violation notice or assessment shall be construed as upholding the notice or assessment.

1210.07-- Supercisions

This Amendment to the Yuma County Zoning Ordinance supersedes the existing Yuma County Hazard Abatement Ordinance #00-03 passed and adopted by the Yuma County Board of Supervisors on December 4, 2000 and effective noon (MST) January 7, 2001.

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