



# LAND DEVELOPMENT CODE

**CITY OF PRESCOTT**

**COMMUNITY DEVELOPMENT DEPARTMENT**

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## **HOW TO USE THIS CODE:**

### **IF YOU OWN OR LEASE PROPERTY AND WANT TO KNOW WHAT RULES APPLY:**

**STEP 1:** Determine the applicable zoning district and any overlay districts that pertain to the property by looking at the Official Zoning Map (available in the Community Development Department).

**STEP 2:** Refer to the Use Table in Article 2, Use Regulations, locate the applicable zoning district, and scroll down the column to determine the uses permitted in that district. It is important not to overlook reviewing the provisions of any overlay districts that may apply to the subject site. For additional uses allowed in overlay districts, please refer to the individual districts located in Article 5.

**STEP 3:** Refer to the applicable dimensional standards (lot size, height setbacks, etc.) which are found in the respective base zoning districts: Articles 3 and 4; OR, for simple table references, see Sec 2.7, Density and Dimensional Standards.

**STEP 4:** Determine the general standards for off-street parking, outdoor lighting, landscaping, sign regulations, etc., that are located in Article 6.

### **IF YOU WANT TO BUILD OR ESTABLISH A PARTICULAR USE:**

**STEP 1:** Refer to the Use Table in Article 2.3, Use Regulations and scroll down the rows to find the applicable use, and then determine in which district(s) the use is permitted.

**STEP 2:** Apply the density and dimensional standards (lot size, setbacks, etc.) that are applicable. A consolidated table of such standards is located in Sec. 2.7, Density and Dimensional Standards; or, if a text format is preferred, the same information is available in each of the respective base zoning districts, Article 3 and Article 4.

**STEP 3:** Apply the standards for off-street parking, outdoor lighting, landscaping, sign regulations, etc., that are located in Article 6.

**STEP 4:** Review any applicable overlay districts and, if present, determine how the overlay districts apply to the site.

### **TO CHANGE A ZONING DISTRICT:**

Obtain an application form from the Community Development Department. It is advisable to meet with a planner to review the necessary conditions, details, etc.

Only the City Council may rezone property following public notice and public hearing procedures before the Planning and Zoning Commission and the City Council. See Sec. 9.14, Zoning Map Amendment (Rezoning).

### **TO SUBDIVIDE A PROPERTY:**

Obtain an application form from the Community Development Department. It is advisable to meet with a planner to review the necessary conditions, details, etc.

The City Council has the authority to approve most plats for Subdivisions. The Community Development Director can approve a Land Split. (See Sec. 9.10). For more information, please refer to Subdivision and Land Split Review (See Definition for Subdivision in Sec. 11.2.5)

## Article 1/ Introductory Provisions

### Sec. 1.1 / Title

This Code shall be officially known and cited as the Land Development Code of the City of Prescott, Arizona. References herein to “this Code” or “LDC” shall be interpreted as referring to the Land Development Code.

### Sec. 1.2 / Authority

This Code is adopted pursuant to the statutory authority conferred by laws of the State of Arizona, including, but not limited to, ARS 9-462 et. seq., Zoning Regulations, and ARS 9-263 et. seq., Subdivision Regulations.

### Sec. 1.3 / Applicability and Jurisdiction

- A. This Code shall apply to all development, public and private, within the City of Prescott. All structures, land uses constructed or commenced hereafter and all enlargements of, additions to, changes in, and relocations of, existing structures and uses occurring hereafter shall be subject to this Code, all Statutes of the State of Arizona, the Building Codes of the City of Prescott and all other applicable City Codes.
- B. Preliminary Plats of subdivisions outside the City, but within 3 miles of the City, shall be submitted by the subdivider to the City of Prescott Planning and Zoning Division for review. The City may make recommendations related to locations and dimensions of streets, alleys, parks, rights-of-way, easements, and other properties intended for public purposes, as authorized by Arizona Revised Statutes, Section 9-474, as amended.

### Sec. 1.4 / Minimum Requirements

The standards of this Code are minimum requirements. The issuance of any permit, certificate or approval in accordance with the standards and requirements of this Code shall not relieve the recipient of such permit, certificate or approval from the responsibility for complying with all other applicable requirements of any other city, state or federal agency having jurisdiction over the structures or land uses for which the permit, certificate or approval was issued.

### Sec. 1.5 / Purpose and Intent

This Code is intended to protect the health, safety, and general welfare of existing and future residents of the City of Prescott by:

- A. Implementing the goals, objectives and policies of the General Plan;
- B. Classifying the City of Prescott into zoning districts;
- C. Regulating and restricting the location and use of buildings, structures, recreation, trade, industry, residences and other uses;
- D. Regulating the intensity of uses and structures through density, dimensional and open space standards;
- E. Providing adequate privacy, light, and air, and otherwise mitigating adverse impacts associated with development that occurs in the City of Prescott;
- F. Adding a level of protection from fire, flood, and other dangers;
- G. Promoting sustainable development;

- H. Promoting natural resource conservation and historic preservation;
- I. Managing growth within the City of Prescott by concentrating development in areas where adequate sewage and water facilities, roads, and schools now exist or can be provided, and limiting development in areas where these facilities are not adequate;
- J. Protecting designated corridors, surrounding areas and scenic quality by establishing overlay zoning districts and by establishing regulations related to the maintenance of quality aesthetic, safe and functional access and environmental standards;
- K. Promoting land use patterns that increase efficiency in service provision and prudent use of fiscal resources and local government expenditures; and
- L. Protecting the tax base by managing growth within the City of Prescott.

## **Sec. 1.6 / Commentary**

Commentaries are included in this Land Development Code whenever necessary to clarify the intent of a specific provision. These commentaries are a guide for administrative officials and the public to use in interpreting and understanding the Land Development Code. Should any conflicts between the commentary and the general text of the Land Development Code be found, the general text shall control.

## **Sec. 1.7 / Word Usage and Construction of Language**

### **1.7.1 / Meanings and Intent**

All provisions, terms, phrases and expressions contained in this Code shall be construed according to Sec. 1.5, Purpose and Intent. (See also Sec. 9.14, Written Interpretations.)

### **1.7.2 / Headings, Illustrations and Text**

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

### **1.7.3 / Lists and Examples**

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, not to be exhaustive lists of all possibilities.

### **1.7.4 / Computation of Time**

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by the City, that day shall be excluded.

### **1.7.5 / References to Other Regulations, Publications and Documents**

Whenever reference is made to a resolution, Code, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such resolution, Code, statute, regulation, or document or to the relevant successor document, unless otherwise expressly stated.

### **1.7.6 / Delegation of Authority**

Whenever a provision appears requiring the head of a department or another officer or employee of the City to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate that responsibility.

### **1.7.7 / Technical and Non-technical Terms**

Unless specifically otherwise defined herein, words and phrases shall be construed according to the common and approved usage of the language. However, technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning. (See also Sec. 11.2, Terms Defined)

### **1.7.8 / Public Officials and Agencies**

All public officials, bodies and agencies to which references are made are those of the City of Prescott, unless otherwise expressly provided.

### 1.7.9 / Mandatory and Discretionary Terms

The words “shall,” “will,” and “must” are mandatory. The words “may” and “should” are advisory and discretionary terms.

### 1.7.10 / Conjunctions

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

- “And” indicates that all connected items, conditions, provisions, or events apply; and
- “Or” indicates that one or more of the connected items, conditions, provisions or events may apply.

### 1.7.11 / Tenses and Plurals

Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.

## Sec. 1.8 / Conflicting Provisions

### 1.8.1 / Conflict with State or Federal Regulations

If the provisions of this Code are inconsistent with those of the state or federal government, the City Code shall control, unless pre-empted.

### 1.8.2 / Conflict with Other City Regulations

If the provisions of this Code are inconsistent with one another, or if they conflict with provisions found in other adopted Codes or regulations of the City, the more restrictive provision will control. No text amendment, variance or condition of approval placed on a Special Use Permit or other form of development approval under this Code shall have the effect of nullifying, abrogating or diminishing the provisions of any other City Code.

### 1.8.3 / Conflict with Private Easements, Agreements, Covenants or Restrictions

This Code is not intended to abrogate, annul, or otherwise interfere with any private easement, agreement, covenant, restriction or other private legal relationship. However, what is disallowed by the City shall not be allowed by private covenant. The City is responsible for enforcing this Code; it does not enforce private agreements, easements, covenants or restrictions except those specifically required for the administration and enforcement of this Code.

## Sec. 1.9 / Transitional Provisions

### 1.9.1 / Violations Continue

Any violation of the previous zoning, subdivision, mobile home park, recreational vehicle park or sign regulations of the City shall continue to be a violation under this Code and shall be subject to penalties and enforcement pursuant to the City Code, unless the use, development, construction or other activity is consistent with the express terms of this Code.

### 1.9.2 / Completion of Development

#### A. Site Plans Approved Before December 31, 2004 (Effective Date)

Any building, development or sign for which a site plan approval has been achieved before December 31, 2004 may be approved and completed in conformance with the terms and conditions applicable at the time of submittal. If the building, development or sign is not completed within the time allowed under the original permit, then the building, development or sign may be constructed, completed or occupied only in strict compliance with this Code.

#### B. Preliminary Plats Approved Before December 31, 2004 (Effective Date)

Any subdivision for which a Preliminary Plat was approved before December 31, 2004 may be granted Final Plat approval in accordance with the approved Preliminary Plat. If a Final Plat for the subdivision is not completed within the time required under the original approval or any extension that may be granted by the City Council, then such subdivision may be completed and buildings therein constructed and used only in strict compliance with the requirements of this Code.

### **1.9.3 / Conditional Uses**

- A.** Any use that was legally established before December 31, 2004 without a Conditional Use Permit and which on or after December 31, 2004 is located within a zoning district that requires a Conditional Use Permit for the subject use shall be deemed to have a Conditional Use Permit already without following the procedures of Sec. 9.3, Conditional Use Permits. Even if a Conditional Use Permit is issued pursuant to this Section, those uses or structures that do not comply with applicable standards of this Code shall be deemed nonconforming and shall be subject to the regulations of Article 10. Expansions and modifications of such uses shall be subject to Sec. 10.2.2.
- B.** Any use that was legally established before December 31, 2004 with a Conditional Use Permit and which on or after December 31, 2004 is located within a zoning district that requires a Conditional Use Permit for the subject use may continue to be operated under the terms of the original Conditional Use Permit. The use shall be subject to Nonconformity regulations of Article 10, if applicable. Expansions and modifications of such uses shall be subject to Sec. 10.2.2.
- C.** Any use that was legally established before December 31, 2004 with a Conditional Use Permit and which on or after December 31, 2004 is located within a zoning district that does not require a Conditional Use Permit for the subject use shall continue to be subject to all conditions as originally set forth in the Conditional Use Permit and applicable standards of this Code, including the Nonconformity regulations of Article 10, if applicable.

### **1.9.4 / Special Uses**

- A.** Any use that was legally established before December 31, 2004 without a Special Use Permit and which on or after December 31, 2004 is located within a zoning district that requires a Special Use Permit for the subject use shall be deemed to have a Special Use Permit already without following the procedures of Sec. 9.9. Even if a Special Use Permit is issued pursuant to this Section, those uses or structures that do not comply with applicable standards of this Code shall be deemed nonconforming and be subject to the regulations of Article 10. Expansions and modifications of such uses shall be subject to Sec. 10.2.3.
- B.** Any use that was legally established before December 31, 2004 with a Special Use Permit and which on or after December 31, 2004 is located within a zoning district that requires a Special Use Permit for the subject use may continue to be operated under the terms of the original Special Use Permit. The use shall be subject to the Nonconformity regulations of Article 10, if applicable. Expansions and modifications of such uses shall be subject to Sec. 10.2.3.
- C.** Any use that was legally established before December 31, 2004 with a Special Use Permit and which on or after December 31, 2004 is located within a zoning district that does not require a Special Use Permit for the subject use shall continue to be subject to all conditions as originally set forth in the Special Use Permit and applicable standards of this Code, including the Nonconformity regulations of Article 10, if applicable.

## **Sec. 1.10 / Severability**

If any Court of competent jurisdiction rules any provision of this Code invalid, that ruling shall not affect any Code provision not specifically included in the judgment. If any Court of competent jurisdiction rules invalid the application of any provision of this Code to a particular property, building, or other structure or use, that ruling shall not affect the application of the Code provisions to any property, building, other structure or use not specifically included in the judgment.

**Article 2 / Use Regulations**

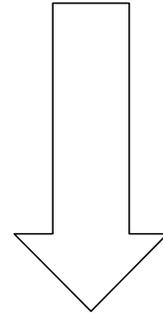
**Sec. 2.1 / Districts Established**

**2.1.1 / Establishment of Base Zoning Districts**

The following base zoning districts are hereby established:

Symbol	District Name	Former Name
NOS	Natural Open Space	Natural Open Space & Floodplain Conservation
RS	Recreational Space	Same
RE-2	Rural Estate 2 (2 ac)	Residential A-2 Acre & Agricultural A
SF-35	Single-family 35	Residential A-35
SF-18	Single-family 18	Residential A-18
SF-12	Single-family 12	Residential A-12
SF-9	Single-family 9	Residential A-9
SF-6	Single-family 6	Residential A-6
RT	Residential Transition	New District
MF-M	Multi-family Medium Density	Residence B, BM, & RBMH
MF-H	Multi-family High Density	Residence C
SPC	Specially Planned Community	Recreation Community Overlay
MU	Mixed Use	Neighborhood Service
RO	Residential Office	Same
NOB	Neighborhood Oriented Business	Same
BG	Business General	Business A
BR	Business Regional	Business B
DTB	Downtown Business	New District
IT	Industrial Transition	Commercial A and Industrial Buffer
IL	Industrial Light	Industrial A
IG	Industrial General	Industrial B

Zoning District Hierarchy most restrictive to least restrictive



**2.1.2 / Zoning District Hierarchy**

Under the hierarchy of zoning districts established by this Land Development Code, the NOS district is the most restrictive zoning district and the IG district is the least restrictive zoning district. The overlay districts and the Manufactured Housing Floating District are not included in the zoning district hierarchy.

**Commentary:**

In addition to the base zoning district name changes listed above, other base zoning district changes made in this Land Development Code relative to the previous City of Prescott Zoning Ordinance include:

- ◆ Combined Residence B and Residence BM into the new Multi-family Medium Density District. The sole distinction between the two districts was the number of dwelling units allowed per building – Residence B [up to 4] Residence BM [5 or more].
- ◆ Combined Commercial A and Industrial Buffer Districts into the new Industrial Transition District.
- ◆ Modified Neighborhood Service District, now called the “Mixed Use District”, to promote adaptive reuse of existing single-family homes, subject to standards designed to preserve residential neighborhood character.
- ◆ Replaced Single-family MH Districts with a single “floating” zoning district, the Manufactured Housing (-MH) Floating District which, when attached by suffix (-MH) to a single-family or multi-family zoning District, indicates that manufactured housing is permitted in that zoning district. For example, in addition to the other allowable uses in the SF-35 District, manufactured housing is allowed in the SF-35(-MH) District.
- ◆ Deleted Public Land (PL) Special Purpose District. Appropriate zoning district designations for publicly owned lands include DTB district, RS district, IL district, SPC district and others.
- ◆ Deleted Floodplain Conservation (FC) Special Purpose District. The FC district standards are incorporated in the General Site Development Standards of Article 6.
- ◆ Replaced Agricultural A (AGA) Special Purpose District with the Residential Estate (RE) District which is more specifically described in Sec 3.2.
- ◆ Replaced Recreational Community (RC) District with the Specially Planned Community (SPC) District to accommodate new village center development in addition to recreational and other unique communities.
- ◆ Added the new Residential Transition (RT) District to “bridge the gap” with respect to land use and density between the Multi-family Medium Density (MF-M) District and the Single-family 6 (SF-6) District, to create new housing opportunities.
- ◆ Added the new Downtown Business (DTB) District, which is designed to accommodate the unique historic, pedestrian character of the Courthouse Square Area and its immediate surroundings.

**Sec. 2.1.3 / Establishment of Floating Base District**

The following floating zoning base district is hereby established:

Suffix-Symbol	District Name
-MH	[Single-family or Multi-family Districts] - Manufactured Housing

## Sec. 2.1.4 / Establishment of Overlay Zoning Districts

The following overlay zoning districts are hereby established:

Symbol	District Name
ANO	Airport Noise Overlay
CCO	Commercial Corridor Overlay
HPO	Historic Preservation Overlay

### Commentary:

Overlay zoning district changes made in this Land Development Code listed relative to the previous City of Prescott Zoning Ordinance include the following:

- ◆ Deleted Willow Creek Corridor Overlay (WCCO) District, Whipple/Montezuma Overlay (WMO) District, and the Highway 69 Corridor Overlay (H69CO) District.
- ◆ Many of the previous WCCO, WMO and H69CO district standards are incorporated in General Development Standards of Article 6 for application citywide, and the remaining standards are now included in the new, and less complicated, Commercial Corridor Overlay (CCO) District.
- ◆ Incorporated the previously adopted Historic Preservation Overlay (HPO) Districts into the LDC.

## Sec. 2.2 / Zoning Map

The boundaries of the zoning districts established by this Code are shown on the “Official Zoning Map of City of Prescott, Arizona” which is a part of this Code as fully as if it were set out in this Code in detail. Original zoning district maps in digital and/or hard copy are maintained in the office of the Community Development Director and/or the GIS/IT Division. In case of any dispute regarding the zoning classification of property subject to this Code, the original maps maintained by the Community Development Director shall control. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

### A. Omitted Land

It is the intent of this Code that every part of the incorporated City of Prescott be included in one of the zoning districts established by this Code. Zoning assigned at the time of annexation may not be greater in density or intensity than the applicable county zoning.

### B. Additional Land Areas

Any land area that comes under the jurisdiction of this Code shall be classified in accordance with state statutes.

### C. Multiple Zoning Districts

Whenever a lot of record is divided by a zoning boundary, the development of the lot shall conform to the land use and design criteria of the zoning district in place on that specific portion of the lot.

### D. District Boundaries

The following rules govern interpretations regarding the location of zoning district boundaries.

#### 1. Municipal Boundaries

## Article 2 / Use Regulations

Boundaries shown as following, or approximately following, the limits of any incorporated municipality shall be construed as following those limits.

### 2. Streets and Highways

Unless otherwise indicated on the map, boundaries shown as following, or approximately following, streets and/or highways shall be construed to follow the centerlines of those streets and/or highways.

### 3. Property Lines

Boundary lines shown as following, or approximately following, platted lot lines or other property lines shall be construed as following those lines as shown on the county assessor's parcel maps.

### 4. Section Lines

Boundaries shown as following, or approximately following, section lines, half-section lines, or quarter-section lines shall be construed as following those lines.

### 5. Railroads

Unless otherwise indicated on the map, boundaries shown as following, or approximately following, railroad lines shall be construed to lie midway between the main tracks of those railroad lines.

### 6. Shorelines

Boundaries shown as following, or approximately following, shorelines of any body of water shall be construed to follow the mean high waterlines of that body of water; and, in the event of change in the mean high waterline, shall be construed as moving with the actual mean high waterline.

### 7. Watercourses

Boundaries shown as following, or approximately following, the centerlines of streams, rivers, or other continuously flowing watercourses shall be construed as following the channel centerline of those watercourses taken at mean low water; and, in the event of a natural change in the location of those streams, rivers, or other watercourses, the zone boundary shall be construed as moving with the channel centerline.

### 8. Map Scale and Distances

Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in this subsection shall be construed to be parallel to those features and at such distances as are shown on the zoning district map. Distances not specifically indicated on the map shall be determined by the scale of the map.

## Sec. 2.3 / Use Table

All allowable uses, as specified in the table below, shall be established in permanent structures or permanent locations except as may be otherwise expressly permitted or inherent to the character of such allowed uses. All of the use categories used in the table are explained in Sec. 11.1, Use Categories. The first column contains a list of specific uses which provide an abbreviated explanation of the respective use category. If there is a conflict between the abbreviated specific use and the full explanation in Sec. 11.1, the provisions of Sec. 11.1 shall control. The final column in the table contains references to "Use Standards" that apply to the listed use type in all zoning districts and circumstances. The Use Standards applicable to the respective specific uses are presented in alphabetical order in Sec. 2.4, Use Standards, following the Use Table.

### A. P Permitted Uses

A "P" indicates that a use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Code.

**B. C Conditional Uses**

A “C” indicates that a use is allowed only if reviewed and approved as a Conditional Use in accordance with the Conditional Use review procedures of Sec. 9.3. Conditional Uses are subject to all other applicable regulations of this Code.

**C. S Special Uses**

An “S” indicates that a use is allowed only if reviewed and approved as a Special Use in accordance with the Special Use review procedures of Sec. 9.9. Special Uses are subject to all other applicable regulations of this Code.

**D. Uses Not Allowed**

A blank cell (one without a “P”, “C”, or “S”) indicates that a use type is not allowed in the respective zoning district. Uses not listed may be allowed in accordance with the Similar Use Interpretation provisions of Sec. 11.1.2.

**E. Accessory Uses**

The regulations that apply to Accessory Uses are contained in Sec. 2.5.

**F. Temporary Uses**

Temporary Uses may be allowed only if reviewed and approved in accordance with the Temporary Use review procedures of Sec. 9.11. The regulations that apply to Temporary Uses are contained in Sec. 2.6. Temporary Uses are subject to all other applicable provisions of this Code.

**Commentary:**

The Use Table is organized into seven (7) major use groups:

- ◆ Residential Use Categories
- ◆ Public, Civic and Institutional Use Categories
- ◆ Retail, Service and Business Use Categories
- ◆ Industrial Use Categories
- ◆ Agricultural Use Categories
- ◆ Accessory Uses
- ◆ Temporary Uses

Each major use group is further divided into specific uses. The Use Category system is based on common functional product or compatibility characteristics, thereby regulating uses in accordance with criteria directly relevant to the public interest. For a more detailed explanation of the Use Category system refer to Sec. 11.1.

**Article 2 / Use Regulations**

Table 2.3

PERMITTED USE TABLE																									
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS									NONRESIDENTIAL BASE ZONING DISTRICTS					Use Standards										
	RE-2	AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU		RO	NOB	BG	BR	DTB	IT	IL	IG		
Residential Use Categories (Sec. 11.1.3)																									
Single-family Dwellings / Modular Homes <sup>2</sup>	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P						2.4.49
Duplex Dwellings								P	P	P				P	P	P	P	P	P						2.4.20
Multi-family Dwellings (Apartments & MF Condos)								P	P	P				P	P	P	P	P	P	P					2.4.33
Patio Homes <sup>3</sup>								P	P	P				P											2.4.36
Townhouses <sup>4</sup>								P	P	P				P											2.4.52
Manufactured Housing <sup>5</sup>																									2.4.30
Manufactured Home Parks								C	C	P								C	C						2.4.31
Assisted Living	C							P	P	P				P	P	P	P	P	P	P					2.4.7
Bed and Breakfasts	P							C	P	P				P	P	P	P	P	P	P					2.4.12
Boarding Houses								C	P	P				P	P	P	P	P	P	P					--
Casitas, Cabins, or Cottages	C													C	P	P	P	P	P	P					2.4.14
Congregate Living	C							C	P	P				P	P	P	P	P	P	P					2.4.17
Dormitories								C	C	C				C	C	P	P	P	P	P	P	P			2.4.17
Foster Group Home (6 - 10 children)	C	C						C	P	P				C	P	P	P	P	S	P					2.4.17
Foster Homes ( ≤5 children)	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P					2.4.17
Fraternities or Sororities								C	P	P				P	P	P	P	P	P	P					2.4.17
Group Homes ( ≤8 persons)	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P					2.4.25
Motels or Hotels														C	P	P	P	P	P	P	P	P	P	P	--
Nursing Homes	C							P	P	P				P	P	P	P	P	P	P					2.4.7
Transitional Housing										C					C	P	P	P	P	P					2.4.45

<sup>1</sup> See Section 3.11.5 / Allowed Uses.

<sup>2</sup> Modular Homes must meet the Uniform Building Code (UBC) or International Building Code (IBC) Standards.

<sup>3</sup> Patio homes may also be allowed on individual lots in the RO, NOB, BG and BR Districts and in the RE and SF districts in accordance with the Planned Area Development (PAD) procedures of Sec.9.5.9.i.

<sup>4</sup> Townhouses may also be allowed on individual lots in the RO, NOB, BG and BR Districts and in the RE and SF districts in accordance with the Planned Area Development (PAD) procedures of Sec. 9.5.9.i.

<sup>5</sup> Manufactured housing may be permitted only in approved manufactured home parks and in zoning districts with the “-MH” floating zone designation (See Sec. 3.12, Manufactured Home Floating Zone).

<sup>6</sup> “Stand Alone Professional Practice” (practices not having a residential component) are possible subject to the processing of a Conditional Use Permit.

Table 2.3 (Continued)

PERMITTED USE TABLE																								
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS									NONRESIDENTIAL BASE ZONING DISTRICTS							Use Standards							
	RE-2	AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO	NOB		BG	BR	DTB	IT	IL	IG	
Public, Civic and Institutional Use Categories (Sec. 11.1.4)																								
Cemeteries, Mausoleums	C	C	C	C	C	C	C	C	C						P	P			P	P	P		2.4.15	
Colleges or Universities								C	C	C				C	C	P	P	P	P	P	P	P		--
Convents, Monasteries	C							C	C	C				P	P	P	P	P	P	P	P	P		2.4.17
Crematoriums																		C				P		--
Day Care, Center (>8 persons)								C	C	C				P	P	P	P	P	P	P	P	P		2.4.18
Day Care, Home-based (5-8 persons)	C							C	C	C				P	P	P	P	P	P	P	P	P		2.4.19
Electrical Generation Plants																						S	S	2.4.21
Emergency Medical Clinics										C					C	P	P	P	P	P	P			--
Golf Courses	S	S	S	S	S	S	S	S	S	S			S											2.4.22
Golf Driving Ranges	C																		P		P	P	P	2.4.23
Hospitals & Trauma Centers																		P	P		P			--
Libraries								S	S	S				S	S	P	P	P	P	P	S			--
Medical Clinics & Offices										C				P	P	P	P	P	P	P	P			--
Museums	S	S	S	S	S	S	S	C	C	C				C	P	P	P	P	P	P	P			--
Park or Nature Preserves	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	--
Places of Worship, Churches	C	C	C	C	C	C	C	C	C	P				P	P	P	P	P	P	P	P	P		--
Playgrounds	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P		P	P	P	--
Private Clubs or Lodges	C							C	C	C				C	P	P	P	P	P	P	P	P		2.4.38
Schools, public or private, 9-12								C	C	C				C	C	C	P	P	P	P	P			--
Schools, public or private, K-8	C	C	C	C	C	C	C	C	C	C				C	C	C	P	P	P	P	P			--
Tele-communication Facilities	S	S	S	S	S	S	S	S	S	S			S	S	S	S	S	S	S	S	S	S	S	2.4.51
Utilities, Major	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	S	S	S	P	P	2.4.53
Utilities, Minor	P	P	P	P	P	P	P	P	P	P		P	S	P	P	P	P	P	P	P	P	P		2.4.53
Utility Installation & Services	P	P	P	P	P	P	P	P	P	P		P	S	P	P	P	P	P	P	P	P	P		2.4.53

<sup>1</sup> See Section 3.11.5 / Allowed Uses.

**Article 2 / Use Regulations**

Table 2.3 (Continued)

PERMITTED USE TABLE																								
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS									NONRESIDENTIAL BASE ZONING DISTRICTS							Use Standards							
	RE-2	AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO	NOB		BG	BR	DTB	IT	IL	IG	
Retail, Service and Business Use Categories (See Sec. 11.1.5)																								
Adult Bookstores and Entertainment																						P	P	2.4.1
Amphitheaters and Arenas												C							C		P	P		2.4.5
Amusement Parks																			C			C	C	2.4.6
Antique Shops															P	P	P	P	P	P	P	P		--
Appliance Sales and Service																			P	P	P	P	P	--
Art Gallery														P	P	P	P	P	P	P	P	P		--
Artisan or Photographic Studio														P	P	P	P	P	P	P	P	P		--
Auctions, Indoor																			P	S	P	P		--
Auditoriums									C	C									P	S	P	P		--
Auto or Vehicle Body Shops and Repair																			P	S	P	P	P	2.4.9
Auto or Vehicle Sales and Leasing																	S	P	S	P	P		2.4.10	
Bakeries																P	P	P	P	P	P	P		--
Banks																			P	P	P	P	P	--
Barber and Beauty Shops, Tanning, Masseuse										C					P	P	P	P	P	P	P	P		--
Book Stores														C	C	P	P	P	P	P	P	P		--
Campgrounds (more limited than RV Parks)	C											C							C	C		P	P	--
Candy and Ice Cream Stores																P	P	P	P	P	P	P		--
Car Detailing																C	P	P	S	P	P	P		--
Car Washes																			C	C		P	P	--
Carpet, Flooring Sales																P	P	P	P	P	P		--	
Catering Associated w/Restaurant																P	P	P	P	P	P		--	
Catering, Mobile																			P		P	P	P	--
Cigar and Tobacco Shops																P	P	P	P	P	P		--	
Convenience Stores														C	C	P	P	P	P	P	P	P	P	2.4.47
Craft, Fabric Stores																P	P	P	P	P	P		--	
Delicatessens																P	P	P	P	P	P		--	
Department Stores																P	P	P	P	P	P		--	
Dressmaker or Tailor																P	P	P	P	P	P		--	
Drug Stores																P	P	P	P	P	P		--	
Electronic Equipment Sales																P	P	P	P	P	P		--	
Entertainment, Indoors																C	P	P	P	P			--	
Entertainment, Outdoors																					C	C	C	--
Fairgrounds																					P	P		--
Family Game Centers																C	C	C	P	P	P		--	
Feed Stores																			P	P	P	P		--

Table 2.3 (Continued)

PERMITTED USE TABLE																							
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS									NONRESIDENTIAL BASE ZONING DISTRICTS					Use Standards								
	RE-2 AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO		NOB	BG	BR	DTB	IT	IL	IG	
Retail, Service and Business Use Categories (Continued) (Sec. 11.1.5)																							
Firearms Dealers, Arms Only																	P	P	P	P	P	P	--
Florist Shops												P	P	P	P	P	P	P	P	P			--
Funeral Homes									C			P	P	P	P	P	P	P					--
Furniture Stores														P	P	P	P	P	P	P			--
Greenhouses/Nursery Centers	C	C												P	P	P	P	P	P			2.4.24	
Grocery Stores														P	P	P	P	P	P				--
Hardware, Electrical Supply Stores														P	P	P	P	P	P				--
Health Clubs/Spas											S			P	P	P	P	P	P	P			--
Indoor Racquetball, Swimming, Sports Clubs, Shooting Galleries											P					P	P	P	P	P			--
Kennels, Animal Shelters																C	C		P	P	P		2.4.28
Laundromats or Dry Cleaners															P	P	P	P	P				--
Limo & Shuttle Services																P	P	S	P	P	P		--
Liquor Stores																P	P	P	P	P			--
Lumber/Building Material Sales (w/o Outdoor Storage)															P	P	P		P	P	P		--
Micro-Breweries, No Distribution															P	P	P	P	P				--
Nightclubs, Bars (Stand Alone)																P	P	P	P				--
Offices									C			P	P	P	P	P	P	P	P	P			--
Outdoor Statuary, Small Sheds, Patio Equipment																C	C		P	P	P		--
Pack and Ship Shops												C	P	P	P	P	P	P					--
Parking Garages																P	P	S	C	C	C		--
Parking Lots, Stand Alone									P					P	P	P	P	P	P				--
Pawn Shops																C	C	C	P	P			--
Personal Services												P	P	P	P	P	P	P	P				--
Pet Grooming												P	P	P	P	P		P	P				--
Pool, Billiard Rooms																P	P	P	P				--
Print Shops															P	P	P	P	P				--
Racetracks, Animal											S								S	S	S		2.4.39
Racetracks, Motor Vehicle											S									S	S		2.4.40
Radio or Television Broadcast Studios															P	P	P	P	P	P			2.4.41
Recreational Vehicle (RV) Parks	S										C					C	C		C	C			2.4.42
Recreational Vehicle (RV) Storage Yard	C	C	C	C	C	C	C	C	C							C	C		P	P	P		2.4.44
Rental Car Agencies																C	C	S	P	P	P		--
Repair Shops, Minor (small appliance, shoes, etc.)												C	P	P	P	C	P	P	P	P			--

**Article 2 / Use Regulations**

Table 2.3 (Continued)

PERMITTED USE TABLE																							
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS									NONRESIDENTIAL BASE ZONING DISTRICTS					Use Standards								
	RE-2 AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO		NOB	BG	BR	DTB	IT	IL	IG	
Retail, Service and Business Use Categories (Continued) (Sec. 11.1.5)																							
Resale/Consignment Shops												C		P	P	P	P	P	P	P		--	
Restaurants, Fast-Food w/Drive-thru																		P	P		P	P	--
Restaurants, Outdoor Dining																		P	P	P	P	P	--
Restaurants, Standard																		P	P	P	P	P	--
Service Stations (Gas)																	C	C		P	P	P	2.4.47
Shooting/Archery Ranges, Outdoor												C								C	C	C	2.4.48
Skating Rinks, Swimming Pools												P						P	P	S	P	P	--
Studios, Dance or Music													P	P	P			P	P	P	P		--
Tarot/Palm Reader/Psychics																		P	P	P	P		--
Tattoo Parlor																	C	C		P	P		--
Theaters																		P	P	P	P		--
Tire Sales and Mounting																			P		P	P	--
Trade Schools																		C		P	P	P	--
Veterinary Clinic																	C	C	P		P	P	2.4.28
Video Rentals and Sales													C		P	P	P	P	P	P		--	

Table 2.3 (Continued)

PERMITTED USE TABLE																								
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS								NONRESIDENTIAL BASE ZONING DISTRICTS						Use Standards									
	RE-2 AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO		NOB	BG	BR	DTB	IT	IL	IG		
<b>Industrial Use Categories (Sec. 11.1.6)</b>																								
Aeronautical Activities within Airport Boundaries																				P	P	P	2.4.4	
Airports, Heliports, Landing of Aircraft																				S	S	S	2.4.4	
Ambulance Services																C	C	S	P	P	P	--		
Auctions, Indoor (other than Livestock)																	P		P	P		--		
Auctions, Livestock																				C	P		2.4.8	
Boat Building, Repair																				P	P		--	
Batch Plants, Asphalt and Concrete																				S	S		2.4.11	
Bus Terminals																	C	S	P	P	P	--		
Cabinet Making																	C		P	P	P	--		
Chemical-based Manufacturing																			C	P	P	--		
Clothing Manufacturing																	P		P	P	P	--		
Contractor Storage Yard																				P	P		2.4.35	
Dry Cleaning Plants																				P	P	P	--	
Fabrication of Materials																				C	P	P	--	
Film Production Studios																	P	S	P	P	P	--		
Hazardous Waste Facilities																				S	S		2.4.26	
Heavy Equipment Sales/Service																				P	P	P	--	
Ice Manufacture																				P	P	P	--	
Incinerators																				S	S		--	
Junkyards																				S	S		2.4.27	
Landfills																				S	S		--	
Landscape Contactor Yards																				P	P	P	2.4.29	
Light Assembly, Indoor																	P	P	S	P	P	P	--	
Light Machine Shops, Spot Welding, Indoors																	C	S	P	P	P	--		
Lumber Mills																				P	P		--	
Machine Shops, Heavy Equipment, Mass Production																				C	P	P	--	
Meat Packing																				C	P	P	--	
Metal Casting/Fabrication/Foundries																				C	P	P	--	
Mining and Extractive Uses																				S	S		2.4.32	
Outdoor Display/Sale of Bulk Containers (large sheds, hot tubs, cargo cars, etc.)																				P	P	P	--	
Outdoor Production or Storage																				P	P		2.4.35	
Petroleum/Chemical Production																				P	P		2.4.37	
Publishing and Printing																		P	P	P	P	P	--	
Recycling Collection Facilities																				P	P		2.4.43	
Research/Development/Testing																			S	P	P	--		
Self-Storage or Mini-Storage																C	C	C	P	P	P	2.4.46		
Storage, Commercial																				P	P	P	2.4.16	
Taxidermy Facilities																		C		C	P	P	--	
Warehousing and Distribution																			C	C	P	P	--	
Wholesale Facilities																				C	P	P	P	--

**Article 2 / Use Regulations**

Table 2.3 (Continued)

PERMITTED USE TABLE																						
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS								NONRESIDENTIAL BASE ZONING DISTRICTS						Use Standards							
	RE-2 AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO		NOB	BG	BR	DTB	IT	IL	IG
Agricultural Use Category (Sec. 11.1.7)																						
Agricultural Production	C																		C	P	P	2.4.2
Agricultural Service																			P	P	P	2.4.3
Auctions, Livestock																				C	P	2.4.8
Commercial Stables	C											C								P	P	--
Farmers Market																P	P	P	P	P	P	--
Nurseries, wholesale	C	C																	P	P	P	2.4.34

Table 2.3 (Continued)

PERMITTED USE TABLE																						
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS								NONRESIDENTIAL BASE ZONING DISTRICTS											Use Standards		
	RE-2 AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO	NOB	BG	BR	DTB	IT		IL	IG
Accessory Uses (See Sec. 2.5)																						
Babysitting or (up to 4 persons)	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	2.5.3
Caretaker Quarters												P							P	P	P	--
Employer Day Care Centers/Playgrounds													P	P	P	P	P	P	P	P	P	--
Flagpoles	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	2.5.4
Garages	P	P	P	P	P	P	P	P	P				P	P	P	P	P					--
Garage/Yard Sales	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	2.5.5
Gazebos	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	--
Greenhouses	P	P	P	P	P	P	P	P	P				P	P	P	P	P					--
Guest Quarters, Attached	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P				2.5.6
Guest Quarters, Detached	C	C	C	C	C	C	P	P	P				P	P	P	P	P	P				2.5.6
Home Occupations	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P				2.5.7
Mobile Food Vendors													C	C	C	P	P	C	P	P	P	2.5.13
Professional Practice	P	P	P	P	P	P	P	P <sup>6</sup>	P <sup>6</sup>				P	P	P	P	P	P				2.5.8
Recreational Vehicle (RV), Motorhomes and Similar Storage	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P			2.5.9
Satellite Receivers, Ham Radio Towers, Antennas	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	2.5.10
Solar Collectors, Roof-Mounted	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	2.5.11
Stables, Barns & Corrals, Private	P	P	P	P	P	P													C	P	P	2.5.12
Swimming Pools	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	2.4.50

Table 2.3 (Continued)

PERMITTED USE TABLE																						
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS									NONRESIDENTIAL BASE ZONING DISTRICTS						Use Standards						
	RE-2 AC	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	NOS	RS	MU	RO	NOB		BG	BR	DTB	IT	IL	IG
Temporary Uses (See Sec. 2.6)																						
Bulk Containers, Storage or Sales From, temporary															P	P			P	P	P	2.6.4, 2.4.13
Carnivals, Circuses or Special Events, temporary	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	P	P	P	P	2.6.5
Construction/Storage Offices, temporary	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	2.6.6
Land (Real Estate) Sales and/or Leasing Offices, temporary	P	P	P	P	P	P	P	P	P				P	P	P	P	P	P	P	P	P	2.6.8
Open Air Sales, temporary													P	P	P	P	P	P	P	P	P	2.6.7
Shelters, temporary	C	C	C	C	C	C	C	C	C				C	C	C	C	C	C				2.6.9

## Sec. 2.4 / Use Standards

Unless otherwise noted, the Use Standards of this section apply to the respective use types in any district, as specified in the Sec. 2.3, Use Table.

**Commentary:**

See Sec. 11.1.1 for a full explanation of the Use Category system.

### 2.4.1 / Adult Bookstores and Entertainment (Retail Sales and Service, Entertainment-Oriented Use Category)

Adult bookstores and entertainment establishments shall be subject to the standards of Prescott City Code, Title V, Section 7, Sexually-Oriented Businesses.

### 2.4.2 / Agricultural Production (Other Use Categories, Agriculture Use)

Agricultural production uses shall require a site plan showing existing and proposed structures and uses and shall be subject to the following standards:

**A. Minimum Setbacks:**

1. **Buildings:** 35 feet, all sides
2. **Bulk Storage Structures:** 150 feet

**B.** The site shall have frontage on, and access to, a collector or arterial street.

**C.** Trucks, tractors, portable storage tanks, and trailer or motorized agricultural implements shall be screened from view of adjacent streets and residential zoning districts.

**D.** Contamination of water resources due to spillage or leakage of chemicals, fuels and other products that are stored on site is prohibited.

**Commentary:**

Minimum Lot area: The recommended minimum lot area for agricultural production is as follows:  
Minimum Lot Area: 5 acres. One head of livestock per acre shall be permitted, or as may be required by the State or Federal Land Management Standards.

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### 2.4.3 / Agricultural Service (Other Use Categories, Agriculture Use)

Agricultural supplies, storage, or service centers uses shall be subject to the following standards:

**A. Minimum Setbacks:**

1. **Buildings:** 35 feet, all sides
2. **Bulk Storage Structures:** 150 feet

**B.** The site shall have frontage on, and access to, a collector or arterial street, provided the authority with jurisdiction over the subject road may approve alternative access.

**C.** Trucks, tractors, portable storage tanks and trailer or motorized agricultural implements shall be screened from view of adjacent streets and residential zoning districts.

**D.** Contamination of water resources due to spillage or leakage of chemicals, fuels and other products that are stored on-site is prohibited.

**E.** Sales shall be primarily to serve the agricultural community.

**Commentary:**

The recommended Minimum Lot Area for agricultural service uses is 5 acres.

### 2.4.4 / Airport, Heliport, Landing of Airplanes (Industrial Use Categories, Aviation and Surface Transportation Facilities)

Aviation uses shall be subject to the following standards (See also Airport Noise Overlay District, Sec. 5.2):

**A.** Documentation shall be submitted to the City showing that the site complies with all applicable state and federal requirements.

**B.** Setbacks, landscaping and fencing appropriate to the specific nature of the use proposed shall be established during the review process.

**C.** The site shall be located within the boundaries of the airport property, or shall have frontage on, and access to, a collector or arterial street, provided the authority with jurisdiction over the subject road may approve alternative access.

**D.** All areas proposed for active use, including fuel storage areas, shall be fenced.

**E.** Proposed take-off and landing facilities shall be sited with consideration of potential impacts on residential areas.

### 2.4.5 / Amphitheater or Arena (Retail, Service and Business Use Categories; Entertainment Event, Major)

Amphitheaters and arenas shall be subject to the following standards:

**A.** Minimum Setbacks: 100 feet

**B.** The above minimum setback shall be from any street or boundary line for all structures, viewing areas and seating areas.

**C.** The site shall have frontage on, and access to a, collector or arterial street.

**D.** The following accessory uses may be permitted as incidental to, and limited to patrons of, the principal use:

1. Playground;
2. Refreshment/souvenir stands or booths; and
3. Offices.

**Commentary:**

The recommended Minimum Lot Area for amphitheaters and arenas is 5 acres.

### 2.4.6 / Amusement Parks (Retail, Service and Business Use Categories; Recreation and Entertainment, Outdoor)

Amusement parks shall be subject to the following standards:

**Commentary:**

The recommended Minimum Lot Area for amusement parks is 5 acres.

- A. All equipment shall be located and designed to minimize adverse impacts on adjacent uses.
- B. The site shall have frontage on, and access to, a collector or arterial street.

**2.4.7 / Assisted Living and Nursing Homes (Residential Use Categories; Assisted Living Use)**

Assisted living facilities and nursing homes shall be subject to the following standards:

- A. All assisted living facilities shall comply with all applicable federal, state and local requirements for the location and operation of such facilities and the provision of safe outdoor recreation areas and gross floor areas for every person that the facility is licensed to accommodate.
- B. Assisted living shall include 24-hour caregivers on site. (See Sec. 11.1.3A)
- C. The assisted living structure shall contain a common food preparation area and may contain individual kitchenettes for occupants.
- D. The facility shall be in full compliance with all applicable requirements of the Americans with Disabilities Act.

**2.4.8 / Auctions, Livestock (Industrial Use Categories, Wholesale Sales)**

- A. **Minimum Setbacks:** 500 feet
- B. Notwithstanding other provisions to the contrary, the above minimum setback shall be from any residential zoning district or lot containing a residential use for all activity areas, including driveways and on-site roads.

**Commentary:**

The recommended Minimum Lot Area for Livestock Auctions is 20 acres.

**D. Performance Standards**

For the purposes of this section, bounding property line shall be interpreted as being at the far side of any street alley, stream or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such open space exists, the common line between two (2) parcels of property shall be interpreted as the bounding property line.

**1. Noise**

At no point on the bounding property line shall the sound pressure level of any livestock auction produce noise of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property.

**2. Particulate Matter**

No livestock auction shall at any time create particulate matter that, when considered at the bounding property line of the source of operation, creates a nuisance or distracts from the use and enjoyment of adjacent property.

**E. Odorous Matter**

No use shall be located or operated in any district that involves the emission of odorous matter from a source of operation where the odorous matter exceeds the odor threshold at the bounding property line, or any point beyond the tract, on which such use or operation is located. The odor threshold shall be the concentration of odorous matter in the atmosphere necessary to be perceptible to the olfactory nerve of a normal person.

**2.4.9 / Auto or Vehicle Repair and Body Shops (Retail, Service and Business Use Categories, Vehicle Repair)**

- A. All automotive repairs shall be conducted wholly within a building, except repairs made to recreational vehicles. No outdoor storage of vehicles shall occur on the site of a vehicle repair use except in the IL and IG zoning districts. For purposes of this provision, outdoor storage of vehicles will be deemed to have occurred if a vehicle with current license plates remains outdoors for over 7 cumulative days within a year or if a vehicle does not have current license tags and remains outdoors for any length of time.

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- B. All vehicles being parked or stored shall be set back at least 10 feet from all rights-of-ways and at least 5 feet from all other property lines. Concrete wheel stops or other permanent barriers shall be installed to prevent vehicles from encroaching into required setbacks or landscaped areas.

### 2.4.10 / Auto or Vehicle Sales and Leasing (Retail Sales and Service, Sales-Oriented Use)

Consumer vehicle sales and leasing facilities shall be subject to the following standards:

#### A. Minimum Setbacks:

##### 1. Vehicles:

- a. 10 feet from street frontages
- b. 5 feet from other property boundaries

#### Commentary:

The recommended Minimum Lot Area for vehicle sales is 2 acres.

- B. Outdoor speakers are not allowed.
- C. Concrete wheel stops or other permanent barriers shall be installed to prevent vehicles from encroaching on required setbacks or landscaped areas.
- D. The site shall have direct access to an arterial, as defined in Sec. 11.2.
- E. Outdoor lighting shall utilize cut-off fixtures and otherwise be designed in accordance with the requirements of Sec. 6.11, Outdoor Lighting.
- F. Landscaping and screening shall be provided in accordance with the requirements of Sec. 6.5, Landscaping and Screening, and Sec. 6.5.6, Parking Lot Landscaping, provided, however, that landscaped islands shall be provided at a rate of one island per 40 spaces for vehicle sales and leasing display areas.
- G. Display vehicles shall be arranged in an orderly fashion and provide reasonable room for pedestrian and vehicular maneuvering.

### 2.4.11 / Batch Plants, Asphalt and Concrete (Industrial Use Categories, Manufacturing and Production)

Batch plants, asphalt, concrete, redi-mix and rock crushing plants are subject to the following standards:

#### A. Minimum Setbacks: 1,000 feet

- B. The above minimum setback shall be from any residential zoning district or lot containing a residential use for all activity areas, including driveways and on-site roads.
- C. The City may specify the times of operation.
- D. Provision shall be made for the on-site reduction and containment of dust and other particulate matter.

#### Commentary:

The recommended Minimum Lot Area for asphalt, concrete, redi-mix and rock crushing plants is 5 acres.

- 1. All internal roads shall be maintained in a dust-free condition;
- 2. The access drive from the site shall be paved with a surface of asphalt or concrete for a distance of at least 100 feet from the right-of-way of the public access road; however, a Special Use Permit may require more than 100 feet of such surface treatment; and
- 3. Dust, dirt, mud or other debris shall be removed from the wheels of vehicles before they leave the site.

- E. Provisions shall be made for the on-site containment of industrial dust and wastewater.

- F. The site shall have frontage on, and access to, a collector or arterial street.

### 2.4.12 / Bed and Breakfast (Retail, Service and Business Use Categories, Accommodations)

Bed and breakfast facilities shall be subject to the following standards:

- A. A maximum of (five) 5 guest rooms may be permitted in the applicable residential districts.
- B. Unless otherwise expressly allowed, ancillary uses and activities shall be prohibited in conjunction with a Bed and Breakfast, including luncheons, banquets, parties, weddings or other gatherings.
- C. The owner or a manager shall reside on site.

- D. Food service shall be allowed provided it is only offered to registered guests.

**2.4.13 / Bulk Containers, Storage and Sales from (Industrial Use Categories, Industrial Sales and Service Use)**

Where large containers are needed to temporarily store items for sale on site, the Community Development Director may approve the use as a temporary use. Otherwise, Bulk Containers for any purpose may only be permitted in the industrial zone(s). See also Bulk Container, Storage and Sales From, Temporary, in the Use Table 2.3 and Sec. 9.11, Temporary Use Permits.

**2.4.14 / Casitas, Cabins and Cottages (Retail, Service and Business Use Categories, Accommodations)**

Individual casitas, cabins or cottages shall not exceed 1,000 square feet (gross floor area).

**Commentary:**

The recommended Minimum Lot Area for casitas, cabins and cottages is as follows:

- One Unit: 5,000 square feet
- Each Additional Unit: 2,500 square feet

**2.4.15 / Cemetery, Mausoleums (Public, Civic and Institutional Use Categories, Parks and Open Space)**

Cemetery facilities shall be subject to Conditional Use Permit requirement, except as otherwise specified, and to the following standards:

- A. **Minimum Setbacks, Buildings:** 30 feet
- B. The site proposed for a cemetery shall not interfere with the development of a public infrastructure system, including streets, sewers and other utilities.
- C. Buildings shall be used for cemetery purposes only including, but not by way of limitation to, offices, memorial chapels, mausoleums, vaults, columbaria, crematoria, and such other structures as may be necessary for the preparation, presentation, interment, and cremation of human or pet remains and the maintenance of the cemetery.
- D. There shall be adequate provisions for perpetual care.

**Commentary:**

The recommended Minimum Lot Area for cemeteries is 5 acres.

**2.4.16 / Commercial Storage (Industrial Use Categories, Industrial Sales and Service Use)**

All commercial storage of goods and materials shall be fully enclosed within a building, and there shall be no outside storage of materials or products, except as expressly authorized elsewhere in this Code. This shall not be interpreted as a prohibition on parking of business-related vehicles on such sites. (See also Outdoor Storage or Production, Sec. 2.4.35, and Use Table 2.3 for applicable districts.)

**2.4.17 / Congregate Living Facilities (Residential Use Categories; Congregate Living)**

Congregate living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living (See 11.1.3C). Examples include dormitories, fraternities, sororities, foster group homes, monasteries, and convents. All Congregate Living facilities shall be subject to the following standards:

- A. Tenancy shall be arranged on a monthly or longer basis.
- B. The following shall not be considered Congregate Living:
  - 1. Lodging where tenancy may be arranged for periods of less than 30 days is to be considered hotel or motel use and classified in the Retail Sales and Service category.
  - 2. See Sec. 2.4.7, Assisted Living.
- C. All foster group homes may house up to a maximum of 10 foster children.

**2.4.18 / Day Care Centers (Public, Civic and Institutional Use Categories, Day Care)**

Day Care Centers shall be subject to the following standards:

- A. Care may be provided for 8 or more people, either adults or children.

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- B. All Day Care Centers shall comply with all applicable state requirements for the location of such facilities and all requirements for the provision of safe outdoor recreation areas and gross floor areas for every person that the day care facility is licensed to accommodate.
- C. Applications for permission to construct or operate a Day Care Center shall be accompanied by copies of all valid permits required by the State of Arizona and any other applicable agency. If such permits cannot be obtained prior to the time of application, the application must be accompanied by a report from the applicable licensing agency stating the licensing requirements and an explanation of how the applicant intends to meet these requirements.
- D. The site shall have frontage on, and access to, a collector or arterial street.
- E. The facility shall be in full compliance with all applicable requirements of the *Americans with Disabilities Act*.

### 2.4.19 / Day Care, Home-based (Accessory Use Categories, Day Care)

Examples include childcare, latch-key programs and adult day care programs. All home-based day care facilities providing care for 5 to 8 people, children or adults, shall be subject to the following standards:

- A. Home-based Day Care facilities provide care for 5-8 persons.
- B. Home-based Day Care facilities shall be managed by the resident operator.
- C. Such facilities shall comply with all applicable state regulations.
- D. Adequate provisions shall be made for access by emergency medical and fire vehicles.
- E. All outdoor play areas shall be located on the rear portion of the property, shall be fenced with a minimum 6-foot high fence, and shall not be located adjacent to a public or private street.

#### Commentary:

Babysitting or (adult) personal care of up to 4 persons is allowed by right, in accordance with Sec. 2.3, Use Table. (See also 2.5.3, Babysitting).

### 2.4.20 / Duplex Dwellings (Residential Use Categories, Household Living)

All Duplex Dwellings shall be subject to the following standards:

- A. Each Duplex Dwelling may be occupied by a single family or up to a maximum of 8 unrelated persons (See Definition of "Family," Sec. 11.2.5);
- B. Clustering of duplexes is required where possible to preserve available open space for use by the residents;
- C. Where an existing single-family residence is converted to a Duplex Dwelling, all required parking shall be accessed from an alley where such alley access is available, or from a single common driveway where such alley access is not available; and
- D. Where each dwelling unit is located on an individual lot, Duplex Dwellings may be permitted in RE and SF zoning districts in accordance with the Planned Area Development (PAD) procedures of Sec. 9.5.

### 2.4.21 / Electrical Generation Plants, other than Solar or Wind Power (Public, Civic and Institutional Use Categories, Major Utility Use)

Electrical generation facilities with power generation potential of 30 megawatts or more shall be subject to the following standards:

- A. **Minimum Setback:** 1,000 feet
- B. The above minimum setback shall apply to all operational areas and be measured from all parcel boundary lines that adjoin any zoning district other than the IG District.
- C. For the purposes of this section, the term "operational area" shall mean all electrical generation equipment, cooling equipment, exhaust or venting equipment, and any structures housing such equipment.
- D. Fencing shall be provided around the boundary of the property to prevent unauthorized access in accordance with the provisions of Sec. 6.4, Fences and Walls.

- E. All current, state and federal permits, waivers of permits, licenses, and certificates of insurance shall be on file with the City of Prescott Community Development Department throughout the life of the use.
- F. The owner shall comply with standards established by the City to prevent contamination of water resources due to spillage or leakage of chemicals, fuels and other products that are stored on site. The review process shall also consider the possibility of accidental explosion in establishing such standards.
- G. Any increase in the schedule, intensity or energy output of operations, as established under the original permit, shall require an amendment to said permit.
- H. If all operations at the facility cease for a period of 24 consecutive months, removal of all equipment, structures, foundations, tanks, towers, and fences shall be completed within the next 12 calendar months; the site shall be returned to its previous landscape by that time.

**2.4.22 / Golf Courses (Public, Civic, and Institutional Use Categories, Parks and Open Space Use)**

Golf course uses shall be subject to the following standards:

- A. A golf course may include swimming pools, snack shops or refreshment stands on the course and a clubhouse that may contain dining/banquet facilities, locker room and shower facilities, a pro shop and a lounge.
- B. A golf course may also include a golf practice range as accessory to the golf course, provided that it is an integral part of the golf course, is not lighted or operated other than daylight hours and is not operated at hours other than those during which the golf course is open for play.
- C. The clubhouse site or related parking area shall have frontage on, and access to, a collector or arterial street.

**2.4.23 / Golf Driving Ranges (Retail, Service and Business Use Categories, Recreation and Entertainment, Outdoor)**

Golf driving ranges shall be subject to the following standards:

- A. Minimum Setback, Tees: 50 feet
- B. The application shall show the layout of the property with all offices, tee boxes, putting greens, sand traps, lights, screening structures, parking areas, fencing, and plant materials.
- C. The site shall be configured to permit a minimum driving distance of 300 yards from each proposed tee, exclusive of the required landscape area.
- D. The site shall comply with the landscaping standards of Sec. 6.5, Landscaping and Screening, unless a greater standard is imposed at the time of approval.
- E. Lighting shall comply with Sec. 6.11, Outdoor Lighting, in order to minimize glare and reflection onto neighboring properties and public streets.
- F. The office or related parking lot shall have frontage on, and access to, a collector or arterial street.
- G. The site shall be designed to prevent unnecessary light, noise, or activity from having negative impacts on adjacent uses.

**2.4.24 / Greenhouse/Nursery Center, Retail (Retail, Service and Business Use Category, Retail Sales and Service)**

Retail greenhouses and nursery centers shall be subject to the following standards:

- A. Permitted activities may include the off-site delivery of plant materials and the use and storage of all vehicles, equipment, and crew necessary for those activities.
- B. Off-site maintenance of plant materials and planting shall constitute landscape contracting and shall be subject to the Use Standards for a Landscape Contractor's Storage Yard.

**Commentary:**

The recommended Minimum Lot Area for greenhouse/nursery centers is 5 acres.

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### 2.4.25 / Group Homes (Residential Use Categories, Household Living)

Group homes for the developmentally disabled may be occupied by a maximum of 8 unrelated persons. (See Definition of "Family," Sec. 11.2.5).

### 2.4.26 / Hazardous Waste Facilities (Industrial Use Category, Waste-related)

Hazardous waste or materials facilities may be permitted subject to all state and federal requirements. Council-approved Special Use Permits may be subject to additional requirements.

### 2.4.27 / Junkyards (Industrial Use Category, Waste-related)

Junkyard facilities, which may include storage, shall be subject to the following standards:

- A. The landscaping surrounding all outdoor storage areas shall include a solid wall at least 6 feet but no more than 10 feet in height. Storage between the street and such fence or screen, or above the height of such fence or screen, is expressly prohibited.
- B. All gasoline, motor oils, brake and transmission fluids, antifreeze, hydraulic fluids, battery acids and other fluids shall be removed immediately from all salvaged vehicles. Such fluids shall be stored and disposed of in such a manner to avoid soil and environmental contamination of the subject site and prevent contamination of surrounding properties and waterways.
- C. The site shall have frontage on, and access, to a collector or arterial street.
- D. The use shall not create excessive traffic, noise, light, or other activity that would have negative impacts on adjacent uses.

**Commentary:**

The recommended Minimum Lot Area for junkyards is 5 acres.

### 2.4.28 / Kennels, Veterinary Clinics with or without Kennels, Animal Shelters and Animal Training Facilities (Retail, Service, and Commercial Use Categories; Retail Sales and Service, Personal Service-Oriented)

Kennels (indoor or outdoor), veterinary clinics with or without kennels, animal shelters, and animal training facilities shall be subject to the following standards:

- A. The site plan shall show all fencing, berming, and building material soundproofing designed to mitigate the noise impact of the proposed use on the surrounding properties.
- B. Waste handling and ventilation shall be designed to control odors discernable off site.
- C. All kennels with outdoor runs shall be further subject to the following standards:
  1. **Minimum Setbacks:**
    - a. Residential Zoning: 150 feet
    - b. Residential Structures: 300 feet
  2. Dog kennels with outdoor runs shall require landscaping, fencing and berming to mitigate visual and noise impacts.
  3. Outdoor exercise areas, runs, or yards, when provided for training or exercising, shall be restricted to use during daylight hours.

**Commentary:**

The recommended Minimum Lot Area for kennels, animal shelters and animal training facilities is 2 acres.

### 2.4.29 / Landscape Contractor's Storage Yard (Industrial Use Categories, Industrial Sales and Service Use)

Landscape contractor storage yards shall be subject to the following standards:

- A. A minimum of 50 percent of the site shall be planted and maintained in nursery stock as indicated on the approved site plan.
- B. The site shall have frontage on, and access to, a collector or arterial street.
- C. No more than 15 percent of the site may be used for exposed landscape material or equipment storage.

- D. Equipment storage areas shall be screened from adjoining properties in accordance with the requirements of Sec. 6.5.8, Screening Standards.
- E. No open burning shall be permitted on site.
- F. Landscaping need only be provided for the portion of the site that is not planted and maintained in nursery stock.
- G. Landscape waste composting shall be allowed as an accessory use only.
- H. The main road from which access is taken shall always be kept free of dust, dirt, mud and other debris.

**2.4.30 / Manufactured Housing (Residential Use Categories, Household Living)**

All single-family dwellings may be occupied by a single family or a maximum of 8 unrelated persons (See Definition of "Family," Sec. 11.2.5).

**Commentary:**

Manufactured homes constructed to HUD standards are permitted only in the -MH Floating Zone District. Single-family dwellings, either site built or modular factory built that are constructed to UBC, IBC or IRC Standards, whichever is applicable, are permitted in all but the Industrial districts.

**2.4.31 / Manufactured Home Parks (Residential Use Categories, Household Living)**

Manufactured Home Parks shall be subject to the following:

- A. All housing located in a manufactured home park shall meet the following standards:
  - 1. Each home shall be the only habitable structure upon the space on which it is placed.
  - 2. The home shall have a label or documents certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974. Pre-HUD mobile homes that are modified to comply with the HUD standard may be allowed.
  - 3. The wheels, axles, tongue, towing apparatus, and transporting lights shall be removed prior to final installation of the unit.
  - 4. All homes shall be completely skirted. Skirting or a curtain wall, unpierced except for required ventilation and access door, shall be installed and maintained so that it encloses the area under the structure. Material used for the skirting shall be erected so as not to create a fire hazard and maintained in a good state of repair. The skirting or foundation must be a continuous, complete, opaque, and rigid surface that lends permanency to the appearance of the unit and totally screens the crawl space under the unit. The foundation skirting or curtain wall shall be of wood, metal, brick or stucco only.
  - 5. Expandable rooms on homes shall be deemed an integral part of the home and shall meet all requirements stated herein.
- B. Any construction of or addition to a Manufactured

**Commentary:**

The recommended Minimum Lot Area for Manufactured Home Parks is 10 acres.

**Commentary:**

Manufactured Home Parks are an important housing option for households that need or desire lower housing costs and reduced maintenance responsibilities.

Manufactured Home Subdivisions and reduced minimum lot sizes (relative to requirements of the underlying zoning district) may be approved via Planned Area Development (PAD) and rezoning to an -MH Floating district.

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Home Park shall meet the following requirements:

### 1. Manufactured Home Replacement

Notwithstanding other provisions to the contrary, replacement of manufactured homes in a manufactured home park existing prior to the effective date of this LDC shall be permitted provided a minimum separation of 10 feet is maintained on all sides between homes.

### 2. Manufactured Housing Construction

No home without a label or documents certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974 shall be admitted unless it can be demonstrated that it meets the requirements of the Mobile Home Manufacturers Association Mobile Home Standards for Plumbing, Heating and Electrical Systems, or of any state or locally administered code insuring equal or better plumbing, heating, or electrical installations.

### 3. Hazardous Conditions

No home shall be so located as to be subjected to hazardous conditions including, but not limited to, flooding, poor soil conditions and poor drainage.

### 4. Water Supply and Sewage Disposal

Every Manufactured Home Park created after the effective date of this Code shall be connected to a public water supply and a public sewage disposal system.

### 5. Site Design

#### a. Streets

Unless streets are built to City standards and accepted by the City for maintenance, all streets shall be privately owned and maintained. All streets shall conform to the requirements of this Land Development Code. Alignment and gradient shall be properly adapted to topography, to safe movement of traffic, and to adequate control of surface water, ground water, and drainage.

#### b. Pedestrian Access

Pedestrian walkways, 3-feet wide for individual spaces and 4-feet wide for common space, shall be provided for safe pedestrian access between individual homes and between homes and service buildings within the park or subdivision. No walkway shall be so constructed as to be inundated or isolated during heavy rainfall or storms. Such walkways shall be surfaced with asphalt, concrete, pavers or gravel, and shall be graded to prevent standing water.

## C. Manufactured Home Space Standards

### 1. Singlewide Manufactured Home Space

- Minimum Area: 3,600 square feet
- Minimum Width: 40 feet

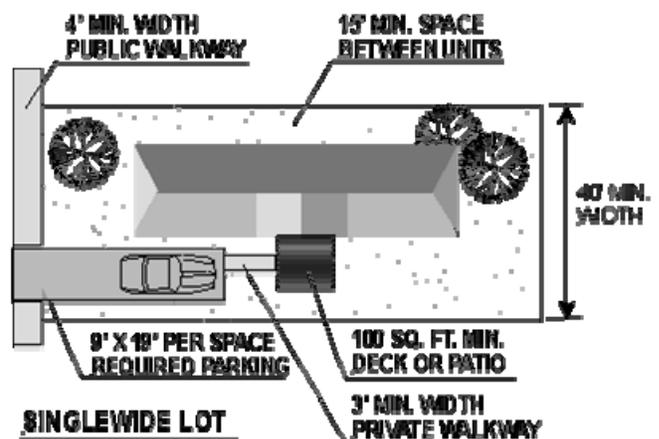
### 2. Doublewide Manufactured Home Space

- Minimum Area: 5,000 square feet
- Minimum Width: 50 feet

### 3. Minimum Setbacks, Park Boundary: 20 feet

### 4. Minimum Dwelling Separation:

- End: 10 feet
- Side: 15 feet
- Opposite Sides of An Internal Street: 36 feet



5. Each space shall have all corners clearly marked.
6. Each space shall be directly accessible from an approved internal street. No direct access shall be permitted to spaces from public streets adjoining the project perimeter.
7. Each space shall be provided with a concrete patio, wooden deck, or similar structure of at least 100 square feet, which shall be convenient to the entrance of the manufactured home. An awning may be placed over such patio, but no structure shall be placed thereon. This requirement may be waived in consideration of comparable outdoor living space design alternatives proposed by the developers and approved by the Community Development Director. Handrails shall be provided as required by the Building Official.
8. Expandable rooms or additions to homes shall be deemed an integral part of the home and shall meet all requirements stated herein.
9. Each space shall provide closed, watertight, weatherproof storage facilities, exclusive of space within the home. No storage shall be permitted on the space other than in enclosed storage facilities, in completely skirted and enclosed spaces beneath homes, or within homes.

**D. Parking**

Off-street parking shall be provided at the minimum rate of 2 spaces for each home space. Such parking shall be conveniently located to spaces for which it is so provided. Each parking space shall be at least 9 feet by 19 feet. Parking may be on the space, in off-street parking bays, or in combination with on-street parking where streets are a minimum of 32 feet wide. Required parking may be arranged in tandem.

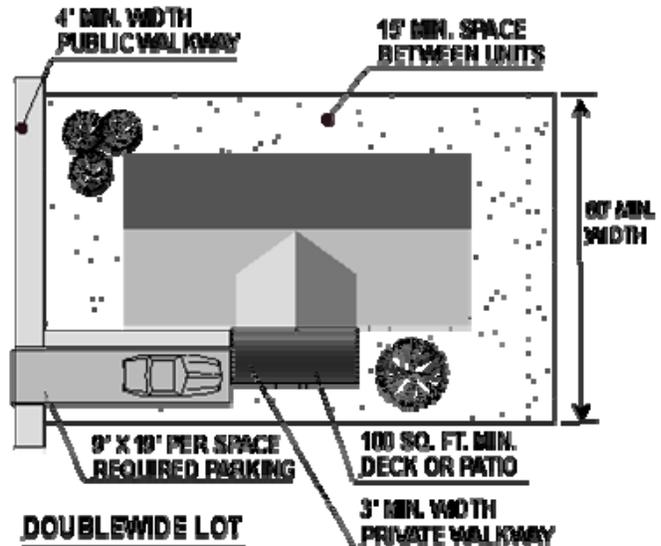
**E. Illumination**

Adequate illumination on all streets and sidewalks shall be provided to insure the safe movement of pedestrians and vehicles at night. Such illumination shall create no direct glare into surrounding residential areas.

**F. Common Open Space/Recreation Standards**

Not less than 20 percent of the park property shall be designated as common open space and developed for the use and enjoyment of all park residents in accordance with the following standards:

1. At least half of said common open space (not less than 10 percent of the park property) shall be reserved and developed for a recreation area. Such area shall be conveniently located within each park and shall contain individual areas, which shall be equipped for passive adult recreation, with a children's play area and/or a fenced tot lot. If a swimming pool is furnished, it shall be fenced and gated in accordance with the standards of Sec. 2.4.50, Swimming Pools Commercial & Residential and Sec. 6.4.6, Fences or Walls Required for Swimming Pools & Contained Water Bodies. Required setbacks shall not be counted as part of the required recreation area.
2. A minimum perimeter building setback and landscaped buffer yard 20 feet in width shall be provided. Such buffer may be counted toward the non-recreational common open space requirement.
3. The City shall inspect the buffer prior



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to the first manufactured home setup inspection to ensure there is adequate vegetation to create an effective perimeter buffer. The required perimeter buffer shall be appropriately landscaped and planted to provide a pleasing appearance to surrounding property.

4. Ground cover in the form of grass or other vegetation, in combination with gravel, shall be provided throughout the Manufactured Home Park so as to provide pleasant and, insofar as practicable, dust-free conditions.
5. Legal instruments shall govern the permanent retention and maintenance of the commonly owned open space not dedicated to the City. A description of such lands shall be recorded with the proper authorities.

### G. Common Storage Facilities

1. Storage facilities shall be provided in a centralized, common facility located convenient to the home spaces. Not less than 5 percent of the total area of the Manufactured Home Park shall be reserved for a common storage area.
2. Such storage facilities shall be completely screened from view of all homes and from view of public streets.
3. Such facilities shall be located within a fence having a gate that is capable of remaining closed. Each home shall have a designated storage space within this area of not less than 300 square feet.
4. RV storage shall be permitted when screened from surrounding residences and public streets.

### H. Utilities

1. All new or relocated electrical, cable television, telephone and gas utility lines, whether publicly or privately owned, shall be installed underground, except where the Technical Review Committee determines that underground installation is inappropriate.
2. Refuse and trash, and mechanical equipment shall be screened in accordance with the requirements of Sec. 6.5.8, Screening Standards.

### I. Recreational Vehicles (Except for Park Models)

Travel trailers, campers, motor homes, or other recreational vehicles shall not be permitted on any manufactured home space or area reserved for manufactured home usage, except for park models (Refer to Table 11.2.5).

## 2.4.32 / Mining and Extractive Uses (Industrial Use Categories, Manufacturing and Production)

Mining and extractive uses shall be subject to the following standards:

- A. The site plan shall show a plan for the proposed operation and restoration of the site that shall include the following:
  1. An outline of the area to be excavated;
  2. The proposed locations of sorting, grading, crushing, and similar equipment necessary to the operation and initial distribution of the excavated products;
  3. The proposed locations of any buildings, scale-house, equipment storage areas, and equipment repair sheds or areas; and
  4. The sequence of operations and the schedule of rehabilitation measures.
- B. A plat, survey or map of the site, at a scale of 1" = 100', shall be submitted showing the existing topography at 2-foot contour intervals.
- C. The operation and rehabilitation of extractive products areas shall be in accordance with the following conditions:
  1. Minimum Setback, Excavation Areas: 30 feet
  2. Dust containment shall be practiced on a regular basis sufficient to control dust on site;
  3. Operations shall be conducted in a safe manner, especially with respect to hazards to persons, damage to adjacent lands or improvements, and damage to any street by slides, sinking, or collapse of supporting soil adjacent to an excavation. No extractive operation shall be conducted in a manner so as to lower the water table on surrounding properties;

4. No excavation, removal, or fill shall be permitted if the finished conditions would contain the following:
  - a. Deep pits having side slopes of greater than 30 degrees;
  - b. Serious on-site erosion problems or erosion problems which could extend to neighboring properties; and
  - c. Un-drained depressions other than artificial lakes, or drainage problems that adversely affect neighboring properties.
  - d. After completion of operations, and in accordance with the approved rehabilitation map, the premises shall be cleared of debris, and a layer of soil capable of supporting vegetation shall be spread over the premises to a depth of at least 3 inches (except for areas under water) and shall be seeded with grass or other ground cover to prevent erosion.
- D. Performance assurance in the form of a letter of credit, cash or surety, or other form acceptable to the City, shall be furnished in an amount adequate to assure compliance with the approved rehabilitation plan. The exact amount and a termination date for the completion of operations and the rehabilitation of the tract shall be established in the review process and imposed at the time of approval based upon the estimated costs of rehabilitating the site and the estimated length of time the operation will be conducted.
- E. Hours and days of operation may be specified by the City at the time of approval.
- F. Lifespan of the permit may be specified. Extension of the lifespan shall be subject to review and approval by the City Council.
- G. The site and its operations shall be subject to ongoing review and inspection for compliance with this Code.
- H. The site shall have frontage on, and access to, a collector or arterial street, provided the highway authority with jurisdiction over the subject road may approve alternative access.
- I. The access drive from the site shall be paved with a surface of asphalt or concrete for a distance of at least 50 feet from the right-of-way of the public road from which access is taken.
- J. Provisions shall also be made to remove dirt, mud and other debris from vehicle wheels exiting the site. The main road from which access is taken shall always be kept free of dust, dirt, mud and other debris.
- K. The use shall not create excessive traffic, noise, light, or other activity that would have negative impacts on adjacent uses. All equipment shall be located and designed to minimize adverse impacts on adjacent uses.

**2.4.33 / Multi-family Dwellings (Residential Use Categories, Household Living)**

Multi-family Dwellings, including condominiums and apartments that fall within the definition of “Multi-family Dwelling”, shall be subject to the following standards:

- A. All Multi-family Dwellings shall comply with Sec. 6.13, Residential Protection Standards.
- B. All required off-street parking shall be provided in the rear of the property where possible; strip parking along street frontages is discouraged. Parking shall be accessed from an alley where alley access is available, or from a single common driveway where alley access is not available.
- C. Site structures to preserve available open space and to create usable recreational space where possible.
- D. Each dwelling may be occupied by a maximum of 8 unrelated persons (See Definition for “Family,” Sec. 11.2.5.

**Commentary:**

The City of Prescott recommends that long, flat façades over 40 feet in length be broken up to avoid presenting a “backside” to neighboring properties by incorporating recesses, minimum 2 foot offsets, angular forms or recessed windows, porches, balconies or other features to provide a visually interesting shape. In addition, each residential unit in a Multi-family Dwelling should have a storage room of at least 10 feet by 10 feet to limit the potential for balconies and stairwells to be used for storage.

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### 2.4.34 / Nurseries, Wholesale (Other Use Categories, Agriculture Use)

Wholesale nurseries shall be subject to the following standards:

- A. Minimum Building Setbacks: Established during review process.
- B. A minimum of 50 percent of the site shall be planted, grown or propagated in nursery stock.
- C. Centralized offices for clerical and professional personnel may be maintained in one or more buildings for personnel performing functions for nursery-related businesses located elsewhere but under the same ownership.
- D. The site shall have frontage on, and access to, a collector or arterial street.
- E. Where such uses are permitted by Conditional Use Permit as accessory to a dwelling unit in a residential zoning district, the Board of Adjustment may require more or fewer standards than specified herein.

### 2.4.35 / Outdoor Storage or Production (Industrial Use Categories, Manufacturing and Production)

Outdoor storage or production including, but not limited to, contractor storage yards shall be allowed in the IL, Industrial Light and IG, Industrial General districts subject to the requirements of Sec. 6.5.8, Screening Standards.

### 2.4.36 / Patio Homes (Residential Use Categories, Household Living)

All patio homes shall be subject to the following standards:

- A. Each patio home may be occupied by a single family (See Definition of "Family," Sec. 11.2.5); and
- B. Where each dwelling unit is located on an individual lot, Patio Homes may be permitted in RE and SF zoning districts in accordance with the Planned Area Development (PAD) procedures of Sec. 9.5.

### 2.4.37 / Petroleum or Chemical Refining or Production (Industrial Use Categories, Manufacturing and Production)

Petroleum refining or production facilities shall be subject to the following standards:

- A. All activity on the subject property shall operate in accordance with all applicable state and federal regulations throughout the life of the permit. Current state and federal permits, waivers of permits, licenses and certificates of insurance shall be on file with the Community Development Department throughout the life of the permit.
- B. The site shall have frontage on, and access to, an arterial street.
- C. The access drive from the site shall be paved with a surface of asphalt or concrete for a distance of at least 50 feet from the right-of-way of the public road from which access is taken.
- D. Provisions shall also be made to remove dirt, mud and other debris from vehicle wheels exiting the site. The main road from which access is taken shall always be kept free of dust, dirt, mud and other debris.
- E. The use shall not create excessive traffic, noise, fuel or dust emissions, light, or other activity that would have negative impacts on adjacent uses. All equipment shall be located and designed to minimize adverse impacts on adjacent uses.

**Commentary:**

The recommended Minimum Lot Area for petroleum or chemical refining or production is 5 acres.

### 2.4.38 / Private Clubs or Lodges

Such uses that rent assembly space to the general public are permitted only in nonresidential zoning districts.

**2.4.39 / Racetracks, Animal (Retail, Service and Business Use Categories, Recreation and Entertainment, Outdoor)**

Animal racetrack facilities shall be subject to the following standards:

- A. Minimum Setbacks: 250 feet
- B. The above minimum setbacks apply to the racetrack and all buildings, viewing areas, and seating areas.
- C. If night racing is to be conducted, all parking areas and access ways shall be adequately lighted, provided that such lighting, as well as lighting for the racetrack, shall be shielded to prevent light and glare spillover to adjacent uses.
- D. The use shall not create excessive traffic, noise, light, or other activity that would have negative impacts on adjacent uses.
- E. All facilities for housing and maintaining equine shall comply with the following requirements:
  - 1. A 100-foot-wide area of vegetation cover, exclusive of pasture area, shall be maintained between any corral, un-vegetated exercise area, manure pile, or application area and any surface water or well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption, and
  - 2. Other conditions as may be specified in the review process.
- F. The following accessory uses may be permitted as incidental to, and limited to, patrons of the principal use:
  - 1. Refreshment stands or booths;
  - 2. Souvenir stands or booths;
  - 3. Restaurants or lounges;
  - 4. Playgrounds and day care facilities;
  - 5. Temporary campgrounds; and
  - 6. Any other customary and incidental uses which may be deemed appropriate.

**Commentary:**

The recommended Minimum Lot Area for animal racetracks is 20 acres.

**2.4.40 / Racetracks, Motor Vehicle (Retail, Service and Business Use Categories, Recreation and Entertainment, Outdoor)**

Motor vehicle racetracks shall be subject to the following standards:

- A. **Minimum Setbacks:** 300 feet
- B. The above minimum setbacks apply to the racetrack and all buildings, viewing areas, seating areas, and areas reserved for vehicles to be raced.
- C. All parking areas and access ways shall be adequately lighted, provided that such lighting, as well as lighting for the racetrack, shall utilize cut-off fixtures and otherwise be designed in accordance with the requirements of Sec. 6.11, Outdoor Lighting.
- D. The following accessory uses may be permitted as incidental to, and limited to, patrons of the principal use:
  - 1. Refreshment stands or booths;
  - 2. Souvenir stands or booths;
  - 3. Vehicle fuel and supplies sales limited to owners or operators of vehicles to be raced;
  - 4. Temporary campgrounds;
  - 5. Playgrounds;

**Commentary:**

The recommended Minimum Lot Area for motor vehicle racetracks is 20 acres.

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6. Day care facilities; and
  7. Any other customary and incidental uses which may be deemed appropriate.
- E. The use shall not create excessive traffic, noise, light, or other activity that would have negative impacts on adjacent uses.

### 2.4.41 / Radio or Television Broadcast Studios (Retail, Service and Business Categories; Office)

Radio or Television Broadcast Studios shall be subject to the following standards:

- A. In the NOB district, radio or television broadcast studios may be permitted provided, however, that:
1. Any Studio Transmitter Link (STL) transmitter, or similar mono-directional transmitters, shall be roof-mounted on the building housing the studio and must be substantially screened from adjacent streets and property.
  2. The design of any STL shall be integral to the roof planes and colors of the building housing the studio.
  3. The property owner and/or user of the STL shall have a continuing obligation to ensure that the operation of the studio and attendant equipment does not cause interference with off-site electronic and/or communications equipment.
  4. Detached antenna poles shall not be permitted.
- B. In the BG, BR, DTB and IT districts, radio or television broadcast studios may be permitted provided, however, that detached antenna poles shall be restricted and limited as follows:
1. In the BG, BR, DTB and IT districts, such poles shall be subject to the approval of a Special Use Permit.
  2. In the IL and IG districts, such poles may be permitted by right; Special Use Permits shall not be required for detached antenna poles.
- C. In all cases where detached antenna poles are permitted, whether by right or by Special Use Permit, the following restrictions and limitations shall apply:
1. Only STL transmitters, or similar mono-directional transmitters, with dish sizes not greater than 4 feet in diameter, may be allowed;
  2. The setback from all property lines shall be equal to the height of the antennas, poles and dishes;
  3. The property owner and/or user of the antennas, poles and/or dishes is under a continuing responsibility and obligation to insure that the operation of the studio and attendant equipment does not cause interference with off-site electronic and/or communications equipment; and
  4. Such other restrictions and limitations as the City Council may determine, to address potential negative impacts to the community.

### 2.4.42 / Recreational Vehicle (RV) Parks (Retail, Service and Business Categories; Retail Sales and Service, Recreation and Entertainment, Outdoor)

Recreational vehicle (RV) parks and incidental facilities shall be subject to the following standards:

- A. Minimum Space Area:
1. Recreational Vehicle, Motor Home, Camp Trailer and Similar: 1200 square feet
  2. Cabin or Tent: 800 square feet
- B. Minimum Space Width: 30 feet
- C. Recreational vehicle parks shall be occupied only by persons using travel trailers, truck campers, small cabins without plumbing (traditional KOA-style), and tents for overnight, short duration, or seasonal camping;
- D. Each park shall be served by central water and sewer facilities;
- E. Each park shall provide common restroom and shower facilities in accordance with the requirements of the IPC (International Plumbing Code);

- F. No space shall be located more than 600 feet from common restroom and shower facilities;
- G. The City may require landscaping and screening pursuant to the provisions of Sec. 6.5, Landscaping and Screening; and
- H. One tree of a species suitable for the area shall be provided for each 2 spaces and shall be located in close proximity to those spaces. (Existing trees on the site may be used to satisfy this requirement.)

**2.4.43 / Recycling Collection Centers (Industrial Use Categories, Waste-Related Use)**

Recycling Collection Facilities shall be subject to the following standards:

- A. There shall be at least 2 parking spaces per 100 square feet of gross floor area.
- B. All processing operations shall be conducted within an enclosed structure.
- C. All vehicles, or parts thereof, on the premises shall be operable and shall meet all state and federal licensing requirements.
- D. Outdoor storage shall be limited to drop-off recycling bins and shall be fenced with a solid fence of at least 6 feet, but not more than 8 feet, in height. Storage may not exceed the height of the fence.

**Commentary:**

The recommended minimum lot area for Recycling Collection Facilities is 2 acres.

**2.4.44 / Recreational Vehicle (RV) Storage Yards (Retail, Service and Business Categories, Self-Service Storage)**

Recreational Vehicle (RV) Storage Yards may be permitted subject to the following standards:

- A. Screening shall be provided in accordance with the requirements of Sec. 6.5.8, Screening Standards; and
- B. All RV Storage Yards permitted in any residential zoning district shall be located on land owned and/or otherwise controlled by a subdivision homeowners association or similar entity and shall be reserved for the exclusive use of the subdivision residents. Notwithstanding other provisions to the contrary, such yards may be permitted by right when so approved on a Final Plat, otherwise a Conditional Use Permit shall be required.

**2.4.45 / Transitional Housing (Residential Use Categories)**

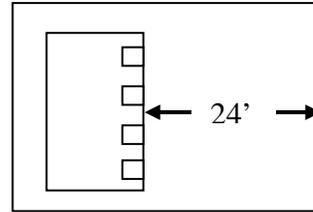
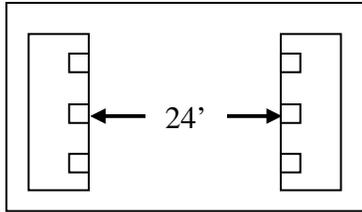
Includes variations of transitional housing types such as Crisis Center, Halfway House, Residential Treatment Center, Supervisory Care Shelter, and Temporary Shelter. Such use may be permitted subject to the following standards:

- A. Whether allowed by right or by Conditional Use Permit, the request shall be evaluated based on occupancy load and parking adequacy. All such transitional housing providers shall register with the Community Development Department to assess whether the use is allowed at a location, or by right or by Conditional Use Permit.
- B. There shall be a minimum 1,320 feet separation between such uses, as measured in a straight line from the nearest property line of an approved facility to the nearest property line of another Transitional Housing facility.
- C. All such uses will be required to have a City of Prescott business license prior to operation.
- D. Transitional Housing facilities requiring a Conditional Use Permit shall minimize any changes to the exterior of the property that alter the residential character of the site.

**2.4.46 / Self-Storage or Mini-storage (Industrial Use Categories; Self-service Storage)**

Self storage or mini-storage shall maintain a clear maneuvering/parking area at least 24 feet in depth directly in front of each storage bay.

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### 2.4.47 / Service Stations, Self Service and Full Service, Convenience Stores (Retail, Service and Business Categories; Vehicle Service, Limited)

Gasoline service stations may be permitted subject to the following standards:

#### A. Minimum Standards

1. Where such use is adjacent to any residential district screening shall be required in accordance with Sec. 6.13, Residential Protection Standards.
2. Signs located on a canopy shall not extend above or below the fascia.
3. All outdoor lighting shall be subject to the requirements of Sec. 6.11, Outdoor Lighting.

#### B. Full Service

1. All bay doors shall face away from adjacent thoroughfares and rights-of-way, unless doing so would orient toward an adjacent residence.
2. Full Service stations shall not be permitted adjacent to residentially zoned uses.
3. A use providing automobile-related repairs shall be considered "Vehicle Repair" (Refer to Sec. 2.4.9).

### 2.4.48 / Shooting/Archery Range, Outdoor (Retail, Service and Business Use Categories, Recreation and Entertainment, Outdoor)

Outdoor shooting or archery facilities shall be subject to the following standards:

- A. The applicant shall submit a detailed site plan showing the layout and design of the proposed outdoor shooting range including all required setbacks and landscaping and the existing and proposed structures, their gross floor areas and impervious surfaces. The scale of the site plan shall be no greater than 1" = 100'.
- B. The applicant shall submit a detailed written narrative describing the proposed use. This narrative shall, at a minimum, describe the type of range (i.e. public, private, or government), the type of firearms and targets expected to be used, and the days and hours of operation. The Board of Adjustment may impose additional requirements on the layout and design of the range, and the days and hours of operation as part of the Conditional Use Permit.

#### Commentary:

The recommended minimum lot area for outdoor shooting/archery ranges is as 20 acres.

### 2.4.49 / Single-family Dwellings (Residential Use Categories, Household Living)

All single-family dwellings may be occupied by a single family or a maximum of 8 unrelated persons (See definition of "Family" in Sec. 11.2.5, General Terms).

#### Commentary:

Single-family dwellings, including both site-built and modular or factory built, constructed to UBC, IBC or IRC Standards, as applicable, are permitted in all but the Industrial districts. Manufactured homes constructed to HUD standards are permitted only in the -MH floating district

### 2.4.50 / Swimming Pools, Commercial & Residential

Swimming pools shall be considered accessory to a principal residential or non-residential use, subject to the following standards:

- A. Minimum Setbacks: 10 feet from water's edge.
- B. Fencing: Swimming pools shall be protected by an enclosure surrounding the pool area, as provided in Sec. 6.4.6, Fences and Walls.

**2.4.51 / Telecommunications Facilities (Public, Civic and Institutional Use Categories, Utilities)**

Telecommunications facilities, including commercial towers, antennas and wireless communication facilities and related facilities for one or more receivers, shall be regulated and permitted pursuant to this section and shall not be regulated or permitted as essential services, public utilities, or private utilities, and shall require a Special Use Permit in accordance with the following standards.

**A. Purpose**

These regulations are intended to provide for the development of wireless communication services to the community while:

1. Protecting residential areas and land uses from potential adverse impacts of towers and antennas;
2. Encouraging the location of wireless facilities in nonresidential areas;
3. Minimizing the total number of wireless communication sites throughout the community;
4. Encouraging the joint use of new and existing tower sites as a primary option rather than the construction of single-use towers;
5. Encouraging the users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact upon the community is minimal;
6. Encouraging users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design and siting, landscape screening, and innovative camouflaging techniques;
7. Enhancing the ability of the service providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently;
8. Considering the public health and safety associated with wireless communication facilities; and
9. Minimizing potential damage to adjacent properties from tower failure through proper engineering and careful siting of tower structures. In the furtherance of these goals the City shall give due consideration to the General Plan, the Zoning Code, and the Wireless Communication Plan for Central Yavapai County.

**B. Exemptions**

Towers, antennas and wireless communication, and related facilities that are exempt from the requirements of this section include:

1. Those not exceeding the maximum height and setback requirements of the underlying zoning district and used solely for transmissions by a single user and not otherwise restricted within that zone including, but not limited to, amateur radio and devices necessary for use of a subscription to a commercial wireless provider service.
2. Those that are owned, operated or controlled by a governmental entity.

**C. General Provisions**

**1. Principal or Accessory Use**

Antennas and towers may be considered either principal or accessory uses to the principal use of the property.

**2. Lot Size**

For purposes of determining whether the installation of a tower or antenna complies with district development regulations including, but not limited to, setback requirements, lot coverage requirements and other such requirements, the dimensions of the entire lot shall

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control, even though the antennas or towers may be located on a separately leased portion of the lot.

### 3. Appearance

- a. Towers and antennas either shall maintain a galvanized steel finish or shall conform to any applicable standards of the FCC, FAA, or other regulatory agencies, or be painted to reduce visual obtrusiveness and blend with the surroundings.
- b. Antenna and related electrical and mechanical equipment attached to alternative tower structures must be of a color compatible with the color of the supporting structure to make the antenna and related equipment visually unobtrusive.
- c. Improvements comprising a wireless communication facility shall, to the extent possible, use materials, colors, textures, screening, and landscaping blending them into the natural and surrounding setting.
- d. Towers shall not be artificially lighted unless required by the FAA or other applicable governmental authority. If lighting is required, the application shall contain a list of optional light devices and a statement of the reason for selection of the light device specified over each of the options. Economy and serviceability are among acceptable criteria for selection.

### D. State and Federal Requirements

All towers, antennas and wireless communication facilities must meet or exceed standards and regulations of the FAA, the FCC, and any other agency of the state or federal government with the authority to regulate them or their components. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Section shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and unless a different compliance schedule is mandated by controlling law.

### E. Maintenance

Towers, antennas and wireless communication facilities shall be maintained in compliance with standards contained in applicable City building codes and the applicable health and safety standards established by the FCC, the City or other governmental bodies having jurisdiction, as amended from time to time. Towers, antennas and wireless communications facilities which are not in compliance shall be removed at the owner's expense if not brought into compliance within 30 days after written demand by the City.

### F. Signs

No signs shall be allowed on a tower or antenna, other than warning signs placed no higher than 6 feet above the base of the structure.

### G. Site Development Standards

Except as provided in this section, all building and use processes and requirements, including height restrictions applicable in the applicable zone, shall apply to towers, antennas and wireless communication facilities.

### H. Engineered Design

Any information of an engineering nature that the applicant submits, whether civil, mechanical, structural or electrical, shall be certified by an Arizona Licensed Professional Engineer.

### I. Modifications

Any modification to an existing facility shall require the existing facility to comply with all terms of this section and all other applicable codes and ordinances.

### J. Performance Criteria

The following characteristics are deemed consistent with the purposes of this section and will be afforded favorable weight in considering the application:

1. Existing structures will be preferred over new structures;

2. New structures which appear to be structures commonly found within that zone are preferred over apparent wireless structures;
3. Wireless communication facilities, which cannot be readily observed from adjacent streets, are preferred;
4. Heights that do not exceed height limitations for the underlying zoning district. Heights in excess of permitted heights in the zone may be approved by Special Use Permit pursuant to Sec. 9.9;
5. Collocation of multiple uses on a single wireless communication facility will have significant favorable weight in evaluating the application;
6. Network development plans which achieve the fewest number of wireless communication facilities of all users reasonably necessary for commercial coverage;
7. Location in the least restrictive zone;
8. Suitability of the location for collocation of governmental public service wireless communication facilities.

**K. Special Submission Requirements**

Each application shall be on a form provided by the City and shall be accompanied by:

1. The address of the site;
2. The Assessors Parcel Number (APN) of the site and the zoning classification of the site;
3. A map of all properties within 300 feet of the proposed site together with a mailing list of all property owners within such 300 feet and stamped envelopes pre-addressed to each such property owner;
4. A map of adjacent roadways;
5. A drawing of proposed means of access;
6. Elevation drawings of the exterior of each element of the proposed wireless communication facility;
7. A complete landscape plan;
8. The setback distance between the proposed wireless communication facility and nearest residential unit, and residentially zoned properties within 300 feet of the wireless communication facility;
9. The separation distance from other towers described in the inventory of existing sites, their type of construction and the owner's name and address;
10. Method of fencing;
11. Coloration;
12. Materials;
13. Illumination;
14. Camouflage;
15. Certification that the applicant is licensed by the FCC to provide the service proposed and that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations;
16. A map of all locations owned, leased or operated by the applicant and their coverages which are located within 10 miles of the proposed site or which are capable of communication with the proposed site by wireless means;
17. A map of all collocation sites within 2 miles of the proposed site;
18. An inventory of towers, wireless communication facilities and alternative tower structures used by the applicant which are existing towers, antennas, wireless communications facilities which are facilities or for which application for approval has been submitted, and all additional sites the applicant intends to construct or utilize within 365 days following the date of the

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application, which are within the jurisdiction of this section or within 1 mile of the border thereof; the inventory shall include the location, height, and type of each;

19. Certification, as of the date of the application, that all wireless communication facilities within 25 miles of the proposed site which are owned, leased, or operated by any licensee who will use the proposed site, comply with all applicable FCC, FAA and other applicable regulations;
20. Certification of whether the applicant is applying for collocation treatment;
21. Certification that police, fire departments, public safety officials, water and sewer districts and local governments having jurisdiction within 5 miles of the site have been notified of the application;
22. Certification that no permitted site reasonably meets the needs of the applicant, listing all such sites within 5 miles of the proposed site and the reason each is not adequate for reasonable commercial coverage; and
23. A list of each wireless telecommunication facility with which the proposed site has the potential to interfere, including the name, address and phone number of the owner. Within 10 days following filing of the application, applicant shall file a certificate that each of the owners of facilities noted above has been given written notice of application.

### L. Standards

In addition to other applicable standards of this Code, the following shall also be considered in determining whether to issue a Special Use Permit: height proposed, proximity to other uses, historic sites, landmarks, vehicle traffic routes, medical facilities, air routes, topographical features, utilities, access and suitability of alternative sites.

#### 1. Collocation

The policy of this Code shall be to encourage collocation.

##### a. Preference

An applicant who certifies in writing that it will construct a tower suitable for collocating and, as a condition of zoning, or permit approval executes a written agreement (Collocation Agreement) with the City prepared by the City Attorney, consenting to application of the terms of this provision shall, unless waived by the applicant, receive preferential treatment for a final approval or rejection of its application after a complete and correct application, fee and all required documentation and information is filed.

##### b. Collocation Agreement

The Collocation Agreement shall provide for at least the following:

- 1) The applicant shall accept for collocation any FCC licensed wireless communication provider (Additional User) using any compatible technology on commercially reasonable terms considering all of the factors a reasonable tower leasing company would deem relevant in entering into such an agreement.
- 2) Any Additional User seeking collocation shall submit specifications for its equipment and use (Request) to the applicant and applicant shall, within 30 days thereafter, respond to such party in writing (Response) furnishing all technical requirements, which must be resolved before collocation. Copies of any such requests and responses shall be copied to the Community Development Director.
- 3) Applicant and the Additional User shall, thereafter in good faith, attempt to resolve any technical or business terms. If, after 30 days from the Response the Additional User believes the applicant has not negotiated in good faith, Additional User may submit in writing, a request for arbitration to applicant and the American Arbitration Association which shall designate a person knowledgeable in collocation of wireless communication carriers to act as arbitrator and decide all issues between the

parties. Such arbitration shall be held within 30 days of the request for arbitration. Upon the written agreement of both parties, a different procedure for binding dispute resolution may be used. The result of the arbitration or other resolution method agreed to by the parties shall be binding and may not be appealed.

- 4) If the arbitrator certifies in writing to the City that the applicant has failed to comply with the decision of the arbitrator within 10 days of its issuance by the arbitrator, the use permit for the wireless communication facility in question shall be terminated and the wireless communications facility shall be removed within 30 days of the date of the arbitrators certification, failing which, the City shall have all of the remedies available to it for elimination of a use in violation of the zoning code.
- 5) The Additional Party, upon submitting the Request shall become a third party beneficiary to the Collocation Agreement.
- 6) The City shall not be a party to any contract between the applicant and the Additional Party, shall not be a required party, and shall not be made a party to any dispute or arbitration and applicant shall indemnify, defend and hold the City harmless from any cost, including reasonable attorney fees, associated with such matters.
- 7) A lease or other agreement containing the business terms proposed by the applicant for collocation shall be attached as an exhibit to the Collocation Agreement.

**2. Setbacks**

The following setback requirements shall apply to all towers for which a Special Use Permit is required; provided, however, standard setback requirements may be decreased if the goals of this Section would be better served thereby:

- a. Towers must be set back from any lot line a distance equal to at least 100 percent of the height of the tower unless a greater setback is required for the particular zone.
- b. Guy wires and accessory structures must satisfy the minimum zoning district setback requirements.

**3. Height**

Unless otherwise approved by City Council, tower height shall be limited to that established by the underlying zoning district.

**4. Removal**

- a. Towers and antennas shall be removed, at the owner's expense, within 180 days of the discontinuance of use unless the City extends this time in writing.
- b. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Community Development Director may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause. If the tower and antenna are not timely removed, the City may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the City may cause removal at the cost of the owner.
- c. Upon removal of the wireless telecommunication facility, the site shall be returned to its natural state and topography and vegetated consistent with the natural surroundings.

**5. Modification**

No existing facility or wireless telecommunication facility may be changed or modified except as follows:

- a. The change or modification is required by a change in user or technology.
- b. The change does not increase the height of the tallest component above the height approved in the Special Use Permit or, in the case of an existing facility, its then current height.

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- c. At the conclusion of the change or modification, the facility complies with all requirements of the building department.
- d. Each of the documents and certifications required for a Special Use Permit are given.

**M. Telecommunications-related Definitions**

Telecommunications-related terms shall have the following meanings as used in this Section:

Table 2.4.51M

TELECOMMUNICATIONS-RELATED DEFINITIONS	
Term	Definition
Alternative tower structure	Vertical components not generally designed for use as antenna support structures including but not limited to structures such as church steeples, ballpark light poles and water towers.
Antenna	Any exterior devise for transmitting and receiving wireless communication and mounted on a tower, alternative tower structure, building or structure and used for transmitting and receiving wireless communication for a fee to more than one provider at one time.
Certification	A written statement of the fact to be certified made under oath by the applicant and notarized.
Collocation	Means use by 2 or more wireless communication providers located on the same tower or alternative tower structure.
Commercial Coverage	A single FCC licensee's network of wireless communications facilities providing a level of service to all areas of the community which, when fully developed, will permit viable commercial operation.
FAA	the Federal Aviation Administration
FCC	the Federal Communications Commission
Height	The antennas and all related equipment shall be included in determining height. See Sec. L.3 for the method of measuring height.
Permanent Use	The active use of antennas for the commercial transmission and receipt of wireless communication intended at the time of its installation to be actively used for a period of not less than 3 years.
Tower	Any structure, including any supports, designed and constructed substantially for the purpose of being or supporting one or more antennas. Alternative tower structures shall be deemed a tower on the date a building permit is issued for modifications to enable its use as a tower.
Tower, Existing Facility	A tower, antennas or wireless communication facility in active use and for which a building permit has been properly issued and has not expired before the effective date of this Code.
Tower Height	The antennas and all related equipment shall be included in determining height. Refer to Sec. 2.7.3 for the definition of how height is measured.
Tower, Permanent Use	The active use of antennas for the commercial transmission and receipt of wireless communication intended at the time of its installation to be actively used for a period of not less than 3 years.
Tower Structure, Alternative	Vertical components not generally designed for use as antenna support structures including but not limited to structures such as church steeples, ballpark light poles and water towers.
Wireless Communication	Any technology for transmitting communication through the air.
Wireless Communication Facility	Any combination of one or more antennas, towers and/or structures or equipment used for the transmission of wireless communication.

**2.4.52 / Townhouses (Residential Use Categories, Household Living)**

All Townhouses shall be subject to the following standards:

- A. Each Townhouse may be occupied by a single family or up to a maximum of 8 unrelated persons. (See Definition for “Family” in Sec. 11.2.5)
- B. Where each dwelling unit is located on an individual lot, Townhouses may be permitted in RO, NOB, BG, BR, RE and SF zoning districts in accordance with the Planned Area Development (PAD) procedures of Sec. 9.5.

**2.4.53 / Utility Installation and Service, Public or Private Public (Public, Civic and Institutional Use Categories; Utilities)**

Utilities and utility installation and services shall be subject to the following standards:

- A. City approval, per Technical Review Committee procedures of Sec. 8.5, shall be required of all buildings and structures, pertaining to water, sanitary sewer, gas, telephone, electric and other utilities.
- B. Any sewage treatment involving surface discharge or land application shall require City review and approval.
- C. All public and private utility installations shall comply with the Site Plan Review requirements of Sec. 9.8, and placed within public utility easements as may be required.

**Sec. 2.5 / Accessory Uses and Structures**

**2.5.1 / Authorization**

Any accessory use normally and customarily associated with a primary use, which may be permitted by right consistent with applicable provisions of this Code may be permitted. However, any accessory use customarily associated with a primary use permitted only by Conditional Use or Special Use Permit, must meet all conditional use or special use requirements. The establishment of such accessory uses shall be consistent with applicable design and performance standards set forth in this Code.

**2.5.2 / General**

All accessory structures and uses shall comply with the following standards in addition to applicable standards specified in Sec. 2.7.3, Measurements, Computations and Exceptions.

- A. No accessory structure or use shall be constructed or established on any lot prior to the issuance of a building permit for the principal structure or an occupancy permit for a principal use to which it is accessory. This provision shall not prohibit the issuance of a permit for a detached garage and/or guest quarters at the time of issuance of a building permit for a principal dwelling unit on the subject parcel.
- B. For residential uses within residential zoning districts, accessory uses and structures must be subordinate to the principal use and structure on the subject lot in terms of area, extent and purpose. The total gross floor area of all accessory structures on a lot shall not exceed 600 sq. feet or 50 percent of the total gross floor area of the principal structure on the lot, whichever is greater. The provisions of this paragraph shall not apply to agricultural or commercial/industrial uses.
- C. Unless otherwise expressly stated, accessory structures and uses shall comply with all applicable regulations of this Code, including the maximum lot coverage, height and setback regulations. No accessory use or structure shall cause any of these standards to be exceeded for the underlying zoning district.
- D. Shipping crates, railroad cars, truck or bus bodies and other similar containers shall not be used as accessory buildings in any non-industrial district.
- E. No more than 3 accessory buildings shall be located on a single parcel in a residential zoning district. There shall be no limit on the number accessory buildings that may be located on a parcel in a nonresidential zoning district. The provisions of this paragraph shall not apply to agricultural uses.

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- F. An accessory structure may be attached or detached from the principal building. An accessory structure shall be considered “attached” to the principal building when a roof or wall member built to the standards of the principal building adjoins the 2 otherwise detached buildings or structures.

### 2.5.3 / Babysitting

Babysitting provided for up to 4 persons is considered a home occupation, accessory to a dwelling unit (principal use).

### 2.5.4 / Flagpoles

Flagpoles are permitted in all zoning districts subject to the height and setback requirements of Sec. 2.7, Density and Dimensional Standards.

### 2.5.5 / Garage/Yard Sales

Garage and/or yard sales shall be permitted under-roof and outdoors as an infrequent accessory use to the principal use. Durations may occur for a maximum of 2 days at a time and no more than 3 times per year. Goods sold shall be used goods only. No new merchandise is permitted for sale unless permitted as a Temporary Open Air Sales.

### 2.5.6 / Guest Quarters

Guest quarters may be attached or detached from the principal single-family dwelling unit and shall be considered accessory use to such a dwelling unit (principal use). All guest quarters shall be subject to the following standards:

- A. Guest quarters may be attached or detached from the principal single-family dwelling.
- B. Guest quarters shall be subject to the size limitations of Sec. 2.5.2B.
- C. Guest quarters may be utilized by guests and persons employed on site by the resident family of the principal dwelling, and may not be rented separately from the principal dwelling unit.
- D. Detached guest quarters shall meet all development standards generally applicable to accessory buildings or structures, including minimum building setbacks and building height.
- E. Guest Quarters and the primary residence shall share utilities. Separate utility meters shall not be allowed.
- F. Guest Quarters include a kitchen. However, such quarters shall not be utilized as separate rental units.
- G. One off-street parking space shall be required for each guest quarters, in addition to that required for the primary dwelling unit. The additional required parking space shall be located on the same lot as the primary dwelling unit. Tandem parking shall be allowed.
- H. Where 2 complete dwelling units are attached to each other on the same lot, they shall be considered a Duplex, without consideration to the relative size of each attached unit. A Duplex shall meet all development standards for the district, including minimum building setbacks and limitations on overall density.

### 2.5.7 / Home Occupations

A home occupation shall be deemed an accessory use to a residential dwelling and shall be subject to the following standards:

- A. The occupation is clearly incidental and secondary to the principal use of the residence;
- B. The use is conducted only by persons residing on the premises, and nonresident employees are not permitted;
- C. All activities related to the home occupation shall be conducted entirely within the dwelling or accessory structures;
- D. There shall be no outside storage of any kind related to the home occupation;
- E. The occupation does not involve changes in the exterior appearance of any structure or necessitate equipment, other than that related to the primary residential use;
- F. The occupation is not disruptive of the residential character of the neighborhood;

- G. There shall be no advertising of the home occupation on the site or structures;
- H. The occupation shall not create any disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, or other unhealthy or unsightly condition;
- I. The occupation shall not create a traffic or parking problem; and
- J. The occupation does not involve retail sales on the premises.

**2.5.8 / Professional Practice**

A professional practice shall be deemed an accessory use to a residential dwelling. In addition to the off-street parking otherwise required by Sec. 6.2.3, Off-street Parking Requirements, additional off-street parking may be required for a professional practice as necessary to mitigate neighborhood impacts.

**2.5.9 / Recreational Vehicle (RV), Motor homes and Similar Storage**

On-site storage of recreational vehicles, motor homes, utility trailers, camp trailers, boats and similar equipment owned by the occupants of the principal residence for more than 72 consecutive hours in any 7-day period shall be deemed accessory to a residential dwelling, subject to the following requirements:

- A. Such equipment may only be stored in a side or rear yard, and not in the required front yard;
- B. Such equipment shall be stored so as to maintain a minimum 3 foot clearance on at least one side for emergency access; and
- C. Setback adjustments may be approved in accordance with the provisions of Sec. 2.7.3D.7, Setback Adjustments.

**Commentary:**

Storage of RVs, motorhomes, utility trailers, camp trailers, boats and similar equipment over long periods of time may negatively affect the quality of life in residential neighborhoods. Owners of such vehicles and equipment are encouraged to consider the potential effects as they consider storage alternatives. "Screening" is not required, but may be desirable in some situations and locations.

These provisions shall not be construed to permit storage of construction vehicles and equipment in a residential zoning district. RV storage on individual residential properties is further subject to the provisions of Sec. 6.2.4B, Use of Off-Street Parking Areas, Residential.

**2.5.10 / Satellite Receivers, Ham Radio Towers, and Antennas, Ground Mounted**

Ground-mounted satellite reception equipment, ham radio towers, and antennas are accessory uses allowed in all use categories except within the SPC, RS and NOS zone districts. (See also Sec. 2.4.51, Telecommunications Facilities). All such facilities shall be subject to the height restrictions and setback requirements of the applicable zoning district, as modified by Sec. 2.7.3, Measurements Computations and Exceptions.

**2.5.11 / Solar Collection and Wind Power Generation Equipment, Roof Mounted**

Roof-mounted solar collection, wind power generation equipment, chimneys, cooling towers and the like are accessory uses allowed in all districts, except within the SPC, RS and NOS zone districts, subject to the following standards:

- A. Such equipment shall be subject to the height restrictions and setback requirements of the applicable zoning district, as modified by Sec. 2.7.3, Measurements Computations and Exceptions;
- B. Wind-generating equipment shall require a Conditional Use Permit.
- C. In no case shall such devices deprive any adjacent land owner or tenant of direct sunlight or breezes; and
- D. In no case shall such devices create nuisance noise, vibration, smoke, dust, odor, heat, or glare affecting the adjacent landowner(s).

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### 2.5.12 / Stables, Barns and Corrals, Private

Private stables shall be subject to the following standards or those of the Prescott City Code, Title V, Chapter 3, Animals and Fowl, whichever is more restrictive:

- A. Minimum Setbacks:**
    - 1. Feed and Bedding:** 50 feet
    - 2. Stables, Barns and Corrals:**
      - a. Residential Districts: 100 feet
      - b. Other Districts and ROWs: 30 feet
- Provided, however, that Stables or Barns not housing animals shall be subject to the underlining zone district setbacks and pastures may extend to the lot line.
- B.** On parcels of less than 4 acres, all feed and bedding shall be stored indoors.
  - C.** Additional regulations relative to animals and fowl may be required per Prescott City Code, Sec. 5.3.1.

#### Commentary:

Minimum Lot Area: 5 Acres. 2 head of livestock for the first ½ acre and 1 head for each ½ acre thereafter. The handling of manure in Private Stables, Barns and Corrals is a matter of public concern. Manure shall be regulated in accordance with City Code regulations. Manure should not be applied on land that is closer than 100 feet to a residential lot line. A 100-foot wide area of vegetation cover should be maintained between any un-vegetated exercise area, manure pile, or application area and any surface water, which is all or in part off-site, or any well, in order to minimize runoff, prevent erosion, and promote quick nitrogen absorption, and prevent water contamination.

Special events, such as shows, exhibitions, and contests, shall only be permitted in accordance with an approved Temporary Use Permit. Such events shall be subject to Sec. 2.6.2.

### 2.5.13 / Mobile Food Vendors

A two- or four-wheeled vehicle designed to carry foods and permitted by the County's Health Department. Such vehicles shall not be self-propelled. The dimensions of such vehicles shall not exceed 8 feet by 5 feet for a total of 40 square feet of footprint. Umbrellas shall not be greater than six feet in diameter. All mobile food vendors are subject to the following standards:

- A.** Mobile Food Vendors are only allowed to operate on private property of an existing operating business.
- B.** Mobile Food Vendors must either be located adjacent to the principal structure or within the confines of the parking lot of the existing business.
- C.** Mobile Food Vendors shall require a Conditional Use Permit according to Sec. 9.3 / Conditional Use Permits with the exception of those Mobile Food Vendors operating within those Zoning Districts identified as a permitted use in Table 2.3 / Permitted Use Table.
- D.** Mobile Food Vendors shall not operate within the public right-of-way.
- E.** Mobile Food Vendors shall not encroach into any parking spaces required by the existing business and shall not impede vehicular circulation within the parking area of that business.
- F.** Mobile Food Vendors signs shall be an integral part of the vending cart with lettering not exceeding ten inches in height. Only the name of the vendor or the vending company, the products offered, and the price of the products shall be included on the sign.
- G.** Mobile Food Vendors signs shall not be internally illuminated or make use of flashing or intermittent lighting, animation, or noisemaking devices. Graphic illustrations shall display only the products being offered.
- H.** Mobile Food Vendors shall keep the area within 15 feet of the location of the vending cart free from all litter and debris resulting from the operation.
- I.** Mobile Food Vendors shall maintain a clearly-marked trash container near their cart for litter. Use of public trash receptacles for this purpose is prohibited.
- J.** Mobile Food Vendors shall not sell to vehicular traffic at any location.

## Sec. 2.6 / Temporary Uses

### 2.6.1 / General Regulations

The following general regulations shall apply to all temporary uses.

- A. Permanent changes to the site are prohibited, including tree removal.
- B. These regulations do not exempt any operator from any other required permits.
- C. Access approval from the highway authority with jurisdiction over the subject road shall be required.
- D. No permanent or temporary electrical connection shall be installed without an electrical permit and inspection.
- E. A building permit and inspection shall be obtained prior to the construction of any temporary structures.
- F. Temporary structures shall be located at least 4 feet from any buildings or structures on the subject property.
- G. The Community Development Director may require evidence of approval from the appropriate health inspector regarding temporary sanitary facilities.
- H. No signs in connection with a temporary use shall be permitted except in accordance with the provisions of Sec. 9.7, Sign Permits. All temporary signage shall be removed immediately upon cessation of the temporary use.
- I. Temporary uses or structures shall not encroach into any required landscaping.
- J. Parking areas shall be provided for the temporary use (in addition to required parking for any principal use existing or proposed on the site), and such areas shall be capable of accommodating the number of parking spaces that are required for the most similar use type pursuant to Sec. 11.1.2, Similar Use Interpretations.
- K. Requests for modification or waivers from any of the time limits of this section shall require review and approval in accordance with the procedures of Sec. 9.10.13, Waivers.
- L. The Community Development Director may suspend, revoke or modify a temporary use permit immediately upon determination that the conditions and requirements set forth in the permit have been violated. Written notice of the Community Development Director's determination to suspend, revoke or modify the permit shall be promptly provided to the applicant. A determination under this subsection shall be final and conclusive unless the applicant takes an appeal to the Board of Adjustment, by filing a notice of appeal with the Community Development Director within 10 calendar days from the date of determination by the Community Development Director.
- M. The Community Development Director may deny Temporary Use Permits to any person who owns, applied for or otherwise caused an uncorrected violation of a provision of this Code or who has demonstrated a history of violations, including any condition attached to a permit or approval previously granted by the City. This provision shall apply regardless of whether the property for which the permit or other approval is sought is the property in violation.
- N. The Community Development Director may deny Temporary Use Permits on any land or structure or improvements thereon where there is an uncorrected violation of a provision of this Code, including any condition attached to a permit or approval previously granted by the City. This enforcement provision shall apply regardless of whether the current owner or applicant is responsible for the violation in question.
- O. The main road from which access is taken shall always be kept free of dust, dirt, mud and other debris.
- P. Temporary outdoor lighting shall be subject to provisions of Sec. 6.11.3B.

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### **2.6.2 / Temporary Use Permit Required**

No temporary use shall be established unless a Temporary Use Permit evidencing compliance with the provisions of this Section and other applicable provisions of this Code has been issued by the Community Development Director or Special Events Committee, as appropriate. The Community Development Director may impose conditions in accordance the requirements of this Article and those Sec. 9.11, Temporary Use Permits.

### **2.6.3 / Applications**

Applications for Temporary Use Permits shall be submitted to the Community Development Department on forms available in the Community Development Department. Applications shall be submitted at least 30 days before the date of the event or start of the temporary use. Each application shall be accompanied by:

- A. Site plan, drawn to scale, showing the location of structures, improvements, parking areas and other features that exist or are proposed on the site;
- B. Statement of maximum period of time;
- C. Signed, written permission from the owner of or the agency having jurisdiction over the subject property; and
- D. Application fee as established by the City.

### **2.6.4 / Bulk Containers, Temporary**

Use of bulk containers for storage of goods onsite may be permitted for limited periods of time within specified commercial districts, as approved by the Community Development Director. Display and sale of bulk containers, whether permanent or temporary, shall be permitted only in the industrial districts.

### **2.6.5 / Carnivals, Circuses or Special Events, Temporary**

- A. Minimum Setback: 200 feet
- B. The above minimum setback shall apply to all equipment, from any off-site building used for residential purposes.
- C. The maximum length of the permit shall be 10 days.
- D. Such uses proposed on City property or right-of-way shall be subject to the approval of the Special Events Committee.

### **2.6.6 / Construction/Storage Offices, Temporary**

A temporary contractor's construction/storage offices (or trailer) may be approved by the Community Development Director in conjunction with any approved development project for which a building permit has been issued. Such office (or trailer) must be located on the same site as the permitted project, and must be removed prior to issuance of a final certificate of occupancy for the project.

### **2.6.7 / Open Air Sales, Temporary**

Temporary open-air retail sales as may be approved by the Community Development Director may include seasonal sales of items such as Christmas trees and pumpkins, swap meets, farmers' market, and seasonal seafood, nursery stock or produce sales, are permitted in certain districts according to Sec. 2.3, Use Table, provided that the sales activity does not last longer than 120 days and all other applicable codes, including sanitation and electrical codes, are met. Such sales within public rights-of-way may be permitted pursuant to the Prescott City Code, Title VIII, Chapter 2, upon written approval of the City Manager.

### **2.6.8 / Land (Real Estate) Sales/Leasing Offices, Temporary**

A temporary sales or leasing office is permitted, provided, that it is located in a model unit for residential projects, or on-site for commercial projects.

### **2.6.9 / Shelter, Temporary**

When fire or natural disaster has rendered a residence unfit for human habitation, the temporary use of a single mobile home, manufactured home or recreational vehicle located on the parcel during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional regulations:

- A. Required water and sanitary facilities must be provided.
- B. The maximum length of a permit shall be 9 months, but the Community Development Director may extend the permit for a period or periods not to exceed 90 days provided reasonable construction progress has been made and such construction is being diligently pursued. Application for the extension shall be made at least 10 days prior to expiration of the original permit.
- C. The temporary shelter shall be removed from the property upon completion of final inspection for the new or rehabilitated residence. The applicant shall be required to provide express consent and authorization to the City of Prescott to remove the shelter at the owner's expense upon termination of the permit, if the applicant has not done so voluntarily.

## Sec. 2.7 / Density and Dimensional Standards

### 2.7.1 / Residential Base Zoning District Density and Dimensional Schedule

All residential base district development, including all principal and accessory uses (e.g., garages, storage sheds, flagpoles, TV and radio antennas), shall be subject to the density and dimensional standards of this section. The standards shown in the following table may be modified by additional provisions contained in this section or in the individual zoning districts. In the event of a conflict between the text of Article 3 or Article 4 and the standards of this section, the text provisions of Table 2.7.1 shall control.

**Commentary:**

The residential and nonresidential district density and dimensional standards set forth in this section are not a “guarantee” that stated development intensities can be attained. Other factors—public facility availability, infrastructure capacity, building layout, physical limitations, and parking configuration to name a few—may have the effect of limiting development intensity more than the stated standards. If, for example, sewer service is not available Health Department regulations will often dictate lot sizes that exceed those of the zoning district. The inability to attain maximum development intensities shall not serve as justification for adjusting other standards.

Table 2.7.1

RESIDENTIAL BASE DISTRICT DENSITY AND DIMENSIONAL SCHEDULE										
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>
Single-Family Dwellings										
Max Density (units/acre) via PAD (See Sec.9.5)	0.5	1.1	2.2	3.3	4.4	6.6	12.0	21.0	32.0	--
Min Lot Area/Unit (sf)	87120	35000	18000	12000	9000	6000	7500	6000	6000	--
Min Lot Width/Lot (ft)	200	150	100	75	60	50	50	50	50	--
Minimum Setbacks (ft)	Front	35	30	25	25	25	20	20	20	--
	Side	35	12	9	9	7	7	7	7	--
	Rear	35	30	25	25	25	20	20	20	--
	Corner	35	20	15	15	15	10	10	10	--
Max Building Height (ft)	35	35	35	35	35	35	35	35	35	--
Max Lot Coverage (%)	20%	30%	35%	35%	40%	50%	50%	40%	50%	--

<sup>1</sup> Density and Dimensional Standards, as well as land uses, shall be as determined by City Council as part of an SPC Master Plan and Final Plans approved in accordance with the requirements of Sec. 3.11.

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Table 2.7.1 Continued

RESIDENTIAL BASE DISTRICT DENSITY AND DIMENSIONAL SCHEDULE											
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>	
<b>Duplex Dwellings</b>											
Max Density units/acre via PAD (See Sec. 9.5)	--	--	--	--	--	--	12.0	21.0	32.0	--	
Min Lot Area/Lot (sf)	--	--	--	--	--	--	7500	6000	6000	--	
Min Lot Area/Unit (sf)	--	--	--	--	--	--	3750	3000	3000	--	
Min Lot Width/Lot (ft)	--	--	--	--	--	--	50	50	40	--	
Minimum Setbacks (ft)	Front	--	--	--	--	--	20	20	20	--	
	Side	--	--	--	--	--	7	7	7	--	
	Rear	--	--	--	--	--	20	20	20	--	
	Corner	--	--	--	--	--	10	10	10	--	
Max Building Height (ft)	--	--	--	--	--	--	35	35	40	--	
Max Lot Coverage (%)	--	--	--	--	--	--	50%	40%	50%	--	
RESIDENTIAL BASE DISTRICT DENSITY AND DIMENSIONAL SCHEDULE											
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>2</sup>	
<b>Patio Homes and Townhouses<sup>3</sup></b>											
Max Density (units/acre) via PAD (See Sec. 9.5)	0.5	1.1	2.2	3.3	4.4	6.6	12.0	21.0	32.0	--	
Min Lot Area/Unit (sf)	PAD	PAD	PAD	PAD	PAD	PAD	3750	3000	3000	--	
Min Lot Width/Lot (ft)	PAD	PAD	PAD	PAD	PAD	PAD	25	30	30	--	
Minimum Setbacks (ft)	Front	PAD	PAD	PAD	PAD	PAD	PAD	20	20	20	--
	Side	PAD	PAD	PAD	PAD	PAD	PAD	7	7	7	--
	Rear	PAD	PAD	PAD	PAD	PAD	PAD	20	20	20	--
	Corner	PAD	PAD	PAD	PAD	PAD	PAD	10	10	10	--
Max Building Height (ft)	PAD	PAD	PAD	PAD	PAD	PAD	35	35	40	--	
Max Lot Coverage (%)	PAD	PAD	PAD	PAD	PAD	PAD	50%	40%	50%	--	

<sup>1</sup> Density and Dimensional Standards, as well as land uses, shall be as determined by City Council as part of an SPC Master Plan and Final Plats approved in accordance with the requirements of Sec. 3.11.

<sup>2</sup> Density and Dimensional Standards, as well as land uses, shall be as determined by City Council as part of an SPC Master Plan and Final Plats approved in accordance with the requirements of Sec. 3.11.

<sup>3</sup> Patio homes and Townhouses in the RE and SF districts may be permitted in accordance with the Planned Area Development (PAD) procedures of Sec. 9.5. Density and Dimensional Standards for such uses are established as part of the PAD process.

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RESIDENTIAL BASE DISTRICT DENSITY AND DIMENSIONAL SCHEDULE										
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC <sup>1</sup>
<b>Multi-Family Dwellings</b>										
Max Density (units/acre) via PAD (See Sec. 9.5)	--	0	--	--	--	--	12.0	21.0	32.0	--
Minimum Lot Area/ 3 units (sf)	--	--	--	--	--	--	12000	7500	7500	--
Min Lot Area/Each Additional Unit (sf)	--	--	--	--	--	--	3600	2200	1400	--
Min Lot Width/Lot (ft)	--	--	--	--	--	--	50	50	50	--
Minimum Setbacks (ft)	Front	--	--	--	--	--	20	20	20	--
	Side	--	--	--	--	--	7	7	7	--
	Rear	--	--	--	--	--	20	20	20	--
	Corner	--	--	--	--	--	10	10	10	--
Max Building Height (ft)	--	--	--	--	--	--	35	35	40	--
Max Lot Coverage (%)	--	--	--	--	--	--	50%	50%	50%	--
<b>Nonresidential Uses</b>										
Max Density units/acre via PAD (See Sec. 9.5)	--	--	--	--	--	--	--	--	--	--
Min Lot Area (sf)	87120	35000	18000	12000	9000	6000	7500	6000	6000	--
Min Lot Width/Lot (ft)	200	150	100	75	60	50	50	50	50	--
Minimum Setbacks (ft)	Front	35	30	25	25	25	20	20	20	--
	Side	35	10	9	9	7	7	7	7	--
	Rear	35	30	25	25	25	20	20	20	--
	Corner	35	20	15	15	15	10	10	10	--
Max Building Height (ft)	35	35	35	35	35	35	35	35	40	--
Max Lot Coverage (%)	20%	35%	35%	35%	40%	50%	50%	40%	50%	--

<sup>1</sup> Density and Dimensional Standards, as well as land uses, shall be as determined by City Council as part of an SPC Master Plan and Final Plats approved in accordance with the requirements of Sec. 3.11.

## Article 2 / Use Regulations

### 2.7.2 / Nonresidential Base Zoning District Density and Dimensional Schedule

All nonresidential base district development, including all principal and accessory uses (e.g., garages, storage sheds, flagpoles, TV and radio antennas), shall be subject to the density and dimensional standards of this Section. The standards shown in the following table may be modified by additional provisions contained in this section or in the individual zoning districts. In the event of a conflict between the text of Article 3 or Article 4 and the standards of this section, the text provisions of Table 2.7.2 shall control.

Table 2.7.2

NONRESIDENTIAL BASE DISTRICT DENSITY AND DIMENSIONAL SCHEDULE											
	NOS	RS	MU	RO	NOB	BG	BR	DTB	IT	IL	IG
<b>Single-Family Dwellings</b>											
Max Density (units/acre) via PAD (See Sec. 9.5)	--	--	10.0	10.0	14.0	32.0	32.0	58	--	--	--
Min Lot Area/Unit (sf)	--	--	7500	9000	10000	6000	6000	6000	--	--	--
Min Lot Width/Lot (ft)	--	--	50	50	50	50	50	50	--	--	--
Minimum Setbacks (ft)	Front	--	15	15	15	15	15	15	--	--	--
	Side	--	7	7	7	5-12 <sup>1</sup>	5-12 <sup>1</sup>	7	--	--	--
	Rear	--	10	10	10	10	10	10	--	--	--
	Corner	--	10	10	10	8	8	10	--	--	--
Max Building Height (ft)	--	--	35	25	35	50	50 <sup>2</sup>	35	--	--	--
Max Lot Coverage (%)	--	--	40%	40%	50%	60%	60%	40%	--	--	--
<b>Duplex Dwellings</b>											
Max Density (units/acre) via PAD (See Sec. 9.5)	--	--	10.0	10.0	14.0	32.0	32.0	58	--	--	--
Min Lot Area (sf)	--	--	7500	9000	10000	6000	6000	6000	--	--	--
Min Lot Area/Unit (sf)	--	--	3750	4500	5000	3000	3000	3000	--	--	--
Min Lot Width/Lot (ft)	--	--	50	50	50	50	50	50	--	--	--
Minimum Setbacks (ft)	Front	--	15	15	15	15	15	15	--	--	--
	Side	--	7	7	7	5-12 <sup>1</sup>	5-12 <sup>1</sup>	7	--	--	--
	Rear	--	10	10	10	10	10	10	--	--	--
	Corner	--	10	10	10	8	8	10	--	--	--
Max Building Height (ft)	--	--	35	25	35	50	50 <sup>2</sup>	35	--	--	--
Max Lot Coverage (%)	--	--	40%	40%	50%	60%	60%	40%	--	--	--
<b>Patio Homes and Townhouses <sup>3</sup></b>											
Max Density (units/acre) via PAD (See Sec. 9.5)	--	--	10.0	10.0	14.0	32.0	32.0	--	--	--	--
Min Lot Area/Unit (sf)	--	--	PAD	PAD	PAD	PAD	PAD	--	--	--	--
Min Lot Width/Lot (ft)	--	--	PAD	PAD	PAD	PAD	PAD	--	--	--	--
Minimum Setbacks (ft)	Front	--	PAD	PAD	PAD	PAD	PAD	PAD	--	--	--
	Side	--	PAD	PAD	PAD	PAD	PAD	PAD	--	--	--
	Rear	--	PAD	PAD	PAD	PAD	PAD	PAD	--	--	--
	Corner	--	PAD	PAD	PAD	PAD	PAD	PAD	--	--	--
Max Building Height (ft)	--	--	PAD	PAD	PAD	PAD	PAD	--	--	--	--
Max Lot Coverage (%)	--	--	PAD	PAD	PAD	PAD	PAD	--	--	--	--

<sup>1</sup> 10% of lot width, not less than 5 feet or more than 12 feet.

<sup>2</sup> Up to 100' by Special Use Permit (SUP) (See Sec. 4.8.4A)

<sup>3</sup> Patio homes and Townhouses in the MU, RO, NOB, BG and BR districts may be permitted in accordance with the Planned Area Development (PAD) procedures of Sec. 9.5. Density and Dimensional Standards for such uses are established as part of the PAD process.

Table 2.7.2 (Continued)

NONRESIDENTIAL BASE DISTRICT DENSITY AND DIMENSIONAL SCHEDULE												
	NOS	RS	MU	RO	NOB	BG	BR	DTB	IT	IL	IG	
Multi-Family Dwellings												
Max Density (units/acre) via PAD (See Sec. 9.5)	--	--	10.0	10.0	14.0	32.0	32.0	--	14.0	--	--	
Min Lot Area/ 3 Units (sf)	--	--	7500	13500	10000	6000	6000	7500	7500	--	--	
Min Lot Area/Unit (sf)	4 <sup>th</sup> Unit	--	--	5000	4500	3050	1500	1500	1200 <sup>1</sup>	3600		
	Each Additional Unit	--	--	5000	4500	3050	1400	1400	1200 <sup>1</sup>	3600	--	
Min Lot Width/Lot (ft)	--	--	50	50	50	50	50	50	50	50	--	
Minimum Setbacks (ft)	Front	--	--	15	15	15	15	15	0	20	--	
	Side	--	--	7	7	7	5-12	5-12	0	7	--	
	Rear	--	--	10	10	10	10	10	0	20	--	
	Corner	--	--	10	10	10	8	8	0	10	--	
Max Building Height (ft)	--	--	35	25	35	50	50 <sup>2</sup>	50 <sup>3</sup>	40	--	--	
Max Lot Coverage (%)	--	--	40%	40%	50%	60%	60%	--	--	--	--	
Nonresidential Uses												
Max Density (units/acre) via PAD (See Sec. 9.5)	--	--	--	--	--	--	--	--	--	--	--	
Min Lot Area (sf)	--	--	7500	9000	10000	--	--	--	--	--	--	
Min Lot Width/Lot (ft)	--	--	50	50	50	--	--	--	--	--	--	
Minimum Setbacks (ft)	Front	--	50	15	15	15	10	10	0	20	10	
	Side	--	50	7	7	7	0-7 <sup>4</sup>	0-7 <sup>4</sup>	0	7	7	
	Rear	--	50	10	10	10	10	10	0	20	10	
	Corner	--	50	10	10	10	8	8	0	10	10	
Max Building Height (ft)	--	35	35	25	35	50	50 <sup>2</sup>	50 <sup>3</sup>	40	50	50 <sup>5</sup>	
Max Lot Coverage (%)	--	--	40%	40%	50%	--	--	--	--	--	--	

**2.7.3 / Measurements, Computations and Exceptions**

**A. Minimum Lot (or Tract) Area**

Residential uses shall comply with the minimum lot area contained in the zoning districts of Article 3 and summarized in the Residential Base District Density and Dimensional Schedule, as may be modified by additional provisions in the zoning districts, in this subsection or elsewhere in this Code. (See also Nonconforming Lots of Record, Sec. 10.4)

<sup>1</sup> Additional multi-family density may be allowed in the DTB district subject to the provisions contained in Sec. 4.9.3B.5.

<sup>2</sup> Up to 100' by Special Use Permit (SUP) (See Sec. 4.8.4A)

<sup>3</sup> Up to 100' by Special Use Permit (SUP) (See Sec. 4.9.4E)

<sup>4</sup> Attached uses and structures: 0 feet  
Detached uses and structures: 7 feet

<sup>5</sup> Up to 100' by Special Use Permit (SUP) (See Sec. 4.12.4A)

## Article 2 / Use Regulations

### 1. Measurement

The area of a lot shall include the total horizontal surface area within the lot's boundaries, not including public or private rights-of-way.

### 2. Multiple Zoning Districts

If a lot includes different zoning districts, the minimum lot area and density requirements per each applicable zoning district shall apply for that specific portion of the lot. (See also Sec. 9.5.11, Planned Area Development)

## B. Minimum Lot Width

Lots used for residential uses shall comply with the minimum lot width standards contained in the zoning districts of Articles 3, and summarized in the Residential Base District Density and Dimensional Schedule, as may be modified by additional provisions in the zoning districts, in this subsection or elsewhere in this Code.

### 1. Measurement

Minimum lot width shall be measured between side lot lines along a line that is parallel to the front setback line or its chord. Measurements of lot width shall be made at the required Front Setback line [Refer to Table 11.2.5 (General Terms)-Lot Width. When a lot has more than one front setback line, lot width shall be measured along the front setback line with the narrower width. In all cases, the width between side lot lines at their intersection with front setback lines shall be at least 25 feet].

## C. Maximum Density

Lots used for residential uses shall comply with the maximum density (units/acre) standards contained in the zoning districts of Article 3, and summarized in the Residential Base Zoning District Density and Dimensional Schedule, as may be modified by additional provisions in the zoning districts, in this subsection or elsewhere in this Code.

### 1. Non-PAD Development (Traditional Development)

#### a. Measurement

Maximum density refers to the maximum number of dwelling units allowed per acre of site area, after subtracting public and private rights-of-way from the gross site area.

#### b. Calculation

To calculate the number of dwelling units allowed on a parcel, first subtract from the gross site area the total area of all public and private rights-of-way, and then divide the resulting figure by the minimum lot area standard of the zoning district. Where there are special flood hazard zones, wetlands and water bodies located on individual lots, the City may require that larger lot sizes to achieve adequate building and yard areas.

$$\text{Maximum Density} = (\text{Gross Site Area}) - (\text{Rights-of-way}) \div (\text{Minimum Lot Area/ Unit})$$

### 2. PAD Development

#### a. Measurement

Maximum density in a PAD refers to the maximum number of dwelling units allowed per the gross site area, subject to the Maximum Density via PAD requirements of Sec. 9.5.11, Density Transfers and Maximum PAD Density.

#### b. Calculation

To calculate the number of dwelling units allowed on a parcel via PAD, simply multiply the gross site area by the Maximum Residential Density via PAD (Density Factor) of Sec. 9.5.11, Density Transfers and Maximum PAD Density for the zoning district.

$$\text{Maximum Density} = (\text{Gross Site Area}) \times (\text{Density Factor})$$

**3. Rounding**

When density calculations result in fractions, fractions shall in all cases be rounded down to the next lowest whole number.

**D. Minimum Setbacks**

The location of buildings shall comply with the minimum setback standards contained in the zoning districts of Articles 3 or 4, and summarized in the Residential and the Nonresidential Base District Density and Dimensional Schedules, as may be modified by additional provisions in the zoning districts, in this subsection or elsewhere in this Code.

**1. Measurements**

Setbacks refer to the minimum unobstructed, unoccupied open area between the furthestmost wall or wall edge of an allowed structure and the property line of the lot on which the structure is located. Setbacks shall be unobstructed from the ground to the sky except as specified in this section.

**2. Front Setbacks**

Front Setbacks shall extend the full width of a lot and shall be measured from the Front Lot Line.

**a. Corner Lots**

For lots with frontage on 2 or more intersecting streets, the applicant may choose the Front Lot Line from which the front setback is measured.

**b. Flag Lots**

For flag lots (Refer to Sec. 7.4.5B.4) the flagpole or panhandle shall not be considered part of the Front Lot Line, rather the Front Lot Line shall be the lot line that is closest to and most closely parallel to the access street.

**c. Double-Frontage Lots**

For double frontage lots, each parallel lot line separating the lot from a street shall be considered to be a front lot line.

**3. Side Setbacks**

Side setbacks shall be measured from the side lot line to the nearest wall.

**a. Townhouses and Nonresidential Uses**

Side setbacks for attached nonresidential uses and townhouses on individual lots may be reduced to 0 feet as necessary to accommodate such attached structures; provided, however, that adjacent to perimeter project property lines minimum setbacks shall apply.

**4. Rear Setbacks**

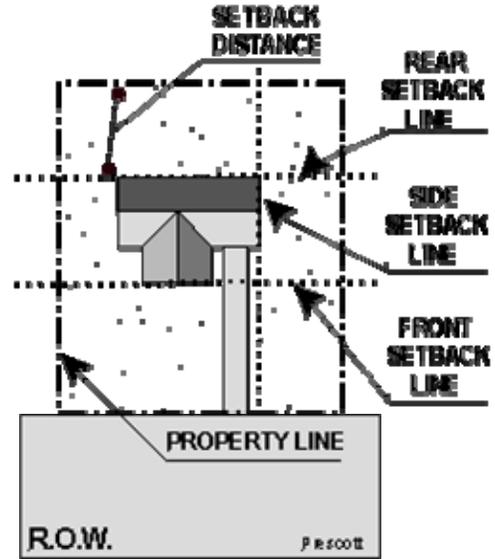
Rear Setbacks shall extend the full width of the lot and be measured from the rear lot line.

**a. Corner Lots**

If a corner lot has more than 4 sides, the yards along the interior lot lines that do not intersect a street line shall be considered rear yards.

**b. Triangular Lots**

In the case of a triangular or irregular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from, the front lot line shall be considered to be the rear lot line.



## Article 2 / Use Regulations

### 5. Accessory Structures Setbacks

Notwithstanding other provisions to the contrary, minimum setbacks from all lot lines (front, side and rear) for detached accessory structures in accordance with the requirements of the underlying zoning district, excepted as modified below:

#### a. Garages

Where a garage door opens onto an alley, the minimum setback shall be 6 feet from the alley. Otherwise, the minimum setback shall be 4 feet.

#### b. Flagpoles

Flagpoles shall have minimum setbacks as follows:

- 1) Residential Districts: 20 feet or the height of the flagpole, whichever is less
- 2) Nonresidential Districts: 20 feet or the height of the flagpole, whichever is less.

#### c. TV and Ham Radio Antennas

TV and ham radio antennas shall have minimum setbacks equal to the height of the antenna.

#### d. Satellite Dishes

Satellite dishes shall have minimum setbacks equal to the height of the dish and attached base.

#### e. Gazebos

Gazebos shall have a minimum front setbacks of 10 feet, minimum rear setbacks of 4 feet and minimum side setbacks as required by the underlying base district.

### 6. Swimming Pools and Other Contained Bodies of Water

Refer to Section 2.4.50.

### 7. Setback Adjustments

#### a. Administrative Adjustments

A maximum 10% reduction of the minimum setback requirements may be granted in accordance with the requirements of Sec. 9.16, Administrative Adjustment.

#### b. Topographic Exceptions

In addition, a maximum reduction of 10 feet from the otherwise applicable front or rear setback may be granted where the average slope of the lot is 20% or greater.

### 8. Projections/Encroachments

The following features may project into required setbacks to the extent indicated.

- a. Architectural features, such as, but not limited to, cornices, cantilevered bay windows and building overhangs, chimneys, eaves, stoops and gutters, may project no more than 3 feet into the required Front and Rear Setbacks, and 2 feet into the required Side Setback.
- b. Structural or mechanical devices added to structures existing as of the effective date of this Code [December 31, 2004] to make such structures accessible to physically disadvantaged persons may encroach into required setbacks and buffers.
- c. Uncovered porches and decks may encroach into the required rear yard for a distance of not more than 50 percent of the required setback and for a length not greater than 50 percent of the required lot width.

**9. Major Street Setbacks**

Notwithstanding other provisions to the contrary, the minimum setback along the following arterial and collector street rights-of-way shall be in accordance with the requirements below. Where other standards of this Code specify more restrictive setbacks, the more restrictive shall apply, except with the placement of freestanding signs, the provisions of Table 6.12.5A (Freestanding Sign Standards), shall control; provided, however, that the setbacks for freestanding signs do not conflict with the City’s sight visibility triangle provisions contained in Sec. 6.3.10. If such conflicts should arise, the provisions of Sec. 6.3.10 shall control.

Table 2.7.3D.9

ARTERIAL AND COLLECTOR SETBACKS		
STREETS	APPLICABLE STREET SEGMENTS	MINIMUM SETBACK
Blooming Hills Drive	All	25 ft
Commerce Drive	All	25 ft
Copper Basin Road	All	25 ft
Downer Trail	All	25 ft
Grove Ave	North of Sheldon Street	25 ft
Gurley Street	Outside of Downtown Business District	25 ft
Iron Springs Road	North of Gail Gardner Way	25 ft
Miller Valley Road	All	25 ft
Montezuma Street	Outside of Downtown Business District	25 ft
Mount Vernon Ave (South)	All	25 ft
Rosser Street	All	25 ft
Ruth Street	All	25 ft
Senator Highway	All	25 ft
Sheldon Street	Outside of Downtown Business District	25 ft
Sierry Peaks Drive	All	25 ft
Smoke Tree Lane	All	25 ft
Sixth Street	All	25 ft
Thumb Butte Road	Josephine Street to Plaza Drive	25 ft
State Route 69	All	35 ft
SR 89	All	35 ft
Old SR Hwy 89A	All	35 ft
Whipple / Montezuma	All	25 ft
White Spar Road	All	25 ft
Williamson Valley Road	All	35 ft
Willow Creek Road	All	25 ft
Willow Lake Road	All	25 ft
Prescott Lakes Parkway	South of SR 89	35 ft
Prescott Lakes Parkway	North of SR 89	25 ft

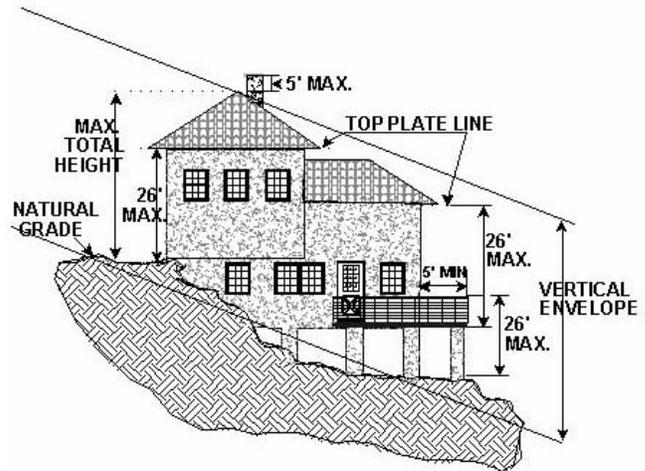
## Article 2 / Use Regulations

### E. Maximum Height

The height of buildings and structures shall comply with the maximum height standards contained in the zoning districts of Articles 3 or 4, and summarized in the Residential and Nonresidential Area Regulations Schedules, as may be modified by additional provisions in the zoning districts, in this subsection or elsewhere in this Code.

#### 1. Measurement

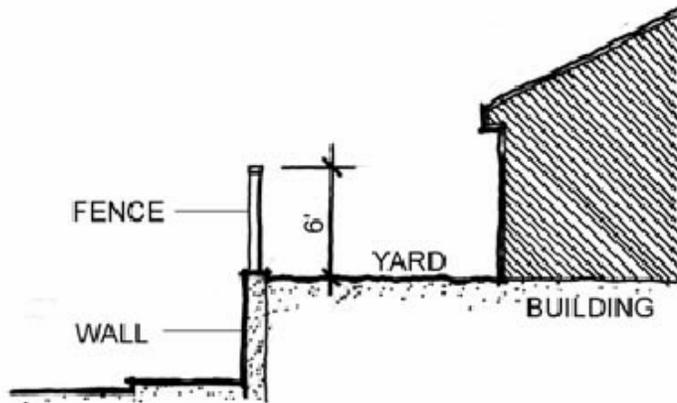
- a. Maximum building/structure height shall be measured as the vertical distance (vertical envelope) from the base of the wall plane adjoining natural grade to the highest point in a vertical plumb line (See illustration at right. The vertical envelope thus created runs parallel to the natural slope of the land and shall be limited to the district's stated maximum building/structure height. All roofs and overhangs shall be within the established vertical envelope.



- b. For single-family residential uses, no exterior wall plane shall have a height of more than 26 feet as measured from the natural grade along the wall vertically to:
- 1) Top plate of the wall where it meets the roof framing member;
  - 2) Gable ends to the horizontal baseline formed by connecting the points where the top plate of the wall meets the roof framing member;
  - 3) Top of a railing on an open deck; and
  - 4) Top of a parapet.

This applies to all exterior wall planes. An exterior wall plane shall extend a minimum distance of 5 feet outward from an adjoining wall plane (see illustration, above). Piers, columns, and retaining walls supporting the building structure shall be considered exterior wall planes.

- c. The height of fences, walls and required screening devices shall be measured as the vertical distance between finished grade on the highest side of the fence or wall to the top of the fence or wall.



**2. Mass-graded Sites**

In approved mass-graded developments, and for commercial and multi-family pads, the finished grade rather than natural grade as required in Sec. 2.7.3E.1, above, shall be the baseline from which building height is measured. Individual residential lots altered outside of an approved project-wide grading plan shall be held to a building height measurement taken from pre-disturbed natural grade per the illustration above.

**3. Principal Structures -- Exceptions to Maximum Height**

Notwithstanding other provisions to the contrary, maximum height of principal structures and any attached appurtenances thereof shall be as follows:

- a. Communication, radio and television poles, antennas or dishes attached to the principal structure may extend 5 feet above the peak of the roof or 5 feet above the otherwise allowable maximum height, whichever is less;
- b. Chimneys that are required to meet applicable building, fire or environmental regulations may extend up to 5 feet above the otherwise allowable district height maximum;
- c. Wind generating systems, solar panels and cooling towers attached to a building may extend up to 5 feet above the otherwise allowable district height maximum; and
- d. Commercial radio, television and utility transmission and receiving antennas approved in accordance with use standards of Sec. 2.4.51, Telecommunications Facilities, may extend above the otherwise allowable district height maximum; and
- e. Structures or parts thereof in the BR and DTB district may exceed the otherwise applicable maximum height upon approval of a Special Use Permit.

**4. Accessory Structures Height**

Notwithstanding other provisions to the contrary, maximum height of detached accessory structures shall be as follows:

- a. **Flagpoles**
  - 1) Residential Districts (SF and MF districts): 20 feet, or the distance to nearest lot line, whichever is less.
  - 2) Nonresidential Districts: Maximum height of underlying base district.
- b. **Television Antennas and Ham Radio Towers:** Maximum height of underlying base zoning district, or the distance to nearest lot line, whichever is less.
- c. **Wind Generating Systems and Solar Panels, Not Attached to a Building:** 20 feet
- d. **Satellite Dishes:** 15 feet
- e. **All Other Accessory Structures:** 20 feet

**5. Administrative Adjustment to Maximum Building/Structure Height**

In accordance with the provisions of Sec. 9.16, Administrative Adjustments, the Community Development Director or designee may grant up to a 10 percent height adjustment to the vertical envelope and/or an exterior wall plane for buildings on residential sites when such sites have special circumstances, including, but not limited to:

- a. Lots where the average slope exceeds 20 percent; or
- b. When saving trees or rock outcrops; or
- c. For oddly shaped lots that limit siting options.

**F. Lot Coverage**

The size of buildings shall comply with the maximum lot coverage standards contained in the zoning districts of Articles 3 or 4, and summarized in the Residential and Nonresidential Density and Dimensional Schedules, as may be modified by additional provisions in the zoning districts, in this subsection or elsewhere in this Code, such as Sec. 9.16, Administrative Adjustments.

## Article 2 / Use Regulations

### 1. Measurement

Lot coverage is measured as the percentage of the total lot area covered by structures, including all building(s), covered and uncovered decks, porches, etc. It is calculated by dividing the square footage of the footprint of such structures (Structures Footprint) by the square footage of the lot.

$$\text{Lot Coverage} = \text{Structures Footprint} \div \text{Lot Area}$$

**Article 3/ Residential Districts**

**Sec. 3.1 / General Purposes**

The residential zoning districts contained in this Code are created for the following general purposes:

- A. To provide appropriately located and designed areas for residential development that are consistent with the Prescott General Plan and with standards of public health and safety established by this Land Development Code and the State of Arizona;
- B. To ensure adequate light, air, privacy and open space for each dwelling, and to protect residents from the harmful effects of excessive noise, population density, traffic congestion, or other adverse environmental effects;
- C. To help protect residential areas from wildfires, explosions, landslides, toxic fumes and substances, and other public safety hazards;
- D. To provide sites for public land uses needed to support and enhance the quality of life in Prescott’s residential areas; and
- E. To ensure the provision of public services and facilities needed to accommodate planned land uses and population densities, as well as vehicular-, pedestrian- and bike- access.

**Sec. 3.2 / Rural Estate 2 Acre (RE-2) District**

**3.2.1 / Purpose**

The Rural Estate 2 Acre (RE-2) District is a very low-density residential district with a rural or agricultural character. The RE-2 district provides specific standards for rural residential dwellings and appropriate accessory uses. District standards are designed to preserve extensive open space and maintain the rural-residential character of the area.

**Commentary:**

See Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**3.2.2 / Allowed Uses**

Uses are allowed in the RE-2 district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.2.3 / Density and Dimensional Standards**

All development in the RE-2 district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density Via PAD: 0.5 dwelling units/acre**
- B. **Minimum Lot Area:**
  - 1. **Single-Family Dwellings:** 2 acres/ unit
  - 2. **Duplex Dwellings:** N/A
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
- C. **Minimum Lot Width:** 200 feet/ lot, or a 3:1 depth-to-width ratio, whichever is less
- D. **Maximum Lot Coverage:** 20%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 35 feet

- 2. **Side:** 35 feet
- 3. **Rear:** 35 feet
- 4. **Corner:** 35 feet
- G. **Off-Street Parking:** The provisions of Sec. 6.2.5 E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**3.2.4 / District Standards**

District standards applicable in the RE-2 district include the following:

- A. [RESERVED]

**Sec. 3.3 / Single-family 35 (SF-35)**

**3.3.1 / Purpose**

The Single-family 35 (SF-35) District is a very low-density, single-family residential district with a large-lot suburban or semi-rural character. The SF-35 district provides specific standards for the development of single-family dwelling units, and appropriate accessory uses. District standards are designed to maintain an open, spacious quality with significant distance between residential uses. Reasonable maximums for lot coverage allow the preservation of the scenic views, open space and native vegetation.

**3.3.2 / Allowed Uses**

Uses are allowed in the SF-35 district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.3.3 / Density and Dimensional Standards**

All development in the SF-35 district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density Via PAD:** 1.1 dwelling units/acre
- B. **Minimum Lot Area:**
  - 1. **Single-Family Dwellings:** 35,000 square feet/ unit
  - 2. **Duplex Dwellings:** N/A
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
- C. **Minimum Lot Width:** 150 feet/ lot, or a 3:1 depth-to-width ratio, whichever is less
- D. **Maximum Lot Coverage:** 30%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 30 feet (Exception-Refer to Table 2.7.3D.9)
  - 2. **Side:** 12 feet
  - 3. **Rear:** 30 feet
  - 4. **Corner:** 20 feet
- G. **Off-Street Parking:** The provisions of Sec. 6.2.5 E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**Commentary:**  
Refer Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**3.3.4 / District Standards**

District standards applicable in the SF-35 district include the following:

- A. [RESERVED]

**Sec. 3.4 / Single-family 18 (SF-18)**

**3.4.1 / Purpose**

The Single-family 18 (SF-18) District is a low-density, residential district with a suburban character. The SF-18 district provides specific standards for the development of single-family dwelling units, and appropriate accessory uses, on individual lots with a minimum area of 18,000 square feet. District standards are designed to create a large lot community with significant open space provided by a large minimum lot size and generous setbacks. The large lot size allows flexible placement of the structure on the property. This flexibility is intended to encourage the preservation of views, open space and native vegetation.

**3.4.2 / Allowed Uses**

Uses are allowed in the SF-18 district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.4.3 / Density and Dimensional Standards**

All development in the SF-18 district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density Via PAD:** 2.2 dwelling units/acre
- B. **Minimum Lot Area:**
  - 1. **Single-Family Dwellings:** 18,000 square feet/ unit
  - 2. **Duplex Dwellings:** N/A
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
- C. **Minimum Lot Width:** 100 feet/ lot, or a 3:1 depth-to-width ratio, whichever is less
- D. **Maximum Lot Coverage:** 35%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 25 feet (Exception-Refer to Table 2.7.3D.9)
  - 2. **Side:** 9 feet
  - 3. **Rear:** 25 feet
  - 4. **Corner:** 15 feet
- G. **Off-Street Parking:** The provisions of Sec. 6.2.5 E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**Commentary:**  
Refer Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**3.4.4 / District Standards**

District standards applicable in the SF-18 district include the following:

- A. **[RESERVED]**

**Sec. 3.5 / Single-family 12 (SF-12)**

**3.5.1 / Purpose**

The Single-family 12 (SF-12) District is a medium-density, single-family residential district with a strong suburban character. The SF-12 district provides specific standards for the development of single-family dwelling units, and appropriate accessory uses, on individual lots with minimum area of 12,000 square feet. The moderately sized lots and standard setbacks create smaller spacing between residential units and may encourage more interaction between residents.

**3.5.2 / Allowed Uses**

Uses are allowed in the SF-12 district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.5.3 / Density and Dimensional Standards**

All development in the SF-12 district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density Via PAD:** 3.3 dwelling units/acre
- B. **Minimum Lot Area:**
  - 1. **Single-Family Dwellings:** 12,000 square feet/ unit
  - 2. **Duplex Dwellings:** N/A
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
- C. **Minimum Lot Width:** 75 feet/ lot, or a 3:1 depth-to-width ratio, whichever is less
- D. **Maximum Lot Coverage:** 35%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 25 feet (Exception-Refer to Table 2.7.3D.9)
  - 2. **Side:** 9 feet
  - 3. **Rear:** 25 feet
  - 4. **Corner:** 15 feet
- G. **Off-Street Parking:** The provisions of Sec. 6.2.5E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**Commentary:**  
 Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**3.5.4 / District Standards**

District standards applicable in the SF-12 district include the following:

- A. **[RESERVED]**

**Sec. 3.6 / Single-family 9 (SF-9)**

**3.6.1 / Purpose**

The Single-family 9 (SF-9) District is a medium-density, single-family residential district with a suburban or semi-urban character, depending on the district’s specific location. The SF-9 district provides specific standards for the development of single-family dwelling units and appropriate accessory uses on individual lots with a minimum area of 9,000 square feet. The lot sizes and district standards reflect residential patterns found in older urban areas. These standards foster a compact, efficient, neighborhood pattern while providing a comfortable single-family ambience with useable private yards and open space. The smaller spacing between residential units facilitates social interaction between residents.

**3.6.2 / Allowed Uses**

Uses are allowed in the SF-9 district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.6.3 / Density and Dimensional Standards**

All development in the SF-9 district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density Via PAD:** 4.4 dwelling units/acre
- B. **Minimum Lot Area:**
  - 1. **Single-Family Dwellings:** 9,000 square feet/ unit
  - 2. **Duplex Dwellings:** N/A
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
- C. **Minimum Lot Width:** 60 feet/ lot, or a 3:1 depth-to-width ratio, whichever is less
- D. **Maximum Lot Coverage:** 40%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 25 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 25 feet
  - 4. **Corner:** 15 feet

**Commentary:**

See Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**3.6.4 / District Standards**

District standards applicable in the SF-9 district include the following:

- A. **[RESERVED]**

**Commentary:**

Refer to table 2.7.3D9 for exceptions to Minimum Setbacks.

**Sec. 3.7 / Single-family 6 (SF-6)**

**3.7.1 / Purpose**

The Single-family 6 (SF-6) District is a medium-density, single-family residential district with a semi-urban character. The SF-6 district provides specific standards for the development of single-family dwelling units and appropriate accessory uses on individual lots with a minimum area of 6,000 square feet. Like the SF-9 district, the lot sizes and district standards reflect residential patterns found in older urban areas. The small lot sizes create a very compact single-family setting, similar to traditional urban residential, townhouse blocks, or neo-traditional development. This development pattern has several advantages including; maximum use of land, more efficient provision of infrastructure, and enhanced community interaction. The limited open space may be mitigated by the provision of neighborhood parks and a strong system of pedestrian-oriented facilities.

**3.7.2 / Allowed Uses**

Uses are allowed in the SF-6 district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.7.3 / Density and Dimensional Standards**

All development in the SF-6 district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density Via PAD:** 6.6 dwelling units/acre
- B. **Minimum Lot Area:**
  - 1. **Single-Family Dwellings:** 6,000 square feet/ unit
  - 2. **Duplex Dwellings:** N/A
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
- C. **Minimum Lot Width:** 50 feet/ lot or 3:1 depth to width ratio, whichever is less
- D. **Maximum Lot Coverage:** 50%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 20 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 20 feet
  - 4. **Corner:** 10 feet
- G. **Off-Street Parking:** The provisions of Sec. 6.2.5 E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**Commentary:**  
See Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**Commentary:**  
Refer to table 2.7.3D9 for exceptions to Minimum Setbacks.

**3.7.4 / District Standards**

District standards applicable in the SF-6 district include the following:

- A. **[RESERVED]**

**Sec. 3.8 / Residential Transition (RT)**

**3.8.1 / Purpose**

The Residential Transition (RT) District is a small lot and duplex residential district with an urban or semi-urban character. The RT district provides specific standards for the development of duplexes, patio homes, townhouses and similar higher density attached and detached dwellings, along with appropriate accessory uses. The district is intended to “bridge the gap” and to otherwise serve as a transition between the multi-family and single-family districts. District standards should mitigate the effects of higher residential densities on adjacent lower density areas and provide a comfortable, yet compact, residential pattern. Minimum lot sizes are based on the type of dwelling units. The provision of community open space, neighborhood parks, outdoor recreational areas and pedestrian facilities is strongly encouraged.

**3.8.2 / Allowed Uses**

Uses are allowed in the RT district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.8.3 / Density and Dimensional Standards**

All development in the RT district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

**A. Maximum Densities via PAD:** 12.0 dwelling units/acre

**B. Minimum Lot Areas:**

1. **Single-Family Dwellings:** 7,500 square feet/ unit
2. **Duplex Dwellings:** 3,750 square feet/ unit
3. **Patio Home Dwellings:** 3,750 square feet/ unit
4. **Townhouse Dwellings:** 3,750 square feet/ unit
5. **Multi-family Dwellings:**
  - a. 3 Units: 12,000 square feet/lot
  - b. Each Additional Unit: 3,600 square feet/unit

**Commentary:**

Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**C. Minimum Lot Widths:**

1. **Single-Family Dwellings:** 50 feet/ lot
2. **Duplex Dwellings:** 50 feet/ lot
3. **Patio Home Dwellings:** 25 feet/ lot
4. **Townhouse Dwellings:** 25 feet/ lot
5. **Multi-Family Dwellings:** 50 feet/ lot

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 12,000 square feet.

**D. Maximum Lot Coverage:** 50%

**E. Maximum Building/Structure Height:** 35 feet

**F. Minimum Setbacks:**

1. **Front:** 20 feet (Exception—Refer to Table 2.7.3D.9)
2. **Side:** 7 feet for exterior lot lines; 0 feet for townhouse/patio home interior lot lines
3. **Rear:** 20 feet
4. **Corner:** 10 feet

**G. Off-Street Parking:** The provisions of Sec. 6.2.5 E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**3.8.4 / District Standards**

District standards applicable in the RT district include the following:

- A.** To the extent practical, all parking shall be located in a rear yard.
- B.** All parking shall be accessed from an alley, where alley access is available.

**Sec. 3.9 / Multi-Family Medium Density (MF-M)**

**3.9.1 / Purpose**

The Multi-family Medium Density (MF-M) District is a medium-density, multi-family, residential district with a semi-urban character. The MF-M district provides specific standards for the development of multi-family dwellings, including rental apartments, and appropriate accessory uses. Minimum lot sizes are based on the type of dwelling units. Up to 3 multi-family dwelling units may be permitted on a 7,500 square foot lot, and more units may be permitted on larger lots, via PAD and otherwise. District standards should mitigate the effects higher residential densities and provide a comfortable, yet compact, residential pattern. The provision of community open space, neighborhood parks, outdoor recreational areas and pedestrian facilities is strongly encouraged.

**3.9.2 / Allowed Uses**

Uses are allowed in the MF-M district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**3.9.3 / Density and Dimensional Standards**

All development in the MF-M district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

**A. Maximum Densities via PAD:** 21.0 dwelling units/acre

**B. Minimum Lot Areas:**

1. **Single-Family Dwellings:** 6,000 square feet/ unit
2. **Duplex Dwellings:** 3,000 square feet/ unit
3. **Patio Home Dwellings:** 3,000 square feet/ unit
4. **Townhouse Dwellings:** 3,000 square feet/ unit
5. **Multi-Family Dwellings:**
  - a. **3 Units:** 7,500 square feet/ lot
  - b. **Each Additional Unit:** 2,200 square feet/ unit

**C. Minimum Lot Widths:**

1. **Single-Family Dwellings:** 50 feet/ lot
2. **Duplex Dwellings:** 50 feet/ lot
3. **Patio Home Dwellings:** 30 feet/ lot
4. **Townhouses:** 30 feet/ lot
5. **Multi-Family Dwellings:** 50 feet/ lot

**D. Maximum Lot Coverage**

1. **Multi-Family Dwellings:** 50%
2. **All Other Uses:** 40%

**E. Maximum Building/Structure Height:** 35 feet

**F. Minimum Setbacks:**

1. **Front:** 20 feet (Exception—Refer to Table 2.7.3D.9)
2. **Side:** 7 feet
3. **Rear:** 20 feet
4. **Corner:** 10 feet

**G. Off-Street Parking:** The provisions of Sec. 6.2.5E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**Commentary:**

Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 12,000 square feet.

**3.9.4 / District Standards**

District standards applicable in the MF-M district include the following:

- A. To the extent practical, all parking shall be located in a rear yard.
- B. All parking shall be accessed from an alley, where alley access is available.

## Sec. 3.10/ Multi-Family High Density (MF-H)

### 3.10.1 / Purpose

The Multi-family High Density (MF-H) District is a high-density, multi-family residential district with an urban character. The MF-H district provides specific standards for the development of multi-family dwellings, including retail apartments, and appropriate accessory uses. Minimum lot sizes are based on the type of dwelling units. Up to 3 multi-family dwelling units may be permitted on a 7,500 square foot lot, and more units may be permitted on larger lots, via PAD and otherwise. District standards provide a very compact residential pattern that allows the development of quality housing in an efficient, economical manner. The provision of community open space, neighborhood parks, outdoor recreational areas and pedestrian facilities is strongly encouraged.

### 3.10.2 / Allowed Uses

Uses are allowed in the MF-H district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

### 3.10.3 / Density and Dimensional Standards

All development in the MF-H district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

**A. Maximum Densities via PAD:** 32.0 dwelling units/acre

**B. Minimum Lot Areas:**

1. **Single-Family Dwellings:** 6,000 square feet/unit
2. **Duplex Dwellings:** 3,000 square feet/unit
3. **Patio Home Dwellings:** 3,000 square feet/unit
4. **Townhouse Dwellings:** 3,000 square feet/unit
5. **Multi-Family Dwellings:**
  - a. 3 Units: 7,500 square feet/ lot
  - b. Each Additional Unit: 1,400 square feet/ unit

**Commentary:**

Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**C. Minimum Lot Widths:**

1. **Single-Family Dwellings:** 50 feet/ lot
2. **Duplex Dwellings:** 40 feet/ lot
3. **Patio Home Dwellings:** 30 feet/ lot
4. **Townhouses:** 30 feet/ lot
5. **Multi-Family Dwellings:** 50 feet/ lot

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 7,500 square feet.

**D. Maximum Lot Coverage:** 50%

**E. Maximum Building/Structure Height:** 35 feet

1. **Single-family Dwellings:** 35 feet
2. **All Other Uses:** 40 feet

**F. Minimum Setbacks:**

1. **Front:** 20 feet (Exception—Refer to Table 2.7.3D.9)
2. **Side:** 7 feet
3. **Rear:** 20 feet
4. **Corner:** 10 feet

**G. Off-Street Parking:** The provisions of Sec. 6.2.5E, Parking and Table 6.2.3 Off-Street Parking and Loading shall apply.

**3.10.4 / District Standards**

District standards applicable in the MF-H district include the following:

- A. To the extent practical, all parking shall be located in a rear yard.
- B. All parking shall be accessed from an alley, where alley access is available.
- C. Multi-family developments of 20 units or more shall provide usable recreational open space on-site of at least 1% of the total project development site.

**Sec. 3.11 / Specially Planned Community (SPC)**

**3.11.1 / Purpose**

The Specially Planned Community (SPC) District permits greater flexibility and more creative and imaginative design for the development of residential areas than is generally possible in other residential districts while allowing a limited range of nonresidential uses, all as specified in the required site specific Master Plan. The district promotes development of self-contained villages and more economical and efficient use of the land with a harmonious variety of housing choices, a higher level of recreational amenities and facilities, and appropriate civic and business uses, while preserving natural qualities of open spaces. A variety of housing types and uses may be permitted with an orderly relationship to one another. In addition to the use and area regulations of this section, development in the SPC district shall be in compliance with all other applicable provisions of this Code.

**3.11.2 / Exemptions**

Although properties designated as SPC on the Zoning District Map owned by governmental entities and used for governmental purposes are exempt from the otherwise required provisions of this district, they are encouraged to comply.

**3.11.3 Approval and Conditions**

Every SPC district approved under the provisions of this section shall follow the procedure for and be considered an amendment to the zoning map (Sec. 9.15, Zoning Map Amendment) and shall comply with the requirements of this section, unless exempted per Sec. 3.11.2. In approving the SPC district, the Council may impose conditions relative to the standards of development and such conditions shall be satisfied prior to approval of a Certificate of Occupancy for any structure in the SPC district. All SPC districts approved in accordance with the provisions of this section shall be referenced on the Zoning District Map and a list of such SPC districts, together with the land uses permitted therein and on the respective lots, shall be maintained in the office of the Community Development Director. The establishment of a SPC district shall require the following:

**A. Master Plan Requirement**

- 1. In establishing a SPC district in accordance with this section, the City Council shall require a master plan of the development. Such master plan shall be approved and a Memorandum of Master Plan filed as part of the rezoning ordinance prior to the issuance of any Building Permit or Site Disturbance and Grading Permit in a SPC district. Such required Plan and rezoning ordinance shall set forth the following for each sub-area:
  - a. Proposed land use plan including the number and type of dwelling units, total floor area for specified nonresidential land uses, significant open space, natural areas or recreation features to be incorporated into the development plan;
  - b. Requirements for ingress and egress to the property, public or private streets or drives, with adequate right-of-way, sidewalks, utilities, drainage, parking space, setbacks, height of building, maximum lot coverage, yards and open spaces, screening walls or fences, landscaping and other development and protective requirements including maintenance considered necessary to create a reasonable transition to and protection of the adjacent property;

- c. Locations of significant natural features including but not limited to steep slope areas, natural drainageways and floodplains, wetlands, ridges, and unique stands of vegetation and rock outcrops;
- d. The approximate locations of elements such as a golf course and related facilities, or other recreational facilities and open space, major roads, trails and other dominate features of the Plan; and
- e. Conceptual plans and/or reports identifying design compatibility and preservation techniques intended for landscaping, natural features, screening, lighting, and other site/building design elements in the SPC Master Plan.

**B. Disturbable Area Map**

- 1. Each Final Plat shall incorporate a plat note reference to a non-recorded Disturbable Area Map illustrating the disturbable area as defined in Sec. 11.2.5, and kept on file in the Community Development Department. The Disturbable Area Map shall be the same size and scale as the Final Plat but need not include a legal description(s) of the disturbable area. Such maps shall include the following:
  - a. Topographic information at 5-foot intervals, or other appropriate intervals approved by the Community Development Director;
  - b. Significant features such as major rock outcrops and stands of mature trees on each lot;
  - c. Envelopes delineating disturbable areas of natural terrain on some or all lots as determined at Preliminary Plat; and
  - d. Maximum disturbable area in square feet on each lot.
- 2. The Community Development Director may approve changes to approved Disturbable Area Map, subject to the following requirements:
  - a. A civil engineer or land surveyor shall certify that the proposed changes will result in the preservation of an area that is equal to or greater than that required to be preserved on the approved Map;
  - b. Changes to an approved Disturbable Area Map shall not be approved in the NOS district; and
  - c. Changes to an approved Disturbable Area Map shall not be approved that reduce or otherwise affect open space tract designations or no-build easements.

**3.11.4 / Status of Prior Approvals**

With respect to the Hassayampa Villages and Prescott Lakes Recreation Community District projects, where the City Council approved specific minimum development requirements that are more or less stringent than the minimum development requirements contained in this Code, the development requirements set forth in the Ordinances approving Hassayampa Villages and Prescott Lakes Recreation Community Districts are hereby ratified, confirmed and validated.

**3.11.5 / Allowed Uses**

Uses or Use Categories permitted in the SPC district shall be specifically listed as a part of the rezoning ordinance approving the SPC district. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted. Uses or Use Categories not specifically allowed by the rezoning ordinance are prohibited.

**3.11.6 / Required Uses**

To achieve the intent of the Prescott General Plan and this Section (Sec. 3.11.1 above), proposed projects in the SPC district may contain the following mix of uses:

**A. Residential Uses**

Two or more residential housing types, the types,

**Commentary:**

Each SPC district is encouraged to include a broad mix of housing types and sizes that is reasonably calculated to meet the housing needs of those who live and work in the district.

Each SPC district is encouraged to include a compact village core designed to promote a lively pedestrian community.

numbers and densities of dwellings shall be as determined and approved by City Council on the SPC Master Plan.

**B. Recreational Facilities**

One or more significant recreational facilities, clubs, or amenities in addition to greenbelts, and active and passive open space.

**C. Nonresidential Uses**

1. A mix of uses from the Retail, Service and Business Use Categories as described in Sec 11.1.5, which is reasonably calculated to meet the daily and frequent shopping needs of the SPC district residents at a minimum.
2. A mix of uses from the Public, Civic, and Institutional Use Categories as described in Sec. 11.1.4, which is reasonably calculated to meet the needs of the SPC district residents at a minimum.

**3.11.7 / Density and Dimensional Standards**

All development in the SPC district is subject to the approval of Density and Dimensional Standards by the City Council, in accordance with the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code. Minimum lot area, building height, setbacks and lot width standards shall be specified within general parameters as part of the SPC Master Plan and finalized at the time of Final Plat.

**3.11.8 / Permitted Variation**

Subject to the requirements of Sec. 7.4.3, Streets, and Sec. 6.3, Access Management, lesser street widths and gated private streets may be considered, based upon significant natural constraints, and demonstrated adequate or enhanced general circulation for project users and the general public.

**3.11.9 / District Standards**

District standards applicable in the SPC district include the following:

**A. Sensitive Terrain**

Sensitive terrain, including as steep slope areas, significant rock outcroppings, mature stands of trees, and riparian areas shall be designated as “Open Space”, and restricted by “No Build” easements and other plat dedications, and/or rezoning to the Natural Open Space (NOS) zoning district to ensure preservation in perpetuity. Such areas shall be identified and evaluated for preservation as a part of the platting process. Thereafter, changes to the land use of such areas shall require rezoning pursuant to the provisions of Sec. 9.15, Zoning Map Amendment (Rezoning).

**B. Disturbable Area**

Where required by an approved final plat, each building permit application shall indicate the Disturbable Area based on the Disturbable Area Map as described in Sec. 3.11.3B, above, along with any “No Build” restriction areas, the calculated lot area, and the foot print(s) proposed for impervious cover (roof and pavement area). Such disturbable areas shall be formalized as part of the platting process. The Disturbable Area Map shall be used to review development plans of individual lots or tracts.

**C. Site Design and Building Orientation**

All land uses and structures shall:

1. Contribute to the uniqueness of a zoning district and the City of Prescott with predominant materials, elements, features, color range, and activity areas tailored specifically to the site and its context;
2. Utilize an architectural style that is complementary to that of other structures in the area or vicinity;
3. Exhibit a unity of design for buildings within multi-building complexes through the use of similar elements such as rooflines, materials, window arrangement, sign location, and details;

4. Incorporate, within all walls over 100 feet in length, at least 3 recesses, off-sets, balconies, angular forms and other features within each 100 foot length to provide a visually interesting shape;
5. Preserve the natural environment and protect the privacy of adjacent users to the extent practicable;
6. Locate parking and maneuvering areas in the rear yard or interior side yards, unless such location would cause the undue destruction of significant mature trees, vegetation, or sensitive terrain; parking areas not located in the rear yard or interior side yards shall be screened from view as specified in Sec. 6.5.8, Screening Standards; and
7. Locate loading area and service bays away from the street on the side or rear of any structure, unless such location would cause the undue destruction of significant mature trees, vegetation, or sensitive terrain; loading area and service bays not located in the rear yard or interior side yards shall be screened from view as specified in Sec. 6.5.8, Screening Standards.

**D. Building Separation**

1. Depending on the type of SPC district proposed, building separation can range from campus-like to attached buildings. The Master Plan shall specify intent and generalized standards, and the Final Plat shall provide specific standards. The Residential Protection Standards of Sec. 6.13 shall apply unless more restrictive standards are specified in the approved Master Plan and Final Plats.
2. Where existing mature trees, significantly tall rock outcrops or other terrain features provide adequate privacy screening between buildings, the Community Development Director may reduce the required building separations and setbacks pursuant to the provisions of Sec. 9.16, Administrative Adjustments.
3. Where special architectural design elements create privacy through the location of windows, doors, walls and private yards or courts or other design features, the building separations and setbacks required above may be reduced by the Community Development Director pursuant to the provisions of Sec. 9.16, Administrative Adjustments.
4. Where reduction of building setbacks and separations, and locations are desired by the applicant, the applicant must submit a site plan of existing conditions, visual analysis, construction documents or other proof in support of such reductions or deviations when filing for a building permit.

**E. Land Use Compatibility**

**1. Internal**

All buildings, structures and landscaping shall be compatible with the natural environment and existing nearby neighborhoods within the SPC district. To further this intent, property owners' associations shall be formed to review and approve the compatibility of proposed buildings, structures, walls and other screening and landscaping, site plans and grading plans. Evidence of such approval must be provided by the applicant at the time of submittal for Building Permits or Site Disturbance and Grading Permits. The City's role in enforcement of compatibility pursuant to this section and Sec. 6.5, Landscaping and Screening, shall include the issuance or withholding of required permits based upon a determination of compatibility by the property owners' association.

**2. External**

In addition to the Residential Protection Standards of Sec. 6.13, additional buffer yard depths and/or treatments may be required along SPC district perimeters, as necessary to promote land use compatibility.

**3.11.10 / Administrative Adjustments**

After City Council approval of a SPC Master Plan, Administrative Adjustments pursuant to the provisions of Sec. 9.16 may be approved by the Community Development Director, if deemed consistent by the Community Development Director with the overall intent and character of the Master Plan; such minor

Adjustments may not include increases in the total number of dwellings or total square footage of nonresidential uses for the overall SPC district property.

## Sec. 3.12 / Manufactured Home Floating District (-MH)

### 3.12.1 / District Applicability

The Manufactured Home Floating (-MH) District shall apply to areas designated by the suffix -MH attached to a base single-family or multi-family residential zoning district on the City's Official Zoning Map. Without an -MH designation, a manufactured home cannot be utilized in any zoning district except within an approved manufactured home park. Such -MH designated districts may not consist of an individual lot or scattered lots, but shall consist of a defined area of not less than 2 acres, and must conform to the requirements for conventional residential subdivisions as set forth in Article 7 as well as those contained herein.

- A. The City shall process Manufactured Home district rezoning requests in the same manner as set forth by Sec. 9.14, Map Amendments (Rezoning) for all other rezoning requests.

### 3.12.2 / District Description

- A. The Manufactured Home Floating (-MH) District is intended to apply solely in combination with the underlying SF-35, SF-18, SF-12, SF-9, and SF-6 districts and the MF-M district, to impose regulations and standards in addition to those required by the base district.
- B. The requirements of the floating district shall apply whenever they are in conflict with or are more stringent than those of the underlying base district.
- C. This Section is established to provide alternative, affordable housing opportunities for Prescott by permitting the use of Manufactured Homes in selected single-family or multi-family residential zoning districts, subject to the requirements set forth herein.

**Commentary:**

Siting of an individual manufactured home unit is only permitted in a zoning district that has the suffix "-MH" or through rezoning to the -MH Floating District.

### 3.12.3 / District Standards

District standards applicable in the -MH district include the following:

- A. Structures within a district suffixed as a Manufactured Home district (-MH), must conform to the applicable dimensional, parking and setback requirements applicable to the zoning district to which they are suffixed.
- B. In MH-subdivisions, manufactured homes, modular homes or site-built dwelling units may be utilized.

## Article 4/ Nonresidential Districts

### Sec. 4.1 / General Purposes

The nonresidential zoning districts contained in this Code were created for the following general purposes:

- A. Provide appropriately located areas for well-designed business, commercial, and industrial development that is consistent with the Prescott General Plan and with standards of public health and safety established by this Development Code and the State of Arizona;
- B. Ensure that all nonresidential uses meet appropriate standards for development intensity, effective vehicular and pedestrian access, safe and efficient on-site circulation, adequate parking, signage, and related site design issues;
- C. Protect adjacent residential and nonresidential uses from potential negative impacts resulting from excessive noise, light, odor, vibration, development intensity, traffic congestion, or other adverse environmental effects;
- D. Provide sufficient business, commercial and industrial development opportunities to effectively support the needs of Prescott's local and regional populations; and
- E. To ensure the provision of public services and facilities needed to accommodate planned land uses and population densities, as well as vehicular-, pedestrian- and bike- access.

### Sec. 4.2 / Natural Open Space (NOS)

#### 4.2.1 / Purpose

The Natural Open Space (NOS) District is a passive use recreational district. This District is intended to conserve private and public natural and scenic resources of community value. Such open lands may include mountaintops, ridgelines, steep slope areas, scenic view sheds, wildlife habitats, wooded areas, archeological sites, passive open space that typically contain no (modern) buildings or structures.

#### 4.2.2 / District Applicability

NOS district standards apply to areas so zoned, typically to open space lands that are owned by the public or a homeowners' association.

#### 4.2.3 / Allowed Uses

Uses are allowed in the NOS district in accordance with the Use Table of Sec. 2.3.

#### 4.2.4 / Density and Dimensional Standards

All development in the NOS district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Minimum Lot Area:** None
- B. **Minimum Lot Width:** None
- C. **Maximum Lot Coverage:** None
- D. **Maximum Building/Structure Height:** None
- E. **Minimum Setbacks:** None

#### Commentary:

Two acres is the minimum practical size for NOS district zoning. Smaller sizes tend to be more difficult to manage on the zoning map.

## Sec. 4.3/ Recreational Space (RS)

### 4.3.1 / Purpose

The Recreational Space (RS) District is an active recreational district designed to accommodate a wide variety of outdoor recreational improvements and related facilities. The RS district is intended to apply to public or private property used for active, outdoor recreation as defined by Sec. 11.2.

### 4.3.2 / Allowed Uses

Uses are allowed in the RS district in accordance with the Use Table of Sec. 2.3.

### 4.3.3 / Density and Dimensional Standards

All development in the RS district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Minimum Lot Area:** None
- B. **Minimum Lot Width:** None
- C. **Maximum Lot Coverage:** None
- D. **Maximum Building/Structure Height:** 35 ft
- E. **Minimum Setbacks:** 50 ft

**Commentary:**

See Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

## Sec. 4.4/ Mixed Use District (MU)

### 4.4.1 / Purpose

The Mixed Use District (MU) District is a low-intensity mixed-use district with a strong residential character. The MU District provides specific standards for the development of limited business, office, or service uses in existing residential structures, or in new structures within residential areas, on individual lots with a minimum area of 7,500 square feet. All uses in the MU District are intended to support and serve residential households. To protect the residential character of established neighborhoods, MU District uses are encouraged to occupy existing residential structures without changing the character of such structures, and to emphasize pedestrian rather than vehicular access. The MU District standards are intended to facilitate adaptive re-use and preservation of older residential structures, and compatible new development.

### 4.4.2 / Allowed Uses

Uses are allowed in the MU district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

### 4.4.3 / Density and Dimensional Standards

All development in the MU district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Densities via PAD:** 10.0 dwelling units/acre
- B. **Minimum Lot Areas:**
  - 1. **Single-Family Dwellings:** 7,500 square feet/ unit
  - 2. **Duplex Dwellings:** 3,750 square feet/ unit
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
  - 5. **Multi-Family Dwellings:**
    - a. 3 Units: 7,500 square feet/ lot
    - b. Each Additional Unit: 5,000 square feet/ unit

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 7,500 square feet.

- 6. **Nonresidential Uses:** 7,500 square feet
- C. **Minimum Lot Width:** 50 feet
- D. **Maximum Lot Coverage:** 40%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 15 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 10 feet
  - 4. **Corner:** 10 feet

**4.4.4 / District Standards**

Standards applicable in the MU District include the following:

- A. Where an existing single-family residence is converted to a duplex or nonresidential use, All required parking shall be accessed from an alley where such alley access is available, or from a single common driveway where such alley access is not available.
- B. New construction with alley access shall provide at least 50% of required parking in the rear yard accessed via the alley.

**Sec. 4.5 / Residential Office (RO)**

**4.5.1 / Purpose**

The Residential Office (RO) District is a low-intensity business district that provides a transitional zone between residential or mixed-use areas and more intense business uses. The RO district provides specific standards for the development of small-scale business, office, or service uses. RO district uses attract customers from adjacent neighborhoods and are typically located along collector or arterial streets. RO district standards are intended to compliment adjacent residential areas with compatible site and building design elements including; low-scale building mass, landscape buffers, subdued exterior lighting and signage, and effective pedestrian and vehicular access. District uses shall not create excessive traffic, noise, light, or other activity that would have negative impacts on adjacent residential areas.

**Commentary:**

Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria. PAD may allow for clustered office parks and/or clustered housing.

**4.5.2 / Allowed Uses**

Uses are allowed in the RO district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**4.5.3 / Density and Dimensional Standards**

All development in the RO district is subject to the standards of this section, the Measurements, computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Densities via PAD:** 10.0 dwelling units/ acre
- B. **Minimum Lot Areas:**
  - 1. **Single-Family Dwellings:** 9,000 square feet/ unit
  - 2. **Duplex Dwellings:** 4,500 square feet/ unit
  - 3. **Patio Home Dwelling Units:** via PAD
  - 4. **Townhouse Dwelling Units:** via PAD
  - 5. **Multi-Family Dwelling Units:**
    - a. 3 Units: 13,500 square feet/ lot
    - b. Each Additional Unit: 4,500 square feet/ unit

- 6. **Nonresidential Uses:** 9,000 square feet
- C. **Minimum Lot Width:**
  - 1. **Residential Uses:** 50 feet/ lot
  - 2. **Nonresidential Uses:** 50 feet/ lot
- D. **Maximum Lot Coverage:** 40%
- E. **Maximum Building/Structure Height:** 25 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 15 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 10 feet
  - 4. **Corner:** 10 feet

**Commentary:**  
 For a lot to be eligible for any multi-family dwellings, the lot must have at least 13,500 square feet.

**4.5.4 / District Standards**

District standards applicable in the RO district include the following:

- A. Where an existing single-family residence is converted to a duplex or nonresidential use, all required parking shall be accessed from an alley where such alley access is available, or from a single common driveway where such alley access is not available.
- B. New construction with alley access shall provide at least 50% of required parking in the rear yard accessed via the alley.
- C. The maximum allowable floor area shall be 6,000 gross square feet per structure.

**Sec. 4.6 / Neighborhood Oriented Business (NOB)**

**4.6.1 / Purpose**

The Neighborhood Oriented Business (NOB) District is a low-to-moderate-intensity business district. The NOB district provides specific standards for the development of a variety of business, office, or service uses. Building size is limited in order to mitigate the impacts on nearby residents. NOB district uses attract customers from a limited area and are typically located along collector or arterial streets. NOB district uses are intended to compliment residential areas with compatible site and building design elements including; low-scale building mass, landscape buffers, subdued exterior lighting and signage, and effective pedestrian and vehicular access. District uses shall not create excessive traffic, noise, light, or other activity that would have negative impacts on adjacent residential areas. Typical NOB district uses include: small retail shops, limited service uses, drug stores, business and offices, restaurants, and financial services uses.

**Commentary:**  
 Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria for commercial/office park development.

**4.6.2 / Allowed Uses**

Uses are allowed in the NOB district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**4.6.3 / Density and Dimensional Standards**

All development in the NOB district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Densities via PAD:** 14.0 dwelling units/ acre
- B. **Minimum Lot Areas:**
  - 1. **Single-Family Dwellings:** 10,000 square feet/ unit
  - 2. **Duplex Dwellings:** 5,000 square feet/ unit

- 3. **Patio Home Dwellings:** via PAD
- 4. **Townhouse Dwellings:** via PAD
- 5. **Multi-family Dwellings:**
  - a. 3 Units: 10,000 square feet/ lot
  - b. Each Additional Unit: 3,050 square feet/ unit
- 6. **Nonresidential Uses:** 10,000 square feet
- C. **Minimum Lot Widths:**
  - 1. **Single-Family Dwellings:** 50 feet/ lot
  - 2. **Duplex Dwellings:** 50 feet/ lot
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
  - 5. **Multi-Family Dwellings:** 50 feet/ lot
  - 6. **Nonresidential uses:** 50 feet
- D. **Maximum Lot Coverage:** 50%
- E. **Maximum Building/Structure Height:** 35 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 15 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 10 feet
  - 4. **Corner:** 10 feet

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 10,000 square feet.

**4.6.4 / District Standards**

District standards applicable in the NOB district include the following:

- A. Maximum building size shall be 12,000 square feet per structure; provided, however, larger structures may be allowed subject to the approval of a Conditional Use Permit pursuant to Sec. 9.3.
- B. Where an existing single-family residence is converted to a duplex or nonresidential use, all parking shall be accessed from an alley where such alley access is available, or from a single common driveway where such alley access is not available.
- C. New construction with alley access shall provide at least 50 percent of required parking in the rear yard accessed via the alley.

**Sec. 4.7 / Business General (BG)**

**4.7.1 / Purpose**

The Business General (BG) District is a moderate-intensity business district. The BG district provides specific standards for the development of small to mid-sized business, office, or service uses. BG district uses attract customers from the citywide area and are utilized by pedestrian, automobile, and mass transit populations. To ensure appropriate access and visibility these uses are most often located on a collector or arterial street. Typical BG district uses include: retail stores selling durable goods, business and offices, restaurants, and financial services uses.

**4.7.2 / Allowed Uses**

Uses are allowed in the BG district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**4.7.3 / Density and Dimensional Standards**

All development in the BG district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

**A. Maximum Densities via PAD:** 32.0 dwelling units/acre

**B. Minimum Lot Areas:**

1. **Single-Family Dwellings:** 6,000 square feet/unit
2. **Duplex Dwellings:** 3,000 square feet/unit
3. **Patio Home Dwellings:** via PAD
4. **Townhouse Dwellings:** via PAD
5. **Multi-Family Dwellings:**
  - a. 3 Units: 6,000 square feet/ lot
  - b. 4th Unit: 1,500 square feet/ unit
  - c. Each Additional Unit: 1,400 square feet/ unit
6. **Nonresidential Uses:** None

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 6,000 square feet.

**C. Minimum Lot Width:**

1. **Residential Uses:** 50 feet/ lot
2. **Nonresidential Uses:** None

**D. Maximum Lot Coverage:**

1. **Residential Uses:** 60%
2. **Nonresidential Uses:** None

**E. Maximum Building/Structure Height:** 50 feet

**F. Minimum Setbacks:**

1. **Front:**
  - a. Residential Uses: 15 feet
  - b. Nonresidential Uses: 10 feet
2. **Side:**
  - a. Residential Uses: 10% of lot width, not less than 5 or more than 12 feet
  - b. Nonresidential Uses:
    - 1) Attached Uses and Structures: 0 feet
    - 2) Detached Uses and Structures: 7 feet
  - c. **Multi-use Projects**
    - 1) Interior of Multi-use Projects: 0 feet
    - 2) Perimeter of Multi-use Projects: 7 feet
3. **Rear:** 10 feet
4. **Corner:** 8 feet

**Commentary:**

Side setbacks for attached residential uses and multi-use, nonresidential developments may be reduced to 0 feet; provided, however, that adjacent to perimeter project property lines minimum side yard setbacks shall be adhered to.

**Commentary:**

Refer to Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**4.7.4 / District Standards**

District standards applicable in the BG district include the following:

- A. Where an existing single-family residence is converted to a duplex or nonresidential use, a minimum of 50 percent of the off-street parking shall be accessed from an alley where such alley access is available, or from a single common driveway where such alley access is not available.
- B. New construction with alley access shall provide at least 50 percent of required parking in the rear yard accessed via the alley.

## Sec. 4.8 / Business Regional (BR)

### 4.8.1 / Purpose

The Business Regional (BR) District is a high-intensity business district. The BR district provides specific standards for the development of a wide variety of large business, office, or service uses. BR district uses attract customers from the regional area and have a strong automobile/mass transit orientation. To ensure appropriate access, visibility, and sufficient parking, these uses are typically situated on large parcels located along high volume arterial roadways. Typical BR district uses include; large-scale office buildings, retail stores selling durable goods and specialty items, restaurants, entertainment and commercial recreation uses, automobile service facilities, and business, personal and financial services.

### 4.8.2 / Allowed Uses

Uses are allowed in the BR district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

### 4.8.3 / Density and Dimensional Standards

All development in the BR district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Densities via PAD:** 32.0 dwelling units/acre
- B. **Minimum Lot Areas:**
  - 1. **Single-Family Dwellings:** 6,000 square feet/unit
  - 2. **Duplex Dwellings:** 3,000 square feet/unit
  - 3. **Patio Home Dwellings:** via PAD
  - 4. **Townhouse Dwellings:** via PAD
  - 5. **Multi-Family Dwellings:**
    - a. 3 Dwelling Units: 6,000 square feet/ lot
    - b. 4th Dwelling Unit: 1,500 square feet/ unit
    - c. Each Additional Unit: 1,400 square feet/ unit
  - 6. **Nonresidential Uses: None**
- C. **Minimum Lot Width:**
  - 1. **Residential Uses:** 50 feet/ lot
  - 2. **Nonresidential Uses:** None
- D. **Maximum Lot Coverage:**
  - 1. **Residential Uses:** 60%
  - 2. **Nonresidential Uses:** None
- E. **Maximum Building/Structure Height:** 50 feet, up to 100' by SUP (See Sec. 4.8.4A)
- F. **Minimum Setbacks:**
  - 1. **Front:**
    - a. Residential Uses: 15 feet
    - b. Nonresidential Uses: 10 feet
  - 2. **Side:**
    - a. Residential Uses: 10% of lot width, not less than 5 or more than 12 feet
      - 1) Attached Uses and Structures: 0 feet
      - 2) Detached Uses and Structures: 7 feet

**Commentary:**

See Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 6,000 square feet.

- b. Multi-use Projects
  - 1) Interior of Multi-use Projects: 0 feet
  - 2) Perimeter of Multi-use Projects: 7 feet
- 3. Rear: 10 feet
- 4. Corner: 8 feet

**Commentary:**

Side setbacks for attached residential uses and multi-use, nonresidential developments may be reduced to 0 feet; provided, however, that adjacent to perimeter project property lines minimum side yard setbacks shall be adhered to.

**4.8.4 / District Standards**

District standards applicable in the BR district include the following:

- A. Maximum building/structure height greater than the otherwise applicable maximum height up to a 100-foot maximum may be approved subject to the approval of a Special Use Permit pursuant to Sec. 9.9.
- B. New construction with alley access shall provide at least 50 percent of required parking in the rear yard accessed via the alley.

**Sec. 4.9 / Downtown Business (DTB)**

**4.9.1 / Purpose**

The Downtown Business (DTB) District is a moderate to high intensity retail, service and business district. The DTB district provides specific standards for the development of business, service, entertainment, and residential uses in the Downtown Business area. DTB district standards are intended to preserve and enhance the unique historic and pedestrian character of downtown Prescott. The DTB district provides opportunities for the development of a full range of uses including; restaurants, business and governmental offices, retail stores, lodging, theaters, museums, individual residences and high density housing.

**4.9.2 / Allowed Uses**

Uses are allowed in the DTB district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

**4.9.3 / Density and Dimensional Standards**

All development in the DTB district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3 and other applicable provisions of this Code.

- A. **Maximum Densities:** 58.0 dwelling units/acre
- B. **Minimum Lot Areas:**
  - 1. **Single-Family Dwellings:** 6,000 square feet
  - 2. **Duplex Dwellings:** 3,000 square feet
  - 3. **Patio Home Dwellings:** N/A
  - 4. **Townhouse Dwellings:** N/A
  - 5. **Multi-Family Dwellings:**
    - a. 3 Units: 7,500 square feet/ lot
    - b. Each Additional Unit:
      - 1) Without recreational and open space amenities (e.g., courtyard, gym, game room, pool) =10 percent of total site area: 1,200 square feet/ unit
      - 2) With recreational and open space amenities (e.g., courtyard, gym, game room, pool) =10 percent of total site area: 650 square feet/ unit
      - 3) With public-private partnership elements that contribute amenities such as public parking, mixed-use development, civic space, or other significant enhancements deemed by City Council appropriate for the highest density consideration: 530 sq. feet/ unit.
  - 6. **Nonresidential Uses:** None

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 7,500 square feet.

- C. Minimum Lot Width:**
  - 1. **Single-Family Dwellings:** 50 feet/ lot
  - 2. **Duplex Dwellings:** 50 feet/ lot
  - 3. **Patio Home Dwellings:** N/A
  - 4. **Townhouses:** N/A
  - 5. **Multi-Family Dwellings:** 50 feet
  - 6. **Nonresidential Uses:** None
- D. Maximum Lot Coverage:**
  - 1. **Single-Family Dwellings:** 40 percent
  - 2. **Duplex Dwellings:** 40 percent
  - 3. **All Other Uses:** None
- E. Maximum Building/Structure Height:**
  - 1. **Single-Family Dwellings:** 35 feet
  - 2. **Duplex Dwellings:** 35 feet
  - 3. **All Other Uses:** 50 feet, up to 100 feet by SUP (See Sec. 4.9.4E)
- F. Minimum Setbacks:**
  - 1. **Single-Family Dwellings:**
    - a. **Front:** 15 feet
    - b. **Side:** 7 feet
    - c. **Rear:** 10 feet
    - d. **Corner:** 10 feet
  - 2. **Duplex Dwellings:**
    - a. **Front:** 15 feet
    - b. **Side:** 7 feet
    - c. **Rear:** 10 feet
    - d. **Corner:** 10 feet
  - 3. **All Other Uses:** None

**4.9.4 / District Standards, Guidelines, and Procedures**

District standards, guidelines and procedures applicable in the DTB district include the following:

**A. Special Uses Permits**

**1. Applicability**

Notwithstanding other provisions to the contrary and as necessary to determine compatibility relative to Sec. 4.9.4B, "Compatibility Review Guidelines," the following development proposals shall be subject to a courtesy review by the Prescott Preservation Commission, review and recommendation by the City's Planning & Zoning Commission, and approval by the City Council pursuant to the provisions of Sec. 9.9:

- a. Construction of new structures 10,000 square feet and larger;
- b. Expansion of existing structures by 50 percent or more floor area; and
- c. Remodeling that adds 50 percent or more to the value of existing structures relative to the pre-remodel values.

Upon reliance of the Compatibility Review criteria outlined in Sec. 4.9.4B, the Prescott Preservation Commission shall provide its determination to the Planning and Zoning Commission as to the development proposal's consistency with the guidelines listed therein. The Planning and Zoning Commission shall review such determination and make its recommendation to the City Council. The City Council shall approve or deny the development proposal.

**2. Additional Submittal Requirements**

A complete application shall be submitted to the Community Development Director as set forth in Sec. 9.1.3. In addition, such applications shall include the following:

- a. A complete site plan must accompany all applications for a Special Use Permit as set forth in Sec. 9.8;
- b. Building elevations illustrating all exposed façades;
- c. Scaled drawings showing how the structure will appear from the adjacent street frontage(s) and from at least 2 other locations in the community as determined by the Community Development Director;
- d. Building materials and colors, and
- e. Other information sufficient to demonstrate conformance with these guidelines.

**B. Compatibility Review Guidelines**

The compatible relationship of proposed development to the unique character of Prescott’s downtown area is of critical public concern for any structures or site improvements. The intent of these design guidelines is to help protect the unique character of Prescott’s downtown area. Without prescribing particular architectural designs or materials, compatibility review shall consider the architectural context of any proposed projects with the goal of achieving development that complements the immediate and surrounding areas.

- 1. Construction and exterior building materials shall be high quality and long lasting.
- 2. Structures shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, height, texture and color. Specific consideration shall be given to compatibility with other like structures in the vicinity where such structures are substantially in compliance with this LDC.
- 3. The architectural design of structures and their materials and colors shall be visually harmonious with the overall appearance, history and cultural heritage of downtown Prescott. Generous use of architectural interest elements is encouraged.
- 4. All mechanical equipment shall be screened from view in accordance with the requirements of Sec. 6.5.8E.

**C. Parking and Loading**

- 1. Off-street parking and loading shall be provided for all uses in accordance with the provisions of Sec. 6.2, Off-street Parking and Loading, and particularly Sec. 6.2.2C, Change of Use. Where surface parking lots are developed, such parking areas shall be screened in all cases from street view in accordance with the applicable requirements of Sec. 6.5.6, Parking Area Landscaping.
- 2. At such time as a city-owned parking garage is open for use in the DTB district and notwithstanding the off-street parking requirements of Sec. 6.2, Off-street Parking, shall not be required in the DTB district for retail stores, restaurants and other hospitality-related uses in the Retail, Service and Business Categories as defined by Sec. 11.1.5E.3.a. and Sec. 11.1.5E.3.c.

**D. Landscaping**

The landscaping requirements in Sec. 6.5, Landscaping and Screening, shall apply with the following exceptions:

- 1. Street frontage landscape strips may be reduced to 0 feet in direct relationship to the building setback.

**Commentary:**

It is the intent of this section to provide for the future “waiver” of parking requirements for those uses that contribute to the tourism and hospitality nature of downtown Prescott. This waiver will apply after development of the required garage. Until that time, full compliance with the City parking standards will be required for all uses.

2. Where low screening walls are provided to screen parking lots, the street frontage landscape strips may be reduced by up to 5 feet in width with plantings placed on the street side of the screening wall.

**E. Height**

Notwithstanding other provisions to the contrary, building height up to 100 feet may be allowed subject to the approval of a Special Use Permit pursuant to Sec. 9.9. Issues to be considered as part of such reviews shall include:

1. Compatibility of the size and scale of the proposed structure with other like structures in the vicinity where such structures are substantially in compliance with this LDC;
2. Topography of the site and vicinity -- the Community Development Director shall determine the site area to be displayed;
3. Effect on the view shed from surrounding areas;
4. Fire and public safety considerations;
5. Adequacy of parking to serve the proposed structure; and
6. Effect on the streetscape, including but not limited to, proposed setbacks and landscaping.

**F. Signs**

All signs and sign permits approved within the Downtown Business (DTB) District pursuant to the requirements of Sec. 9.7, Sign Permits and Comprehensive Sign Plans, shall be in accordance with the following standards:

**1. Maximum Aggregated Signage**

All signs not specifically exempt pursuant Sec. 6.12.3, Exempt Signs, except for murals and entrance signs, shall count toward the maximum aggregated allowable total signage as specified in Sec. 6.12.5, Permitted Signs.

**2. Entrance Signs**

Buildings with public access easements may install signage at the entrance façade sized up to 2x the width of the access easement. This shall be in addition to the maximum aggregated allowable total signage allowed for "Business (1 or 2 Businesses)" in Table 6.12.5B.

**3. Sign Placement**

All wall signs other than perpendicular signs shall be installed flat against the building façade where architecture permits.

- a. One suspended perpendicular sign per building shall be permitted not to exceed 4 linear feet in overhang. A right-of-way permit shall be required when the sign encroaches over the right-of-way.
- b. One perpendicular entrance sign per customer entrance is permitted when placed under the awning. The sign shall be centered under the awning as measured across the sidewalk.

**4. Painted Signs and Murals**

Wall signs and murals painted directly on façades are permitted when complementary to the building. The Community Development Director may require that such signs and murals be subject to the review of the Preservation Commission.

**5. Flashing, revolving or roof-mounted signs**

Flashing, revolving or roof-mounted signs shall be prohibited. No sign shall extend above the top of any part of the roofline.

**6. Changeable Copy Signs**

Theater marquees may use scrolling, electronic changeable copy signs.

**7. Façade Insets or Bands**

Many historic buildings include insets or bands within the façade design specifically for signage. Where this condition exists, allowed signage shall be constrained within this area and shall not extend beyond the provided insets or bands. This shall not limit overall signage allowances to the inset or façade design.

**8. Neon Signs**

Neon signs are allowed and shall count toward the total allowable sign area calculation. Use of neon is also acceptable as a building accent, provided the area contained within the neon tube used for such accent lighting shall count toward the total allowable sign area calculation.

**9. Sign Lighting**

- a. Preferred sign lighting shall be by incandescent or neon tube fixtures. Lettering may be painted or individually cut figures. Neon may be used for lettering if set into individually cut channel-type figures. Internally illuminated fluorescent signs are discouraged. Translucent panels where used must be limited in bright lighting in accordance with the requirements of Sec. 6.11.4B, Outdoor Advertising Displays and Signs Lighting.
- b. Fluorescent lighting shall not be allowed, either exposed or as a backlight, with the exception of under-awning security lighting.

**10. Seasonal Bunting**

Seasonal bunting shall be considered temporary signage and may be allowed in accordance with the provisions of Table 6.12.5C, Temporary Sign Standards.

**11. Sandwich Signs**

Sandwich signs are not allowed on site, but may be allowed in the right-of-way, per City Code, Title VIII, Sec. 8-4-2.

**G. Grandfathered Signs in Downtown Area**

The following signs are considered contributions to the historic character of the Downtown Business District. Although some may be nonconforming, their historic value merits their preservation.

- 1. A.J. Head Hotel
- 2. A1 Beer at The Palace
- 3. Arizona National Bank Time & Temperature Sign
- 4. Dinner Bell
- 5. First National Bank of Arizona
- 6. Hassayampa Hotel
- 7. Hotel St. Michael
- 8. Hotel Vendome
- 9. Lily Ice Cream at 145 N. Cortez
- 10. Sam Hill signs in Montezuma sidewalk (2)
- 11. Sam Hill Warehouse

**Commentary:**

Signs within the DTB district play a significant role in the historic fabric of the downtown area as well as functioning to advertise commercial activities. Prescott downtown is a unique area with complex variations in setbacks, rights-of-way, and many historic buildings. Therefore, it is important that signage be treated differently than in other commercial areas of Prescott. Signs, when used properly, can be an important design element that adds to the overall design. Signs should be used for identification only, and not for advertising. Building signage should complement, rather than distract, from the architecture of the building or character of the district

- 12. The Bird Cage
- 13. US Post Office
- 14. Valley National Bank on E. Gurley
- 15. Yavapai County Courthouse

## Sec. 4.10 / Industrial Transition (IT)

### 4.10.1 / Description

The Industrial Transitional (IT) District is a moderate-intensity business and light-industrial district that provides a transitional zone between adjacent residential and business uses and more intense industrial uses. The IT district provides specific standards for the development of business and low-intensity industrial uses. IT district standards facilitate the development of Industrial Light uses in well-designed landscaped settings while providing performance standards and buffering requirements designed to minimize potential negative impacts on adjacent uses. Typical IT district uses include: small-scale manufacturing, indoor storage, research and development, and large commercial services. In addition, multi-family dwellings may be permitted as a transitional use.

### 4.10.2 / Allowed Uses

Uses are allowed in the IT district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

### 4.10.3 / Density and Dimensional Standards

All development in the IT district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Densities via PAD:** 14.0 dwelling units/acre
- B. **Minimum Lot Area:**
  - 1. **Multi-Family Dwellings:**
    - a. **3 Units:** 7,500 square feet/ lot
    - b. **Each Additional Unit:** 3,600 square feet/ unit
  - 2. **Nonresidential uses:** None
- C. **Minimum Lot Width:**
  - 1. **Multi-Family Dwellings:** 50 feet/ lot
  - 2. **Nonresidential Uses:** None
- D. **Maximum Lot Coverage:** None
- E. **Maximum Building/Structure Height:** 40 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 20 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 20 feet
  - 4. **Corner:** 10 feet

**Commentary:**

See Sec. 9.5, Planned Area Development, for applicable PAD procedures and criteria.

**Commentary:**

For a lot to be eligible for any multi-family dwellings, the lot must have at least 7,500 square feet.

### 4.10.4 / District Standards

District standards applicable in the IT district include the following:

- A. [RESERVED]

## Sec. 4.11/ Industrial Light (IL)

### 4.11.1 / Purpose

The Industrial Light (IL) District is a moderate-intensity industrial district. The IL district provides specific standards for the development of a variety of light industrial and service uses. Typical IL district uses include: manufacturing, wholesaling, warehousing, distribution, research and development, and large-scale commercial services.

### 4.11.2 / Allowed Uses

Uses are allowed in the IL district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

### 4.11.3 / Density and Dimensional Standards

All development in the IL district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density:** None
- B. **Minimum Lot Area:** None
- C. **Minimum Lot Width:** None
- D. **Maximum Lot Coverage:** None
- E. **Maximum Building/Structure Height:** 50 feet
- F. **Minimum Setbacks:**
  - 1. **Front:** 10 feet
  - 2. **Side:** 7 feet
  - 3. **Rear:** 10 feet
  - 4. **Corner:** 10 feet

### 4.11.4 / District Standards

District standards applicable in the IL district include the following:

- A. [RESERVED]

## Sec. 4.12 / Industrial General (IG)

### 4.12.1 / Purpose

The Industrial General (IG) District is a high-intensity industrial district. The IG district provides specific standards for the development of a wide variety of Industrial General uses. Typical IG district uses include: large-scale manufacturing, wholesaling, warehousing, regional and national distribution facilities, materials extraction, materials salvage, storage, and related activities.

### 4.12.2 / Allowed Uses

Uses are allowed in the IG district in accordance with the Use Table of Sec. 2.3. Such uses shall be housed in permanent buildings in permanent locations unless otherwise noted.

### 4.12.3 / Density and Dimensional Standards

All development in the IG district is subject to the standards of this section, the Measurements, Computations and Exceptions specified in Sec. 2.7.3, and other applicable provisions of this Code.

- A. **Maximum Density:** None
- B. **Minimum Lot Area:** None
- C. **Minimum Lot Width:** None

- D. **Maximum Lot Coverage:** None
- E. **Maximum Building/Structure Height:** 50 feet, up to 100 feet by SUP per Sec. 4.12.4A.
- F. **Minimum Setbacks:**
  - 1. **Front:** 25 feet
  - 2. **Side:** 15 feet
  - 3. **Rear:** 25 feet
  - 4. **Corner:** 15 feet

**4.12.4 / District Standards**

District standards applicable in the IG district include the following:

- A. Maximum building/structure height greater than the otherwise applicable maximum height up to a 100-foot maximum may be approved subject to the approval of a Special Use Permit pursuant to Sec. 9.9.



**Article 5/ Overlay Districts**

**Sec. 5.1 / General Purposes**

The overlay zoning districts of this article are intended to apply in combination with the underlying base zoning district to impose regulations and standards in addition to those required by the base district. The requirements of an overlay district shall apply whenever they are in conflict with or are more stringent than those in the base district.

**Sec. 5.2 / Airport Noise Overlay (ANO)**

**5.2.1 / Purpose**

The Airport Noise Overlay (ANO) District provides standards for the mitigation of impacts created by aviation related activity at Ernest A. Love Field.

**5.2.2 / District Applicability**

ANO District standards apply to properties located within the boundaries of the Noise Compatibility Zones near, or adjacent to Ernest A. Love Field as shown on the Official Zoning Map.

**5.2.3 / District Standards**

**A. Noise Compatibility Zones**

Noise compatibility zones established for areas around Ernest A. Love Field are based on the Ldn contours for aircraft noise, as identified in the September 1990 Environmental Impact Assessment. Due to the averaging inherent in making Ldn calculations and the necessary assumptions relating to the forecasting procedure, the Ldn contour lines cannot be precisely defined in the field. Therefore, the boundaries between the noise compatibility zones, while bearing a very close relationship to the Ldn contour lines, have been adjusted to facilitate understanding and agreements as to the location of the boundaries.

**1. N-1 Zone**

The N-1 zone generally corresponds to the area with an Ldn of 65 and below.

**2. N-2 Zone**

The N-2 zone generally corresponds to the area between the Ldn 65 and 70 contours.

**3. N-3 Zone**

The N-3 zone generally corresponds to the area between the Ldn 70 and 75 contours.

**4. N-4 Zone**

The N-4 zone generally corresponds to the area with Ldn contours above 75.

**5.2.4 / Allowed Uses**

Uses are allowed in the ANO district in accordance with the following Land Use Compatibility Table.

Table 5.2.4

LAND USE COMPATIBILITY STANDARDS FOR THE ANO DISTRICT						
	Yearly Day & Night Average Sound Level Ldn (Decibels)					
	Below 65	65-70	70-75	75-80	80-85	OVER 85
<b>Residential</b>						
Residential, Other Than Mobile Homes, Manufactured Homes and Transient Lodgings	Y	N(1)	N(1)	N	N	N
Mobile homes and manufacture home parks	Y	N	N	N	N	N
Transient lodgings	Y	N(1)	N	N(1)	NN	N
<b>Public Use</b>						
Schools	Y	N(1)	N(1)	N	N	N
Hospitals and Nursing Homes	Y	25	30	N	N	N
Churches, Auditoriums, and Concert Halls	Y	25	30	N	N	N
Transportation	Y	Y	Y(2)	Y(3)	Y(4)	Y(4)
Parking	Y	Y	Y(2)	Y(3)	Y(4)	N
<b>Commercial Use</b>						
Offices, Business and Professional	Y	Y	25	30	N	N
Wholesale & Retail-Building Materials, Hardware & Farm Equipment	Y	Y	Y(2)	Y(3)	Y(4)	N
Retail Trade, General	Y	Y	25	30	N	N
Utilities	Y	Y	25	30	N	N
Communication	Y	Y	25	30	N	N
Manufacturing, General	Y	Y	Y(2)	Y(3)	Y(4)	N
Photographic and Optical	Y	Y	25	30	N	N
Agriculture (Except Livestock) and Forestry	Y	Y(6)	Y(7)	Y(8)	Y(6)	Y(8)
Livestock Farming and Breeding						

Notes:

- [1] Where residential or school uses are allowed, measures to achieve outdoor to indoor Noise Level Reduction (NLR) of at least 25 dB and 30 dB shall be required. Normal residential construction can be expected to provide a NLR of 20 dB, thus, the reduction requirements are often stated as 5, 10, or 15 dB over standard construction and normally assume mechanical ventilation and closed windows year round. However, the use of NLR criteria will not eliminate outdoor noise problems.
- [2] Measures to achieve NLR 25 dB must be incorporated into the design and noise sensitive areas or where the normal noise level is low.
- [3] Measures to achieve NLR 30dB must be incorporated into the design and buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- [4] Measures to achieve NLR 35dB must be incorporated into the design and construction of portions of buildings where these buildings where the public is received, office areas, noise sensitive areas or where normal noise level is low.
- [5] Land use compatibility provided special sound reinforcement systems are installed.
- [6] Residential buildings require an NLR of 25.
- [7] Residential buildings require an NLR of 30.
- [8] Residential buildings not permitted.

KEY TO TABLE 5.2.4, ABOVE

- SLUCM = Standard Land Use Coding Manual
- Y (Yes) = Land Use and related structures compatible without restrictions
- N (No) = Land Use and related structures are not compatible and should be prohibited.
- NLR = Noise Level Reduction (outdoor to indoor) to be achieved through incorporation of noise attenuation into the design and construction of the structure.
- 25, 30, or 35 dB must be incorporated into design and construction of structures.

**5.2.5 / District Standards**

In addition to base district standards, all uses in the ANO district shall be subject to standards provided in the following sections.

**5.2.6 / Soundproofing**

Reduction of noise levels shall be required for construction or establishment of certain land uses in the noise overlay zones as shown in the Table of Land Use Compatibility Standards (Table 5.2.4). The standards also shall apply to reconstruction, remodeling or additions to existing buildings of the types referenced in Table 5.2.4 when the value of the improvement exceeds 50 percent of the value of the existing structures. Where noise sensitive activities are carried on in only a portion of a new or reconstructed commercial building, only those areas that are noise-sensitive need be protected, as identified by Ldn contours and land use compatibility guidelines. Where soundproofing is required, no building permits shall be issued until the builder has demonstrated that the building design is capable of achieving the Noise Level Reduction required in the Table 5.2.4, Land Use Compatibility Standards. This requirement can be met by meeting the standards described in the following subsections:

**A. Soundproofing Design Standards**

If the building design incorporates the requirements of Sec. 5.2.7, Soundproofing Design Standards, the design shall be considered to have met the required soundproofing standards.

**B. Performance Standards**

The builder may choose to use design features other than those described in Sec. 5.2.7, Soundproofing Design Standards, provided that the final design is capable of achieving the Noise Level Reduction required in the Table 5.2.4, Land Use Compatibility Standards. Noise attenuation capability shall be certified on the building plans by a registered architect, structural engineer, or acoustician and shall be approved by City Staff prior to building permit issuance.

**5.2.7 / Soundproofing Design Standards**

The construction methods and materials described in this Section shall be considered to satisfy the Noise Level Reductions standards set forth in Table 5.2.4, Land Use Compatibility Standards:

**A. Noise Level Reduction of 25 Decibels (dB)**

To achieve Noise Level Reduction of 25 dB, the following methods shall be utilized:

1. If wood frame construction is used, all exterior stud walls shall have interior and exterior surfaces of material at least as massive as half-inch thick gypsum wallboard, and the intervening space shall contain fibrous thermal insulation at least 3 inches thick.
2. The design for a habitable room shall be such that any exterior door or window can be kept closed when the room is in use.
3. Means of ventilation shall be available to afford a minimum of 2 complete air changes per hour.
4. Any air duct or connection to out-of-doors shall contain an interior sound absorbing lining acoustically equivalent at least to a 1-inch fiberglass duct liner with length greater than 5 times the diameter of the duct.
5. The ceiling below an attic space shall include gypsum board or plaster at least 1/2 inch thick; fibrous thermal insulation at least 3 inches thick shall be laid between the ceiling joists.
6. A forced air circulation system shall be provided that will give a minimum of 2 complete air changes per hour, of which at least 1/5 is fresh air.
7. A ceiling or exhaust duct shall be provided with a bend in the duct such that there is no direct sunlight through the duct from outside to inside. The bend shall be lined with the equivalent of a 1-inch fiberglass duct liner.
8. There shall be no direct openings, such as mail slots, from the interior to the exterior of the building. All chimneys shall be provided with well-fitting dampers with gaps no greater than 1/16 of an inch.

9. Exterior hinged doors shall be solid-core construction. Jalousie windows shall not be permitted. The total area of glass windows and of any exterior door to a sleeping space shall not exceed 20 percent of the gross floor area of a room.
10. Workmanship on doors and operable windows shall be such that the doors and windows are as close fitting as possible. Weather stripping seals shall be incorporated on all edges to eliminate gaps. Air gaps and rattling shall be prevented.
11. Masonry walls, if used, shall be at least equivalent in weight to 6-inch lightweight concrete blocks, at least one surface of which is painted or plastered.
12. The roof deck (sheathing and shingles) shall weigh at least 7 pounds per square foot, containing a solid core at least 1 1/2 inches thick.

**B. Noise Level Reduction of 30 Decibels (db)**

To achieve Noise Level Reduction 30 dB the following construction methods shall also be utilized in addition to those listed in Sec. 5.2.7A, above.

1. Window glass shall be set in an elastomer gasket. Double-glazing shall be installed, with airspace of at least 3/4 of an inch between the 2 panes of glass.
2. Windows of dome skylights shall not be permitted, unless they have a sound transmission class (STC) of at least 30.
3. The top-floor ceiling construction shall consist of plaster or gypsum board at least 5/8-inch thick supported on resilient clips or channels. A non-hardening caulking compound shall be provided around the entire perimeter of the suspended ceiling.
4. The floor of the lowest room or area containing the uses to which those insulation requirements apply shall be a concrete slab, or otherwise designed to reduce exterior noise.
5. Masonry walls, if used, shall be at least equivalent in weight to 8-inch lightweight concrete blocks, at least one surface of which shall be painted or plastered.
6. The roof deck shall weigh at least 12 pounds per square foot. Wood roof sheathing shall be continuous and at least 3/4-inch thick.

**C. Noise and Avigation Easement Required**

Prior to issuance of any building or development permit for property within the noise compatibility zones, the owner of said property shall provide the City of Prescott with an avigation easement over the subject property and release the City of Prescott from all liability for any and all claims for damages including, but not limited to, dust, noise, vibration, fumes, fuel and lubricant particles. The avigation easement and release form shall be available from the City of Prescott. The same avigation easement shall be required within the Airport Influence Area, as authorized by the City. (See legal description in Appendix A).

**D. Noise Pressure Measures**

Whenever any reference is made to noise pressure measures in this Section, any values expressed therein reference the dBA scale, notwithstanding any reference to the contrary, the dBA scale being that which most closely takes into consideration human hearing.

## Sec. 5.3 / Commercial Corridor Overlay (CCO)

### 5.3.1 / Purpose

The Commercial Corridor Overlay (CCO) District is intended to promote quality commercial, industrial, and multi-family development that is compatible with surrounding natural areas and/or developed and developing residential neighborhoods. All new development in the CCO District should:

- A. Minimize the impacts of new commercial development on nearby neighborhoods;
- B. Protect and enhance the character of highway and arterial corridors, which are mainly defined by surrounding residential neighborhoods and scenic natural features;

- C. Create pleasing places to view and experience through thoughtful building orientation, parking placement, pedestrian access, landscaping and screening
- D. Integrate new development, functionally, internally and externally to the site and to surrounding neighborhoods;
- E. Preserve safe and logical access, and the carrying capacity of designated corridors;
- F. Promote the provision of usable pedestrian areas, such as plazas with street furniture, public art, and etc.; and
- G. Ensure the provision of public services and facilities needed to accommodate planned land uses and population densities, as well as vehicular-, pedestrian- and bike- access.

**5.3.2 / Applicability**

CCO District standards apply to the development of the following on properties located within the boundaries of the CCO District as identified on the Official Zoning Map. Any parcel split by a CCO boundary line shall be subject, in its entirety, to the CCO standards.

- A. New multi-family residential and nonresidential construction; or
- B. Any addition to an existing multi-family residential or nonresidential structure, or an interior or exterior remodeling, equal to 50 percent or more of the building's size or value at the time of permit application.

**5.3.3 / Administrative Adjustment**

The Community Development Director may approve an administrative adjustment to the standards of this section pursuant to the requirements of Sec. 9.16, Administrative Adjustments, under any of the following circumstances:

- A. Where due to special physical characteristics applicable to a property, the strict application of requirements of this section would create an undue hardship; and
- B. Where adjustment by up to 10% of the standard or requirement will enhance achievement of Sec. 5.3.1, Purpose; and
- C. Where such adjustment is the minimum necessary to achieve the desired purpose.

**5.3.4 / Public Informational Meetings**

**A. Meetings Required**

Public informational meetings shall be required before the City Council for projects that:

- 1. Exceed 100,000 square feet in gross floor area; and
- 2. Exceed 400 parking spaces.

**B. Timing of Informational Meetings**

All Informational Meetings shall be held after a Pre-Application meeting has been held, yet early enough in the design process to allow consideration of citizens' suggestions.

**C. Required Information**

The applicant shall provide the following information for all Informational Meetings:

- 1. Scaled site plan no smaller than 24" by 36" showing access points, parking, landscaping, any required buffering and screening, building footprints, service areas and equipment locations;
- 2. Scaled building elevations (both 24" x 36" and 8½" x 11" reductions) depicting proposed, front, sides and rear;
- 3. Color chips with the Light Reflectance Value (LRV) specified (the provided color elevations need to only approximate the proposed colors); and
- 4. Descriptions of roof treatments, building finish materials and colors, and the types of skylights if used.

**5.3.5 / Optional Planning and Zoning Commission Site Plan Review**

The Community Development Director may require a Planning and Zoning Commission Site Plan Review pursuant to the requirements of Sec. 9.8. In such cases, an Informational Meeting may be required pursuant to Sec. 5.3.4.

**5.3.6 / Allowed Uses**

Uses are allowed in the CCO overlay district in accordance with the underlying zoning district in accordance with the requirements of Sec. 2.3, Use Table.

**5.3.7 / Density and Dimensional Standards**

All development in the CCO overlay district is subject to the density and dimensional standards of underlying zoning district standards specified in Sec. 2.7, Density and Dimensional Standards, including but not limited to the Major Streets Setbacks of Sec. 2.7.3D.9, other applicable provisions of this Code.

**5.3.8 / District Standards**

In addition to standards of the underlying zoning district and other applicable standards of this Code, the following standards shall apply in the CCO district:

**A. Minimum Lot Area:** per underlying zoning district requirements

**B. Off-Street Parking**

The Community Development Director may:

1. Approve an Administrative Adjustment pursuant to Sec. 9.16, reducing Side and Rear Setbacks where shared parking is provided pursuant to Sec. 6.2.10B, Shared Parking.
2. Require that up to 5 percent of the required parking area be reserved for park-and-ride within commercial developments of 100,000 square feet or more of gross floor area.

**C. Pedestrian Access and Amenities**

1. Paved pedestrian accessways shall be provided within and between business use sites pursuant to the requirements of Sec. 7.4.6, Pedestrian and Biking Facilities.
2. Provision for outdoor seating and pedestrian plaza areas are encouraged to serve employees and clientele and to promote pedestrian activities.

**D. Architectural Standards**

The following standards are intended to promote creative and high quality architectural design that offers interest, variety, and human scale, and complement the natural backdrop and terrain of the CCO district. Designs should be sensitive to commercial and nearby residential neighborhoods as well as to human scale and pedestrian needs. Building features, signage and landscaping should be coordinated and integrated.

**1. Building Façade/Fenestration**

To promote creativity and high quality building design, architectural style is not limited. Building massing, shape, and color shall be used to minimize the visual scale and bulk of large projects and buildings, and more specifically:

- a. Exhibit a unity of design for buildings within multi-building complexes through the use of similar elements such as rooflines, materials, window arrangement, sign location, and details.
- b. Incorporate, within all walls over 100 feet in length or higher than 35 feet, at least 4 recesses, wall off-sets, balconies, angular forms, windows, canopies, arcades, colonnades, color changes, and material bands and other features within each 100-foot length to provide a visually interesting shape.
- c. Contiguous to streets and residential areas, side and rear façades shall be compatible with the overall building design concept and treated architecturally to avoid blank walls and monotonous elevations unless otherwise obscured from view.

**2. Building Materials**

Low maintenance and high quality building materials shall be required in all cases. Metal siding and glass curtain walled buildings are discouraged.

**3. Building Colors**

Utilize medium to darker earth tones and non-reflective materials on all structures, including roofs, to minimize contrast and blend with the surrounding natural landscape, specifically:

- a. Buildings, roofs, and fences shall be constructed, finished, and/or painted so that the light reflectivity is no greater than 60 Light Reflectance Value (LRV); except:
- b. Trim work using colors greater than 60 LRV may be allowed by the Community Development Director if kept to no more than 10 percent of the building façade area where glass coverage is less than 1/3 of the total square footage of the façade;

**4. Roofs**

Roof designs shall minimize daytime glare and illumination visible from surrounding streets, properties, and residential neighborhoods.

- a. Roof surfaces shall have a maximum 60 LRV.
- b. Metal roofs shall be coated in a matte finish to reduce glare and light reflectivity to no greater than 60 LRV;
- c. Roofs that are visible from contiguous streets shall have a minimum 3:12 pitch, parapet walls or some other form of screening a flat roof.
- d. Commercial building skylights visible from surrounding residential areas shall be shielded, tinted, or otherwise visually subdued as necessary to control both daytime glare and nighttime glow.
- e. Roof-mounted equipment shall be screened in a manner integrated with the roof structure and color, and in accordance with the requirements of Sec. 6.5.8E, Mechanical Equipment.
- f. Flat roofs shall be painted or rocked the color similar to that of the building.

**E. Sign Lighting**

All sign lighting shall be turned off one hour after closing of business or by 10PM, whichever is later. Provided, however, that identification signs for multi-tenant commercial centers may remain on throughout the night.

**Sec. 5.4 / Historic Preservation Overlays (HPO)**

**5.4.1 / Applicability**

The design guidelines, provisions and district maps of the Historic Preservation Code, as said Code may be amended from time to time, shall be incorporated herein by reference. The Historic Preservation Code shall apply to all development within the established historic preservation overlay districts (HPO). Whenever there is conflict between the specific guidelines and provisions administered by the Preservation Commission and this LDC, the more restrictive shall apply.

**Commentary:**

In addition to the local historic districts listed herein, there are also several National Register Historic Districts within the City of Prescott. Please contact the City's Historic Preservation Specialist for specific information regarding these districts.

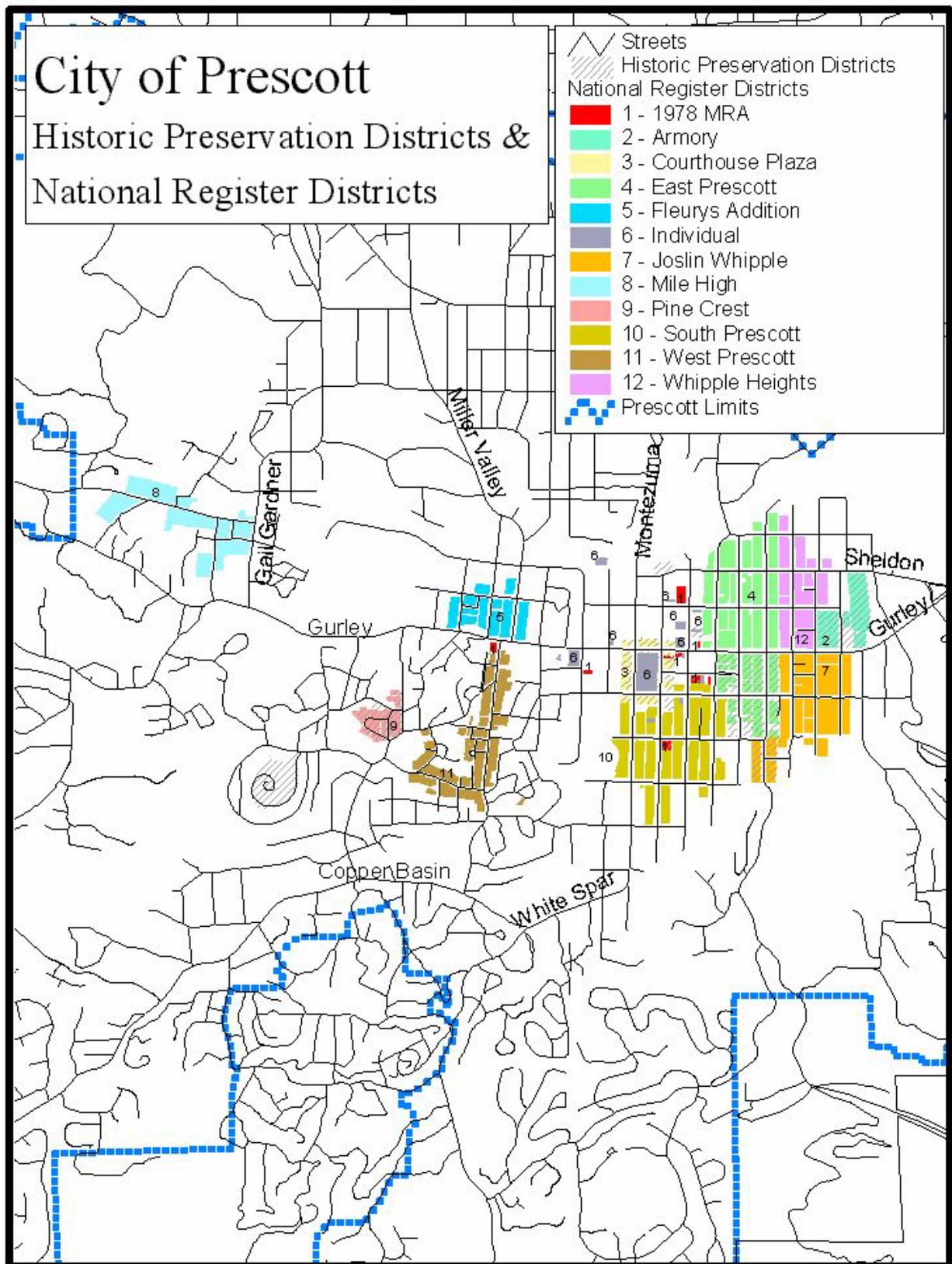
**5.4.2 / District Standards and Procedures**

All development in designated HPO Districts shall be in accordance with the specific guidelines, provisions, and procedures of the respective districts, as set forth in Sec. 5.4.3 below.

**5.4.3 / Districts Designated**

HPO Districts designated by the Prescott Preservation Commission, incorporated by reference, include the following:

- A.** #1 Courthouse Plaza District (Ord. 3744, adopted April 14, 1998, as amended by Ord. 4119, June 26, 2001)
- B.** #2 Elks Theater, #3 Edmund Wells House, #3 Sam Hill Warehouse, #7 Hassayampa Inn District (Amended by Ord. #3535, Sept. 24, 1996)
- C.** #12 Fort Necessity Site District (Ord. 3434, adopted Nov. 14, 1995)
- D.** #10 Pine Crest District (Ord. 3272, adopted Sept. 27, 1994)
- E.** #11 Prescott Armory District (Ord. 3279, adopted Nov. 8, 1994)
- F.** #9 Rev. E. Meany House District (Ord. 3432, adopted Nov. 14, 1995)
- G.** #8 Santa Fe Depot District (Ord. 1986, adopted March 22, 1988)
- H.** #13 Southeast Prescott District (Ord. 3433, adopted Nov. 14, 1995)
- I.** #6 Union Street District (Ord. 1482, adopted Nov. 10, 1980)





**Article 6 / General Development Standard**

**Sec. 6.1 / Applicability**

The general development standards of this Article shall be applicable to all site development and subdivisions in the City, except as otherwise specified herein. No building permit, certificate of occupancy, site disturbance and grading permit, or final plat shall be approved until all of the applicable standards of this Article 6, General Development Standards, are met.

**Sec. 6.2 / Off-street Parking and Loading**

**6.2.1 / Purpose**

The purpose of this section is to establish standards for off-street parking spaces and loading spaces and the use of flexible pavement technologies consistent with the proposed land use to:

- A. Reduce undesirable gravel, mud and other debris from reaching streets and sidewalks, and drainage culverts;
- B. Reduce dust that would otherwise deteriorate air quality;
- C. Avoid the traffic congestion, conflicts and public safety hazards caused by a failure to provide such parking and loading space; and
- D. Expedite the movement of vehicular traffic and alternate modes of travel on public thoroughfares in a safe manner, thus increasing the safety and carrying capacity of the streets and reducing the amount of land required for streets, thereby lowering the cost to both the property owner and the City.

**6.2.2 / Applicability**

**A. New Development**

The off-street parking and loading standards of this Section shall apply to any new building constructed and to any new use established, as well as to any stand-alone parking lots – all of which shall require a building permit.

**B. Expansions and Alterations**

The off-street parking and loading standards of this Section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces shall be required to serve only the enlarged or expanded area.

**C. Change of Use**

Off-street parking and loading must be provided for any change of use or manner of operation that would, based on the Off-Street Parking Table 6.2.3 result in a requirement for more parking or loading spaces than the existing use; provided, however, buildings and uses which existed prior to October 28, 1968, which did not conform to the off-street parking requirements shall not be required to furnish such additional off-street parking on-site unless there is sufficient room on-site for additional parking. Where there is insufficient room on-site for additional parking, the additional parking shall be provided in a manner acceptable to the Community Development Director.

**6.2.3 / Off-Street Parking Requirements**

Unless an Alternative Parking Plan is approved in accordance with the requirements of Sec. 6.2.10, Alternative Parking Plans, or where otherwise exempt (e.g., some uses in the DTB district), off-street parking shall be provided for all uses and use categories as contained in Table 6.2.3. Uses not listed shall provide parking based on the requirements for the listed use with characteristics most similar to the proposed use.

The parking calculations shall be based on net floor area, as defined in Sec. 11.2.5, General Terms. In lieu of calculating the floor area, 90% of gross floor area may be assumed.

Table 6.2.3

OFF-STREET PARKING REQUIREMENTS			
Use Type	Minimum Space Requirements	Use Type	Minimum Parking Requirements
Uses A- Da		Uses Dw-Ma	
Adult Entertainment	1 per 60 sf	Dwelling units, Senior Apartment	1 space per dwelling unit with an additional ½ space, up to a maximum of 20 spaces, for visitor parking
Airport, Terminal	Off-Street Parking Study, Sec. 6.2.11F	Dwelling units, Single Family, Duplexes, Patio Homes, Townhouses	2 per dwelling
Amphitheater/ Arena	1 per 3 seats	Fraternity/Sorority or Boarding House	1 per bedroom
Amusement Park	Off-Street Parking Study, Sec. 6.2.11F	Foster Homes	2 per dwelling
Assisted Living	.5 per dwelling + 1/employee/shift	Funeral Home	1 per hearse and other fleet vehicle + 1 per 3 chapel seats
Bank	1 per 200 sf + Stacking (Sec.6.2.9A)	Golf Course	6 per hole + one per 100 sf of clubhouse
Bed and Breakfasts	1 per guest room, in addition to spaces otherwise required	Golf Driving Range	1 space per tee
Bowling Center	5 per lane, plus one per employee, plus 50% of spaces otherwise required for accessory uses (e.g. bars, restaurants, game rooms)	Government Facility	1 per 300 sf
Bus Terminal	Off-Street Parking Study, Sec. 6.2.11F	Greenhouse/ Retail	Office Area: one per 300 sf + Sales Area: one per 2000 sf
Car Wash, all types	1 per wash bay or 1 per employee, whichever is greater + Stacking (see Sec. 6.2.9.A)	Guest Dwellings	1 per dwelling
Caretakers Quarters	2 per dwelling	Health Clubs/Spas	1 per 200 sf
Casitas, Cabins, or Cottages	2 per dwelling	Home Occupations	Per district
Church Camp	Off-Street Parking Study, Sec. 6.2.11F	Hospital	2 per bed
College, University	Off-Street Parking Study, Sec. 6.2.11F	Hotels, Inns, Motels	one per guest room
Congregate Living	1 per 3 beds + 2 for resident family	Junkyard/Recycling	2 per Ac.
Contact Storage Yard	Office Area: one per 300 sf Storage area: one per 1,000 sf	Kennel, Animal Boarding	1 per 400 sf
Day Care, Commercial	1 per 6 clients	Laundry/Cleaners	1 per 300 sf
Day Care, Home	2, in addition to spaces otherwise required for the residence	Library	1 per 300 sf + one per 90 sf of assembly area
Dormitories	0.5 per bed	Manufacturing (Heavy)	Office Area: one per 300 sf + Work /Storage/Other Area: < 50,000 sf: one per 750 sf > 50,000 sf: one per 1,250 sf
Dwelling units, Multi-family (Apts. & Condos)	1 per bedroom + 0.50 guest spaces per unit, up to 20 spaces maximum	Manufacturing (Light)	Office Area: one per 300 sf + Work /Storage/Other Area: < 50,000 sf: one per 500 sf > 50,000 sf: one per 1,250 sf

Table 6.2.3 (Continued)

OFF-STREET PARKING REQUIREMENTS (Continued)			
Use Type	Minimum Space Requirements	Use Type	Minimum Parking Requirements
Uses Mi-Rel		Uses Rep-Wa	
Mining and Extractive Use	Off-Street Parking Study, Sec. 6.2.11F	Repair shop, minor	1 per 300 sf
Manufactured Home Parks	2 per dwelling +0.50 guest space per dwelling	Restaurant, Fast Food	1 per 75 sf of customer service area + Stacking (Sec. 6.2.9A)
Museum	1 per 400 sf, excluding storage areas	Restaurant, Standard	1 per 100 sf
Nursing Homes	1 per 2 beds	Restaurant/Tavern/ Supper Club	1 per 100 sf of customer service area + one per 35 sf of dance floor
Office	1 per 300 sf	Retail, General	1 per 200 sf
Office, Medical	1 per 150 sf	Retail, Large Consumer Goods	1 per 500 sf
Park or Preserve	Off-Street Parking Study, Sec. 6.2.11F	School, K-8	2 spaces per classroom, + drop-off area
Personal Service Barber/ Hairstylist	1 per 100 sf	School, 9-12	10 spaces per classroom
Petroleum or Chemical Production	Office Area: one per 300 sf + Work /Storage/Other Area: < 50,000 sf: one per 750 sf > 50,000 sf: one per 1,250 sf	Self-service/Mini-storage	1 per 100 lockers inside of fenced area + 5 spaces outside of fenced area + loading areas
Playground	1 per 4 persons accommodated on play equipment	Shooting/Archery Range,	1 space per station
Private Club or Lodge	1 per 100 sf of assembly area	Theater, Entertainment	1 per 3 fixed seats or one per 60 sf seating area if no fixed seats
Professional Services; Taylor, Florist, Photographer, etc.	1 per 300 sf	Utility, Major	Office Area: one per 300 sq ft + Work/Storage/Other Area: <50,000 sq ft: one per 750 sq ft >50,000 sq ft: one per 1,250 sq ft
Racetrack, Animal	Off-Street Parking Study, Sec. 6.2.11F	Unlisted Uses	See Sec. 6.2.11E
Racetrack, Motor Vehicle	Off-Street Parking Study, Sec. 6.2.11F	Vehicle Repair	4 per bay including bay
Rail Terminal	Off-Street Parking Study, Sec. 6.2.11F	Vehicle Sales	Office Area: one per 300 sf + Sales Area: one per 2000 sf
Recreational Vehicle Park	Off-Street Parking Study, Sec. 6.2.11F	Vehicle, Service Station	1 per 200 sf convenience sales area, + one per service bay, + 2 stacking spaces per pump
Religious Institutions	1 per 4 fixed seats or one per 50 sf of seating/assembly area	Warehousing and/or Distribution	Office Area: one per 300 sf + Work /Storage/Other Area: 1 - 10,000 sf: one per 500 sf 10,001 - 50,000 sf: one per 750 sf > 50,000 sf: one per 1,250 sf
		Wholesale Sales and Storage	Office Area: one per 300 sf + Indoor Sales/Display/Storage Area: 1 per 500 sf + Outdoor Sales/Display Area: 1 per 750 sf

**6.2.4 / General Requirements**

**A. Use of Off-Street Parking Areas, Commercial Sites**

Required off-street parking areas for commercial sites are to be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motorhomes, campers, mobile homes, or building materials, except for special events that may be approved by the Community Development Director.

**B. Use of Off-Street Parking Areas, Residential**

1. Recreational vehicles, motorhomes, utility trailers, camp trailers, boats and similar equipment that is allowed to be stored on residentially-zoned property in accordance requirements of Sec. 2.5.9, RV, Motorhomes and Similar Storage, shall not be used for sleeping or habitation purposes.
2. No trailer of any type in excess of 40 feet in length shall be located on residential property unless screened from surrounding properties in accordance with City Code Section 7.5.2 DEFINITIONS - "Screened Area - Exterior".

**C. Surfacing and Maintenance**

For every project, all required off-street parking areas shall be paved and maintained in a dust-free, mud-free, pothole-free, and excessive crack-free condition; except for unique conditions, as determined and approved by the Community Development Director, the utilization of permeable paving materials may be possible providing all sediment is retained on-site.

**6.2.5 / Parking Design Standards**

**A. Access to Parking Areas**

1. All off-street parking spaces shall be accessible without backing into or otherwise reentering a public right-of-way, unless it is physically impossible to provide parking for a building completed prior to [October 28, 1968].
2. Alleys providing access to off-street parking shall be paved per City standards to the nearest street intersection.
3. A 2-way, paved access drive not less than 24 feet in width shall be required to serve off-street parking areas.
4. Such access shall have an approved turn-around as may be required by the Fire Chief.
5. Where 1-way access can provide circulation from street to alley, an access drive at least 20 feet wide is permitted subject to the required alley improvements.
6. Curb cuts shall be subject to the requirements of Sec. 6.3, Access Management.

**B. Aisle Widths (Except Single-Family and Duplex Projects)**

Driving aisles that provide access to off-street parking spaces shall comply with the following standards:

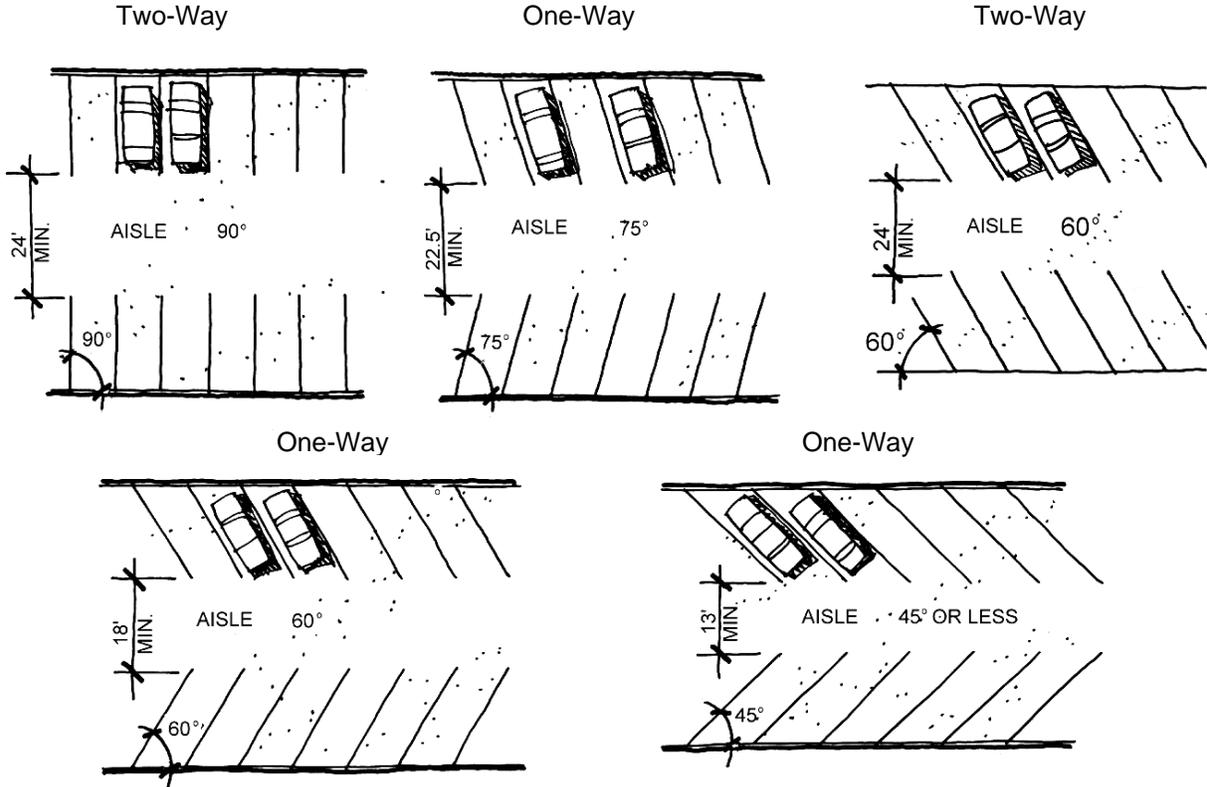
Table 6.2.5A

AISLE WIDTHS				
Increase in Parking Space Width (feet)	Minimum Width for Specified Parking Angle (feet)			
	90 degrees	75 degrees	60 degrees	45 degrees or Less
0.00	24	22.5	18	13
0.50	23	20.5	--	--
1.00+	22	--	--	--

Notes:

[1] Required fire lanes shall have a minimum width of 20 feet with a vertical clearance of 13.5 feet.

[2] At the end of a parking bay, an aisle providing access to a parking space perpendicular to the aisle shall extend 2 feet beyond the required width of the parking space.



**C. Compact Parking**

Up to 15 percent of the total number of required parking spaces may be designated as compact spaces when clearly labeled.

**D. Connectivity**

Parking areas shall provide reasonable connectivity between adjacent parking areas on other sites without encouraging through traffic. Traffic calming devices may be required as necessary and shall be subject to the approval of the Public Works Director.

**E. Parking**

Each single-family dwelling shall have a minimum of two (2) off-street, parking spaces per lot. Required parking shall be prohibited within the front setback.

**F. Curb or Roll Stops**

Landscaping shall be protected from cars by a 6-inch curb or roll stops, where rocks or walls are not in place.

**G. Dimensions of Parking Spaces**

Required off-street parking spaces shall comply with the following dimensional standards:

Table 6.2.5G

PARKING SPACE DIMENSIONS	
Type of Space	Size of Space
Angled	9 ft by 19 ft
Compact	7.5 ft by 16 ft
Parallel	9 ft by 23 ft
Perpendicular	9 ft by 19 ft

**H. Driveways**

**1. Widths**

Driveways shall conform to the following minimum widths at the gutter line, plus a minimum of 1-foot additional clearance on each side of a vertical obstruction exceeding 0.5 foot in height:

Table 6.2.5G

DRIVEWAY WIDTHS		
Use Served	Number of Spaces	Minimum Width (feet)
Residential	6 or less	12
	7+	12 if 1-way, 20 if 2-way
Nonresidential	24 or less	12 if 1-way, 20 if 2 way
	25+	15 if 1-way, 4 if 2-way

**Commentary:**

Driveways in excess of these widths may be required where unusual traffic, grade or site conditions prevail. Driveways may be required to be constructed with full curb returns and handicapped ramps, as opposed to simple curb depression. Private driveways and drive aisles shall comply with the Fire Code when the Fire Chief determines that they are necessary for fire apparatus access.

**2. Sidewalk Crossings**

Flat sidewalk surfaces at least 5 feet in width shall be preserved across all commercial driveways and alleys. Residential shall be minimum of 4 feet.

**I. Landscaping**

Off-street parking areas shall be landscaped in accordance with the standards of Sec. 6.5.6, Parking Area Landscaping. Greater screening may be required adjacent to less restrictive zoning district in accordance with Sec. 6.13, Residential Protection Standards.

**J. Location**

Except as otherwise expressly provided in this article (Refer to Sec. 6.2.10C), required off-street parking spaces shall be located on the same lot as the principal use.

**K. Parking Striping and Signing**

1. Each required off-street parking space and off-street parking facility shall be identified by surface markings arranged to provide for orderly and safe loading, unloading, parking and storage of vehicles; pedestrian walkways shall be striped or otherwise designated as needed.
2. All markings including striping, directional arrows, lettering on signs, accessible space field color shall be properly maintained in a highly visible condition at all times.
3. One-way and 2-way accesses into required parking facilities shall be identified by directional arrows as necessary. Any 2-way access located at any angle other than 90 degrees to a street shall be marked with a traffic separation stripe the length of the access. This requirement does not apply to aisles.

**L. Vertical Clearance**

The minimum vertical clearance for off-street parking spaces shall be 7 feet.

**6.2.6 / Handicapped Accessible Spaces**

Except single-family, duplex, patio home and townhouse development, a portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located and reserved for use by persons with physical disabilities. All handicapped accessible parking spaces shall be counted toward off-street parking requirements. Medical facilities, both outpatient and surgical, require additional handicapped spaces consistent with the requirements from the City’s Building Division.

Table 6.2.6

HANDICAPPED ACCESSIBLE SPACES	
Total Spaces in Lot	Required Minimum Number of Spaces*
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% of total parking
1001 and over	20 plus one for each 100 over 1000
*A minimum of one of every 8 accessible spaces must be van accessible.	

**A. Minimum Dimensions**

Handicapped accessible parking spaces shall comply with the parking space dimension standards of this Section, as follows:

**1. Car-Accessible Spaces**

Car-accessible spaces shall have at least a 5-foot wide access aisle located abutting the designated parking space.

**2. Van-Accessible Spaces**

Van-accessible spaces shall have at least an 8-foot wide access aisle located abutting the designated parking space.

**3. Common Access Aisle**

Vans and cars may share a common access aisle, provided it meets minimum van-accessible aisle width requirements described in A.2 above.

**B. Location of Spaces**

1. Required handicapped accessible parking spaces shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path.
2. Accessible spaces shall be grouped in pairs where possible.

**C. Signs and Marking**

Required handicapped accessible parking spaces shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level. Van spaces shall be specifically identified as such. Such signs and markings shall be properly maintained.

**6.2.7 / Alternate Transportation – Bike Racks (Except Single-Family and Duplex Projects)**

Bike racks shall be provided at the same rate as Handicapped Accessible Spaces in accordance with the requirements for Sec. 6.2.6, Handicapped Accessible Spaces, up to a maximum of 15 required bike racks. The location of required bike racks shall be determined based on consideration of the safety and convenience of users.

**6.2.8 / Passenger Loading Zones (Except Single-Family and Duplex Projects)**

For every 100 required parking spaces, one (1) Passenger Loading parking space shall be provided. Location, markings, signage, etc., of such spaces shall be provided in accordance with City Code 9-1-10. Other Restricted Parking Areas. At least one half (½) of such spaces shall be van accessible. A bus or van pull out area near the main entrance may be permitted in lieu of such loading zone requirements.

**6.2.9 / Vehicle Stacking Areas (Except Single-Family and Duplex Projects)**

The vehicle stacking standards of this subsection shall apply unless otherwise expressly waived by the Community Development Director.

**A. Vehicle Stacking Requirements**

Off-street stacking spaces shall be provided as follows:

Table 6.2.9

VEHICLE STACKING REQUIREMENTS		
Activity Type	Minimum Stacking Spaces	Measured From
Automated Teller Machine	3	Teller
Bank Teller Lane	4	Teller or Window
Car Wash Stall, Automatic	6	Entrance
Car Wash Stall, Self-Service	3	Entrance
Gasoline Pump Island	2	Pump Island
Restaurant Drive-Through	4	Order Box
Restaurant Drive-Through	6	Order Box to Pick-Up Window
Unlisted Uses (Sec. 6.2.11E)	Off-Street Parking Study, Sec.6.2.11E. Sec. 6.2.11F	

**B. Design and Layout**

**1. Size**

Stacking spaces must be a minimum of 8 feet by 20 feet in size.

**2. Location**

Stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.

**3. Design**

For traffic movement and safety, stacking spaces must be separated from other internal driveways by raised medians if deemed necessary by the Community Development Director.

**6.2.10 / Alternative Parking Plans**

Prior to the issuance of building permits, the Community Development Director may approve alternatives to the number and location of off-street parking spaces required by Sec. 6.2.3, in accordance with the requirements of Sec. 9.16, Administrative Adjustments, and this section.

**A. General**

**1. Procedure**

An Alternative Parking Plan as described in the subsections, below, may be amended by following the same procedure required for the original approval.

**2. Filing of Approved Plans**

A notarized original of an approved Alternative Parking Plan shall be filed with the City of Prescott on forms made available in the Community Development Department. The applicant shall provide such Alternative Parking Plan proposal prior to the issuance of building permits.

**3. Violations**

Violations of an approved Alternative Parking Plan constitute a violation of this Code and will be subject to the enforcement and penalty provisions of the City Code.

**B. Shared Parking**

The Community Development Director may approve shared parking facilities for developments or uses with different operating hours or different peak business periods if the shared parking complies with all of following standards.

**1. Location**

Shared parking spaces must be located within 300 feet of the nearest part of uses served, unless remote shuttle parking bus service is provided.

**2. Zoning Classification**

Shared parking areas require a zoning classification that permits commercial (stand-alone) parking lots.

**3. Shared Parking Study**

Those wishing to use shared parking as a means of satisfying off-street parking requirements must submit a shared parking analysis to the Community Development Director that clearly demonstrates the feasibility of shared parking. The analysis must be provided in a form established by the Community Development Director and, on completion, be made available to property owners within 200 feet of the proposed shared parking. At a minimum, the study must address the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

**4. Agreement for Shared Parking**

In the event that an off-street parking area is not under the same ownership as the principal use served, a written agreement between the record owners will be required. A notarized original of the agreement between the owners of record must be submitted to the Community Development Director for review / approval and recordation by the County Recorder in a form established by the City Attorney. Recordation of the agreement must take place before issuance of a Building Permit for any use to be served by the off-site parking area. The Community Development Director may grant permission to dissolve an off-site parking agreement only if all required off-street parking spaces will be provided, in accordance with Sec. 6.2.3.

**C. Off-Site Parking**

The Community Development Director may approve the location of required off-street parking spaces on a separate lot from the lot on which the principal use is located where the proposed off-site parking complies with all of the following standards.

**1. Ineligible Activities**

Unless otherwise expressly permitted, off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses.

**2. Location**

No off-site parking space may be located more than 600 feet from the primary entrance of the use served (measured along the shortest legal pedestrian route) unless remote shuttle parking bus service is provided. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway is provided, or other traffic control or remote shuttle parking bus service is provided.

**3. Zoning Classification**

Off-site parking areas require zoning that permits stand-alone parking lots or garages Refer to Sec.2.3 Use Table "Parking Lots, Stand Alone".

**4. Agreement for Off-Site Parking**

In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owners shall be required that will run with the land. A notarized original of the agreement between the owners of record must be submitted to the Community Development Director for review / approval and recordation by the County Recorder in form established by the City Attorney. Recordation of the agreement must take place before issuance of a Building Permit for any use to be served by the off-site parking

area. The Community Development Director may grant permission to dissolve an off-site parking agreement only if all required off-street parking spaces will be provided, in accordance with Sec. 6.2.3.

**D. Fees In-Lieu of Parking**

Within parking districts as may be established by the City Council from time to time, off-street parking requirements for nonresidential uses may be satisfied by payment of an in-lieu parking fee established by the City Council. Such payment shall be made before issuance of a Building Permit or a Certificate of Occupancy for such use; fee revenue shall be used to provide public parking in the general vicinity of the use. In establishing parking districts, the City Council may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be tendered.

**E. Other Parking Alternatives**

The Community Development Director may approve other parking alternative(s) upon determination that such alternative(s) will provide comparable protection to that afforded by otherwise applicable off-street parking standards for surrounding neighborhoods, while maintaining traffic circulation patterns and promoting quality urban design.

**6.2.11 / Computing Requirements**

The following rules apply when computing off-street parking requirements.

**A. Multiple Uses**

Unless a Shared Parking Plan (Sec. 6.2.10B) is approved for the project, lots containing more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses.

**B. Fractions**

When measurements of the number of required spaces result in a fractional number, the fraction shall be rounded to the nearest whole number (e.g., 0.5 and higher shall be rounded up to 1.0).

**C. Area Measurements**

Unless otherwise specifically noted, all square footage-based parking and loading standards must be computed based on gross floor area as defined in this Code.

**D. Occupancy or Capacity Based Standards**

For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity for assembly areas, whichever is applicable.

**E. Unlisted Uses**

Upon receiving a development application for a use not specifically listed in the off-street parking schedule (Table 6.2.3), the Community Development Director shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of an Off Street Parking Study as provided by Sec. 6.2.11F below.

**F. Off-Street Parking Study**

Some uses have widely varying parking and loading demand characteristics, making it impossible to specify a single off-street parking or loading standard. Upon receiving a development application for a use identified in Table 6.2.3, as requiring a parking study, the Community Development Director may choose to apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking and loading study prepared and paid for by the applicant. The study must include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Community Development Director and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density,

scale, bulk, area, type of activity, and location. The study must document the source of data used to develop the recommendations.

**6.2.12 / Off-Street Loading (Except Single-Family and Duplex Projects)**

**A. No Use of Public Right-of-Way**

Goods may be loaded or unloaded from streets in the DTB district and from other local streets where it is done safely. Except for the DTB district, such loading or unloading shall not be permitted from collector or arterial streets. No part of any vehicle shall be allowed to extend into the right-of-way of a collector or arterial street while being loaded or unloaded.

**B. Design Standards**

**1. Location, Off-street**

- a. Plans for location, design and layout of all loading spaces shall be indicated on required site plans.
- b. Required off-street loading spaces shall be on the site of the use served or on an adjoining site subject to a reciprocal parking easement allowing for such access.
- c. On a site adjoining an alley, a required loading space shall be accessible from the alley.
- d. No loading space may intrude into any portion of a required aisle, parking space or access area.
- e. Loading areas shall be screened from view off-site in accordance with the requirements of Sec. 6.5.8F G, Loading Area.

**2. Space Size**

Off-street loading spaces, excluding maneuvering areas, shall be at least 10 feet wide and 25 feet long unless off-street loading will involve the use of semi-tractor trailer combinations or other vehicles in excess of 25 feet in length, in which case the minimum size of a space shall be 12 feet by 65 feet.

**C. Minimum Loading Space Requirements**

Off-street loading spaces shall be provided for all proposed structures containing commercial, business, industrial, manufacturing, storage, warehousing, processing, offices, hotels, hospitals, airports, railroad terminals, and other uses as may be required by the Community Development Director in accordance with the minimum requirements listed in Table 6.2.12.

Table 6.2.12

MINIMUM LOADING SPACE REQUIREMENTS		
Facility Size (Gross Square Feet)	Minimum Number of Spaces	
	Office Uses	Other Nonresidential, Commercial and Industrial Uses
0 to 10,000	1	1
10,001 to 50,000	1	2
50,001 to 100,000	2	3
Each additional 100,000	0.5	1
Structures less than 10,000 square feet may provide a loading space of a size and at such location as is consistent with the use of the structure.		

**D. Surfacing and Maintenance**

Off-street loading areas shall be kept in a dust-free and mud-free condition at all times. Loading areas located between a public street or alley and the principal building on the parcel shall be paved.

## Sec. 6.3 / Access Management

### 6.3.1 / General

Access to Collectors, Arterials and State Highways shall be based on the City of Prescott Access Management Standards, or ADOT or Yavapai County, as applicable.

### 6.3.2 / Parking Lot Access

- A. Entrances and exits shall be located so as to maximize separation from intersections.
- B. Entrance widths for commercial uses shall not exceed 40 feet.

### 6.3.3 / Shared Access and Connectivity

Shared access and internal connectivity between adjacent properties and parking lots shall be required as necessary to promote safe ingress and egress from fronting streets.

### 6.3.4 / Street Intersections and Curb Cut Separations

#### A. Curb Cut Separation on State Highways and Major Arterials

A minimum 300-foot curb cut separation shall be required in all cases, except where subject to a highway access management plan or as otherwise approved by ADOT. Recorded easements for shared access, provision of acceleration/deceleration lanes, traffic signals and other right-of-way improvements, for these cuts may be required prior to approval of rezoning or development approval.

#### B. Curb Cut Separation on Minor Arterials and Major Collectors

A minimum 200-foot curb cut separation shall be required in all cases or as otherwise approved by the Public Works Director. Recorded easements for shared access may be required prior to approval of rezoning or development approval. Adjoining parcels under common ownership may be required to share a curb cut.

#### C. Curb Cut Separation on Minor Collectors and Local Streets

Curb cut separation on Minor Collectors and Local Streets shall be subject to the approval of the Public Works Department.

#### D. Limited Access

Corner parcels may be required to have all access from a side street as determined by the Public Works Director. A non-vehicular easement may be required to restrict curb cuts to approved locations.

### 6.3.5 / Intersection Angles

Acute-angle street intersections shall be avoided.

### 6.3.6 / Stacking Distances

Curb cut locations shall provide adequate stacking distance along streets intersecting highways and arterials as determined by the City Public Works Director, County Public Works Director and/or ADOT, as appropriate.

### 6.3.7 / Signalized Intersections

Major employment sites and retail centers shall have access to a signalized intersection, unless waived by the Public Works Director.

### 6.3.8 / Deceleration Lanes

Deceleration lanes may be required as recommended by the Public Works Department.

### 6.3.9 / Off-site Improvements

Off-site improvements may be required in accordance with the requirements of the Prescott City Code, XIV, Chapter 1 (Attached as Appendix F).

### 6.3.10 / Corner Setbacks and Intersection Visibility

The following standards shall apply at the corner of intersecting streets, alleys and driveways, except in the DTB District.

- A. No structure or planting (at mature growth) that exceeds 3 feet in height shall be permitted within a corner setback. Exceptions are permitted for utility poles, lighting standards, mail boxes, City or state traffic signs, and existing trees if the lower canopy of the trees allow a clear line of sight between 3 feet and 7 feet above the street grade. A sign permitted by Sec. 6.11 may be located within the intersection visibility area, provided, that visual clearance exists between 3 feet and 7 feet above the ground.
- B. Corner setbacks for sight distance extend within the area formed by the legs of a triangle whose apex is the point of intersection of the curbs of the adjacent streets. Where no curbs exist, such setbacks shall be extended from the point of intersection of the rights-of-way lines on the adjacent streets, instead of from the curb.
- C. Minimum corner setbacks, as measured from the curblines, shall be provided consistent with the requirements of Sec. 6.3.10B. and Table 6.3.9.

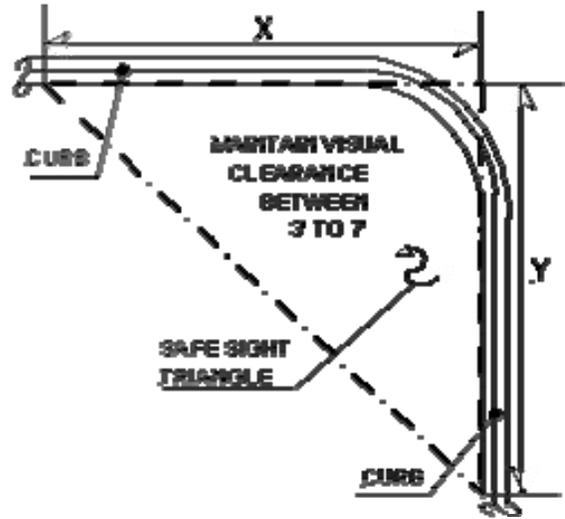
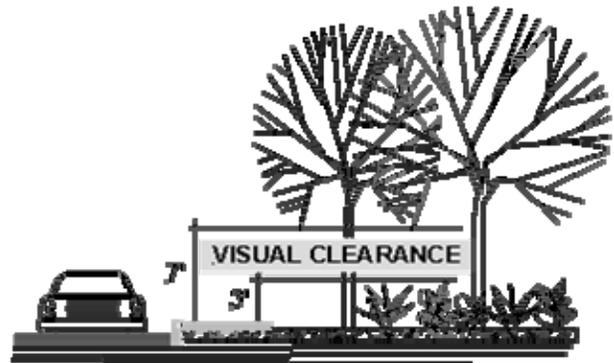


Table 6.3.9



MINIMUM CORNER SETBACKS		
Intersection Type	X	Y
Street-to-Street	40 feet	40 feet
Street-to-Driveway	40 feet	20 feet
Driveway-to-Driveway (on-site)	20 feet	20 feet

**6.3.11 / Minor Modifications**

Minor modifications to the above standards may be considered on their merits by the Public Works and Engineering Services Directors where the intent for the majority of the standards is satisfied and the public health, welfare and safety is protected.

## Sec. 6.4 / Fences and Walls

### 6.4.1 / Purpose

The purpose for this section is to provide for adequate privacy and security without impeding or obstructing vision at intersections.

### 6.4.2 / Applicability

No fence or wall may be erected or maintained in any zone in violation of the standards of this section.

### 6.4.3 / Permit Requirements

It shall be unlawful to install or construct or cause to be installed or constructed any fence or wall more than 4 feet in height without obtaining a permit. All applications for fence or wall permits shall be submitted to the Building Official and shall be accompanied by a sketch or design of the proposed fence or wall and a site plan showing the location of the proposed fence or wall.

### 6.4.4 / Fence and Wall Location and Height

- A. In all zoning districts, fences and walls located in a required front yard shall not exceed 4 feet in height except for qualifying flag lots, fences and walls 6 feet in height are allowed in a required front yard in instances where the front property line of a flag lot adjoins a rear lot line of an adjoining lot / parcel.
- B. In all zoning districts, fences and walls located within required side or rear yards shall not exceed 6 feet in height; except in the IL district and IG district, such fences may be 8 feet in height when used for nonresidential purposes.
- C. Fence height shall be measured in accordance with the requirements of Sec. 2.7.3E.1.c.
- D. All fences, walls and hedges shall be subject to the provisions contained in Sec. 6.3.10. Corner Setback and Intersection Visibility.
- E. Fences and walls shall be erected with the finished side presented to the exterior of the property being fenced.

### 6.4.5 / Barbed- or Razor-Wire and Electric Fences

Barbed-wire or razor-wire and electric fences shall be subject to the following requirements:

- A. In all residential zoning districts, the use of electrified or barbed wire is prohibited within 10 feet of a City street.
- B. The use of razor wire is prohibited in all districts, except in the IL district and IG district.
- C. Notwithstanding other provisions to the contrary, where razor wire is allowed, it shall be placed not less than 6 feet from the ground at the fence line and shall not exceed 10 feet in height.
- D. In no case shall barbed-wire or razor-wire project into a City right-of-way.
- E. Where the use of barbed-wire or razor-wire, or electrified fence is a threat to public safety, removal in part or whole shall be required upon notification to the property owner.
- F. Game-friendly fencing may be required for new and replacement wire fencing in agricultural/ ranching areas.

### 6.4.6 / Fences or Walls Required for Swimming Pools & Contained Water Bodies

- A. Fenced or walled enclosures shall be provided for all swimming pools or other contained bodies of water intended for swimming that contains water 18 inches or more in depth at any point and that is wider than 8 feet at any point in accordance whether below-ground or above-ground, unless fully enclosed in a building, as follows:
  - 1. Be entirely enclosed by at least a 5 foot wall, fence or other barrier as measured on the exterior side of the wall, fence or barrier; and
  - 2. Have no openings in the wall, fence or barrier through which a spherical object 4 inches in diameter can pass; and

3. The horizontal components of any wall, fence or barrier shall be spaced not less than 45 inches apart measured vertically or shall be placed on the poolside of a wall, fence or barrier, which shall not have any opening greater than 1¾ inches measured horizontally; Wire mesh or chain link fences shall have a maximum mesh size of 1¾ inches measured horizontally; and
  4. The wall, fence or barrier shall not contain openings, handholds or footholds accessible from the exterior side of the enclosure that can be used to climb the wall, fence or barrier; and
  5. The wall, fence or barrier shall be at least 20 inches from the water's edge; and
  6. If a residence or living area constitutes part of the required enclosure for a swimming pool or other contained body of water, in lieu of the above requirements there shall be one of the following:
    - a. Between the swimming pool or other contained body of water and the residence or living area, a minimum 5 foot wall, fence or barrier to the pool area which meets all of the requirements of Sec. 6.4.6A.2 through Sec. 6.4.6A.5; or
    - b. The pool shall be protected by a motorized safety pool cover which requires the operation of a key switch, which meets the American Society of Testing and Materials Emergency Standards §13-89 and which does not require manual operation other than the use of the key switch.
- B.** Gates for the enclosure shall:
1. Be self-closing and self-latching with the latch located at least 54 inches above the underlying ground or on the pool side of the gate with a release mechanism at least 5 inches below the top of the gate and no opening greater than ½ inch within 24 inches of the release mechanism or be secured by a padlock or similar device which requires a key, electric opener or integral combination, which can have the latch at any height; or
  2. Open outward from the pool.
- C.** All ground level doors or other doors with direct access to the swimming pool or other contained body of water not otherwise excepted below shall be equipped with a self-latching device, which meets the requirements of Sec. 6.4.6B.1. Emergency escape or rescue windows from sleeping rooms with access to the swimming pool or other contained body of water shall be equipped with a latching device not less than 54 inches above the floor. All other operable dwelling unit or guest room windows with similar access shall be equipped with a screwed-in-place wire mesh screen, or a keyed lock that prevents opening the window more than 4 inches, or a latching device located not less than 54 inches above the floor.
- D.** Where a swimming pool or hot tub is aboveground, it shall have non-climbable exterior sides, which are a minimum height of 5 feet. Any access ladder or steps shall be removable without tools and secured in an inaccessible position with a latching device not less than 54 inches above the ground when the pool is not in use.
- E.** This Section shall not apply to:
1. A system of sumps, irrigation canals, irrigation, flood control or drainage works constructed or operated for the purpose of storing, delivering, distributing or conveying water;
  2. Stock ponds, storage tanks, livestock operations, livestock watering troughs or other structures used in normal agricultural practices; and
  3. A swimming pool or contained body of water or barrier constructed prior to the effective date of this amendment if such bodies of water or barriers were in compliance of all applicable codes and regulations at the time of construction.

**6.4.7 / RESERVED**

## Sec. 6.5 / Landscaping and Screening

### 6.5.1 / Purpose

This article provides standards for the installation and maintenance of landscaping, walls and screening devices in order to preserve and enhance the natural environment and beauty of the city, to minimize the adverse effects of development, and to promote the general welfare of the citizens of Prescott. Landscaping materials, including ground cover, shrubs, and trees facilitate the control of erosion and the reduction of glare and dust, and soften the visual impact of building masses. Walls and screening devices allow the separation of potentially incompatible uses and the buffering of road noise and intensive activities.

Landscaping, walls and screening devices together, help to effectuate privacy, logical development, and enhancement of property values. In order to preserve the unique natural character of the city, these standards emphasize the retention of native trees, shrubs, rock formations, and other natural site features. To conserve water resources, use of drought tolerant plant materials and efficient irrigation systems is encouraged.

**Commentary:**

The goal of these regulations is to create pedestrian shade, screen parking lots and provide a high quality appearance along the public rights-of-ways.

### 6.5.2 / Applicability

This Section shall apply to:

- A. All new multi-family and nonresidential development;
- B. Change of use from residential to nonresidential where City approvals are required;
- C. Change of use from single-family to multi-family residential where City approvals are required; and
- D. Expansion, remodeling, and renovation of existing buildings on a lot or building tract, or a related or stand alone parking lot shall provide an amount of landscaping and screening commensurate with the level or scale of the improvements.

**Commentary:**

Expansions, remodeling and renovations should provide commensurate landscaping. For example, an addition that represents a 25 percent increase in floor area relative to the existing improvements shall prompt a requirement to provide a 25 percent increase in the lot or building tract's deficient landscaping and screening.

### 6.5.3 / General Requirements

#### A. Landscape and Site Plan

All proposed buildings and uses shall be shown on a landscape and site plan prepared by an Arizona registrant, unless waived by the Community Development Director. Landscaping shall be installed per approved plan unless otherwise modified by the Community Development Director. All landscape and site plans shall indicate:

- 1. Location of existing and proposed buildings, parking areas, drainage and street improvements;
- 2. Location of existing trees outside of building footprints;
- 3. Locations and general types of landscaped treatment areas -- i.e., lawn areas, low-water use areas, and inorganic areas;
- 4. Proposed plant or inorganic materials to be used in each treatment area;
- 5. Underground irrigation systems to be used in each planted area; and
- 6. Curbs, walls and screening devices.
- 7. Permanent slope stabilization requirements.

#### B. Location of Utilities and Drainage Facilities

- 1. Proposed utilities shall be located, when possible, so that their installation will not adversely affect vegetation to be retained on a site.

2. Drainageways and detention basins may be located within landscaped areas when designed compatible with the planted area and plant species.

**C. Installation**

Landscaping, underground irrigation systems, walls and screening structures shall be installed in accordance with the approved landscape or screening plan prior to issuance of a final Certificate of Occupancy for the building or use. The Building Official may grant a temporary Certificate of Occupancy for up to 6 months when a performance bond is provided by the applicant to guarantee the completion of any incomplete landscape or screening improvements.

**D. Maintenance Requirements**

1. Unless otherwise specified, the maintenance of landscaping in the public right-of-way is the responsibility of the adjacent property owner, whether an individual, corporation, or homeowner's association.
2. Landscaped areas shall be reasonably maintained by the owner or the lessee of the property, including pruning, trimming, weeding, and other requirements necessary to create an attractive appearance for the development. Lack of maintenance of required landscaping material shall constitute a violation of this Code.
3. Plant materials not surviving shall be replaced within 90 days of its demise.

**E. Landscaping in Rights-of-way**

Approval of the Public Works Director is required prior to placing landscaping and other improvements in rights-of-way.

**F. Irrigation**

All required landscaped areas shall include a permanent, underground water irrigation system as defined herein to insure the long-term health and growth of the landscape. Irrigation system design shall take into consideration the water-demand characteristics of plant or landscape materials used. Alternative irrigation systems may be approved the Community Development Director subject to proven effectiveness.

**Commentary:**

Xeriscape plants, high water use plants and inorganic materials (like gravel) obviously have different irrigation needs. This section reminds the reader that respective water requirements of alternative landscape materials should be taken into consideration when designing irrigation systems. See also Appendix C for drought tolerant plants required within public rights-of-way.

**G. Site Disturbance**

Any portion of a site disturbed by site preparation and/or construction, especially cut or fill slopes, shall be adequately revegetated and stabilized, prior to issuance of a Certificate of Occupancy.

**6.5.4 / Existing Vegetation – Replacement and Credits**

- A. To the extent practical, existing significant landscape features shall be preserved and incorporated into the final landscape and site plans. Existing landscaping may be used to meet the requirements of this Code if it meets the purpose and intent of this article and is included on the approved landscape plan. Such vegetation shall be protected during all phases of site development and given sufficient area and means for growth and water absorption. A credit of up to a 200 percent may be allowed toward shrubs otherwise required pursuant to Sec. 6.5.5, Minimum Landscaping Standards; Sec. 6.5.8, Screening Standards; and Sec. 6.5.6, Parking Area Landscaping, for every shrub greater than 2 square feet that is preserved or transplanted.
- B. The tree replacement requirement shall be 50 percent of the total caliper of trees removed from outside of the building envelope. A 200 percent credit toward the tree replacement requirement shall be granted for retaining and preserving healthy trees 4" or greater in caliper size, excluding

**Commentary:**

For example, if a total of 20 inches of tree caliper are removed from outside the building footprint, a minimum of 10 inches must be replaced; preserving and/or transplanting 5 inches would meet the replacement requirement.

Siberian Elm. This tree credit shall also count toward required landscaping in Sec. 6.5.5, Minimum Landscaping Standards; Sec. 6.5.8, Screening Standards; and Sec. 6.5.6, Parking Area Landscaping. Trees to be preserved shall be adequately protected from vehicles, undermining or collapse.

**6.5.5 / Minimum Landscaping Standards**

All undeveloped areas of each lot or tract and the adjacent right-of-way or parkway shall be landscaped with trees, shrubs, grasses, ground cover and other organic and assorted inorganic materials that create an attractive appearance in accordance with the requirements of this Section; provided, however, smooth concrete or asphalt surfaces are not landscaping. Clustering of trees and shrubs is encouraged.

**A. Trees, Shrubs, and Grasses**

Recommended plant materials for on-site landscaping are listed in the Plant Palette below. Minimum landscaping shall include the following frequency and size of plantings:

**1. Trees**

One tree shall be utilized per 25 linear feet (in no case closer than 25 feet apart) of required landscaped area.

**2. Shrubs**

Four shrubs per 250 square feet (or fraction thereof) of required landscaped area shall be provided.

**3. Grasses, ground covers, and inorganic materials**

Any combination of grasses, ground covers, and inorganic materials may be used for the balance of the required landscaping at the developer's discretion, however, a dressing of gravel, decomposed granite or mulch shall be required to hold moisture, slow runoff, and restrain weed growth. Such dressing material shall be selected and sized to withstand potential removal by wind and stormwater flows.

**B. Plant Types/Minimum Plant Sizes**

The following minimum plant size requirements shall apply in all cases:

Table 6.5.5B

PLANT TYPE/ MINIMUM PLANT SIZES	
Deciduous Trees	One to 1.5 inch caliper (measured one foot above ground)
Evergreen Trees	5 feet tall
Shrubs	5-gallon container size + 18 inches tall
Woody Ground Cover	1-gallon container with 12 inch spread

**C. Landscape Plant List**

**1. Public Rights-of-Way**

See Appendix C for a list of required plants compiled by the Arizona Department of Water Resources for the Prescott AMA. These plant species are required for use within any public right-of-way where potable water is utilized for irrigation.

**2. All Other Properties**

Plants used to satisfy landscape requirements other than public rights-of-way are not specified in the interest of property owner discretion and creativity. However, please see the recommended plant list, or Plant Palette, in the Commentary following:

Commentary: Use of locally appropriate shrubs, trees and grasses or plants with low-water demand characteristics is encouraged, but not required, in all cases in order to minimize the consumption of water. Recommended (not required) plant materials for general landscaping include the following (Plant Palette):

NATIVE OR NATURALIZED TREES AND SHRUBS	
Chaparral Zone:	Ponderosa Pine/Gambel Oak Zone:
Acer negundo/Box elder - 2	Cupress arizonica/Arizona cypress - 2
Cercocarpus ledifolius/Mountain mahogany - 4,5	Juniperus scopularium/Rocky Mt. Juniper - 2
Cowania mexicana stansburiana/Cliff rose - 5	Pinus ponderosa/Ponderosa pine - 1
Cupress arizonica/Arizona cypress - 2	Quercus gambelii/Gambel oak - 3
Juniperus deppeana/Alligator juniper - 2	Cedrus Deordora/Deordora Cedar
Pinus edulis/Pinon pine - 3	Picea Pungens/Blue Spruce
Platanus wrightii/Arizona sycamore - 2	
Quercus gambelii/Gambel oak - 3	
Appropriate Non-Native Chaparral Zone Trees and Shrubs Include:	Appropriate Non-Native Ponderosa Pine /Gambel Oak Zone Trees and Shrubs Include:
Acer glabrum/Rocky Mt. Maple - 3	Crataegus spp./Hawthorn - 3
Elaeagnus angustifolia/Russian olive - 3	Pinus nigra/Austrian pine - 2
Fraxinus velutina/Arizona ash - 2	Pinus sylvestris/Scotch pine - 1
Robinia ambigua 'Idahoensis'/Idaho Locust - 3	Leland Cypress - 2
Salix matsudana 'Navajo'/Desert Willow - 2	Emerald Isle Cypress - 3
Non-Native Deciduous Trees	Non-Native Evergreen Trees
Acer palmatum/Japanese maple - 3	Pinus latifolia/Lodgepole pine - 1
Cercis occidentalis/Eastern redbud - 3	Pinus monticola/White pine - 1
Juglans nigra/Black walnut - 1	Non-Native Evergreen Shrubs
Liquidambar styraciflua/American sweetgum - 1	Artemisia tridentata/Big sagebrush - 5
Malus floribunda/Flowering crabapple - 3	Atriplex canescens/Four-wing saltbush - 6
Populus tremuloides/Quaking aspen - 2	Fallugia paradoxa/Apache plume - 6
Prunus spp./Flowering cherry - 3	Juniperus spp./Juniper - varies
Pyrus calleryana/Flowering pear - 2	Mahonia aquifolium/Oregon grape - 5
Quercus palustris/Pin oak - 2	Pinus mugo/Mugho pine - 4
Quercus rubra/Red oak - 1	Pyracantha coccinea/Firethorn - 4
Rhus typhina/Staghorn sumac - 3	Santolina chamaecyparissus/Lavendar cotton -
Salix caprea/Pussy willow - 3	Yucca baccata/Datil Yucca - 6
Sorbus aucuparia/Mountain ash - 2	
Tilia tomentosa/Silver linden - 2	
Non-Native Deciduous Shrubs:	
Amelanchier laevis/Serviceberry - 3	Potentilla fruticosa/Cinquefoil - 6
Berberis thunbergii/Redleaf barberry - 6	Prunus virginiana/Choke cherry - 3
Caragana arborescens/Siberian peashrub - 4	Rhamnus frangula 'Columnaris'/Tallhedge buckthorn - 3
Chaenomeles speciosa/Flowering quince - 6	Rhus glabra/Smooth sumac - 4
Cotoneaster horizontalis/Creeping cotoneaster - 6	Ribes spp./Currant - 6
Cotoneaster microphyllus/Rockspray cotoneaster -6	Rosa ruqosa/Rose - 6

### 6.5.6 / Parking Area Landscaping

Parking lot landscaping shall be subject to the following minimum standards:

#### A. Parking Lot Perimeters

##### 1. Street Frontages

- a. All parking lots adjacent to a street shall be landscaped with a minimum width of 10 feet on site (measured from the right-of-way edge), with plantings as specified in Sec. 6.5.5, Minimum Landscaping Standards. Right-of-way edges shall be cleaned up and integrated with the street frontage landscaping. The minimum landscape strip may be reduced along part of the frontage provided an average landscaped width of 10 feet is maintained along the overall frontage.
- b. In addition, parking areas with street frontages longer than 200 feet shall be screened from street view to a height of 3 feet with a masonry wall, berm or dense landscaping, or a combination of 2 or more of these elements. Such walls shall utilize materials and otherwise be designed to be compatible with the architecture of the principal structure on the site. Landscaping shall be provided adjacent to the outside of such walls with plantings as specified in Sec. 6.5.5, Minimum Landscaping Standards.

##### 2. Other Parking Perimeters

Non-frontage perimeters of a parking lot shall be landscaped with a 5 foot wide landscape strip with plantings as specified in Sec. 6.5.5, Minimum Landscaping Standards. This minimum landscape strip may be reduced to 3 feet when a minimum 3-foot high wall is provided in accordance with Sec. 6.5.6A.1.b., above.

##### 3. Transfer of Required Landscaping

The Community Development Director may approve the transfer of required parking area landscaping from required locations to other locations on the site, provided the purpose for this section is achieved.

##### 4. Landscape Protection

All landscaped areas adjacent to vehicular parking and access areas shall be protected by 6-inch vertical concrete curbing, 6-inch pre-cast bumpers, or similar materials in order to control storm water flows and minimize damage by vehicular traffic. Vehicles may overhang landscaped areas up to 2-feet into landscaped areas that are at least 5-feet wide, but may not overhang sidewalks and other pedestrian walkways. This provision applies equally to vehicle display areas.

#### B. Landscaped Islands

Parking lots with more than 50 spaces shall provide landscaped parking islands according to the following standards:

1. All landscaping parking islands shall be a minimum of 4 feet wide and contain a minimum of 40 square feet in area; provided, however, landscape islands may be aggregated into fewer and larger islands that meet overall planting and area standards.
2. A minimum of one tree and 2 shrubs for every 10 parking spaces shall be preserved or planted within the parking lot.
3. No parking space is farther than 100 feet from a landscaped area.
4. These requirements may be modified upon approval of the Community Development Director where exceptional design of the parking lot merits such modification and where the intent of the standard is met through alternate design schemes.

### 6.5.7 / Foundation Plantings

One small (under-story) tree and 4 shrubs per 50 linear feet of building wall shall be required within 4 foot minimum width planters along all building walls that are 50 feet or longer; provided, however, that this requirement shall not apply where other required landscaping adjoins the building or where such walls are not visible from surrounding streets.

### 6.5.8 / Screening Standards

Where screening is required by this Code, minimum screening in accordance with the following standards shall apply in addition to other applicable requirements. Existing vegetation or natural conditions may be used to satisfy these requirements (See Sec. 6.5.2, Applicability).

**A. Screening Materials**

Screening may be accomplished by the use of plants, earth berms, solid walls, or trees and shrubs in combination as necessary to produce an effective screening from view off-site of the use or facility requiring screening within a reasonable time.

**B. Screening Plant List**

Plants used to satisfy any required screening standards shall be limited to plants with a mature height of between 6 and 15 feet and foliage characteristics similar to those of the recommended plants for this purpose (see "Commentary" below).

**C. Height of Screening Devices**

The height of screening devices shall be measured from the highest finished grade adjacent to the screening device to maximize effectiveness in accordance with the maximum fence height requirements of Sec. 2.7.3E.1.c.

**Commentary:**

The City of Prescott Community Development Department recommends use of the following screening plants: scrub oak brush, squaw bush or others with similar habits that are relatively drought tolerant.

Deciduous Plants:

- Cornus Stolonifera (Red-twiggged Dogwood) [6' to 8' in height, typical]
- Syringia (Lilac) [10' in height, typical]
- Viburnum Opulus Roseum (Snowball Bush) [12' in height, typical]
- Rhus Trilcobata (Three-leaf Sumac) [5-6' in height, typical];
- Forestiera Neomexicana (New Mexico Privet or Desert Olive) [12-18' in height, typical];

Evergreen Plants:

- Arizona Red-tipped Photinia (Fraseri) [15' in height, typical];
- Pyracantha Coccinea (Firethorn) [12' in height, typical];
- Euonymus spp. (Manhattan, Silver King, Silver Queen, or Cast Iron Shrub) [8' to 10' in height, typical];
- Thuga (Arbovitae) [15' in height, typical];
- Pinus Cembroides Edulis (Pinon Pine) [20' in height, typical];
- Juniperus Chinensis (Gray Gleem, Scopulorum, Wichita Blue, or Cologreen) [15' in height, typical]; and
- Juniperus Scopulorum (Rocky Mountain Juniper) [8' to 12' in height, typical].

**D. Outdoor Storage Areas**

All outdoor storage areas for materials and garbage containers, heavy equipment, or other similar items shall be screened from street view by a minimum 6-foot high screening device. Such screening device shall consist of plant material and/or a wall constructed of or finished with materials compatible with the principal structure on the site. (See also Sec. 6.5.8F, Dumpster and Solid Waste Receptacles Setbacks.)

**E. Mechanical Equipment**

1. Roof-mounted equipment shall be screened from view from the adjoining street(s) or alley(s) in a manner integrated with the roof structure and color.
2. Ground-mounted mechanical equipment shall be screened from off-site view by a screening device consisting of either plant material, a wall constructed of or finished with materials to match the principal structure on the site, a lattice, or other similar containment.

**Commentary:**

The City of Prescott prefers and encourages ground mounting of mechanical equipment, instead of roof mounting in order to minimize the potential for glare, reduce noise, and otherwise promote attractive rooflines.

**F. Dumpsters and Solid Waste Receptacles**

Dumpsters and receptacles shall be completely screened from view of adjacent property in a more restrictive zoning district by opaque fence or wall that is at least one foot taller than the dumpster or solid waste receptacle.

**G. Loading Area**

Loading areas shall be screened from view off-site on 3 sides by a solid, fence, finished wall, or hedge at least 6 feet in height.

**Commentary:**

The preferred location for loading areas is along the side or rear of buildings.

**Sec. 6.6 / Drainage, Floodplains and Drainageways**

**6.6.1 / Purpose**

This Section is intended to supplement the subdivision drainage requirements of Sec. 7.4.10 and to protect drainageways from alteration in order to uphold their primary function as stormwater facilities. Developments within FEMA-delineated floodplain boundaries shall adhere to the Floodplain Regulations of the Prescott City Code, Title XIII. All drainage shall be designed by an Arizona licensed Professional Engineer following the City of Prescott Drainage Criteria Manual.

**6.6.2 / Drainageways**

All development, including fences and walls, proposed in drainageways identified by the Prescott Area Drainage Criteria Manual shall be subject to the following requirements:

**A. Minimize or Prohibit Development in Drainageways**

In instances where a drainageway exists but there is insufficient area on the site to allow residential use, development shall be minimized or prohibited where one of the following exists:

1. Site planning and engineering techniques cannot reasonably mitigate potential hazards to public health, safety and welfare; or
2. Alteration will limit or reduce the primary function as storm water facilities; or
3. Development subjects persons or the City to dangers or expenses required to mitigate hazardous conditions, respond to emergencies created by such conditions or rehabilitate improvements and lands.

**6.6.3 / Supplementary Drainage Requirements**

Where drainage improvements, including detention basin(s), have not yet been constructed for a site, proposals for multi-family and/or nonresidential development shall include a drainage analysis of pre- and post-development flows and are subject to the following requirements:

**A. Drainage Detention Basin**

A detention basin shall be provided where necessary, to limit post development flows to pre-development flow rates. Such basin(s) shall be capable of handling the calculated difference between historic flows and the anticipated post-development 100-year frequency storms for maximum period of intensity within the entire project boundary in which the proposed structure is to be located. Maintenance of all such drainage improvements shall be the responsibility of the HOA/POA. All such basins and large structures shall be designed and constructed within a common area/open space and dedicated on the final plat to be owned and maintained by the HOA/POA in perpetuity.

**B. Design**

Drainage improvements shall be designed in accordance with the following standards:

1. An Arizona-registered engineer shall design and certify drainage improvements.
2. Adequate provision for short- and long-term ownership, maintenance and operation of the storm water management system shall be required.
3. Where water velocities may reasonably be expected to cause erosion problems, satisfactory means shall be provided to prevent such erosion, including concrete head walls and wing walls on culverts.

4. Water supply systems and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters.
5. Individual lot owners shall be responsible for the maintenance of driveway culverts and smaller cross lot drainage within, through and over their property, which shall be within dedicated drainage easements shown on the final plat.

## **Sec. 6.7 / Site Disturbance, Grading, and Restoration Standards**

### **6.7.1 / Purpose**

This Section is intended to limit site disturbance and to promote restoration of developed sites to a more stable, natural and attractive appearance.

### **6.7.2 / Applicability**

This section shall apply to all development that involves either:

- A. Disturbance, grading or placement of more than 50 cubic yards of material; or
- B. Grubbing of more than 10,000 square feet; or
- C. As may otherwise be required in accordance with the provisions of Table 6.7.7 and most current ADEQ SWPPP requirements.

### **6.7.3 / Exceptions**

This section shall not apply to the following development activities:

- A. Selective thinning of vegetation for fire control as approved by the Fire Chief; or
- B. Individual single-family home construction may be excepted where slopes are less than 20% or where the site will not be subject to mass grading.

### **6.7.4 / General**

- A. Site disturbance shall occur only pursuant to an approved construction plan, either from a building with temporary erosion control/SWPPP and permanent slope stabilization, permit or approved subdivision construction plans. Such site disturbance proposals shall be reviewed and approved by the Engineering Services Department in consultation with the Community Development Department to ensure compliance with applicable conditions of approval and bank stabilization landscape requirements.
- B. Where pre-emptive site disturbance may be justified (on rare occasions), it may only be allowed pursuant to a Site Disturbance and Grading Permit in accordance with Sec. 9.6 and the requirements of this section. Such grading permit shall not be issued without an approved preliminary plat or a Preliminary Site Development Plan as approved by the Community Development Director.
- C. Financial Assurance shall be posted prior to permitting in the amount of anticipated development costs.
- D. All site disturbance, grading and restoration (bank stabilization) plans shall be prepared by an Arizona-registered civil engineer.

### **6.7.5 / Single Site Development Bonding and Certification**

- A. The Engineering Services Director may require a bond be posted to ensure compliance with the requirements of this section for projects that are not subject to the bonding requirements of Article 7, Subdivision and Land Split Standards.
- B. The Design Engineer shall make sufficient inspections to certify that site grading, drainage and restoration are completed per approved plans. The Bond shall be released following such certification by the design engineer and verification by the Engineering Services Director.

### **6.7.6 / Grading Standards**

Site grading plans shall be in accordance with the following minimum standards:

- A. Portions of the site or lot to be disturbed shall be clearly identified on the grading plan as the “disturbed area(s)” or “disturbed area envelope”. Grubbing, grading, and clearing may occur only within the disturbed area(s) identified on the approved grading plan.
- B. Portions of the site or lot not identified in the grading plan as a disturbed area(s) shall not be used for stockpiling of materials or excess fill.
- C. To direct drainage away from building foundations, a minimum slope shall be maintained as follows:
  - 1. A minimum 5% (1 to 20) fall within 10 feet of all structures.
- D. All residential development shall comply with the following requirements:
  - 1. The maximum height of an exposed vertical cut or fill shall not exceed 35 feet.
  - 2. The maximum length of an exposed vertical cut or fill shall not exceed 150 feet.
- E. Backfilled areas shall be compacted per the approved Site Disturbance and Grading Plan and revegetated or otherwise stabilized in accordance with the requirements of this Sec. 6.7, and certified by an Arizona registered Geo Technical Engineer.
- F. Edges of cuts and fills shall be reshaped to conform to the natural topography of the land.
- G. Commercial development shall not be restricted in terms of height of cut or fill, subject to certification of soil stability and scarring mitigation.
- H. Cuts and fills on slopes that encroach into a local drainage tributary (i.e., non F.E.M.A. stream) shall be identified and armored to protect against a 100-year storm event.
- I. Excess material shall be handled per the approved site disturbance and grading plan, and drainage plan, or removed to an approved off-site disposal area. The approved disposal site, if within City limits, shall be subject to provisions of this Land Development Code.
- J. All site revegetation shall be completed within 90-days of completion of grading work, or prior to release of subdivision guarantee or issuance of certificate of occupancy, whichever occurs first.
- K. Where natural areas or preserved vegetation is designated on a site or lot, temporary fencing shall be installed where they abut construction areas in order to prevent site disturbance in said natural areas.
- L. Exposed cut and fill slopes shall be revegetated, stabilized and finished in accordance with the requirements Sec. 6.7.7, Cuts and Fills.
- M. A slope stability analysis shall be required by an Arizona registered Geo Technical Engineer prior to disturbing slopes exceeding 2:1, horizontal to vertical.
- N. The top of cutbanks shall be located a minimum of 5 feet inside the subject property boundary.
- O. The toe of fill slopes shall be set back inside the subject property boundary a minimum of 2 feet or ½ the fill height, whichever is greater.

**6.7.7 / Cuts and Fills**

**A. Bank Stabilization Plans**

For all projects, stabilization is required for cut and fill slopes 2 feet or higher. The intent is to permanently stabilize and visually screen or enhance cut and fill banks using one of the treatments in Table 6.7.7, Cuts and Fills.

- 1. A bank stabilization plan shall be subject to the approval by the Public Works Department (in consultation with the Community Development Director). Modification of such approved bank stabilization plans may be approved if necessary due to soil conditions and pursuant to the provisions of Table 6.7.7.
- 2. Subdivision development shall include bank stabilization and/or landscape plans for all areas disturbed during subdivision construction.
- 3. Prior to obtaining a building permit, single commercial sites proposed for stockpiling, grading and/or grubbing shall submit a Bank Stabilization Plan along with grading, drainage, and temporary erosion control plans, and a site plan consistent with the requirements of this Code.
- 4. Single commercial sites disturbed prior to a building permit being issued shall complete bank stabilization within 3 months of completion of site disturbance or within 1 year of commencing site disturbance, whichever occurs first. Extensions may be approved by the City Council.

Financial assurances in this case shall include a 20% contingency and the financial assurances shall not have a sunset date. In cases where bank stabilization/scarring mitigation is achieved through screening by a building, issuance of a building permit is required prior to site disturbance.

5. For the exception of single-family home sites, prior to any ground disturbance, all projects shall be subject to the posting of financial assurances with the City Clerk for the total cost of bank stabilization. Prior to final subdivision release or certificate of occupancy, certification shall be provided by the project engineer or landscape architect documenting that the bank stabilization was completed according to plan.
  - a. If due to climactic conditions, the permanent slope stabilization is not completed or established at time of release, 10% of the total financial assurances shall be withheld pending the completion of slope stabilization, per approved plans and *LDC* requirements.

Table 6.7.7

BANK STABILIZATION REQUIREMENTS AND OPTIONS		
Development Type	Standards	Bank Stabilization Options
Single-Family Subdivisions, and Single-Family Development on Individual Lots	<p>A bank stabilization plan, for cut &amp; fill banks &gt;2 ft. high, within and outside of ROW, shall be included w/ project permit applications (e.g., Building Permit, Site Disturbance and Grading Permit, Paving Permit)</p> <p>A Landscape Architect or Licensed Landscaper shall prepare stabilization plans for banks &gt;8' visible from streets and shall submit such plans for City approval. Where structural designs are submitted, a registrant shall design and so certify.</p>	<p>Revegetated banks are required where practical and may include combination of reseeding/seed mats, trees, shrubs, groundcover, rock, &amp; riprap. Plant type, size, and coverage shall be sufficient to stabilize and begin restoring w/in 3 yrs.</p> <p>Temporary automatic irrigation is required to establish plants; permanent drip may be required for highly visible planted banks. Planted surfaces shall be amended with topsoil a min. 3-6 in. deep, and shall be sufficiently laid back to support plantings: 2:1 north facing, 2.5:1 east facing, 3:1 south and west facing. This is intended to permit terracing with steeper faces between planted platforms.</p> <p>Manufactured banks &gt;8 ft. high, visible from nearby streets or neighborhoods, shall be formed to create a more natural appearance (a combination of rough cut, undulating, and/or rounded toe and top of slope), and terraced where possible to improve plant establishment.</p>
Commercial Site Developments, Subdivisions, Subdivision Exemptions, and Single Commercial Sites Disturbed Prior to Building Permit.	Same as above	<p>Retaining walls, where visible from streets or nearby neighborhoods, shall be terraced or treated to blend into the natural landscape (e.g., tinted concrete, rock facing, slump block, RR ties, and/or plantings). Unfinished poured concrete and unfinished concrete block walls are not permitted where visible from streets and nearby neighborhoods.</p> <p>Non-planted banks are permitted for exposed bedrock cuts, or where the building will effectively screen the cut and/or fill bank in a timely manner. Where bedrock cuts higher than 8' are visible from streets or neighborhoods, they shall be formed to create a more natural appearance (a combination of rough cut, undulating, and/or rounded toe and top of slope). Additional treatment of cut faces may be required to stabilize soil and reduce scaring effects, based on proven effective technologies and products.</p>
Public And Private Rights-Of-Way	Same as Above	

**6.7.8 / Erosion Control**

This section is intended to provide for adequate temporary and permanent erosion and drainage control practices that help protect against property damage, flooding, sedimentation, and costly and repeated maintenance. All Site Disturbance and Grading Permits shall comply with the requirements of this section, the requirements of Sec. 6.7.6, Grading Standards, and Sec. 6.7.7, Cuts and Fills.

- A. Temporary erosion control plans, their implementation and maintenance during construction shall be required of all subdivisions, subdivision exemptions, street construction, and individual developments including all commercial and all single-family home sites.
- B. Erosion control plans shall be submitted along with building, subdivision, and street construction plans, and approved prior to site disturbance. The same shall be required of commercial sites proposed for disturbance prior to a building permit.
- C. Suitable erosion control methods may include silt fences, hay bales, diversion channels, sediment basins, and graveled roadbeds.
- D. In the event of the failure to control erosion and sedimentation adequately, the property owner and/or developer and/or contractor shall be responsible for any and all costs or damages resulting therefrom.
- E. Temporary erosion controls shall be removed once permanent improvements, required bank stabilization, and landscaping are in place and established, as approved by the City.
- F. A stormwater pollution prevention plan (SWPPP) and report in binder form with an approved ADEQ NOI shall accompany plan submittals.

Table 6.7.8

EROSION CONTROL REQUIREMENTS		
Development Type	Standards	Additional Allowances and Requirements
Single-Family Residential Lot Development (i.e., development of single family homes on individual home sites)	All SFR site plans shall include a temporary erosion control plan, and the size and location of driveway culvert.  Temporary driveway entrances require a ROW encroachment permit per City Code Sec. 8-2-2, the application for which shall include effective erosion controls.	SFR homes on slopes greater than 20% are limited to disturbable area envelopes as specified in Sec. 6.8.3, Residential Density Allocation and Maximum Site Disturbance.  SFR homes on slopes up to 20% are limited to lot coverage per underlying zone unless developed as a PAD.
Residential Subdivision Development	For all subdivisions regardless of slope, a stormwater protection plan (such as for N.P.D.E.S. including temporary erosion controls, drainage, and grading) shall be submitted and approved prior to site disturbance.	Residential subdivision density on slopes greater than 20% is limited pursuant to the requirements of Table 6.8.3; otherwise, densities are permitted per underlying zone. Bank stabilization is required of all subdivisions.
Commercial Site Development, Subdivisions, Subdivision Exemptions, and Commercial Sites Disturbed Prior to Building Permit	For all commercial projects regardless of slope, a stormwater protection plan is required as above.  Disturbed building pads not completed within 18 months may be required to be reseeded to stabilize soil permanently, as needed.	Extent of site disturbance shall not be limited based on slope steepness or height of manufactured bank, however mitigation of cut and fill scarring through bank stabilization is required (see Table 6.7.7 for options).
Public And Private Rights-Of-Way Development	A stormwater protection plan is required of all street projects, as above	Same as above

## Sec. 6.8 / Hillside Development Standards

### 6.8.1 / Purpose

Prescott is surrounded by rolling hills and mesas. These hilly areas exhibit steep slopes, which may contain unstable rock. Development on potentially unstable rock can be hazardous to life and property. Development in these areas should include construction methods that ensure slope stabilization; and minimize soil erosion, sedimentation, and hillside scarring.

Prescott's hills and mesas are valuable scenic resources that should be considered for preservation to the maximum extent possible, while allowing for the development and beneficial use of private property located in and around the hills and mesas. Dominant scenic ridges and mesas should be identified and developed with the goal of maintaining the city's unique visual setting, promoting its economic well being, and encouraging tourism and quality living. Regulating the intensity of development according to the natural characteristics of hillside terrain, such as degree of slope, significant landforms, and slope stability and existing drainage patterns, allows for development in hillside areas while minimizing the physical impacts of such development.

### 6.8.2 / Applicability

The regulations of this section shall apply unless otherwise addressed / specified herein. Notwithstanding these provisions, the City Council has full discretion in which to waive or modify Hillside Development Standards to all proposed residential land splits and subdivisions with slope areas greater than 20 percent, or as otherwise specified herein. Where the standards of this section are in conflict with other provisions of this Code, the more restrictive shall apply.

### 6.8.3 / Residential Density Allocation and Maximum Site Disturbance

For all areas of the lot or parcel with less than a 20 percent slope, 100 percent site disturbance may occur where densities are being transferred from higher slope areas. Development projects proposing such density transfers shall be subject to the Planned Area Development requirements of Sec. 9.5. For slope areas greater (steeper) than 20 percent, the standards of this section shall apply.

- A. Maximum site disturbance (disturbable area), as used in this section, shall include all grading for the development of the property but shall not include any public or private street. Disturbable Area includes that portion of a lot or tract approved for grading and grubbing, which shall be indicated as disturbable area envelopes in conjunction with the Preliminary Plat.
- B. Encroachments into sloped areas may be approved by the City Council for PAD subdivisions using the density transfer option where doing so helps achieve an efficient subdivision layout that works with the terrain. Such encroachments shall be limited to maximum disturbable areas, as specified for each slope category detailed in Table 6.8.3, except the maximum disturbable area provision shall not be applicable to a clustered unit development proposal located within a steep slope category greater than 20% but less than or equal to 25% in instances where it can be clearly demonstrated that such clustering would result in a more efficient use of land, create smaller networks of utilities, streets, and driveways, and overall reduced hillside scarring. The following criteria shall be utilized in determining the adequacy of a clustered development proposal:
  - Minimizes the disturbance to the terrain, avoiding cuts or fills unless they are necessary;
  - Preserves and incorporates natural features and vegetation, saves significant mature trees, rock formation and stands of vegetation, particularly in front yards;
  - Mitigates visual impacts by keeping structures below ridgelines, stepping structures with the slope, and minimizing the height of structures;
  - Places utilities and driveways in the same cut;
  - Adds supplemental natural landscaping to compensate for vegetation losses;
  - Buildings are designed to fit the site, rather than the site being modified to fit the building;
  - Architectural features conform to hillside characteristics, utilizing natural materials, earth-tone colors, and broken roof and wall components;
  - Streetscape appearance is enhanced by saving front yard vegetation, staggering setbacks, and utilizing minimal-sized driveways that take up grade;

- Proposed clustered unit developments located within a >20% to 25% steep slope category shall be subject to the processing of a Planned Area Development (PAD) application and approval at the sole discretion of the City Council.
- C. Additionally, remediation of resulting disturbed ground shall be a requirement of final plat approval and noted for the related disturbable area envelopes. Subdivisions approved for this additional site disturbance allowance may only gain an increase beyond what was approved at final plat by a revised approval of the Planning and Zoning Commission.
- D. For approved Hillside Subdivisions which were not approved with minor encroachments per Section 6.8.3.B, a maximum of 10 percent increase in maximum site disturbance shall be allowed for the construction of a driveway subject to approval of an Administrative Adjustment by the Community Development Director pursuant to the requirements of Sec. 9.516, Administrative Adjustments. Notwithstanding other provisions to the contrary, any increase in excess of 10 percent shall be subject to Planning and Zoning Commission approval and to additional mitigation requirements as necessary to reduce the potential for erosion and slope scarring.
- E. Density and maximum site disturbance shall be determined in accordance with the following table:

Table 6.8.3 (Refer to Sec. 6.8.3E – Table Interpretation below)

HILLSIDE RESIDENTIAL DENSITY			
Steep Slope Categories	Maximum Disturbable Area*	Minimum Lot Area	Density Transfer Option (Bonus) - Adds To Base Density Of Underlying Zone On Slopes 0% To 20%
0% to 20% (Base Density)	Per Underlying Zoning	Per Underlying Zoning (Base Density)	Receiving Area For Density Transfers
>20% to 30%	30%	½ acre (21,780 sf)	2.5 DU per AC
>30% to 40%	15%	2 acres	1 DU per one AC
>40%	10%	3 acres	1 DU per one AC

\* "disturbable area" shall be defined as "all grading for the development of a property except any public or private street," (Sec. 6.8.3A).

F. Table Interpretation

1. For non-PAD preliminary plat designs;
  - a. In instances where a proposed lot is located in a steep slope category greater than 20%, and the disturbable area\* within such lot would exceed the allowable percentage referenced in the "Maximum Disturbable Area" column in Table 6.8.3 (herein referred to as "Table"), then such lot shall either be reconfigured so as to not exceed the maximum disturbable percentage identified in said Table, or, reconfigured to conform to the lot size identified in the "Minimum Lot Area" column referenced in said "Table".
  - b. In instances where the disturbable area of a proposed lot contains a combination or mixture of slope categories greater than 20%, as listed in the Table column heading "Steep Slope Categories", the calculation for determining "Minimum Lot Area" shall be based upon the slope category occupying the largest portion of the proposed disturbable area.
2. For Planned Area Development (PAD) preliminary plat designs:
  - a. In instances where proposed lot contains a slope category or mixture of slope categories 20% or greater as listed in Table 6.8.3 (herein referred to a "Table"), under the column heading "Steep Slope Categories", the maximum disturbable area for each slope category shall be limited to those percentages listed in said

Table under the column heading "Maximum Disturbable Area" and shall apply to any/all disturbable areas of an affected lot.

- b. The "Minimum Lot Area" provisions listed in the Table shall not apply to PAD designations; however, lot design shall be limited by the maximum disturbable area percentages listed in the Table for the respective steep slope category. Increasing the overall area of a proposed lot may be necessary to compensate for the size of the proposed disturbable area envelope to ensure that the maximum allowable percentages of disturbable area are not exceeded for each steep slope category that may be present.

**6.8.4 / Residential Density and Site Disturbance Transfer**

Subject to Council's sole discretion and the Planned Area Development requirements of Sec. 9.5, residential density and site disturbance may be transferred from portions of a lot or parcel with a slope greater than 20 percent to an area of less than 20 percent slope. Areas from which density and site disturbance are transferred shall be designated as "natural areas" in accordance with Sec. 6.8.4C, below. Density and site disturbance shall be transferred only on-site, within the boundaries of the subject tract or parcel.

**A. Density Transfer Considerations**

Aspects for consideration of a density transfer design may include but are not limited to:

- 1. Locations and distribution of the clustered housing;
- 2. Depth and quality of buffering between the clustered housing and the adjoining properties off-site;
- 3. Degree of difference between housing types, heights, lot sizes, visibility of on-site and adjacent off-site developments; and
- 4. Amount, type and location of open space that results from a density transfer; scarring, erosion, sedimentation and road building reductions.

**B. Density Clustering / Housing Types**

Notwithstanding other provisions of this Code to the contrary, transferred density rights may be developed as Attached Single-Family Dwellings, in addition to other residential use types allowable in the underlying zoning district.

**C. Natural Areas**

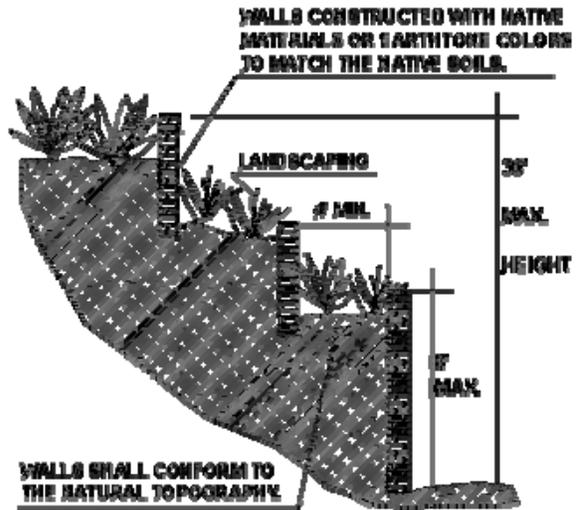
The intent of natural areas is to provide for retention of hillside areas in their natural state. The density and site disturbance shall be transferred to other less steep portions of a site. Specific criteria for natural areas include the following:

- 1. Natural areas shall be at least 1/2 acre in size or immediately adjacent or contiguous to other land also designated as a natural area, which, in aggregate, total at least 1/2 acre in size.
- 2. Site disturbance other than hiking trails shall not be permitted within the geographical area of a natural area.
- 3. The natural area shall be delineated on the Preliminary and Final Plats of a subdivision or on any development plan required for development other than a subdivision (including land splits), and shall be designated by legal description on a document recorded with the Yavapai County Recorder for lot division and denoted as an open space tract or a "No Build Easement".
- 4. Natural areas may be designated as a deed-restricted or easement-protected portion of a privately owned lot, or as a separate parcel. Such parcel may be under the ownership of a property owners' association or deeded to any organization that accepts responsibility for the perpetual preservation and maintenance of the natural area, subject to approval and acceptance by the City of Prescott. To protect the natural areas, covenants that run with the land shall be recorded in favor of the City of Prescott and of all owners with record interest in the natural area. Alternatively, rezoning to an open space designation may be requested for such areas.

**D. Hillside Wall Standards**

The intent of wall standards is to reduce the visual impact of screening and retaining methods used on hillside developments. Specific criteria for design include the following:

1. The maximum height of retaining walls is 36 feet. For each 8 feet of vertical height, a 4-foot horizontal offset shall be provided.
2. Walls shall conform to the topography of the site.
3. Walls with a change in alignment shall incorporate the use of graduating steps rather than sharp corners to the greatest practical extent.
4. Walls shall either incorporate the use of native materials or be earth tone colors to match the native soils.



**E. Drainage Design**

Drainage facilities shall be designed to maintain the predevelopment flows and runoff characteristics. Drainage facilities shall be installed per approved plans for projects subject to City approval, including multi-family residential and commercial development, all subdivisions and subdivision exemptions. Changes to the historic drainage or changes made after project approval shall be at the risk of the individual property owner(s). In all cases and with or without City review, it is the responsibility on the property owner to maintain the natural, preconstruction drainage flows that characterize the location. Private drainage facilities, driveway culverts, cross lot drainage easements, or rear lot drainage easements shall be privately maintained.

**F. Driveways, Single-family**

1. Driveways in hillside area shall be limited to one per residence; provided, however, additional driveways may be permitted at the discretion of the Community Development Director where site grading provisions are met and where traffic circulation is not compromised.
2. The minimum driveway width shall be 10 feet. A single driveway that serves more than one residence shall be 20 feet in width.
3. Driveway grades should not exceed a 20 percent grade.
4. Driveways shall be paved to stabilize slopes and minimize erosion and sedimentation.
5. In new subdivisions where behind-the-curb drainage is proposed, the design engineer shall calculate the capacity of the drainage ditches and channels to determine driveway culvert size. The recommended size and type of pipe shall be designated for each lot on the improvement plans (12" minimum). Individual single-family sites and commercial sites shall show proposed drainage and culvert size on site plans. A drainage report may be required with improvement plan submittals for commercial sites.

**6.8.5 / Exceptions to Hillside Development Standards**

Exceptions to otherwise required minimum Hillside Standards including, but not limited to: maximum site disturbance, clustering, and the provisions outlined in Table 6.8.3 "Hillside Residential Density" relating to minimum lot area, minimum disturbable area, and density transfer options, may be modified and approved by the City Council. If the provisions of this Section (6.8) are in conflict with provisions found in the City's Planned Area Development (PAD) or subdivision Provisions, the provisions herein shall control.

## Sec. 6.9 / Ridgeline Standards

### 6.9.1 / General

The requirements of this section are intended to reduce the visual impact of development located on ridgelines that are not designated for protection as part of the adopted Prescott General Plan or other specific area plans.

### 6.9.2 / Applicability

The standards of this section shall apply to all development, excluding perpendicular road crossings but including all structures, buildings, fences, or walls, located on ridgelines that are visible from surrounding collector and arterial streets. For purposes of applying this provision, a ridgeline shall be identified through the subdivision review process. Lots subject to this provision shall be so indicated on the recorded Final Plat. A site section may be required to determine the ridgeline elevation contour relative to the building height. Notwithstanding the provisions of Sec. 9.16, Administrative Adjustments, no staff-administered adjustments to height shall be permitted to these Ridgeline Standards.

### 6.9.3 / Maximum Height

Notwithstanding other provisions of this Code to the contrary, the maximum height of all structures on a ridgeline shall be limited to 26 feet above the ridgeline.

## Sec. 6.10 / Urban Wildland Interface

### 6.10.1 / General

The provisions of this section are intended to mitigate the danger of wildfire in areas identified on the Urban Wildland Interface Map.

### 6.10.2 / Applicability

Firewise Guidelines/Regulations, as authorized in Prescott City Code, Title VI, Chapter 2, and as the same may be amended from time to time, shall apply to the respective Vegetative Management Zones identified in Sec. 6.10.3, Wildfire Hazard Mapping. The Firewise Guidelines/Regulations include vegetative treatment, structural safeguards, and defensible area for the property and neighborhood.

#### Commentary:

The City of Prescott Fire Marshall directs that homeowners, homebuilders and developers refer to the adopted Firewise Codes, which are available at the Prescott Fire Department, for specific advice on how they can protect their homes and investments from the hazards of wildfire. Among the guidelines are:

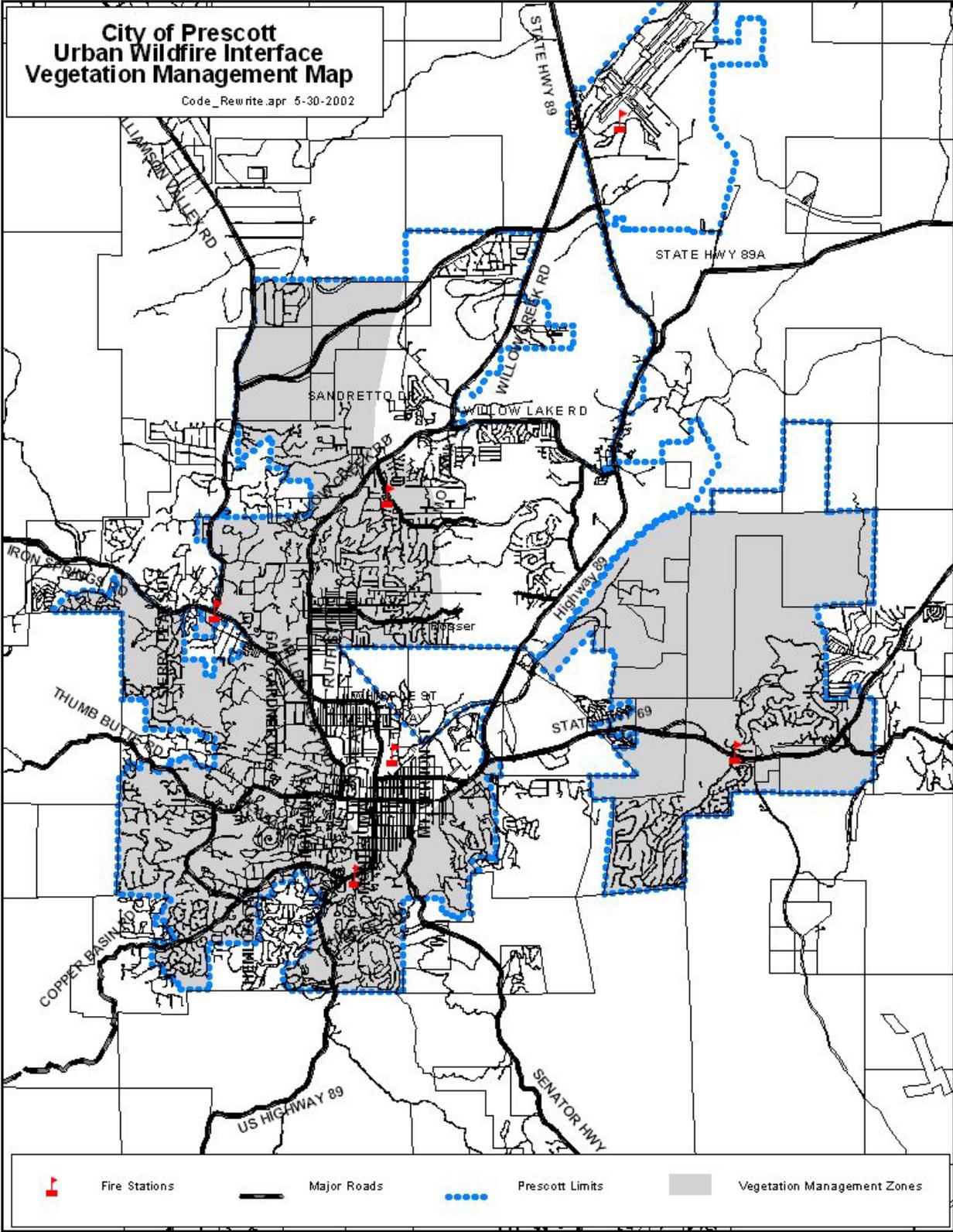
*Defensible Area* – The first line of defense against the ravages of wildfire hazards is the maintenance of a defensible area between a home and any adjacent natural wooded areas. Trees, shrubs, and other combustible material should be thinned and trimmed, and regularly managed within the area to minimize potential wildfire hazards.

*Construction Practices* – In addition, certain construction practices that can be effective in reducing wildfire hazards include: use of fire resistive decking, roof and siding materials; spark arrestors on chimneys and screened vents; and enclosed eaves.

*Alternative Techniques* – Where a defensible area cannot be maintained, 1-hour firewalls, double-paned windows, and sprinklers can delay a fire until fire fighters can arrive.

One of the worst things a homeowner can do in a Wildfire Hazard Area is “business as usual”;

6.10.3 / Wildfire Hazard Mapping



## Sec. 6.11 / Outdoor Lighting

### 6.11.1 / Purpose

This section is intended to accomplish the following:

- A. Minimize light pollution and light trespass for the enjoyment and use of property and the night environment;
- B. Encourage the use of types, kinds, construction, installation and uses of outdoor luminaries, lighting practices and systems which will reduce light pollution and light trespass, and conserve energy;
- C. Encourage the use of quality materials, methods and designs;
- D. Benefit astronomical research and observations; and
- E. Increase nighttime visibility, utility, security and productivity by limiting levels of illumination, encouraging even illumination and reducing glare.

#### Commentary:

Outdoor lighting standards are intended to encourage the use of quality materials, methods and designs. They are not intended to prevent the use of any design, material or method of installation not specifically forbidden, provided any such alternate has been approved. The Director of Community Development or designee may approve any such proposed alternate if it achieves the purpose of this Section.

The Community Development Director or designee may approve alternatives to these standards that meet or exceed the specific requirements of this Section pursuant to the requirements of Sec. 9.16, Administrative Adjustments. Whenever the phrase "meets the intent of this Section" is used in this Section, that shall mean that the proposed use, method or alternate is deemed by the Community Development Director to meet or exceed the specifications and/or requirements of this section.

### 6.11.2 / Applicability

This Section shall apply to new development, including all new buildings, new parking lots and new outdoor luminaries installed or constructed after the adoption of Ordinance No. 3644A [July 8, 1997], except as exempted below.

### 6.11.3 / Exemptions

The following exemptions shall apply as specified.

#### A. Permanent Exemptions

##### 1. Single Family and Duplexes

- a. Single-family and duplex dwelling lighting are exempt from the requirements of this Section, provided that such exemption shall not apply to recreational lighting uses associated with single-family and duplex dwellings, such as, court lighting, swimming pool lighting, decorative lighting, landscape lighting, and walkway lighting.

#### Commentary:

Single-family and duplex dwellings are regulated by the ARS §49-1101 et seq., which establishes the following illumination limits per lamp:

- (1) Incandescent uplighting: 150 watts
- (2) High intensity discharge: 35 watts
- (3) All other sources: 70 watts

- b. Security lighting associated with single family and duplex dwellings activated by motion detectors are exempt from the requirements of this Section, provided that such lighting is properly adjusted to turnoff when the detected motion ceases and the motion detector and lighting fixtures are not directed beyond a property line.

##### 2. Existing Luminaries

Replacement of lamps in luminaries that are existing and installed as of the adoption of Ordinance No. 3644A [July 8, 1997] are exempt from the requirements of this Section.

**3. Fossil Fuel Lights**

All outdoor light fixtures producing light directly by combustion of fossil fuels (such as kerosene lanterns and gas lamps) are exempt from the requirements of this Section.

**4. Holiday Decorations**

Lighting used for Federal recognized holiday decorations are exempt from the requirements of this Section.

**5. Flag Lighting**

Lights used for illumination of the American flag or Arizona State flag are exempted from the time of operation where no more than 2 lamps are used to light such flag.

**6. Airport Lighting**

Airport lighting required for safe and efficient movement of aircraft during flight, take-off, landing and taxiing. All other outdoor lighting at airport facilities shall comply with the light trespass provisions of Sec. 6.11.5A.

**7. Public or Municipal Outdoor Recreational Facilities**

Lights used for illuminating public or municipal outdoor recreational facilities are exempt from these regulations, provided that illumination shall conform to the IESNA (Refer to Sec. 6.11.10, Definitions) recommended practices. This exemption shall not be interpreted as exempting such from the provisions of Sec. 6.11.5, Light Trespass and Glare.

**B. Temporary Exemptions**

Temporary use permits may be approved pursuant to the provisions of Sec. 9.11, Temporary Use Permits, for any situation that is not allowed by this Section where temporary lighting is required, including but not limited to, special civic or public events, sporting events, special business events, grand openings of businesses, and construction projects (see also Sec. 2.6.1P).

**1. Information Required**

Applications for temporary lighting exemptions shall be submitted in accordance with the requirements of Sec. 9.11.1A, Submittal Requirements, and shall include the following:

- a. Name, address and telephone number of the applicant;
- b. Location of the outdoor light fixtures for which the exemption is requested;
- c. Specific exemption(s) requested;
- d. Use of the outdoor light fixtures involved;
- e. Duration of the requested exemption(s);
- f. Type of outdoor light fixture(s) to be used, including total lumen output, mounting, aiming and character of the shielding, if any;
- g. Previous temporary exemptions for that location, if any;
- h. Justification for the exemption, and;
- i. Such other relevant data and information as may be required by the Community Development Director.

**2. Duration of Approval**

The permit shall be valid for not more than 60 consecutive days from the date of assurance of approval. Exemptions are renewable for a period of not more than 15 consecutive days. However, the Community Development Director upon good cause can extend the time for construction projects, not to exceed the contemplated completion date of said project. Requests for renewal of a temporary exemption shall require an additional filing fee.

**C. Emergency Exemptions**

This Section shall not apply to portable temporary lighting used by law enforcement, emergency services personnel or public utilities to protect life or property.

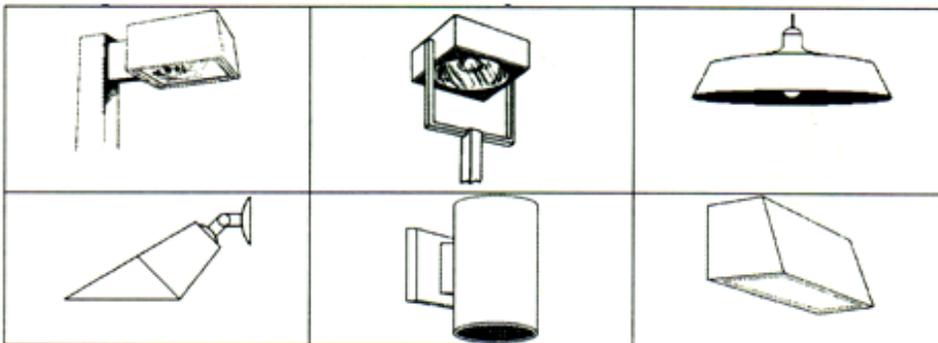
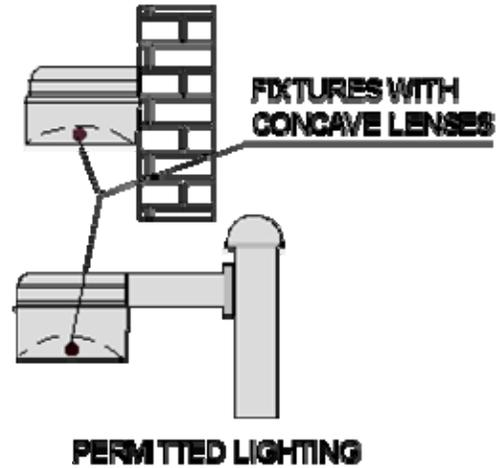
**6.11.4 / Outdoor Lighting Types**

All illumination designed or placed so as to illuminate any portion of a site shall be achieved in accordance with the following standards:

**A. General**

All types of outdoor lighting shall be subject to the following standards, except as specifically exempted herein:

1. Outdoor lighting shall utilize cut-off fixtures as defined by Sec. 6.11.10;
2. Illumination levels shall conform to the IESNA (Refer to Sec. 6.11.10) recommended practices; and
3. Outdoor lighting shall be subject to the requirements of Sec. 6.11.5, Light Trespass and Glare.



**EXAMPLES OF ALLOWED COMMERCIALY AVAILABLE LUMINARIES**

**B. Outdoor Retail, Recreational and Other Lighting**

1. Single-family and duplex residential recreational lighting uses, such as court lighting and swimming pool lighting shall comply with the requirements of this section.
2. Notwithstanding the provisions of Sec. 6.11.4A.1 to the contrary, lights used for internally illuminated signs do not have to utilize cutoff fixtures. To limit undesirable light pollution, however, such signs (including but not limited to awning/canopy signs, cabinet signs, changeable copy panels or service station island signs) shall use the preferred dark or opaque sign face with translucent letters and symbols, which may be night bright colors. White or other night-bright colors are not permitted as background colors, unless where a site shall be limited to 80 watts cumulative exterior lighting.
3. Except for exposed neon lighting, the source of illumination for sign structures shall be so oriented or shielded so that the source of illumination shall not be visible from any residential zoned property or any public thoroughfare. Sign placement shall be in accordance with the sign illumination requirements of Sec. 6.12.12B.
4. The source of illumination for any sign shall be oriented or shielded so that the source of illumination shall not be visible from any residential use or public thoroughfare, provided, however, this limitation shall not apply to neon and traditional holiday lighting.
5. Top-mounted fixtures are required for outdoor advertising displays and exterior lighted signage when total sign wattage exceeds 150 watts.

**C. Decorative, Landscaping and Walkway Lighting**

All decorative, landscaping and walkway lighting shall be selected, installed, and aimed so as to minimize the amount of light beyond the area intended to be lighted.

**1. Maximum Illumination Levels**

Illumination levels shall be limited as follows:

- a. Incandescent up-lights shall not exceed 150 watts per lamp.
- b. High intensity discharge shall not exceed 35 watts per lamp.
- c. Other light sources shall not exceed 70 watts per lamp.

**2. Pole Mounted Luminaries**

Pole mounted luminaries shall not be mounted higher than 12 feet.

**D. Security Lighting, Nonresidential**

Nonresidential security lighting shall comply with the General requirements of Sec. 6.11.4A.

**E. Off-Street Parking Lighting**

Off-street parking area lighting shall be subject to the following standards.

- 1. High Pressure Sodium (HPS) sources shall be used to illuminate parking areas; provided; however, other light sources may be used for outdoor retail and recreational uses occurring in a parking lot; e.g., auto dealerships.
- 2. The average maintained light level on the entire facility's parking surface shall be in a range from one foot-candle to 3 foot candles. The average-to-minimum uniformity ratio shall not exceed a ratio of 4:1 with a maximum 15 foot-candles.
- 3. A maximum of 5 maintained foot-candles is permitted within 50 feet of the customer only entrances to commercial buildings that adjoin parking areas. The 50-foot area shall be excluded from the average maintained light level for projects with adjoining parking areas of 250 or more parking spaces.
- 4. Notwithstanding the provisions of Sec. 6.11.5A.2, the maximum height of lighting fixtures may be extended to 40 feet upon the approval of the Community Development Director where such additional height would be consistent with the purposes of this Section, including, but not limited to:
  - a. Reduction of glare,
  - b. Reduction of light poles,
  - c. Uniformity of lighting, and
  - d. Mitigation of adverse impacts.
- 5. The lighting system shall be so designed to produce an average maintained light level on lighted portions of the facility's parking surface in a range from 0.5 to 3 foot candles. The maximum-to-minimum uniformity ratio shall not exceed 15:1 with a maximum 15 foot candles.
- 6. Pole mounted fixtures shall be mounted at a maximum height of 18 feet within 50 feet of a property line adjoining residential zoning districts, and a maximum height of 30 feet above grade otherwise.
- 7. A maximum of 25 percent of the off-street parking luminaries may remain lighted after one hour of the closing time of the business until sunrise.

**F. Roofed and Covered Parking Facility Lighting**

Roofed and covered parking facilities lighting shall be designed to comply with the recommended practices of the IESNA (Refer to Sec. 6.11.10, Definitions).

**G. Public or Municipal Outdoor Recreational Lighting**

- 1. Notwithstanding cutoff fixture requirements of Sec. 6.11.4A.1, field sports luminaries do not have to utilize cutoff fixtures. This provision shall not be interpreted to relieve court sports luminaries from cutoff requirements.

- 2. Notwithstanding the light trespass requirements of Sec. 6.11.5A.1, below, field sports lighting shall have a maximum of 1.5 foot candles initial maximum vertical luminance 6 feet above grade at the property line and 1 foot candle initial horizontal luminance at the property line. Direct glare shall not be visible beyond 100 feet of a stadium or ballpark boundary.

6.11.5 / Light Trespass and Glare

Light trespass and glare for all lighting types shall be mitigated in accordance with the following requirements:

A. Light Trespass

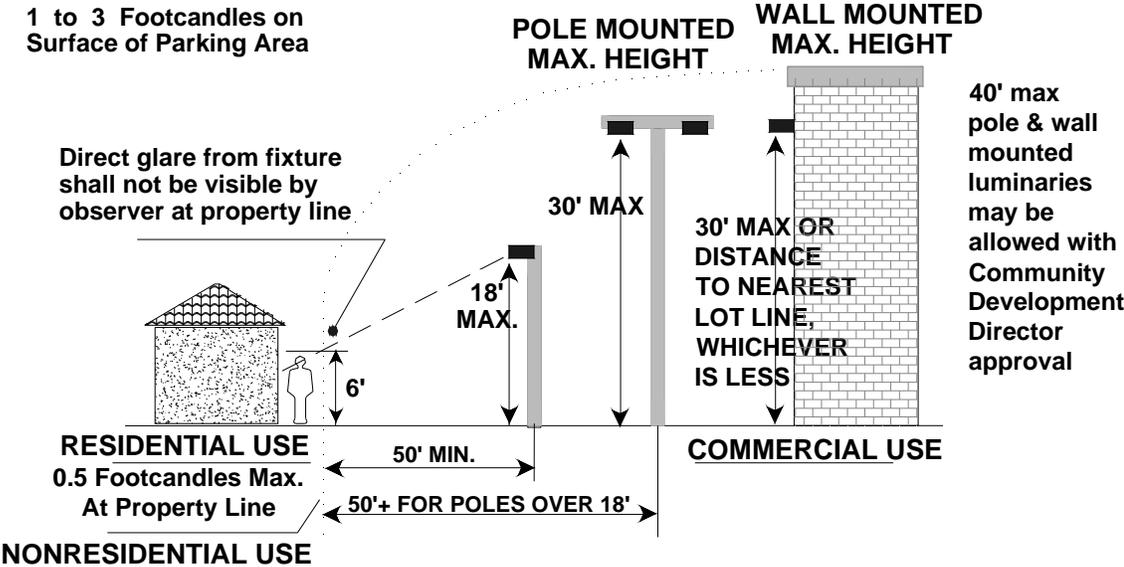
Light trespass on adjacent properties shall be minimized as follows:

- 1. All outdoor lighting, other than public and municipal recreational lighting, shall be designed and operated so that no more than an average maintained 0.5 foot-candle is measured on a horizontal plane at grade at the property line adjacent to residential areas, and no more than an average maintained one foot-candle adjacent to all other uses.
- 2. Pole mounted fixtures shall be mounted at a maximum height of 18 feet within 50 feet of a property line adjoining residential zoning districts, and a maximum height of 30 feet above grade otherwise.
- 3. Wall-mounted luminaries shall be mounted no higher than 30 feet or the distance to the nearest property line, whichever is less, unless the luminaries are mounted so as to direct the light away from the adjacent property, e.g., on a wall on the property line but directed toward the interior of the subject property. Where luminaries are mounted on a wall with the light directed toward the interior of the subject property, the Community Development Director may approve luminaries mounted up to 40 feet high.
- 4. Final determination as to compliance with these light trespass and glare requirements shall be based on 10 foot by 10 foot, point-by-point photometric analysis by the Community Development Director. (See Sec. 6.11.8, Submission of Plans and Evidence of Compliance.)

B. Glare

Glare shall be minimized by compliance with the following requirements:

- 1. All outdoor lighting shall be designed to minimize the impact on sky glow and glare.
- 2. Glare from any luminaire, except for public or municipal recreational lighting, shall not be visible from 6 feet above grade at the property line.
- 3. Adjacent property to residential zoned property, decorative, landscape and/or walkway luminaries shall be shielded on the lot line side to eliminate spill and glare.



**6.11.6 / Time of Operation**

Outdoor lighting shall be off between 10PM and sunrise, except as follows: Advertising signs may be illuminated all night, unless otherwise required by this LDC.

- A. Outdoor retail, commercial, assembly, repair and industrial areas may be illuminated when such areas are actually in use.
- B. Public or municipal outdoor recreational lighting may remain lighted past 11PM in order to complete recreational activities that are in progress and under illumination at 11PM.
- C. Decorative, landscaping and walkway lighting associated with businesses may be illuminated during their business hours.
- D. Security lighting may remain on all night.
- E. Flag lighting for American flags or the State of Arizona flag may remain on all night.
- F. Time and temperature sign lighting may remain on all night.
- G. All off-street parking area lighting shall be dimmed to ¼ of the project's full illumination lighting plan at 10PM or when the use of the parking area ceases.

**Commentary:**

Sec. 5.3.8E, Sign Lighting, establishes additional limitations applicable in the CCO district.



**6.11.7 / Prohibitions**

Prohibited lighting includes the following:

- A. New Mercury Vapor luminaries for use as outdoor lighting, and existing Mercury Vapor luminaries shall be prohibited after January 1, 2005;
- B. Operation of search lights for advertising purposes;
- C. Area lights with other than horizontal lenses;
- D. Strings of lights over 1 watt each; and
- E. Luminaries with dropped, sag or convex lenses lighting, as illustrated at right, are prohibited.

**6.11.8 / Submission of Plans and Evidence of Compliance**

An outdoor lighting plan evidencing that the proposed work will comply with the requirements of this Section shall be submitted with all building permit applications for land uses, not specifically exempted pursuant to the provisions of Sec. 6.11.3, Exemptions.

- A. All outdoor lighting plans shall include at least 2 complete sets of the following:
  - 1. The location of the site where the outdoor luminaries will be installed;
  - 2. Plans indicating the location, mounting height, and type of all luminaries, both existing and proposed, on the premises;
  - 3. Point-by-point lighting level printouts with calculation areas delineated when the services of a professional electrical engineer are required or when required by the Community Development Director; and
  - 4. A description of the outdoor light fixtures including, but not limited to, manufacturer's catalog cuts, photometric report with candela distribution, drawings, and shielding information.
- B. The required plans and descriptions shall be sufficiently complete to enable the City to determine readily whether compliance with the requirements of this Section will be achieved. If such plans and descriptions cannot enable this determination due to the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit further evidence of compliance enabling such determination.

- C. If required by the Community Development Director, a licensed Professional Engineer shall seal submittals and drawings. Submittal must contain the name of the company that prepared the drawings and the name, title and telephone number of the person that performed the design work.
- D. All projects requiring a licensed professional electrical engineer shall be submitted with fully engineered drawings.
- E. All parking lot projects requiring a licensed electrical engineer shall be submitted with an engineered lighting plan showing point-by-point lighting levels for the entire lot with a maximum of 10 feet x 10 feet spacing of calculation points. Light loss factors shall be used as follows:
  - 1. High Pressure Sodium: 0.81
  - 2. Metal Halide: 0.72
- F. If required by the Community Development Director, projects re-submitted for approval shall include a written description of all changes, with comments keyed and attached to the plan check comments, and sealed by a licensed Professional Engineer.

**6.11.9 / Permits and Installation**

- A. If required by the International Electrical Code, an electrical permit and inspection by the City shall be required for all new and replacement external luminaries, provided however that a permit and inspection are not required for single family and duplex dwellings. Notwithstanding the foregoing, the City reserves the right to inspect single family and duplex dwellings to determine compliance with this Section.
- B. The owner or contractor of record shall install the approved outdoor lighting fixtures in conformance to the listing, manufacturer’s installation specifications, and all applicable local building and electrical codes.

**6.11.10 / Outdoor Lighting-Related Definitions**

Outdoor lighting-related terms shall have the following meanings as used in this Section:

Table 6.11.10

OUTDOOR LIGHTING - RELATED DEFINITIONS	
Term	Definition
Advertising Display	Advertising structures and signs used for outdoor advertising purposes, not including on-premise advertising signs.
Candle / Candela	Unit of luminous intensity.
Cutoff Fixtures	Outdoor luminaries shielded or constructed so that the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted, and the candlepower per 1000 lumens does not numerically exceed 25 (2.5%) at an angle of 90° above (nadir) horizontal, and 100 (10%) at a vertical angle of 80° above nadir. Drop or sag lens type fixtures shall not be allowed because of glare.
Decorative, Landscape and Walkway Lighting	Outdoor lighting used for decorative, landscape and/or walkway effect; e.g., illumination of landscaping, flags, fountains, plants, statues, walkways, and building facades.
Direct Glare	Glare resulting from the lamp being visible in the field of view.
Foot Candle(FC)	Foot candle (FC) is the commonly used measure of light level by the IESNA. It is the luminance on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the luminance produced on a surface all points of which are at a distance of one foot from a directionally uniform point source of one candela. It is the luminous flux per unit area in the Imperial system. One foot candle equals approximately 0.1 (0.093) lux.
Glare	The sensation provided by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adjusted to cause annoyance, discomfort or loss in visual performance and visibility, and public health and safety issues, as it may cause vehicular or other accidents.

Table 6.11.10 continued

OUTDOOR LIGHTING - RELATED DEFINITIONS	
Term	Definition
Grade	The average of the native ground level or the finished ground level measured at the center of all walls of the building or the adjoining parking area, whichever is closer. The height of berming and the mounding of dirt on which a light pole is placed shall be counted in the overall height of the pole.
IESNA	Illuminating Engineering Society of North America, New York, NY.
Light Pollution	any artificial light that is emitted into the atmosphere either directly or indirectly by its reflection off of dust, water vapor and other atmospheric pollutants in the sky, and that adversely impacts astronomical research and enjoyment of clear night skies.
Light Trespass	Any artificial light that causes unwanted light on adjacent properties.
Lumen	Unit used to measure the actual amount of visible light which is produced by a lamp as specified by the manufacturer.
Luminaire	A complete lighting unit consisting of a lamp or lamps, together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power supply.
Lux	A unit of illumination equal to the direct illumination on a surface that is everywhere one meter from a uniform point of source of one candle intensity or equal to one lumen per square meter.
Motion Detector	A Luminaire designed to illuminate an area around a residence or other building by means of switching on a lamp when motion is detected inside the area or perimeter and switching the lamp off within a set period of time when the motion ceases.
Night Bright Colors	Translucent colors that permit excessive transmission of light and light trespass. Colors identified as "night-bright" shall be based upon the Gerber High Performance Series Specguide, or other comparable colors provided by other similar product suppliers that provide color swatches of vinyl products available for Plexiglas sign faces. Individual colors identified on the aforementioned Specguide as White, Clear, Ivory, and Egg Shell, Oyster, Palm Oyster, Pearly Grey, Powder Blue, and Robin Egg Blue shall be deemed as "night-bright" colors.
Off Street Parking Lighting	Lighting for all off-street parking except single-family detached or duplex residential uses.
Outdoor Luminaire	An outdoor artificial illuminating device, installed or portable, used for flood lighting, general illumination or advertisement. Such devices shall include, but are not limited to, search, spot and flood lights for buildings and structures, recreational facilities, parking lots, landscape lighting, outdoor advertising displays and other signs for advertising or other uses, street lighting, walkway lighting, product display area lighting and building overhang and open canopies.
Outdoor Luminaire, Approved	Lighting fixtures and lamps approved by the Community Development Director as conforming to the requirements of this Code or meeting the intent of this section.
Outdoor Retail, Recreational, and Other Lighting	Outdoor lighting used for outdoor retail or restaurant areas, automotive dealers (display areas only), assembly or repair areas, gasoline pump or similar canopy lighting, outdoor advertising displays, private outdoor recreational areas and similar applications.
Parking Area	An area, other than a street, that is designed primarily for parking of vehicles.
Public or Municipal Outdoor Recreational Lighting	Lighting for schools, public or city related outdoor recreational facilities.
Recreational Facilities	Parks, public, municipal or private facilities designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities. Outdoor recreational facilities include, but are not limited to fields or stadiums for softball, baseball, football, soccer, golf courses, driving ranges and other "field sports"; and courts for tennis, basketball, volleyball, handball and other "court sports".
Security Lighting	Outdoor lighting used for illumination for equipment yards and outdoor security for the purpose of visual security.

## Sec. 6.12 / Signs

### 6.12.1 / Purpose

The sign standards are intended to encourage development that is in harmony with the desired character of the City while providing due regard for the public and private interests involved; promote effective use of signage by preventing over concentration, improper placement, and incompatible size; provide an improved visual environment; control light pollution; and prevent the depreciation of property values within the City of Prescott.

### 6.12.2 / Applicability

Signs may be erected, placed, established, painted, created or maintained only in conformance with the provisions of this section.

#### Commentary:

Signs in the right-of-way are regulated by Prescott City Code, Title VIII, Chapter 2 and Chapter 6.

### 6.12.3 / Exempt Signs

The following signs shall be exempt from these standards:

- A. Traffic signs on public right-of-way, such as Stop, Yield and similar signs, which meet Department of Transportation standards, and other commercial signage as permitted by the City Code;
- B. Any sign inside a building;
- C. Directional signs assisting in the flow of traffic, street addresses, or signs necessary for safety (e.g. stop engine, no smoking) that do not exceed 2 square feet in area;
- D. Signs located inside windows; however, this shall not be construed to permit otherwise prohibited signs;
- E. A sign located on the top or side of an operable, fuel dispensing pump where such sign is not illuminated and not visible from any public rights-of-way; and
- F. Governmental flags, where flagpoles are permitted.

### 6.12.4 / Administrative Adjustments

Notwithstanding other provisions to the contrary, adjustments to these sign standards may not be approved in accordance with the provisions of Sec. 9.16, Administrative Adjustments.

### 6.12.5 / Permitted Signs

Signs shall be permitted subject to the procedures of Sec. 9.7, Sign Permits and Comprehensive Sign Plans, and in accordance with the following standards:

#### A. Freestanding Sign Standards

Freestanding signs, pole-mounted banners, balloons, pennants, bunting are acceptable subject to the provisions of Table 6.12.5C. Temporary Signs, and Table 6.12.5D, Sign Calculations.

Table 6.12.5A Free Standing Sign Standards

PERMITTED SIGNS			
PURPOSE	ZONING DISTRICTS	MAXIMUM DIMENSIONS	STANDARDS
<b>FREESTANDING SIGNS</b>			
Project Identification (Religious institutions, mobile home parks, buildings, apartments, condominiums, etc.)	RE-2, SF35, SF18, SF12, SF6, RT, MFM, MFH, RS, MU AND RO Districts	Height: 5 ft Width: 10 ft Total Area, All Signs: 24 sf Setback: 5 ft	Maximum of one such sign per driveway entrance, 2 if property frontage exceeds 80 ft. Sign shall be located in Landscaped Area, as defined in Table 6.12.5D. Signs must be 60 ft. apart.
Business (1 or 2 businesses)	BG, BR, IT, IL, IG, NOB, DTB	Height: 12 ft Area: 24 sf, Sign Area A (See Table 6.12.5D) Min. Setback: 30 ft from residential uses	Sign shall be located in Landscaped Area A, as defined in Table 6.12.5D. Freestanding signs count toward aggregate allowable total. One sign per business with one street frontage. Two signs per business with more than one street frontage.
Civic Organizations and Clubs, Non-profit	All Districts, for permitted uses	Height: 8 ft Max. Area: 60 sf, provided however the Max Area for a Club shall be 8 sf per sign	Sign must be located along arterial streets, within $\frac{1}{4}$ mile of City limits. Location shall be approved by Council. Non-illuminated signs only.
Commercial or Industrial Centers (3 or more businesses)	NOB, BG, BR, IT, IL, IG, DTB	Height: 12 ft Area: 32 sf, Sign Area B (See Table 6.12.5D)	Sign area shall not be included in aggregate sign area for tenant wall signs. Sign shall be located in a Landscape Area, as defined in Table 6.12.5D. Maximum of 2 signs allowed if property frontage exceeds 200 ft., such signs must be at least 100 ft apart.
Directory	RE2, SF35, SF18, SF12, SF9, SF6, MFM, MFH, NOB	Height: 7 ft Area: 6 sf Setback: Per District	One sign per building permitted.
Gas Pricing	BG, BR, IT, IL, IG	Height: 12 ft Area: 12 sf Setback: Per District	Gas pricing signs shall not count toward the maximum allowable aggregate when used solely for gas pricing.
Highway Commercial (Arterial streets with speeds >35 MPH)	BG, BR, IT, IL, IG	Height: 20 ft Min. Setback: 10 ft Max. Area: 2 sf / ft of setback, up to 100 sf, Sign Area C (See Table 6.12.5D)	One such sign permitted per building, provided, two signs allowed if property frontage exceeds 500 ft. [See Business (1 or 2 Businesses), above, for secondary signs on corner lots fronting on non-arterial streets]. Sign(s) shall be located in a Landscape Area, as defined in Table 6.12.5D.
Menu Board	NOB, BG, BR, IT, IL, IG	Height: 7 ft Area, drive-thru: 24 sf Area, drive-in: 2 sf per space Min. Setback: 45 ft	Sign not visible from adjacent ROW shall not be counted in the maximum aggregated allowable total. Setbacks are measured from ROW. Two signs per drive-through restaurant.
Property Identification	All Districts	Area: 3 sf	Non-illuminated in SF districts. One sign per property, either wall or freestanding.
Subdivisions	All Districts	Height: 5 ft Area: 24 sf	Location must be shown on Preliminary Plat. Sign shall be located in Landscaped Area, defined below. Two signs per project.
Outdoor Display of Goods for Sale	BA, BB as may be permitted; IL, IT, IG	Max. size for any one banner: 5 sf	1 and only 1 form of additional signage is permitted on a regular basis for approved outdoor display of goods. Pole-mounted banners, balloons, pennants, bunting are acceptable. Anything more requires a Temporary Sign Permit as a Special Event. The foregoing shall not be counted toward the maximum aggregate total signage.

**B. Canopy and Wall Sign Standards**

All canopy and wall signs shall be permitted subject to the standards that follow and Table 6.12.5D, and Sign Calculations, Sec. 4.9.4F.

Table 6.12.5B Canopy or Wall Sign Standards

PERMITTED SIGNS			
Purpose	Zoning Districts	Maximum Dimensions	Standards
Wall, Canopy or Facia Signs			
Project Identification (Religious institutions, mobile home parks, apartments, condominiums, etc.)	RE2, SF35, SF18, SF12, SF9, SF6, MFM, MFH, RS, MU, RO	Height: 10 ft. Total Area, All Signs: 24 sf	One sign per principal use/structure, or Two signs per project
Business (1 or 2 businesses)	DTB, BG, BR, IT, IL, IG, NOB	Area: 50 to 100 sf per business, Sign Area A (See Table 6.12.5D)	All signage area included in maximum allowable aggregate total, inclusive of freestanding signage.
Directory	RE2, SF35, SF18, SF12, SF9, SF6, MFM, MFH, NOB	Area: 6 sf Setback: Per District	Maximum of one sign per building.
Downtown Area	DTB	See Sec.4.9.4F	See Sec. 4.9.4F
Service Station	BG, BR, IT, IL, IG	Area: 16 sf	Maximum of 2 signs per canopy. All signage area included in maximum allowable aggregate total.
Highway Commercial (Arterial/collector streets with speeds >35 MPH)	BG, BR, IT, IL, IG	Area: Sign Area C (See Table 6.12.5D)	Permitted only on street-oriented walls and walls with customer entrances. Wall signage is permitted in addition to allowable freestanding signage.
Professional Practice	All Districts except DTB, for permitted uses	Area: 9 sf	Non-illuminated in SF districts. One sign per property.
Commercial Center (3 or More Businesses)	DTB, BG, BR, IT, IL, IG	Area: 40-80 sf per tenant, Sign Area B (See Table 6.12.5D)	Wall signage is permitted in addition to allowable freestanding signage.
Property Identification	All Districts	Area: 3 sf	Non-illuminated in SF districts. One sign per property, either wall or freestanding

**C. Temporary Sign Standards**

All temporary signs shall be permitted subject to the standards that follow and Table 6.12.5D, Sign Calculations.

Table 6.12.5C Temporary Signs

PERMITTED SIGNS			
Purpose	Zoning Districts	Maximum Dimensions	Standards
Temporary Signs			
Club-sponsored Events	All Districts	Area: 32 sf	May be erected 30 days prior to event, must be removed no later than one day after event. Sign must be removed 24 hours after event.
Construction	All Districts	Height: 6 ft Area, individual sign: 24 sf Area, group sign: 32 sf	Non-illuminated signs only. Signs to be removed 10 days after project opening. One sign per architect, contractor, financier, or subcontractor.
Home Sales or Rental	All Districts	Height, Res. Dist: 6 ft Total Area, Res. Dist: 6 sf Height, Non-Res. Dist: 8 ft Total Area, Non-Res. Dist: 24 sf	Non-illuminated signs only. Sign text must relate to subject property only.
Political	All Districts	Total Area, All Signs: 24 sf	Time limit: Such signs allowable up to 30 days preceding start of early voting in the primary election, and 60 days preceding start of the voting in a general election. Signs may not be placed in public rights-of-way. Signs shall be removed within 10 days after election.
Special Event	All Districts	N/A	Limit: Up to 45 days per calendar year. Sign must be removed 24 hours after event. May include bunting, banners, pennants, balloons, and other similar special displays.
Subdivision Advertising	All Districts	Height: 12 ft Area, Single Sign: 24 sf Total Area, All Signs: 48 sf Min. Setback: 50 ft From All Existing Dwelling Units	All such signs must be within $\frac{3}{4}$ -mile radius of subject subdivision. Signs shall be removed at the end of 2 years, or upon sale of the last lot or dwelling, whichever occurs first.

**D. Sign Calculations**

All signs shall be permitted subject to the following sign calculation standards.

Table 6.12.5D Sign Calculations

SIGN CALCULATIONS
<p><b>Landscape Area:</b>                      A minimum of 3 sf landscaping per one sf of freestanding sign area.                      Such landscape area may coincide with an otherwise required landscaped area when it surrounds the freestanding sign.</p>
<p><b>Sign Area A:</b>                      50-100 sf maximum aggregated allowable total signage.                      Building Length Along Street Frontage: 50 ft or less = 50 sf maximum sign area, of which up to 24 sf may be freestanding                      Building Length Along Street Frontage: &gt; 50 ft. = sign area may be increased by one sf per foot of building frontage in excess of 50 line. ft. up to 100 sf of which up to 24 sf may be freestanding.                      All signs count toward the maximum aggregated total.</p>
<p><b>Sign Area B:</b>                      40-80 sf maximum aggregated allowable total wall signage per business or tenant.                      Building Length Along Street Frontage: 40 ft or less = 40 sf maximum sign area.                      Building Length Along Street Frontage: &gt; 40 ft. = maximum area may be increased by one sf for each foot of building frontage in excess of 40 line. ft. up to 80 sf.</p>
<p><b>Sign Area C:</b>                      300 sf maximum aggregated allowable total signage per wall visible from fronting streets.                      Building Length Along Street Frontage: one sf for each running foot of wall length frontage up to 300 feet.</p>

**1. Exception for Single Businesses with Greater Setbacks**

When one business has more than 150 lineal feet of store frontage and is located 150 feet or more from a dedicated right-of-way, total allowable signage up to a maximum of 200 square feet, shall be calculated according to the following criteria:

- a. Total allowable signage is computed by adding the total allowable wall mounted signage to the total allowable freestanding signage.
- b. Total wall mounted signage is computed by multiplying 0.5 by the total lineal feet of the store frontage.

**2. Exception for Single Large Business in Commercial Center with Greater Setbacks**

When one business within a commercial center has at least 20,000 square feet of floor area and is located 150 feet or more from a dedicated right-of-way, the total allowable wall mounted signage is computed by multiplying 0.0045 by the business floor area not to exceed a maximum total area of 200 square feet.

**6.12.6 / Comprehensive Sign Plan Standards**

**A. Purpose**

Comprehensive sign plans regulate the appearance and location of signs within a single commercial project. Approved comprehensive sign plans may allow additional flexibility including innovative sign design, a greater number of signs, or more sign area than otherwise permitted in this section. Comprehensive sign plans are expected to result in higher quality signage than is otherwise required.

**B. Compliance with a Comprehensive Sign Plan**

A Comprehensive Sign Plan may be requested by the owner of properties containing multi-tenant buildings, and multi-occupant, multi-product, or multi-service commercial development. Such development shall be required to comply with a comprehensive sign plan when approved in accordance with the procedures of Sec. 9.7, Sign Permits and Comprehensive Sign Plans, and other applicable requirements of this Code. Such proposals require review by the City’s Planning and Zoning Commission and action by the City Council.

**1. Proposed Development**

Where requested, a Comprehensive Sign Plan shall be submitted in conjunction with the required Site Plan.

**2. Existing Development**

The owner of an existing commercial development seeking a Comprehensive Sign Plan shall submit such Plan to the City in conjunction with any addition of gross floor area by 20 percent or more, or for any interior or exterior remodeling that results in the value exceeding 20 percent or more of the building's value prior to the remodeling.

**C. Comprehensive Sign Plan Requirements**

A Comprehensive Sign Plan shall not be approved until and unless the City Council finds that:

1. The plan provides that signs of a similar type and function within the development will have a consistent size, lettering style, color scheme and material construction; and the plan provides for signs that meet the size limitations, location requirements and other applicable requirements of this section; or
2. The plan results in an improved design in exchange for a greater number of signs or larger sign face area than otherwise permitted by this section.

**D. Effect**

After approval of a comprehensive sign plan, or an amended comprehensive sign plan, no sign shall be erected, placed, painted, or maintained, except in accordance with such plan, and such plan may be enforced in the same way as any provision of this Code.

**6.12.7 / Airside Signage at the Prescott Municipal Airport**

For businesses with airside frontage, the following standards shall apply:

**A. Applicability**

All signage permitted and regulated under this Section shall be restricted to those frontages considered "airside" as defined under this Code (Refer to Sec. 11.2. Terms Defined). For those businesses with airside and landside frontage (Refer to Sec. 11.2), the landside signage shall be computed independently from the airside signage using the sign regulations provided in Sec. 6.12, Signs.

**B. Airport Approval**

All proposed signs shall have written approval by the Airport Director before a sign is submitted to the City of Prescott for a sign permit. The Airport Director may review signage for its placement on all airside structures and within airside areas, the material used to construct the sign, the type of illumination used, color, size, shape, where/how it is placed, and/or any other pertinent aspect relating to the proposed signage.

**C. Maximum Sign Sizes, Wall Mounted:**

1. Individual Buildings less than 10,000 square feet in size: 50 square feet.
2. Individual Buildings >10,000 square feet or with 75 or more linear feet of airside building frontage, total allowable signage, up to a maximum of 150 square feet, shall be calculated according to the more restrictive of the following alternative criteria:
  - a. For each additional linear foot of airside building frontage in excess of 75 feet, add one square foot of allowable signage to determine total allowable signage.  
[EXAMPLE: 50 sf + (1 sf x no. linear ft.> 75 linear ft.) = Sign Area]
  - b. For each additional square foot in excess of 10,000 square feet of building area, multiply .0050 by the gross floor area (GFA) to determine total allowable signage.  
[EXAMPLE: .0050 x (GFA, 10,000 or >) = Sign Area]
3. Businesses within a commercial or industrial center having airside frontage, that are determined by the Airport Director to have a need for signage shall be permitted: 40 sf
4. Additional signage may be authorized, up to a maximum of 150 square feet, according to the more restrictive of the following alternative criteria:

- a. For each additional linear foot of airside building frontage in excess of 40 feet: add one square foot of allowable signage to determine total allowable signage.  
[EXAMPLE: 40 sf + (1 sf x no. additional ft. >75 linear ft.) = Sign Area]
- b. For each additional square foot in excess of 8,000 square feet of building area: multiply .0050 by the gross floor area (GFA) to determine total allowable signage.  
[EXAMPLE: .0050 x (GFA, 8,000 or >) = Sign Area]

**D. Freestanding Signage Prohibition**

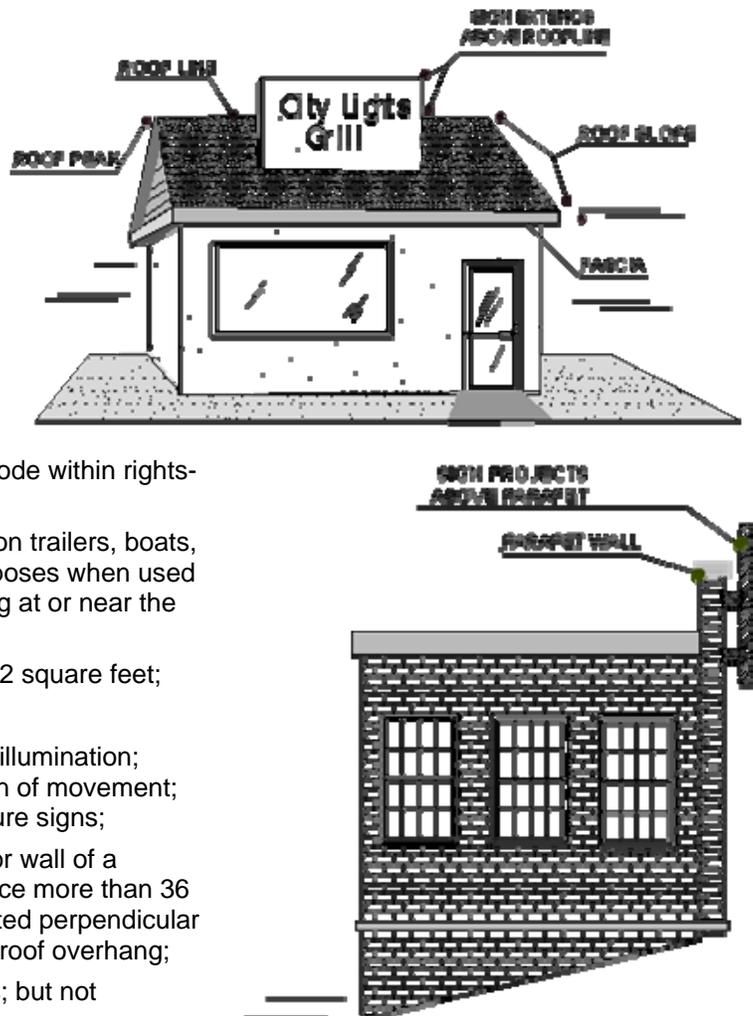
Freestanding signage is generally prohibited. However, the Airport Director may provide a written determination indicating that freestanding signage is appropriate. The applicant, upon receipt of this finding, may apply for a Conditional Use Permit (Refer to Sec. 9.3). Freestanding signs shall be subject to the following standards:

- 1. **Area and Projection**
  - a. Maximum Area: 24 sf
  - b. Maximum Projection From Structure: 48 inches
- 2. Freestanding signage area shall be included in the signage total for the individual project.
- 3. No signage is to project beyond any lease lines.
- 4. All signage shall be subject to Federal Aviation Administration codes and restrictions.
- 5. All signage shall be subject to the rules and regulations of the Airport.

**6.12.8 / Prohibited Signs**

Signs not specifically authorized are prohibited, including, but not limited to the following:

- A. Roof mounted signs or signs that project above the highest point of the roofline, parapet, or fascia – see illustration of roofline and fascia features at right;
- B. Signs that project above the canopy or awning upon which the sign is attached;
- C. Sandwich signs or portable signs, except as specifically within rights-of-way permitted by the City Code within rights-of-way;
- D. Signs mounted, attached or painted on trailers, boats, or motor vehicles for advertising purposes when used in place of or as additional advertising at or near the business or activity;
- E. Changeable copy signs larger than 12 square feet;
- F. Any sign emitting sound;
- G. Any sign with intermittent or flashing illumination; animated, moving signs or the illusion of movement; but not to include time and temperature signs;
- H. Signs attached to and from the roof or wall of a building perpendicular to a wall surface more than 36 inches, but not including signs mounted perpendicular to a wall entirely under an awning or roof overhang;
- I. Signs constructed of open light bulbs; but not



- including exposed neon; and
- J. Billboards and other off-premises signage.
- K. Banners or other temporary signs when mounted for periods exceeding 45 days.

**6.12.9 / Sign Measurement**

**A. Sign Area**

**1. Single Sign Face**

- a. The area of a wall sign or sign with a single face, shall be computed by measuring the sum of:
  - 1) Areas contained within the outside dimensions of the background panel; and
  - 2) Any surface material or color that forms an integral part of the sign, or is used to differentiate the sign from the backdrop or structure against which it is placed. Sign face does not include any supporting framework, base, bracing or decorative fence or wall that is clearly incidental to the sign.
- b. Signs mounted directly on a wall, without a background, shall be measured by totaling the area(s) of the smallest rectangles that will encompass the extreme limits of each word, graphics, or other display.

**2. Two or More Sign Faces**

If the interior angle between the 2 sign faces is 45 degrees or less, sign area will be measured as a single face. If the 2 faces of a double-faced sign are of unequal area, the area of the sign shall be the area of the larger face. In all other cases, the areas of all faces of a multi-faced sign shall be added together to compute the area of the sign.

**3. Spherical or Free-Form Signs**

Sign area shall be the sum of the area of sides of the smallest 4-sided polyhedron that will encompass the sign structure.

**4. Illuminated Signs**

- a. Sign area shall include the entire illuminated surface, or illuminated architectural element, that contains sign copy or graphics.
- b. Backlighted architectural awnings shall count toward the sign allowance when the sign copy is visible at night.
- c. Neon banding on a building shall count toward the aggregate maximum signage area.



**5. Flags**

Flags identifying businesses and non-governmental entities not approved as temporary or special event signs shall count toward aggregated sign total.

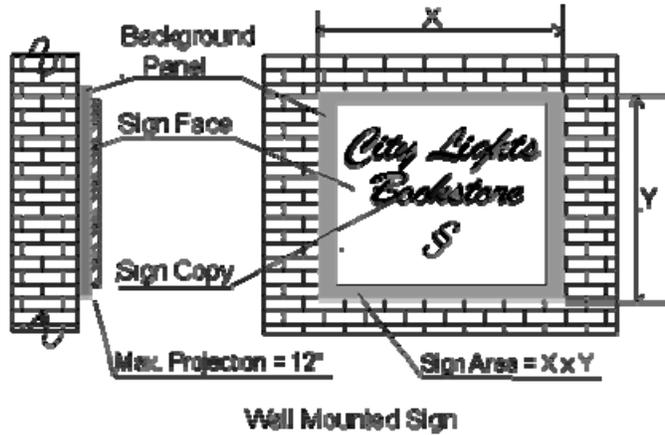
**B. Height**

**1. Free-Standing Signs**

Sign height shall be measured as the distance from the top of the sign structure to the finished grade at the base of the sign. The height of any monument base or other structure erected to support a sign shall be measured as part of the sign height.

**2. Wall or Fascia Mounted Signs**

Sign height shall be measured as the distance from the top of the sign structure to the finished grade at the base of the subject wall.



**6.12.10 / Construction and Maintenance Standards**

All signs shall be designed, constructed and maintained in accordance with the following standards:

**A. Construction Standards**

1. All signs shall comply with applicable provisions of the City building and electrical codes.
2. Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this Section, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to a wall, frame or structure.
3. Signs may be attached flat against canopies made of rigid materials; canopies made of non-rigid materials (e.g. canvas) shall only have signs composed of compatible materials (e.g. paint, stitching, and vinyl).

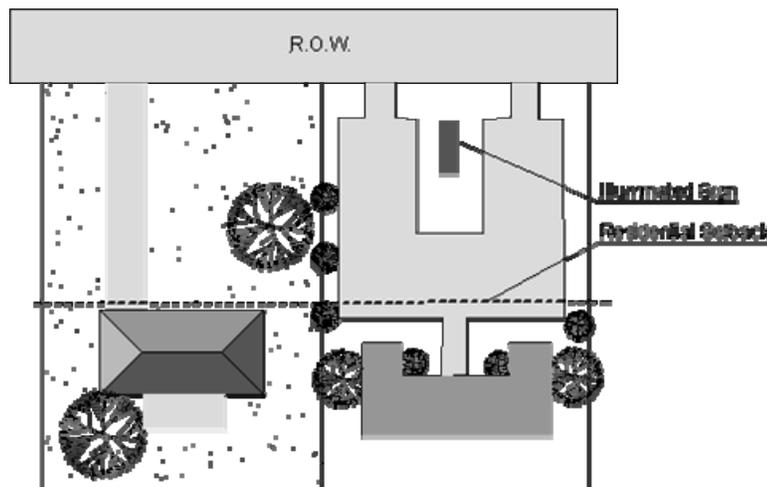
**B. Maintenance Standards**

All signs shall be maintained in good structural condition, in compliance with all building and electrical codes at all times, and shall be repaired, replaced, or removed to prevent a public hazard, and subject to the following standards

1. A sign shall have no more than 20 percent of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material.
2. A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, that exceeds 15 degrees from vertical.
3. A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the street or right-of-way from which it is to be viewed.

**6.12.11 / Visibility Obstructions**

- A. No signs shall be erected, and there shall be no lighting of signs or premises, so as to obstruct the view of, or be confused with, any authorized traffic signal, notice or control device. Any such signs or light sources shall be removed at the direction of the Community Development Director.
- B. No sign shall obstruct visibility in the sight triangle (Refer to 6.3.10, Corner Setbacks and Intersection Visibility).



**6.12.12 / Illumination**

- A. All sign illumination shall be subject to the provisions of Sec. 6.11.4B, Outdoor Retail, Recreational and Other Lighting.
- B. No illuminated sign structure shall be placed at or behind the existing or required setbacks, whichever is greater, of an adjacent residential lot.

**6.12.13 / Sign-related Definitions**

Sign-related terms shall have the following meanings as used in this Section:

Table 6.12.13

SIGN-RELATED DEFINITIONS	
Term	Definition
Awning	Same as canopy.
Banner, temporary	A sign that is painted or displayed upon cloth or other flexible material.
Canopy	A shelter or cover projecting from and supported by an exterior wall or building.
Center (Commercial or Industrial)	A group of 3 or more businesses associated by common agreement or under common ownership with common parking facilities.
Club, Service or Civic	An association of persons for some common, nonprofit purpose, but not including groups organized primarily to render a service that is customarily carried on as a business.
Landscaping	Landscaping may include trees, shrubs, ground cover, vines, walkways, ponds, fountains, sculpture and other organic and inorganic materials used for creating an attractive appearance and for the control of erosion and noise and for the separation of pedestrians and vehicles.
Maintenance	The repairing or repainting of a sign or sign structure; changing of reader panels or directory signs; or renewing copy, which has been made unusable by ordinary wear and tear or weather, is considered maintenance. Reasonable alterations, not including substantial structural replacements, shall be considered maintenance.
Roof Line	The highest point of a structure including parapets, but not to include domes, spires, chimneys or heating or cooling mechanical devices.
Sign	Any device for visual communication which is used to or intended to attract the attention of the public for business or professional purposes, when the display of this device is visible beyond the boundaries of the property upon which the display is located. The term "sign" shall not include any flag, badge, or insignia of any government or governmental agency. The term "sign" shall not include the displays or advertising devices in a merchant's window or within the interior of a building.
Sign, Animated	The movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment including the movement of any illumination or the flashing, scintillating or varying of light intensity. The automatic changing of all or any part of the facing of a sign or any sign or part of a sign set in motion by movement of the atmosphere shall be considered animation. Time and temperature devices shall not be considered as animation under this Code.
Sign, Billboard	An off-site sign that directs attention to a business, commodity, service, entertainment or product not related to uses on the site where the sign is located.
Sign, Cabinet	A sign that contains all the text and/or logo symbols within a single enclosed case.
Sign, Canopy	Any sign erected directly upon a canopy.
Sign, Directional	Public signs erected by or on behalf of a governmental body to convey public information and direct or regulate pedestrian or vehicular traffic.
Sign, Directory	Any sign listing the names, uses and/or location of the tenant's businesses or activities conducted within a building or group of buildings. A sign designed to show the relative locations of the several business establishments within a shopping center or other multi-tenant development.
Sign, Fascia	A sign that is located on the horizontal piece covering the joint between the top of a wall and the projecting eaves of the roof.

Table 6.12.13 (continued)

SIGN RELATED DEFINITIONS	
Term	Definition
Sign, Free-Standing	A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.
Sign, Identification	A sign that directs attention to a business, commodity, service, entertainment or product related to uses on the site where the sign is located and which is not otherwise defined in this Ordinance.
Sign, Illuminated	A sign whose surface is lighted internally or externally.
Sign, Mural	Murals painted on exterior walls of businesses shall be permitted, subject to review and approval by the Community Development Department to determine that, the artistic rendering does not advertise the business in any way, including subject matter or wording, and that the proposed mural is appropriate for the existing use of the building. The Community Development Department may review the background and artistic expertise of the artist based on samples of previous work. Approved murals or artistic renderings shall not be considered as signage.
Sign, Nonconforming	Any sign that is not allowed under this Code, but which, when first constructed, was lawful.
Sign, Parapet and Mansard	A sign permanently affixed to a wall or surface that is designed to protect the edge of a roof.
Sign, Political	A sign which supports the candidacy of any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.
Sign, Portable	Any sign not permanently affixed to the ground or a structure on the site it occupies.
Sign, Projecting	Any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building.
Sign, Reader Panel	A sign designed to permit regular and routine change of copy, which may be other than the name of the business advertised. (Also referred to as "changeable" copy sign or marquee.)
Sign, Roof	A sign erected in any way upon a building or structure that extends above the roof line of the building or structure.
Sign, Structure	The supports and framework of the sign.
Sign, Temporary	Any sign not intended for permanent display as authorized in Sec. 6.12.5, Permitted Signs, and excluding portable signs.
Sign, Wall-mounted	A sign mounted flat against, projecting less than 12 inches or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of said wall.
Signage, On-site	An attached or freestanding sign, which correctly identifies a business, commodity, service or product conducted, sold or offered on the same premises where the sign is located.
Signage, Pan-channel	An individual letter that is 3 dimensional and is constructed by means of a 3-sided metal channel.

**Sec. 6.13 / Residential Protection Standards**

**6.13.1 / Purpose**

The Residential Protection Standards of this Section are intended to preserve and protect residential uses and neighborhoods by ensuring that new development and redevelopment is sensitive to the character of development in adjacent zoning districts.

**6.13.2 / Applicability**

Residential Protection Standards shall apply to all multi-family residential and/or nonresidential development when: (1) it occurs adjacent to residential property; and, (2) the residential property is located in a more restrictive zoning district.

**6.13.3 / Dumpsters and Solid Waste Receptacles Setbacks**

Dumpster and solid waste receptacles shall be setback at least 20 feet from the lot line of property of any property located in a more restrictive zoning district.

**6.13.4 / Buffering and Screening**

Buffering and screening shall be required as follows:

- A. Buffering and screening shall be provided along property boundaries. The size and density of buffers and screens shall be based on the building height of the more intensive use.
- B. Where new development occurs adjacent to vacant land, the buffer yard shall be provided based on existing zoning.

**Commentary:**  
Residential Protection Standards promote land use compatibility between unlike uses. To promote compatibility, mitigation is required along zoning district boundaries. For example, buffering and screening is required to mitigate impacts of an office building in BA developed adjacent to a multi-family use in MU district. Adjacent nonresidential uses contained in different zoning districts are not subject to this provision.

Table 6.13.3

BUFFERING AND SCREENING REQUIREMENTS		
Type of Use Adjacent-to-Zoning (Based on Unlike Zoning Districts)	Building & Parking Full-Width Buffer (With 50 percent Screening)	Building and Parking Half-Width Buffer (With 80% Screening)
Multi-Family Residential-to-Single-family Residential	Equal to height of building	Equal to ½ height of building
Commercial-to-Residential	Equal to height of building	Equal to ½ height of building
Commercial-to-Commercial	No buffer yards are required but dumpsters and loading areas shall be screened from streets and from customer entrance views	No buffer yards are required but dumpsters and loading areas shall be screened from streets and from customer entrance views

**C. Buffering and Screening Treatments**

Required buffer yards must provide adequate landscaping to create an attractive screen within the buffer yard, as viewed from the adjacent residential property at a lateral elevation. Refer to Sec. 6.5.5C. Buffer yards shall be installed prior to certificate of occupancy. Required buffer yards may be reduced where enhanced screening is provided as described below:

**1. Full-Width Buffers Require 50 Percent Screening**

The buffer shall include one low-to-medium height, spreading tree per 30 linear feet and one tall growing shrub per 100 square feet of buffer yard. Evergreen trees and shrubs are appropriate to consider. Alternatives to this standard may be approved based on species,

sizes, quantities and placement sufficient to meet this intent. The intent is to form moderately dense hedges with shrubs and to have trees grow close to one another.

**2. Reduced Buffers Require 80 Percent Screening**

Buffer yard widths may be reduced by half where the screening is increased by incorporating one of the following enhanced screening techniques:

**a. Plants**

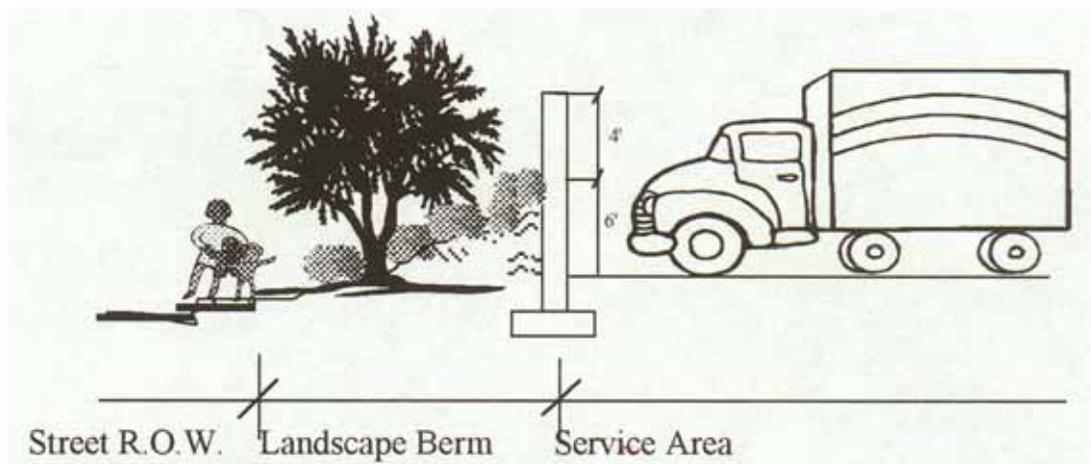
- 1) A minimum of one low-to-medium height, spreading tree per 30 linear feet of buffer, plus one tall growing shrub for every 50 square feet of buffer area.
- 2) Alternative plantings may be approved based on trees and shrub species, size, density and placement sufficient to achieve an 80 percent screen.

**b. Berms and Plants**

- 1) Berms shall have crowns with minimum widths of 2 feet and slope gradients less than 2:1.
- 2) Berms along front and side property lines to the front of buildings shall be no higher than 3 feet, and elsewhere no higher than 6 feet.
- 3) Plants shall provide 50 percent screening.

**c. Masonry Walls and Plants**

- 1) Walls shall be constructed to a height of no greater than 4 feet, and enhanced with plantings along front and side property lines to the fronts of buildings, and 6 feet in height along other side and rear property lines.
- 2) Plantings with one tree per 40 linear feet and medium height shrub per 100 square feet of buffer area are required on the residential side of the wall.
- 3) Finished block and concrete walls, and those made of stone or brick are preferred. Prohibited materials for screening walls include wood, metal, unfinished concrete or concrete block and manufactured materials such as fiberglass.
- 4) Where commercial service areas adjoin residential properties or streets, a buffer comprising a combination landscape berm and masonry walls up to 10 feet in height shall be permitted, provided, however, that not more than 6 feet of such wall is visible above the berm from the adjoining residential property. On the commercial side of such a treatment, walls exceeding 10 feet in height may be possible subject to review and approval by the Community Development Director.



- 5) Raising or lowering of parking lot grades and other unsightly features relative to the elevation of adjacent properties and streets may be required to aid in obscuring the view of parked vehicles.

- 6) Natural features such as boulders, rock outcroppings and vegetated drainages, and the natural terrain, may also be used to help screen unsightly features.

**D. Buffer Yard Waivers**

The Community Development Director may approve buffer yard reductions where required screening is increased from 50 percent to 80 percent. Additional reductions to a commercial buffer yard width and plantings may be also permitted where a public trail is provided per adopted plans or where topographic conditions naturally serve as an effective buffer.

**Sec. 6.14 / Traffic Impact Analysis**

**6.14.1 / Purpose**

This article provides uniform guidelines for conducting traffic impact analyses for proposed development with access to an arterial or a collector street.

**6.14.2 / Applicability**

The Public Works Director or designee shall determine applicability based on the following factors and considerations:

- A. A Traffic Impact Analysis (TIA) shall be prepared for proposed developments, or additions to existing developments, that generate more than 100 vehicle trips during the morning or afternoon peak hour period. The City shall make the final determination regarding TIA requirements and applicable category, and the impact analysis shall be in a format as described in Appendix B. The criteria for each TIA category are as follows:

**1. Category 1**

- a. Developments that generate between 100 to 500 trips, during the morning or afternoon peak hour; or
- b. Existing traffic situations or concerns in the local area such as, but not limited to, an offset intersection or a high number of traffic accidents; or
- c. Sensitivity of the adjacent neighborhoods or other areas where the public may perceive an adverse impact; or
- d. Proximity of site driveways to other driveways or intersection; or
- e. Specific problems or concerns that may be aggravated by the proposed development.

**2. Category 2**

Developments that generate 501 to 1,000 total trips during the morning or afternoon peak hour.

**3. Category 3**

Developments that generate more than 1,000 trips during the morning or afternoon peak hour.

- B. In addition to the above requirement thresholds, the Public Works Department may require a TIA when changes in land use, traffic, and roadways occur, such as:

- 1. Proposed property rezoning; or
- 2. When the original TIA is more than 2 years old; or
- 3. Where the projected traffic volumes increase by more than 10 percent.

**Commentary:**

Prescott seeks to encourage pedestrian-and bike-friendly transportation. To this end, all traffic impact analysis should take into consideration the needs and interests of pedestrians and bicyclists, in addition to those of motorists. Provision for a safe and aesthetic walking and bicycling environment provides a variety of public and personal benefits including:

- (1) reduction of traffic generation,
- (2) reduction of parking demand and paved surfaces,
- (3) a more attractive and desirable community
- (4) improved health and fitness, and
- (5) increased property values.

**6.14.3 / Engineering Qualifications**

The TIA shall be prepared under the direction of a Professional Engineer (Civil) licensed to practice in the State of Arizona with specific experience in traffic engineering and the preparation of TIA reports. There shall be no deviation from these requirements.

**6.14.4 / TIA Process**

**A. Initial Evaluation**

Prior to beginning the TIA, the applicant shall contact the Public Works Department to discuss the scope of work, methodology, and level of detail required for the specific project. Following the initial meeting, the applicant shall provide an estimate of the number of vehicular trips generated by the proposed development. The estimate must be prepared using a City-approved methodology and shall be submitted to the City for review and approval. The developer may request that the City assist in estimating the number of trips.

**B. Draft Outline**

Following the initial evaluation, the City shall make a final determination regarding the need for a TIA and identify the applicable category. If a TIA is required, the applicant shall prepare a draft table of contents and project outline for submittal to the City. The outline will identify the proposed area of influence for the study, all intersection and roadways to be analyzed, and level of detail and methodology for gathering traffic volume information and preparation of level of service analyses. The draft shall also include a proposed trip distribution for site traffic. Following City review and approval the final TIA may be prepared.

**C. Scope of Work**

The TIA Scope of Work agreement between engineer and developer shall conform to the pre-approved draft table of contents and outline. The findings, conclusions and recommendations contained within the TIA document shall be prepared in accordance with appropriate professional Civil Engineering practices. (See Appendix B for Traffic Impact Analysis format.)

**6.14.5 / Analytical Methodology**

The procedures outlined in this policy provide the minimum requirements for a TIA, although the City reserves the right to require additional information. The TIA approach and methods shall be guided by the following criteria:

**A. Study Area and Timeframe**

The minimum study area and timeframe for projected analysis shall be determined by project type and size, in accordance with the criteria previously outlined. The study area or projected timeframe may be amended by the City as necessary.

**1. Category 1**

The minimum study area shall include all site access drives and adjacent signalized intersections and/or major unsignalized street intersections. The study's projected timeframe shall be one year from receipt of Certificate of Occupancy.

**2. Category 2**

The minimum study area shall include all site access drives and all signalized intersections and/or major unsignalized street intersections within 1/2 mile of the development. The study's projected timeframe shall include the 1st year following receipt of Certificate of Occupancy and the 5 succeeding years.

**3. Category 3**

The minimum study area shall include all site access drives and all signalized intersections and/or major unsignalized street intersections within 1/2 mile of the development. The study's projected timeframe shall include the opening year of the development, 5 years after opening and 10 years after opening.

**B. Peak Hour Analysis**

Both the morning (7AM to 9AM) and evening (4 PM to 6 PM) weekday peak hours shall be analyzed, unless the proposed project is expected to generate no trips, or a very low number of trips, during either peak hours. When a project's traffic generation patterns differ significantly from

established patterns or when the peak traffic hours occur during a different time, all additional peak hours shall be analyzed.

**C. Seasonal Adjustments**

When directed by City, in cases where seasonal traffic data is available, the traffic volumes for the analysis hours shall be adjusted for the peak season.

**D. Data Collection Requirements**

All data shall be collected in accordance with procedures outlined in the latest edition of the Institute of Transportation Engineers (ITE) Manual of Traffic Engineering Studies, or as otherwise directed by City. At a minimum, the following data shall be collected:

**1. Turning Movement Counts**

Manual turning movement counts shall be obtained for all existing cross-street intersection to be analyzed during the morning and afternoon peak periods. Turning movement counts may be required during other periods as directed by the City.

**2. Daily Traffic Volumes**

The current and projected daily traffic volumes shall be presented in the report. If available, daily count data from the City may be extrapolated a maximum of 2 years with the concurrence of the City. Where daily count data is not available, mechanical counts will be required at locations agreed upon by the City.

**3. Collision Data**

Collision data shall be obtained for the most current 3-year period available.

**4. Roadway and Intersection Geometrics**

Roadway geometric information shall be obtained. This includes, but is not limited to, roadway width, number of lanes, turning lanes, vertical grade, location of nearby driveways, and lane configuration at intersections, sight visibility and horizontal alignment.

**5. Traffic Control Devices**

The location and type of traffic controls shall be identified.

**E. Trip Generation**

1. The latest edition of the ITE Trip Generation Manual shall be used to identify trip generation rates. In cases where Trip Generation does not include trip rates for a specific land use category, and includes only limited data; or, where local trip rates have been shown to differ from the ITE rates, other rates may be used with the approval of the City.

2. A trip generation table shall be prepared showing proposed land use, trip rates, and vehicle trips for daily and peak hour periods and appropriate traffic volume adjustments, if applicable. Site traffic generation shall be shown for daily, morning and evening peak hour periods. Adjustments made for "passer-by" and "mixed-use" traffic volumes shall follow the methodology outlined in the latest edition of the ITE Trip Generation Manual. The "passer-by" traffic volume discount for commercial centers shall not exceed 25 percent unless approved by the City.

**F. Trip Distribution and Assignment**

1. Projected trip volume shall be distributed and added to the projected non-site traffic on the roadways and intersection(s) in the study area. The specific assumptions and data sources used in deriving trip distribution and assignment shall be documented in the report.

2. Future traffic volumes shall be estimated using information from transportation models, or applying an annual growth rate to the base-line traffic volumes. The future traffic volumes shall correlate to the project's specific timeframe. If the annual growth rate method is used, the City must give prior approval to the percentage used.

3. In addition, any nearby proposed or approved development projects shall be taken into consideration when forecasting future traffic volumes. The increase in traffic from proposed and approved developments, the application of an annual growth rate, or a combination of an annual growth rate and proposed and approved developments, shall be used to forecast the future traffic volumes.

4. The site-generated traffic shall be assigned to the street network in the study area based on the approved trip distribution percentages. The site traffic shall be combined with the forecast traffic volumes to show the total traffic conditions estimated at development completion. The total daily and peak period turning movement volumes for each traffic study intersection is required. In addition, the base-line volume with site-generated traffic added to the street network must also be shown. This amount will represent site-specific traffic impacts on existing conditions.

**G. Internal Circulation**

1. Parking lot/on-site traffic circulation shall be in conformance with standards of practice as set forth by "Transportation and Land Development" (ITE, current edition).

**Commentary:**

Traffic impact analysis should in all cases seek to balance the capacity and safety for motor vehicles with that of pedestrians and bicyclists.

**6.14.6 / Project Analyses**

**A. Capacity Analysis**

1. Level of service (LOS) shall be computed for signalized and unsignalized intersections in accordance with procedures contained in the latest edition of the Highway Capacity Manual.
2. The intersection LOS shall be calculated for each of the following conditions (if applicable):
  - a. Existing peak hour traffic volumes ("figure" required);
  - b. Existing peak hour traffic volumes including site-generated traffic ("figure" required);
  - c. Future traffic volumes not including site traffic ("figure" required);
  - d. Future traffic volumes including site traffic ("figure" required); and
  - e. LOS results for each traffic volume scenario ("table" required).
3. The LOS table shall include LOS results for all peak periods analyzed. The table shall show LOS conditions with corresponding vehicle delays for signalized intersections, and LOS conditions for the critical movements at unsignalized intersections. For signalized intersections, the LOS conditions and average vehicle delay shall be provided for each approach and the intersection as a whole.
4. Unless otherwise directed by the City, the capacity analysis for existing signalized intersections shall be conducted using the Highway Capacity Manual Planning Method for each study horizon year.

**B. Operational Analysis Method**

When directed by City, the capacity analysis shall be conducted using the Operational Analysis Method. If an operational capacity analysis method is used for an existing signalized intersection, it shall include existing phasing, timing, splits, and cycle lengths as observed and measured during the peak traffic periods. For unsignalized intersections, the Highway Capacity Manual methodology shall be used.

**C. Phased Projects**

Where new development is to be completed in phases, the TIA shall, if directed by City, include an LOS analysis for each separate development phase in addition to the TIA for the overall project timeframe. The incremental increases in site traffic from each phase shall be included in the LOS analysis for each preceding year of development completion. A "figure" will be required for each horizon year of phased development.

**D. Traffic Signal Analysis**

Traffic signal needs studies shall be conducted for all proposed signals for the base year. If the warrants are not met for the base year, they shall be evaluated for each year in the 5-year horizon. Traffic signal needs studies shall be conducted by a method pre-approved by the City.

**E. Collision Analysis**

An analysis of 3-year collision data shall be conducted to determine if the level of safety will deteriorate due to the addition of site traffic.

**F. Vehicle Speed Parameters**

Vehicle speed is used to estimate safe stopping and cross corner sight distances. The posted speed limit is representative of the 85th percentile speed and may be used to calculate safe stopping and cross corner sight distances, unless directed otherwise by the City.

**G. Pedestrian and Biking Analysis**

The pedestrian and bike facilities, or lack thereof, within the study area shall be analyzed, with and without the proposed development, to identify any projected impacts on their use and safety. Pedestrian and bike use and safety within the study area shall not be unreasonably reduced, with the overall objective being to enhance rather than reduce biking and walking activities.

**H. Roadway Improvement Analysis**

The roadways and intersections within the study area shall be analyzed, with and without the proposed development, to identify any projected impacts on both level of service and safety. Where the highway will operate at Level of Service "C" or better without the development, the traffic impact of the development on the roadways and intersection within the study area shall be mitigated to Level of Service "C". Mitigation to Level of Service "D" may be acceptable with City approval. Particular attention shall be directed to potential need for separate right turn or left turn lanes. A section of the TIA shall provide discussion regarding this requirement.

The City may require City streets (improved and unimproved) to be improved and/or widened based on a Traffic Impact Analysis (TIA) and condition of roads. A core sample analysis may be required to determine if the existing structural section and roadway condition is adequate for the proposed level of service. Existing street improvements may require 25' cross-sections shown on plans.

**I. On-Site Circulation Analysis**

The TIA shall include an analysis of the adequacy of the on-site circulation plan.

**6.14.7 / Report Format**

Specific requirements for TIA formats are located in Appendix B, and are based upon the type of TIA. Deviations from format requirements must receive prior approval of the City.



**Article 7/ Subdivision and Land Split Standards**

**Sec. 7.1 / Applicability**

All plats and the layout, design and engineering of all subdivision improvements within the City of Prescott shall conform to the General Development Standards of Section 6, and to the following rules and regulations.

**Sec. 7.2 / Purpose**

The subdivision of land is a major factor in the process of sound community growth and ultimately becomes a public responsibility in that the streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. Therefore, it is to the interest of the public, to the developer, and to the future owners that subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards. To these ends, it is critical that new subdivision development be coordinated between City departments and public agencies, including but not limited to: Community Development, Public Works, Environmental Services, and the Fire Department. It is the intent of these regulations to encourage the growth of the City of Prescott in an orderly manner.

**Sec. 7.3 / Building Lots**

**7.3.1 / Creation of Building Site**

No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract, or building lot has been created by compliance with one of the following conditions:

- A. The lot or tract is part of a plat of record, properly approved by the legislative body and recorded in the records of Yavapai County Recorder; constructed and released by the appropriate jurisdiction;
- B. The lot or tract is part of a record of survey (metes and bounds parcel) or land split, properly approved by the Community Development and Engineering Services Departments and recorded in the records of Yavapai County Recorder, in which event a Building Permit(s) may be issued for uses conforming to all the requirements of this Code; or
- C. The parcel, tract or lot fronts upon an approved street and is a "lot of record" in which event a Building Permit(s) may be issued for uses and structures conforming to all the requirements of this Code. Nonconforming lots of record are also subject to the provisions of Sec. 10.4, Nonconforming Lots of Record.

**7.3.2 / Large lots**

Where an area is proposed to be divided into lots more than twice the size of the zoning district minimum lot area and, in the opinion of the Planning and Zoning Commission or City Council, any or all of the tracts are susceptible of being resubdivided, the proposed subdivision shall be such that the alignment of future street dedications may conform to the general street layout in the surrounding area and so that the larger tracts may be later subdivided in conformance with the requirements of this Code and the minimum standards specified by the zoning district.

## Sec. 7.4 / Subdivision and Land Split Design Standards

### 7.4.1 / General

#### A. Community Assets

In all subdivisions, due regard shall be shown for all natural features such as trees and other vegetation, watercourses, boulder outcroppings, historical sites and similar community assets, which, when preserved, will add attractiveness and value to the property.

#### B. Suitability of Lands

The City Council shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land subject to flooding, land in proximity to the airport approach, and land deemed to be topographically unsuitable should not be platted for residential occupancy, or for such other uses as may increase danger to health, life, or property, aggravate erosion or flood hazard. Such land within the plat shall be set aside for uses that are not endangered by periodic or occasional inundation or that produce unsatisfactory living conditions.

#### C. Reserved Strips Prohibited

There shall be no reserved strips or easements controlling access to land or streets dedicated or intended to be dedicated to the public, except as may be required by a public agency for access management purposes.

#### D. Waivers

The Planning and Zoning Commission may advise and the City Council may grant waivers to the standards of this Sec. 7.4, Subdivision and Land Split Design Standards, where it finds that such waivers are necessary due to the physical characteristics of the site, is not harmful to surrounding properties or public interests, and is consistent with Sec. 1.5, Purpose and Intent, of this Code.

### 7.4.2 / Engineering and Construction Standards

A. All streets, alleys or easements shall be designed and constructed in accordance with Maricopa Association of Governments (MAG) and Yavapai Association of Governments (YAG) standards and specifications, and City of Prescott modified YAG standards, and in particular regard for the street regulations of Sec. 7.4.3, Streets.

B. All streets, water, sewer and drainage facilities shall be designed by a licensed engineer registered in Arizona. Such facilities shall be constructed to and through the property in question, and stub at the property boundary as necessary to facilitate future extension.

C. Where Engineering Services standards referenced herein or otherwise promulgated by the City do not specifically cover a design or construction issue, the Engineering Services Director may enforce other recognized industry standards.

### 7.4.3 / Streets

#### A. Street Layout

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width and grade of each shall conform to the General Plan, transportation plans and specific area plans, and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience and to their appropriate relationship to the proposed use of the land to be served by such streets.

#### B. Relation to Adjoining Street Systems

Where beneficial to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued in the new development, and in alignment therewith. Whenever connections to anticipated or proposed surrounding streets are required by this section, the right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of

the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. The City may also require a temporary turn-around to be constructed at the end of such streets pending their extension when such turn-around appears to facilitate the flow of traffic or accommodate emergency or service vehicles.

**C. Dead-End Streets**

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds shall be required where the street stub exceeds one lot or 100 feet in length. The developer shall provide a sign at the stub declaring that the particular street shall connect with any future development. No temporary dead-end street in excess of 1,300 feet may be created unless no other practicable alternative is available.

**Commentary:**

Dead-end streets are solely intended to provide for future access to adjoining property development.

**D. Cul-de-Sacs**

Cul-de-sacs shall not exceed 1300 feet in length to the beginning of the cul-de-sac radius, and shall terminate in a turnaround with a minimum right-of-way radius of 50 feet, and with a minimum outside edge-of-pavement radius of 40 feet. The City may require shorter cul-de-sac lengths based on a consideration of public safety factors, including but not limited to density, slopes, street capacity and fuel load. No cul-de-sac in excess of 1,300 feet may be created unless no other practicable alternative is available.

**E. Street Jogs**

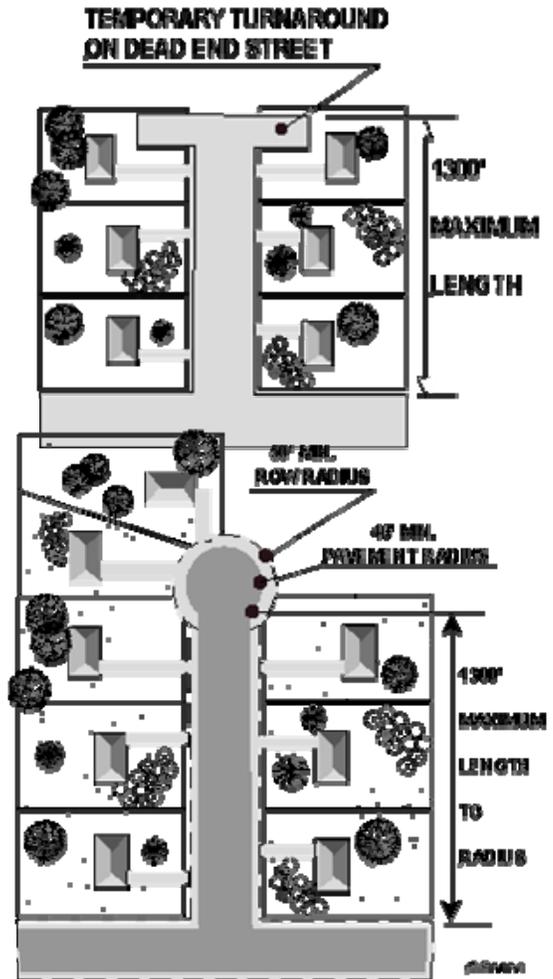
Street jogs with centerline offsets of less than 200 feet shall be avoided.

**F. Half Streets**

No half streets shall be platted or constructed. Where improvements are required for two adjacent subdivisions, the first subdivision shall complete all required improvements, with not less than 24' of pavement.

**G. Arterial and Collector Streets on General Plan, Transportation Plans or Specific Area Plans**

1. Where a subdivision embraces a recommended street as shown on the General Plan, transportation plans or specific area plans, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated.
2. In certain cases, the City may have constructed a street through the area to be subdivided, in which case subdividers shall develop the necessary street intersection at their expense, in accordance with the requirements of this section.
3. Residential lots proposed adjacent to arterial and collector streets shall be platted or restricted so as to prevent driveways opening into such streets.
4. Intersections shall be designed at 90° (a 10% skew shall be allowed) and remain tangent a minimum of 50' horizontal from gutter flow line. Profile grades should be within 0.5-3.0%



## Article 7 / Subdivision and Land Split Standards

vertical, a minimum of 25' tangent from flow line. Avoid vertical curves or grade breaks through intersection.

### H. Local Streets

1. Local streets shall be planned and designed to continue and connect to surrounding areas as the terrain permits to foster dispersion and connectivity. Traffic calming devices may be required to slow traffic on local streets. The standard minimum pavement surface width is 28 feet (excluding curb and gutter).
2. Four-way intersections are to be avoided in residential developments where sight distance or other such constraints exist.

### I. Alleys

1. Alleys may be required at the rear of all lots whether intended to be used for business or residential purposes.
2. Alleys shall generally be parallel to the street, and shall be not less than 20 feet wide constructed to City standards.
3. No dead-end alleys shall be permitted.
4. Alleys shall have a minimum 20-foot right-of-way; provided, however, where overhead electric and/or communication lines occur the minimum right-of-way shall be 25 feet. This additional width is not required where all utilities are installed underground.

### J. Plats of Dedication

Plats of dedication are the preferred method of land description and conveyance where public streets or easements are created. A plat of dedication may be required by the City.

### K. Private Streets

Private streets, where applicable, shall be declared on the Preliminary Plat and designated on the Final Plat and shall meet or exceed City standards for design and construction. All private streets shall be privately maintained. Where pavement width is less than 28 feet, on-street parking shall be prohibited on both sides.

### L. Geometric Standards, Street Design Standards

Design standards for streets in accordance with the Prescott City Code, Title XVI, Chapter 1, are summarized in Table 7.4.3L, and the street profiles, which follow.

**Article 7 / Subdivision and Land Split Standards**

Table 7. 4.3L

<b>STREET DESIGN STANDARDS</b>						
<b>Criteria</b>	<b>Local Streets</b>		<b>Collectors</b>		<b>Arterials</b>	
	<b>Avg. Lot Size &gt; one Acre</b>	<b>Avg. Lot Size &lt; one Acre</b>	<b>Residential or Industrial</b>	<b>Major Urban</b>	<b>Major Rural</b>	<b>Major Urban</b>
Criteria	Local Residential [1]	Local Commercial	Minor Collector	Major Collector	Minor Arterial	Major Arterial
Minimum Right-of-Way (ft)	50 ft [2]	50 ft [3]	60 ft [4] or 80 ft [5]	80 ft [6] or 96 ft [7]	100 ft [8] [9]	100 ft [10] or 120 ft [11]
Curb Type	Rolled or Vertical Determined By Stormwater Capacity	Vertical	Vertical	Vertical	Vertical	Vertical
Cul-de-Sac (ft) [7]	100 ft	100 ft	--	--	--	--
Maximum Grade (%)	12%	8%	8%	6%	6%	6%
Minimum Curve Radius (ft)	100 ft	150 ft	200 ft	300 ft	500 ft	600 ft
Outside Travel Lanes Include Bike Lane Width	N/A	N/A	4 ft paved	4 ft paved	4 ft paved	4 ft paved
Curb Return Minimum Radius	25 ft	30 ft	30 ft	35 ft	To be determined by speed and TIA	To be determined by speed and TIA
Traffic Index for Minimum Structural Sections	AC/ABC through streets and cul-de-acs 3"/8" + chip seal *	AC/ABC 4"/8" + chip seal *	AC/ABC 4"/6" + rubberized chip seal *	AC/ABC 4"/8" + rubberized chip seal *	AC/ABC 4.5"/8" + rubberized chip seal *	AC/ABC 5"/6" + rubberized chip seal *
Commercial Driveways Radius	Autos 30 ft	Truck Service Entrance 35 ft				

\* Additional sidewalk (SW) width may be required for commercial areas and/or high pedestrian traffic areas.

\* Contingent on soils investigation/analysis at subgrade and traffic loading control chart.

Notes:

- [1] COP Standard Detail 600P Stop Ramp Detail
- [2] COP Standard Detail 601P Local Residential
- [3] COP Standard Detail 602P Local Commercial
- [4] COP Standard Detail 603P Minor Collector (no parking)
- [5] COP Standard Detail 604P Minor Collector (parking)
- [6] COP Standard Detail 605P Major Collector (no median)
- [7] COP Standard Detail 606P Major Collector (median)
- [8] COP Standard Detail 607P Minor Arterial (no median)
- [9] COP Standard Detail 608P Minor Arterial (median)
- [10] COP Standard Detail 609P Major Arterial (4 lane)
- [11] COP Standard Detail 610P Major Arterial (6 lane)
- [12] COP Standard Detail 611P Non-Curbed Streets
- [13] COP Standard Detail 620P Local Residential Cul-de-sac
- [14] COP Standard Detail 621P Local Residential Offset Cul-de-sac
- [15] COP Standard Detail 622P Local Residential Knuckle
- [16] COP Standard Detail 623P Local Commercial Knuckle (60-ft. right-of-way)

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**7.4.4 / Street Names**

New streets shall be named so as to provide continuity of existing streets, and to prevent conflict with identical or similar names in other parts of the City as determined by the Fire Department.

**7.4.5 / Blocks and Lots**

**A. Blocks**

1. Blocks generally shall be platted to provide 2 tiers of lots with a utility easement or alley as needed, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to sensitive treatment.
2. Block length shall not exceed 1,200 feet in single-family residential areas and shall not exceed 800 feet in multi-family or non-residential areas.
3. In blocks over 800 feet in length and at the end of cul-de-sacs that abut an existing or future school, park, trail, bikeway or street, there shall be provided an accessway as defined in Sec. 7.4.6C, Bikeways and Multi-use Paths.

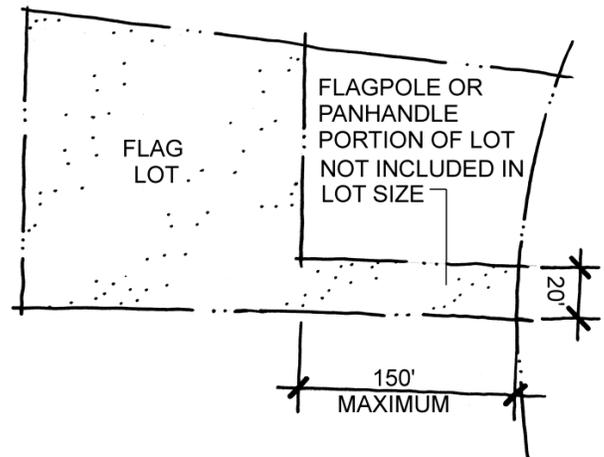
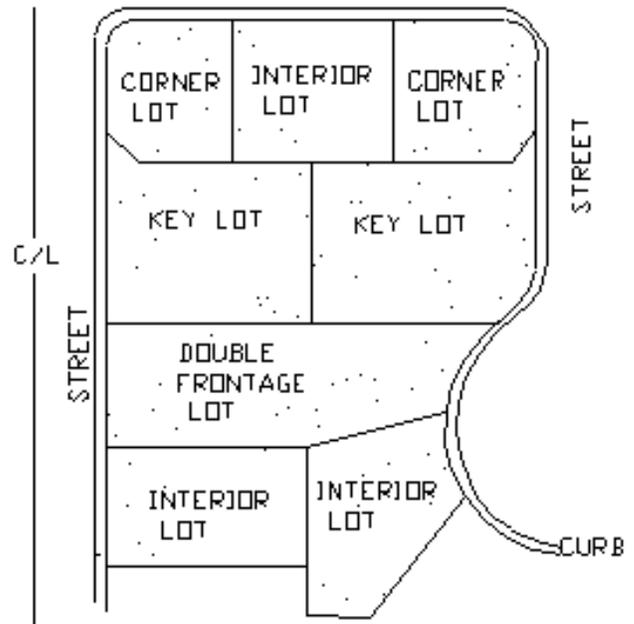
**B. Lots**

1. Side lot lines that make acute angles with front lines shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles, and creating key lots to each other, shall be avoided.
2. Lots abutting accessways shall be treated as corner lots.
3. Lot size and setback lines shall be in accordance with zoning requirements. Corner lots may require a larger lot area in order to create an adequate building envelope given setback requirements.

**4. Flag Lots**

Notwithstanding other provisions of this Code to the contrary, flag shaped or panhandle shaped lots may be created in any zone if all of the following requirements are met (Refer also to Sec. 2.7.2D2.b):

- a. The lot has at least 20 feet of frontage on a dedicated public or private street, which frontage serves as access only to the subject lot or parcel;
- b. The flagpole or panhandle portion of the lot shall be at least 20 feet in width;
- c. The length of the flagpole or panhandle shall not exceed 150 feet as measured from the adjacent public or private street unless acceptable safety alternatives are provided. The Community Development Director shall consult the Fire Department prior to approving such alternatives.



## Article 7 / Subdivision and Land Split Standards

- d. The flagpole or panhandle portion of the lot shall not be included in calculating lot size; and
- e. Flag lots may not be further subdivided following initial subdivision approval.

### 7.4.6 / Pedestrian and Biking Facilities

#### A. General

The purpose of these standards is to promote the design of an urban environment that is built to human scale, to provide for the safe movement of pedestrians and bicyclists, to promote the more efficient utilization of public infrastructure, and to foster attractive street fronts and pedestrian environments, while accommodating vehicular movement and alternate transportation modes with bicycle and pedestrian access. To these ends, bicycle and pedestrian facilities designed in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards and the requirements of this Section shall be included in site and subdivision master planning and designed to reduce conflicts between motor vehicles and pedestrians or bicyclists.

#### B. Sidewalks

##### 1. Required

- a. Unobstructed sidewalks shall be required on both sides of all collector and arterial and local commercial streets having a right-of-way width equal to or greater than 60 feet.
- b. An unobstructed sidewalk shall be required on one side of all non-collector and non-arterial streets with the general exception of cul-de-sac streets. A sidewalk may be required on cul-de-sac streets longer than 600 feet, or if needed to provide through-pedestrian access to existing or future schools, parks, streets or recreational/ open space areas.
- c. Sidewalks shall be placed within the right-of-way unless otherwise determined by the City Council at the time of Final Plat.
- d. Where parking is permitted on one side of a street with rolled curb, the sidewalk shall be placed on the "no parking" side of the street.
- e. All intersections and sidewalk terminations shall provide A.D.A. compliant pedestrian ramps.

##### 2. Sidewalk Placement Alternatives

At a minimum, the developer shall provide one of the following or provide evidence acceptable to the City justifying an alternative:

- a. Sidewalks placed against the back of rolled curb, where adjacent on-street parking is allowed, shall have a minimum paved width of 6 feet.
- b. Sidewalks at driveways shall be designed so as to provide 5 feet of width across the commercial driveways and alleys not to exceed 2% cross fall.
- c. Sidewalks shall either be placed so as to maintain a minimum 3 foot plantable parkway between the back of rolled curb and the inside edge of the sidewalk, or be placed against the back of a vertical curb and be paved with a minimum width of:
  - 1) 5 feet unobstructed along collectors and arterials streets;
  - 2) 5 feet unobstructed within commercial and industrial developments; and
  - 3) 4 feet unobstructed in all other locations.
- d. In the event that a combination or variation from the aforementioned placement alternatives is necessary or desired or that an obstruction is located within the paved area, the following criteria must be satisfied.
  - 1) All radii in the transition section must be a minimum of 10 feet; and
  - 2) All such transition sections must be approved by the Engineering Services Department.

**C. Bikeways and Multi-Use Path**

Bikeways and multi-use paths shall be provided as follows:

**1. Types of Bikeways and Multi-Use Paths**

**a. Multi-Use Paths**

A facility completely separated from motorized traffic, which may be located within sole and separate right-of-way or within a standard street right-of-way. Multi-use paths accommodate both biking and walking and are therefore wider in accordance with the requirements of Sec. 7.4.6C.2, Easements/Treadways, to improve safety.

**b. Bike Lanes**

A facility where both sides of the roadway or shoulder are striped, signed, and marked for exclusive or preferential bicycle use and where vehicle parking is not permitted, unless otherwise specified. The minimum bike lane width shall be 5 feet for bike lanes adjacent to curb and gutter, and 4 feet where there is no curb.

**c. Bike Routes**

A facility designated by signing to help make motorists aware of the presence of bicycles, which share the right-of-way with motor vehicles.

**2. Easements/ Treadways**

Multi-use paths, where required for bicycle and pedestrian uses, shall have a minimum 15-foot wide public right-of-way or easement dedicated to the public. Unless modified or waived by the City Council, a 10 foot-wide treadway shall be constructed in the center of the right-of-way or easement that conforms to City standards.

**3. Bikeway Location Criteria**

Bikeways shall be located to integrate with the existing and future City street and park system. Important criteria used in determining facility types and locations follow below.

- a. As detailed in adopted plans and policies;
- b. Safety in terms of existing street width;
- c. Existing and potential demand for use;
- d. Continuity and directness;
- e. Spacing in relation to other bikeway facilities;
- f. Location of schools and other public facilities frequented by bicycle riders; and
- g. Location of linear parks and greenbelts.

**D. Timing of Dedication/Construction**

All sidewalks, bikeways and multi-use facilities (including trails), as may be required by this Code, the General Plan or other adopted plans, or as may be negotiated through the platting process, shall be dedicated and constructed prior to release of financial assurances and/or issuance of certificates of occupancy.

**E. Waiver**

Waiver or partial waiver of the requirements of this section may be granted by the City Council where it has determined that satisfactory alternative pedestrian and/or bikeways have been or will be provided outside the normal right-of-way or, that unique circumstances or unusual topographic, vegetative, or other natural or man-made conditions prevail to the extent that strict adherence to said requirements would be unreasonable and inconsistent with the purposes and goals of this Code or the General Plan.

**7.4.7 / Easements**

**A. Illustrated on Plat**

All easements required below shall be denoted on the final plat sheet with the approved lot layout.

## Article 7 / Subdivision and Land Split Standards

### B. Drainage Easements

Where a subdivision is traversed by a watercourse or drainageway, there shall be required a drainage easement conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the Engineering Services Director. Additional drainage easements shall be required where needed to handle lot-to-lot drainage. No construction shall impede, constrict or block the flow of water in any easement or natural watercourse. No fencing shall be allowed within a drainage easement, except along the boundary of such easement, approximately parallel to the anticipated flow. Where so designated, drainage easements may be used for utilities and for required landscaping, provided utilities and landscaping do not conflict with the drainage function or purpose for the easement.

#### Commentary:

The magnitude of storm events requiring easements as indicated is intentionally broad; it is intended to include all drainage patterns affecting new lots – including lot-to-lot drainage.

#### 1. Maintenance

On-going maintenance of all drainageways and drainage easements is the responsibility of the individual property owners or homeowners association where appropriate. (Sec. 7.8.5)

### C. Utility Easements

1. Each block that does not locate all utilities within a right-of-way or alley as provided in Sec. 7.4.3I, Alleys, shall have a public utility easement placed along the frontage or at the rear of all lots, reserved for the use of all utility lines, conduit and equipment, as follows:
  - a. Utility easements containing one City-owned utility shall be 20 feet in width, typically taken 10 feet from each lot where located along the rear of abutting lots.
  - b. Utility easements containing 2 City-owned utilities shall be 30 feet in width, typically taken 15 feet from each lot where located along the rear of abutting lots.
  - c. The required width of utility easements having a longitudinal slope of 10% or more shall be increased by 10 feet.
  - d. Utility easements shall be continuous for the entire length of a block and located as closely as possible to the street line frontage of the block.
2. All utility easements that contain City-owned utilities shall start and end at public rights-of-ways.
3. No cut or fill shall be allowed on a public utility easement containing a City-owned utility without written permission of the Engineering Services Director or designee.
4. Standard curb sections shall be required where utility easements intersect streets.
5. Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or easements.
6. Upon recommendation of the Public Works Director or his designee utility easements may be required across parts of lots other than as described above. Where the proposed subdivision adjoins an unplatted area, the full width of easement may be required along the rear of lots adjoining the unplatted area.
7. Utility easements containing water lines, but not sewer lines, may be fenced if unlocked gates with a minimum width of 16 feet are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement. Fences shall be prohibited within easements containing sanitary sewer.

### 7.4.8 / Water Supply

- A. All subdivisions shall provide adequate water supply and distribution systems for fire protection and domestic use. Such systems shall be approved and enforced by the Public Works Director or

designee in accordance with applicable City, state and federal statutes, codes, City of Prescott construction specifications and acceptable engineering practice.

- B. Public fire hydrants of City of Prescott standard design shall be installed as a part of the water distribution system in accordance with applicable City codes and the advice of the Fire Marshal.
- C. The water supply shall be protected at each commercial or irrigation connection with a City-approved backflow preventer device. The device shall be located as close to the water meter as possible and boxed above ground from freeze protection that meets the requirements of the Public Works Director or designee.
- D. All water meters shall be located to provide clear access, with no landscape material, plant, debris, etc., extending above the top of the meter box in a 5-foot radius as measured from the center of the box. Meters and boxes shall be constructed in accordance with the City of Prescott adopted standards.
- E. **Assured Water Supply**
  - 1. No preliminary subdivision plat shall be approved unless it is in accord with the duly adopted Prescott Water Budget and accompanied by:
    - a. An Assured Water Supply from the City of Prescott or a certificate of Assurance from the Arizona Department of Water Resources, or
    - b. Providing the City with a volume of water that is calculated by the number of lots in the proposed subdivision times 150 gpcd times the average dwelling occupancy [based upon the latest census]. Said water source shall meet the assured water supply requirements for: a) physical, legal and continuous availability; and b) water quality; and c) consistency with the City's most current management goals.
  - 2. The City Council shall note on the face of the Final Plat that a certificate of assured water supply has been submitted with the plat or that the subdivider has obtained a written commitment of water service for the proposed subdivision from a City or private water company designated as having an assured water supply, pursuant to ARS 45-576 or is exempt from the requirement pursuant to ARS 45-576.
- F. The City Council may enter into an agreement with a subdivider to afford an alternative water source to meet Assured Water Supply requirements only where Council finds that a proposed project or development is consistent with and conforms to, furthers the implementation of, and is not contrary to the:
  - 1. The City's Water Management Policy; and
  - 2. The General Plan and other applicable plans, including but not limited to Specific Area Plans, Circulation Plans, Capital Improvement Plans, Open Space and Trail Plans, Neighborhood Plans, Local Historic District Plans, growth management or growth management plans, and redevelopment plans.

**7.4.9 / Sanitary Sewers**

- A. All subdivisions shall utilize an approved sanitary sewerage system, meeting the standards of the Public Works Department. Manhole spacing shall not be over 400 feet and no curvilinear sewers will be allowed without the written permission of the Public Works Director or designee.
- B. All subdivision sewerage systems must be approved by the Arizona State Department of Environmental Quality or designee.

**7.4.10 / Drainage**

- A. Drainage shall be perpetuated in natural stream channels insofar as practical. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.
- B. Drainage facilities other than detention basins, including street inlets, storm sewers and bridges for collector and arterial streets shall be provided to handle runoff as calculated for a minimum 50-year storm. Local streets shall be designed to a minimum 25-year storm event, provided, however, that the Engineering Services Director may require design for more severe storm events as conditions

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warrant. All detention basins, where required, shall be designed to handle runoff as calculated for a 100-year storm.

- C. Major drainageways shall be designated on the subdivision plat, and shall be maintained by the property owner or Homeowners Association. Minor drainageway easements as may be designated on the subdivision plat will be owned and maintained by the individual lot owner within the subdivision or by a Homeowners Association (HOA) or Property Owners Association (POA).
- D. For purposes of these regulations, Major Drainageways are in excess of 3500 cfs on a 25-year storm frequency, and Minor Drainageways are less than or equal to 3500 cfs on a 25-year storm frequency.

### 7.4.11 / Utility Lines

All utility lines that pass under streets or alleys shall be installed before the street or alley is paved, with embedment, backfill, and depths as approved by the Public Works Director, or the crossing shall be bored.

### 7.4.12 / Street Lights

#### A. Basic Policy

Installation procedures and acceptable standards for streetlights shall be governed by the utility standards of the Engineering Services Department in effect at the time of subdivision construction or addition thereto.

#### B. General Standards

1. The actual number of streetlights to be required, as well as the type and size of luminaries, and the installation, location, height and size of streetlights, shall be determined by the Engineering Services Director.
2. All light fixtures shall utilize cut-off luminaries and otherwise be designed in accordance with the requirements of Sec. 6.11, Outdoor Lighting.
3. Pole or other type for mounting of streetlights shall be selected by the developer, subject to the approved street light pole standards of the Engineering Services Department/Arizona Public Service.
4. Streetlights may normally be required at all street intersections, and at generally 300-foot intervals on arterial streets.
5. The developer shall furnish satisfactory easements for the installation of services to streetlights, as approved by the appropriate utility.
6. The installation of subdivision lighting shall be performed by the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Engineering Services Department.

### 7.4.13 / Underground Utilities

All utilities shall be installed underground, except transformers, switching boxes, and terminal boxes.

### 7.4.14 / Monuments and Corner Markers (Also refer to Sec. 9.10.10)

- A. All block corners, angle points and points of curves, and all corners of boundary lines of subdivisions shall be marked with a 1/2 inch steel rod, 2 feet in length, set in the center of a concrete monument 6 inches in diameter and 30 inches deep, with the top flush with the finished ground surface.
- B. Where, due to topographic conditions, permanent structures or other conditions, the view is obstructed between any 2 adjacent monuments, intermediate monuments shall be set as to assure a clear view between adjacent monuments.
- C. Corner markers, consisting of a 1/2 inch steel rod or 3/4 inch pipe, 2 feet in length, shall be driven flush with the ground surface to mark the corners of all lots.

**7.4.15 / Grading and Hillside Development**

Grading, erosion control, and final bank stabilization shall be required as specified in Sec. 6.7, Site Disturbance, Erosion and Grading Standards. Subdivisions proposed on slopes in excess of 20 percent shall be developed in accordance with Sec. 6.8, Hillside Development Standards.

**7.4.16 / Ownership of Improvements**

Upon completion by the subdivider, and acceptance by the City, streets, alleys, sidewalks, parks, drainage facilities and municipal utilities and other required public improvements shall become the property of the City of Prescott, Arizona.

**Sec. 7.5 / Public Land Dedication**

Public land shall be dedicated as a part of each subdivision in accordance with the City of Prescott General Plan, or any applicable open space plan, trails plan, or specific area plan.

**Sec. 7.6 / Subdivision and Land Split Improvement Guarantees**

**7.6.1 / Financial Assurances**

Prior to recording of the final plat and prior to commencement of construction within one year following approval of Final Plat and construction plans unless a different time frame is approved by Council, the subdivider shall post security to cover to the cost of installing all required improvements in one of the following ways. No expiration of the financial assurances shall be permitted.

**A. Performance Bond**

File with the City Clerk a bond executed by an authorized insurance company holding a license to do business in the State of Arizona. A copy of the certificate shall be attached to the applicable bid bonds, payment bond and performance bond to be evidenced by certificate of authority as defined in ARS Sec. 20-217, in a form approved by the City, in an amount of 110 percent of the cost of the improvements as certified by the Engineering Services Director. The Performance Bond shall be approved as to form and legality by the City Attorney.

**B. Trust Agreement**

Place on deposit in a bank or trust company in the name of the City, and approved by the City, in a trust account, a sum of money equal to 110 percent of the estimated cost of all improvements required by this Section, the cost and the time of completion as estimated by the Engineering Services Director; selection of the trustee shall be subject to approval by the City and the trust agreement shall be executed in the form acceptable to the City and approved as to form and legality by the City Attorney.

**C. Unconditional Guarantee from Bank**

File with the City Clerk a letter, in a form approved by the City, signed by a principal officer of a savings and loan association or bank, acceptable to the City, agreeing to pay to the City of Prescott, on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider is responsible under this Section. The guaranteed payment sum shall be the 110 percent of the estimated costs and scheduling as prepared by the subdivider's engineer and approved by the Engineering Services Director. The letter shall state the name of the subdivision and shall list the improvements that the subdivider is required to provide.

**7.6.2 / Release of Financial Assurances**

Release or partial release of any security shall occur as incremental progress is demonstrated to the satisfaction of the Engineering Services Director or when the City has formally accepted the improvements that are the subject of such security. In accordance with the requirements of See 7.6.1, Financial Assurances, financial assurances shall not have an expiration date but shall be released as described herein.

## Article 7 / Subdivision and Land Split Standards

- A. Prior to release of security provided by the subdivider pursuant to the requirements of Sec. 7.6.1, Financial Assurances, the Engineering Services Director shall independently inspect the construction of improvements while in progress, and, shall likewise inspect such improvements upon completion of construction. The design engineer shall certify that construction was completed to plan, and shall have approved any change(s) to the approved plan in consultation with the Engineering Services Director. The Engineering Services Director shall reject such construction only if it fails to comply with the standards and specifications contained or referred to herein. If the Engineering Services Director rejects such construction, the City Attorney shall proceed to enforce the guarantees provided in this section.
- B. The financial assurance shall be utilized by the City to complete project construction in the event of abandonment by the subdivider and his contractor. In addition, prior to release of the subdivision by the City, a payment of \$200 per lot shall be made to the City for each lot within the subdivision being released.
- C. Upon completion of construction in accordance approved construction plans, the subdivider shall require his construction contractors, with whom he contracts for furnishing materials and for installation of the improvements required under this Section, and shall himself be required to furnish to the City a written guarantee that all workmanship and materials shall be free of defects for a period of 1 year from the date of acceptance by the Engineering Services Director.
- D. The subdivider is under continuing responsibility to insure that improvements are designed and constructed to accommodate proper traffic and pedestrian circulation and drainage function. If during the warranty period, the City determines that the design and/or construction of the improvements does not accommodate proper traffic and pedestrian circulation and drainage function, or does not function properly, then the subdivider shall be responsible to reconstruct and/or redesign those improvements to the satisfaction of the City. In the event that the City elects to provide for such reconstruction and/or redesign, then and in that event, the subdivider shall be obligated to reimburse the City for all such costs incurred. Further, if the subdivider does not reconstruct and/or redesign those improvements as so directed, the City may also suspend issuance of new building permits within the subdivision until corrections to the improvements are provided to the satisfaction of the City.

## Sec. 7.7 / Responsibility for Payment for Installation Costs

### 7.7.1 / General

The subdivider shall pay all costs of materials and installation of the following:

- A. Setting of survey monuments and markers in accordance with the Standards Specifications and Drawings of the Engineering Services Department;
- B. Streets and road construction for all street improvements including all earthwork, base, grading, curbs, gutters, sidewalks, pavement, street name signs, street regulatory signs, culverts, and bridges;
- C. Water and sewer lines installations including fire hydrants and manholes;
- D. Required stormwater system and/or other drainage improvements;
- E. All field density and related testing of base, sub-base and other compacted backfill, gradation tests, concrete cylinder tests, asphalt tests, and/or other related tests required to insure minimum standard requirements;
- F. Street lighting;
- G. Traffic signals, where warranted; and
- H. Electric, gas, and other utilities.

### 7.7.2 / Oversize Participation

When warranted, the City may request that an applicant increase the size of utility line capacity for the benefit of future or existing, off-site development. In such circumstances, the City shall assume responsibility for the added expenses, or establish a reimbursement agreement or district.

### 7.7.3 / Installation and Maintenance of Street Lights

The developer shall pay the entire cost of the subdivision street light installation, including the cost of service lines to supply electricity to the street lights, and all engineering design costs. Once satisfactorily installed, approved, and accepted, the maintenance of the street lights shall be provided by the City or by the homeowners' association where the streets are private.

### 7.7.4 / Engineering Inspection and Tests

- A. The City will charge for engineering inspection during construction and for final inspection as determined necessary by the Engineering Services Director. The subdivider shall contract with the design engineer to conduct adequate inspections to facilitate certification that the project was built according to approved plans.
- B. The City may require compaction tests on embankments and flexible bases, and depth tests on flexible bases and pavements, and pressure tests on piping systems, before final inspection and approval. Charges for such inspection shall be paid for by the subdivider.

## Sec. 7.8 / Mandatory Homeowners' Associations

### 7.8.1 / Applicability

When a residential subdivision contains any physical facilities, structures, improvements, systems, subdivision entryway treatments or feature areas or grounds held in common and necessary or desirable for the welfare of the area or subdivision, or that are of common use or benefit and that are not or cannot be satisfactorily maintained by the City, individual homeowners or another public agency, the City may require the establishment and creation of a mandatory homeowners' association to assume and be responsible for the continuous and perpetual operation, maintenance and supervision of such facilities, structures, improvements, systems, areas or grounds.

### 7.8.2 / Approval

If the establishment and creation of a mandatory homeowners' association is required by the City, a copy of the agreements, covenants and restrictions establishing and creating the association must be approved by the City Attorney and City Council prior to the approval of the Final Plat of the subdivision and must be filed in the records of the Yavapai County Recorder. Said Final Plat shall clearly identify all facilities, structures, improvements, systems, areas or grounds that are to be operated, maintained and/or supervised by said association.

### 7.8.3 / Responsibilities

If the City requires a mandatory homeowners' association, the agreements, covenants and restrictions establishing and creating such mandatory homeowners' associations shall contain or provide that the association shall be responsible for the continuous and perpetual operation, maintenance and/or supervision of landscape systems, features or elements located in parkways, common areas, between screening walls or living screens and adjacent curbs or street pavement edges, adjacent to drainageways or drainage structures, or at subdivision entryways.

### 7.8.4 / Dedications to Association

All facilities, structures, improvements, systems, areas or grounds that are to be operated, maintained and/or supervised by a mandatory homeowners' association, other than those located in public easements or right-of-ways, shall be dedicated by easement or deeded in fee simple ownership interest to said association. Such easements and ownership shall be clearly identified on the Final Plat of the applicable subdivision.

**Sec. 7.9 / Land Splits**

The following referenced sections of this article shall refer to all Land Splits unless waived by the Community Development Director:

- A.** Building Lots, Sec. 7.3.1C;
- B.** Suitability of Lands, Sec. 7.4.1B;
- C.** Reserved Strips Prohibited, Sec. 7.4.1C;
- D.** Engineering and Construction Standards, Sec. 7.4.2B and Sec. 7.4.2C;
- E.** Plats of Dedication, Sec. 7.4.3J;
- F.** Lots, Sec. 7.4.5B;
- G.** Pedestrian and Biking Facilities, Sec. 7.4.6;
- H.** Easements, Sec. 7.4.7;
- I.** Water Supply, Sec. 7.4.8;
- J.** Sanitary Sewers, Sec. 7.4.9;
- K.** Drainage, Sec. 7.4.10;
- L.** Utility Lines, Sec. 7.4.11;
- M.** Street Lights, Sec. 7.4.12;
- N.** Underground Utilities, Sec. 7.4.13;
- O.** Grading and Hillside Development, Sec. 7.4.15;
- P.** Ownership of Improvements, Sec. 7.4.16;
- Q.** Public Land Dedication, Sec. 7.5;
- R.** Subdivision/Land Split Improvement Guarantees, Sec. 7.6; and
- S.** Responsibility for Payment for Installation Costs, Sec. 7.7.

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**Article 8/ Review Bodies**

**Sec. 8.1 / City Council**

**8.1.1 / Responsibility**

In accordance with the Prescott City Charter and applicable state statutes, the City Council holds sole responsibility for amendments to this Code and the Official Zoning Map and appointments to the Planning and Zoning Commission, the Board of Adjustment and the Prescott Preservation Commission.

**8.1.2 / Powers and Duties**

The City Council is authorized to hear and take final action on the following:

- A. Special Use Permits;
- B. Zoning Map Amendments (Rezoning);
- C. Text Amendments;
- D. Preliminary Plats;
- E. Final Plats;
- F. Site Plans, as may be required;
- G. Planned Area Developments;
- H. Creation of national and local register historic districts;
- I. Appeals of decisions made by the Historic Preservation Commission;
- J. Development Agreements; and

**Sec. 8.2/ Planning and Zoning Commission**

**8.2.1 / Creation**

In accordance with the Prescott City Code, Title I, Chapter 6, the City Council provides for the appointment of a Planning and Zoning Commission along with the regulations and restrictions adopted pursuant to the provisions of applicable statutory requirements of the State of Arizona.

**8.2.2 / Rules of Operation**

Rules of operation are specified in the Planning and Zoning Commission Bylaws, which are attached as Appendix D.

**8.2.3 / Powers and Duties**

**A. General Plan**

The Planning and Zoning Commission makes recommendations for the effective coordination of the various City departments, committees, and boards in implementing the General Plan.

**B. Recommendations**

The Planning and Zoning Commission reviews and makes recommendations to the City Council subject to the terms and conditions set forth for such uses in this Code for the following:

- 1. Special Use Permits;
- 2. Zoning Map Amendments (Rezoning);
- 3. Text Amendments;
- 4. Preliminary Plats;
- 5. Final Plats, as applicable;

## Article 8 / Review Bodies

6. Site Plan Review, as applicable;
7. General Plans, Area Plans, Neighborhood Plans and Amendments;
8. Planned Area Developments, as applicable;
9. Waivers of standards of Article 7, Subdivision and Land Split Standards;
10. Other powers and duties as may be specified in the Prescott City Code.

### C. Official Zoning Map

The Planning and Zoning Commission may be called upon by the Community Development Director to interpret the intent of the Official Zoning Map where uncertainty exists because the physical features on the ground vary from those on the Official Zoning Map.

### D. Written Interpretations

The Planning and Zoning Commission may be called upon by the Community Development Director in making code interpretation pursuant to the provisions of Sec. 9.14, Written Interpretations.

### 8.2.4 / Failure to Render a Decision

In the absence of mutual agreement to extend on the part of the petitioner, the failure of the Planning and Zoning Commission to render a decision on any matter properly submitted within 90 days of the submission, or in the case of proposed amendments, within the time required elsewhere herein, shall be considered a denial or unfavorable recommendation.

## Sec. 8.3 / Historic Preservation Commission

### 8.3.1 / Creation

In accordance with the Prescott City Code, Title I, Chapter 22, the City Council provides for the appointment of a Prescott Preservation Commission (PPC).

### 8.3.2 / Powers and Duties

The Preservation Commission shall have the following powers and duties:

- A. The Preservation Commission shall administer local historic districts and support National Register Districts as specified in the City Code, Title I, Chapter 22; and
- B. The Preservation Commission, may perform courtesy compatibility reviews and make recommendations to the City Council on Special Use Permit applications for development in the DTB district relative to Sec. 4.9.4B, Compatibility Review Guidelines; and
- C. The Preservation Commission may review and make recommendations to the Community Development Director relative to painted signs and murals in the DTB district pursuant to the provisions of Sec. 4.9.4F.4, Painted Signs and Murals; and
- D. The Preservation Commission shall perform courtesy compatibility reviews of site plans and make recommendations as may be requested by the Community Development Director pursuant to Sec. 9.8, Site Plan Review.

### 8.3.3 / Failure to Render a Decision

In the absence of mutual agreement to extend on the part of the petitioner, the failure of the Preservation Commission to render a decision on any matter, properly submitted, within 90 days of such submission shall be considered a denial or unfavorable recommendation.

## Sec. 8.4 / Board of Adjustment

### 8.4.1 / Creation

In accordance with the Prescott City Code, Title I, Chapter 7, the City Council provides for the appointment of a Board of Adjustment along with the regulations and restrictions adopted pursuant to the provisions of applicable statutory requirements of the State of Arizona.

#### 8.4.2 / Rules of Operation

Rules of operation are specified in the Board of Adjustment Bylaws, which are attached as Appendix E.

#### 8.4.3 / Powers and Duties

The Board of Adjustment holds the following, although not all-inclusive, powers and duties:

**A. Administrative Appeals**

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, interpretation, or determination made by the Community Development Director or his designee in the enforcement of this Code, unless a different procedure is specified in this Code.

**B. Conditional Use Permits**

To hear and decide requests for Conditional Use Permits.

**C. Variances**

To hear and decide appeals for Variances from the terms of this Code only if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located. Variances may not be granted for the permitted use of property or the density of housing permitted.

#### 8.4.4 / Failure to Render a Decision

In the absence of mutual agreement to extend on the part of the petitioner, the failure of the Board of Adjustment to render a decision on any matter, properly submitted, within 90 days of such submission shall be considered a denial.

### Sec. 8.5 / Technical Review Committee

#### 8.5.1 / Designation and Membership

Technical Review Committee (TRC) membership shall include representatives from City departments with review responsibilities, as may be directed by the respective department directors and/or the City Manager, including but not limited to:

- A. Public Works Director;
- B. Engineering Services Director;
- C. Building Official;
- D. Fire Chief; and
- E. Community Development Director.

#### 8.5.2 / Rules of Operation

- A. The Technical Review Committee shall meet weekly or as otherwise needed at the call of the City Manager to review subdivision application submittals, conceptual building site plan submittals or other development-related issues that require TRC review;
- B. A notice of the TRC meeting shall be routed to all pertinent city staff.
- C. All meetings may be open to the pertinent subdividers and developers and/or their representatives that have a TRC item scheduled, and whose attendance may be required; and
- D. A letter compiling all department and agenda comments shall be sent to the applicant within 15 working days of the TRC consideration.

## Article 8 / Review Bodies

### 8.5.3 / Powers and Duties

The TRC shall serve as a review and recommending body, assisting the Community Development Director with the review of subdivision- and development-related issues and proposals. More specifically, the TRC shall:

- A. Review development applications, identify and address issues that may affect a proposal;
- B. Provide prospective applicants pertinent information regarding the City's standards and procedures;
- C. Provide timely information to Boards, Commissions, and City Council on relevant development approval processes and projects;
- D. Serve as a forum for the exchange of observations, ideas and comments;
- E. Promote coordination and resolve conflicting comments, recommendations, and design differences between reviewing departments and subdividers/developers regarding development-related issues; and
- F. Make recommendations for approaches for subdivision- and development-related proposals, as may be requested by department heads from time to time.

### 8.5.4 / Appeals

An appeal from any final decision of the Technical Review Committee shall be filed in writing with the City Manager within 30 calendar days of the date of the decision on an administratively approved or denied project. On all other projects, a TRC recommendation shall be appealed to the approving body. If no appeal is filed within 30 days, the decision shall be considered final.

## Sec. 8.6 / City Departments and Authorities

Authorities and duties assigned throughout this Land Development Code are drawn from Titles II, III, IV, and V from the Prescott City Code. In particular, the Community Development Director, Public Works Director, Engineering Services Director, Fire Chief and Building Official hold designated authority to implement this Code.

**Article 9/ Administration and Procedures**

**Sec. 9.1 / Common Procedure**

**9.1.1 / Conformity with Land Development Code**

Every official and employee of the City of Prescott vested with the duty or authority to issue a permit or license shall not issue a permit or license for any use, building, or purpose that conflicts with any provision of this Code. Any permit, license or certificate issued in conflict with the provisions of this Code may be voided at the option of the City.

**9.1.2 / Pre-application Meeting**

Prior to the submission of an application required by this Code, a pre-application meeting may be required as follows:

**A. Mandatory Conference**

Unless waived by the Community Development Director, a pre-application meeting to discuss procedures, standards, or regulations shall be required for all proposed:

1. Conditional Use Permits;
2. Nonresidential and multi-family developments;
3. Planned Area Developments;
4. Site Plan Review;
5. Special Use Permits;
6. Subdivisions;
7. Variances; and
8. Zoning Map Amendments (Rezoning).

**B. Optional Conference**

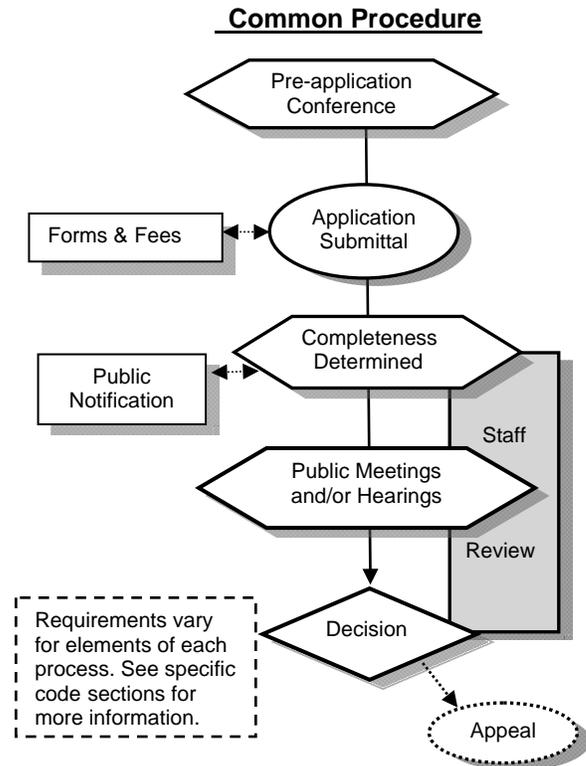
A pre-application meeting is optional for all other applications. Applicants are encouraged to attend an optional pre-application meeting prior to submitting any application.

**9.1.3 / Application Forms and Fees**

The following regulations shall apply to all applications:

**A. Property Owner Identification and Endorsement**

All applications shall include the name and signature of the current property owner and agent, as applicable.



## Article 9 / Administration and Procedures

### B. Forms and Content

1. Applications required under this Code shall be submitted on forms, with any requested information and attachments, and in such numbers, as required by the City, including any checklists for submittals.
2. City staff shall provide a specific list of minimum submittal requirements for each application type. All applications shall meet the minimum submittal requirements and include sufficient information to demonstrate compliance with all applicable standards of this Code.
3. Should additional information be necessary to clarify or facilitate the review of an application, the Community Development Director may request any other pertinent information required to ensure compliance with this Code.

### C. Fees

1. Filing fees shall be established from time to time by the City; and
2. All required fees shall be made payable to "The City of Prescott"; and
3. Applicants who pay the appropriate application fee for the submission of an application and subsequently choose to withdraw such application prior to the City expending time in review shall be entitled to a refund of 50 percent of the total amount paid upon written request; and
4. City initiated actions shall not cause a fee to be levied.

#### 9.1.4 / Application Deadline

All applications shall be completed and submitted to the Community Development Director in accordance with a schedule established annually by the City. An application shall not be considered as officially submitted until it has been determined to be complete in accordance with Section 9.15.

#### 9.1.5 / Application Completeness

An application shall be considered submitted only after the Community Development Director determines that it is complete, provided in the required form, includes all mandatory information and exhibits, and is accompanied by the applicable fee. The official responsible for accepting the application shall make a determination of application completeness within 15 working days of the submittal deadline. If an application is determined to be incomplete, the official responsible for accepting the application shall contact the applicant to explain the application's deficiencies. No further processing of the application shall occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 30 days, the application shall be considered withdrawn.

#### 9.1.6 / Area / Neighborhood Meetings

At the discretion of the Community Development Director, an "area neighborhood" meeting may be scheduled and held on any/all development related applications.

#### 9.1.7 / Public Notices

All public meetings and hearings shall be posted in City Hall in accordance with State Law and the requirements of the Prescott City Code.

#### 9.1.8 / Posting of Public Meetings and Hearings

##### A. Summary of Notice Practices

Notice shall be provided as required by Title IX, Arizona Revised Statutes. Additional supplemental notices by the City of Prescott may occur as per the Community Development Director. Required and supplemental notice practices are shown in the table that directly follows.

Table 9.1.8A

SUMMARY OF NOTICE PRACTICES			
Application Type	Published	Mailed	(Property) Posted
Administrative Adjustments		X	
Appeal of Code Interpretations	X		
Conditional Use Permit	X	X	X
General Plan Amendments	X		
Historic Designation	X	X	X
Special Use Permit	X	X	X
Text Amendment	X		
Variance	X	X	X
Zoning Map Amendment	X	X	X

**B. Specific Notice Requirements**

The following specific notice requirements shall apply to all required public hearings, except as may be otherwise specified in the Prescott City Code or in Arizona Revised Statutes.

**1. Published Notice**

An advertisement (Public Hearing Notice) shall be placed by the Community Development Director at least once in a local newspaper of general circulation within the City. The advertisement shall be published at least 15 calendar days prior to the meeting.

**2. Mailed Notice**

A notice of public hearing shall generally be sent by U.S. first class mail to owners of record of real property within 300 feet of the parcel under consideration or farther at the Community Development Director’s discretion. Alternatives to this standard may occur for administrative waivers, historic preservation actions, or as otherwise permitted by state statutes.

**3. Posted Notice**

A notice of public hearing shall be posted where legible from at least 2 rights-of-way adjoining the subject property. Such notice shall be composed of weatherproof materials.

**C. Content of Notice**

All published, posted, or mailed notices shall provide some, or all, of the following specific information as determined by the Community Development Director:

1. General location of land that is the subject of the application;
2. County Tax Assessor’s Parcel Number, and the street address, if available;
3. Vicinity map;
4. Substance of the application, including the magnitude of proposed development and the current zoning district;
5. Time, date and location of the public hearing;
6. Phone number to contact the City; and
7. Statement that interested parties may appear at the public hearing.

**9.1.9 / Public Notices**

All public hearings before decision-making bodies in the City of Prescott are normally, but not always, preceded by a public meeting(s) before the same body at which the issues relative to each land use application are explored.

**Article 9 / Administration and Procedures**

**9.1.10 / Required Public-Hearings**

The following table illustrates the types of review and the body responsible for holding a public meeting to consider such applications.

Table 9.1.10

ITEMS FOR PUBLIC MEETINGS			
Application Type	Board of Adjustment	Planning and Zoning Commission	City Council
Administrative Appeals	X		
Comprehensive Sign Plan		X	X
Conditional Use Permit	X		
General Plan Amendments		X	X
PAD Master Plan/Site Plan		X	X
Site Plans, Council-approved		X	X
Special Use Permit		X	X
Subdivisions/ PAD		X	X
Text Amendment		X	X
Variance	X		
Water Service Agreement (4 or more dwellings)			X
Zoning Map Amendment		X	X

**9.1.11 / Required Public Meetings**

- A. The Community Development Director shall provide notice of public hearings or public meetings to persons who annually register, by providing their names and addresses and paying the fee established by the City to cover annual expenses, as being interested in receiving such notice, and when deemed warranted.
- B. The Community Development Director may require, at his discretion, applicants not otherwise required by state statutes or Code requirements to post or mail notices, and/or to attend area neighborhood meetings with surrounding residents when deemed warranted. Public meetings shall be scheduled whenever practicable prior to the public hearing.

**9.1.12 / Simultaneous Processing of Applications**

Whenever two or more forms of review and approval are required under this Code, the applications for those development approvals may be processed simultaneously at the option of the Community Development Director and with the approval of the applicant; provided, however, rezoning applications may not be processed simultaneous with General Plan Amendments. The simultaneous processing of applications shall be in all cases at the applicant's risk.

**Sec. 9.2 / Building Permit and Certificate of Occupancy**

**9.2.1 / Applicability**

A certificate of occupancy shall be required for any of the following:

- A. Occupancy and use of a building hereafter erected or enlarged; and
- B. Change in use of an existing building to a different Use Category as set forth in Sec. 11.1.

**9.2.2 / Authority**

In accordance with Prescott City Code Title III and VI, the Building Official holds the authority to issue building permits that meet the International Building Codes (IBC) and other applicable provisions of this

Code. The Building Official is also vested with authority to approve certificates of occupancy for projects completed in accordance with approved plans consistent with the requirements of the adopted City Codes.

**9.2.3 / Certificate of Occupancy Application Process**

**A. Application Submittal**

When the contractor believes a structure or use is ready for occupancy, a final inspection for a certificate of occupancy shall be requested of the Building Official or his designee.

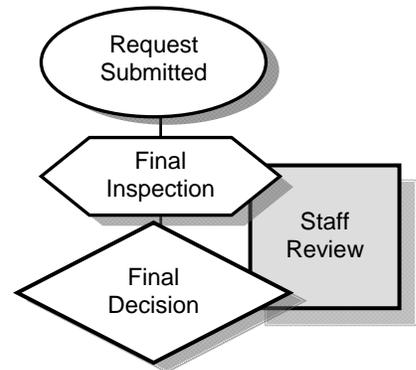
**B. Community Development Director Action**

The Community Development Director or his designee shall review all certificate of occupancy requests to determine if intended uses, buildings or structures comply with all applicable Code regulations and standards, and to the approved building and site plan.

**C. Building Official Action**

Upon request for final inspection for a certificate of occupancy, the Building Official or his designee shall inspect the use or structure. If the Building Official determines that the use or structure complies with all applicable provisions of the building code and this Code, a certificate of occupancy shall be issued.

**Certificate of Occupancy**



**9.2.4 / Temporary Certificate of Occupancy**

Pending the issuance of a permanent certificate of occupancy, a temporary certificate of occupancy may be issued. The temporary certificate of occupancy shall be valid for a period established by the Building Official and the Community Development Director, pending completion of improvements, or during partial occupancy of a structure. Bonding at 125 percent of the estimated improvement costs may be required for outstanding improvements.

**9.2.5 / Unlawful to Occupy without Valid Certificate of Occupancy**

It is unlawful to occupy any building that does not have a valid certificate of occupancy or temporary certificate of occupancy except in those instances where a building was constructed or occupied prior to the provisions of Sec. 9.2 becoming effective (Refer to Sec. 9.2.1 / Applicability.)

**Sec. 9.3 / Conditional Use Permits**

**9.3.1 / Purpose**

Conditional uses are uses that are generally compatible or can be made compatible with other uses in the underlying zoning district. Such uses may be permitted on a conditional basis under which additional requirements must be met, including determination of adequate land area and site plan approval by the planning agency. Because of their unusual characteristics or the special characteristics of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of this Code and their effect on surrounding properties.

**9.3.2 / Applicability**

Conditional uses may be complimentary to those uses permitted by right in a zoning district, but require individual review of their location, design, configuration, and intensity, and may require the imposition of additional conditions in order to ensure the appropriateness and compatibility of the use at a particular location.

**9.3.3 / Conditional Use Application Process**

**A. Pre-application Conference**

Prior to the submission of an application for a Conditional Use Permit, all potential applicants shall meet with the Community Development Department Staff in a pre-application conference unless

**Article 9 / Administration and Procedures**

waived by the Community Development Director. The purpose of the conference is to respond to any questions that the applicant or the City may have regarding the application.

**B. Application Submittal**

A complete application for a Conditional Use Permit shall be submitted to the Community Development Director as set forth in Sec. 9.1.3. through 9.1.5. A complete site plan must accompany all applications for a Conditional Use Permit as set forth in Sec. 9.8.4B.

**C. Public Notification**

Upon receipt of a complete application, as set forth in Sec. 9.1.5, public notices shall be issued in accordance with Sec. 9.1.9, Public Notices. Additional notice may also be provided to parties having specific interest in the application, or if applicable an appeal of same in accordance with the provisions of Sec. 9.1.12, Additional Notice.

**D. Review by the Technical Review Committee**

Following submittal of a complete application, the TRC shall review the application and provide written comments to the applicant within 15 working days.

**E. Review by Community Development Director**

The Community Development Director shall review Conditional Use Permit applications, the comments of the Technical Review Committee (TRC) and prepare a staff report.

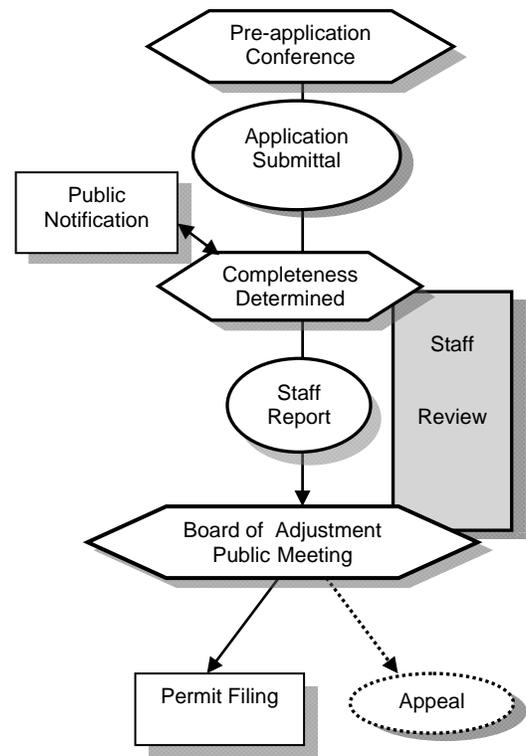
**F. Board of Adjustment Action**

The Board of Adjustment shall review Conditional Use Permit applications in a public meeting and thereafter vote to approve, approve with conditions, or deny the application.

**G. Notice of Decision**

A copy of an approved or denied Conditional Use Permit shall be given to the owner of the property, and a copy shall be filed in the office of the Community Development Director.

**Conditional Use Permit**



**9.3.4 / General**

All Conditional Use Permits shall run with the land. The Board may elect to specify a period of abandonment after which the Conditional Use Permit shall be voided.

**9.3.5 / Conditional Use Review Criteria**

The Board of Adjustment may approve an application for a conditional use where it reasonably determines that there will be no significant negative impact upon residents or other owners of surrounding property or upon the public. The Board of Adjustment shall consider the following criteria in its review and approval shall be contingent upon compliance with the site plan and any conditions of approval:

**A. Effect on Environment**

The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.

**B. Compatible with Surrounding Area**

The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to landscaping, scale, lot coverage, and the like.

**C. External Impacts Minimized**

The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to these impacts.

**D. Infrastructure Impacts Minimized**

The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

**E. Consistent with General Plan and Code**

The proposed use will be consistent with the purposes of this Code, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located. If the use is permitted outright in another zone, there must be substantial reason for locating the use in an area where it is only conditionally allowed.

**F. Parcel Size**

The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the affected zoning district.

**G. Site Plan**

The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.

**9.3.6 / Additional Conditions**

The Board of Adjustment may impose additional reasonable conditions to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, additional landscaping or buffering, and additional improvements such as curbing and sidewalks.

**9.3.7 / Expiration/Revocation of Approval**

- A. Conditional Uses are granted from the date of the Board of Adjustment's action unless otherwise modified by the Board. If construction of the project has not been completed within the first 12 months following Board approval, the Board may grant an extension for the next review for completeness of the Conditional Use Permit. Notice that the Conditional Use may expire within 12 months if construction is not completed shall be conveyed to the applicant in writing as part of the notification of approval of the permit.
- B. The Board of Adjustment may extend the Conditional Use Permit upon written request from the applicant, providing the request is received before the date of expiration.
- C. The Board of Adjustment may revoke a Conditional Use Permit in the event of a subsequent failure by the property owner or person in possession to comply with an on-going condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec 9.1.8A.

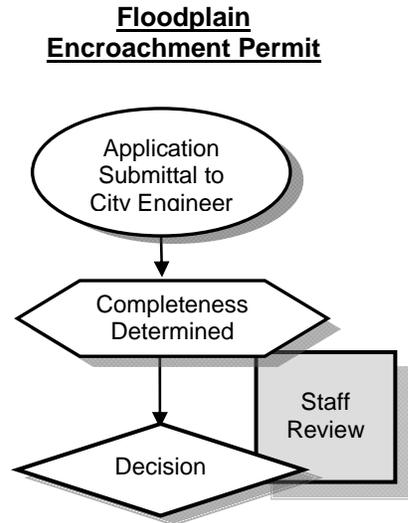
**9.3.8 / Appeal**

An appeal from any final decision regarding a Conditional Use Permit shall be in accordance with Sec. 9.18, Appeal of Council or Board of Adjustment Decisions.

## Sec. 9.4 / Floodplain Encroachment Permit

### 9.4.1 / Permit Required

In accordance with the Prescott City Code, Title XIII, a Floodplain Encroachment Permit shall be obtained before construction or development begins within any area of special flood hazard. Application for a Floodplain Encroachment Permit shall be submitted to the Floodplain Administrator of the Engineering Services Department.



## Sec. 9.5 / Planned Area Development (PAD)

### 9.5.1 / Purpose

The purpose of a PAD is to permit flexibility and to provide performance criteria that can result in Planned Area Developments (PAD) which produce:

- A. A range of options in the type of environment for working and living available to the public;
- B. Open space and recreation areas;
- C. A pattern of development which preserves trees, outstanding natural topography and geologic features, and prevents soil erosion;
- D. A creative approach to the use of land and related physical development, such as lot sizes, lot coverage, flexible building height, buffer yards, and greater or lesser setbacks;
- E. An efficient use of land resulting in smaller networks of utilities and streets, thereby lowering development costs;
- F. Clustered development;
- G. An environment of stable character in harmony with surrounding development; and
- H. A more desirable environment than would be possible through strict application of other Sections or districts in this Code.

### 9.5.2 / Applicability

The Planned Area Development (PAD) regulates the development that integrates related uses into a single project such as office parks, commercial or service centers, shopping centers, industrial uses, or residential developments. PAD also includes proposals where appropriate combinations of uses may be planned, developed, or operated as integral land use units either by a single owner or by a combination of owners. A PAD may be used to permit new or innovative concepts in land development that the zoning district(s) does not easily accommodate. While greater flexibility is given to allow special conditions or restrictions that would not otherwise allow the development to occur, procedures are established to ensure against misuse of increased flexibility. The approval of a PAD is by the City Council's sole discretion.

### 9.5.3 / Planned Area Development Application Process

- A. Pre-application Meeting

Prior to the submission of an application for a PAD Preliminary Plat or PAD site plan or master plan, all potential applicants shall attend a pre-application meeting with the Community Development Director as set forth in Sec. 9.1.2, Pre-application Meeting. The purpose of the meeting is to respond to any questions that the applicant may have regarding the application.

**B. Application Submittal**

A complete application for a Planned Area Development, including Preliminary Plat site plan or master plan, shall be submitted to the Community Development Director as set forth in Sec. 9.1.3 through Sec. 9.1.5. A master plan may be required by the Community Development Director for relatively large, complex projects. The Preliminary Plat or master plan and associated application shall illustrate the following:

1. Proposed uses and residential types and densities;
2. General building and parking location(s), access, landscaping, topographic conditions, building heights and screening proposal;
3. Compatibility with the character of the surrounding area;
4. Conformity with the policies, goals and objectives of the General Plan, including all applicable elements;
5. No adverse affect on adjacent development;
6. Every dwelling unit has access to a public street directly or via a court, accessway or other public area or common area owned by a homeowners association, but need not front on a public street;
7. Provisions for parking spaces for all uses as set forth in this Code. Alternative parking standards as allowed pursuant to the provisions of Sec. 6.2.10 may be allowed where the applicant provides evidence showing an alternative that is acceptable to the City;
8. Provision of adequate water supply and sewer service;
9. Provision of adequate and effective drainage; and
10. Provision of adequate public improvements, including but not limited to parks, schools and other public facilities.

**C. Review by Planning and Zoning Commission**

The Planning and Zoning Commission shall review the proposed PAD in a public meeting and recommend approval, approval with conditions, or denial of the application.

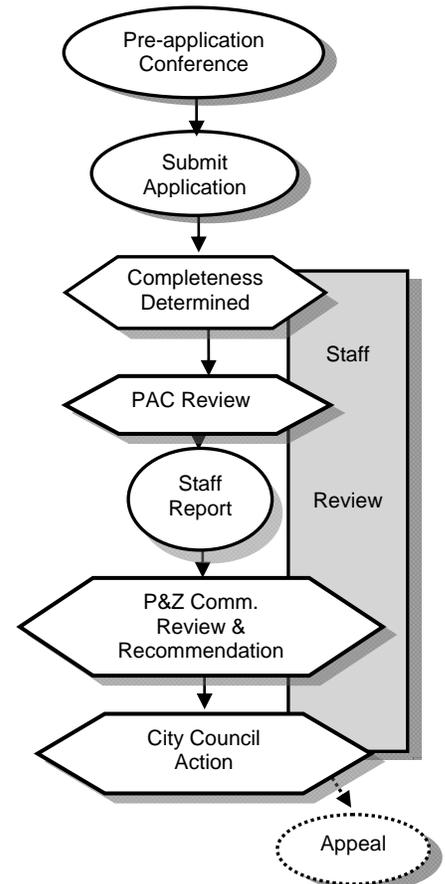
**D. City Council Action**

The City Council shall review the proposed PAD in a public meeting and approve, approve with conditions, or deny the application.

**9.5.4 / Approval Contents**

The approval of a PAD designation shall include any specific conditions of approval that are imposed by the City Council, which may include site plan approval pursuant to Sec. 9.8.4F, City Council Action. Approved development plans shall be referenced as attachments. Any bulk or dimensional variations approved by City Council shall either be listed in general terms in the certified approval or shown on the referenced attachments. Unless otherwise specified in writing, all development shall be subject to the requirements of the underlying zoning district.

**Planned Area Development**



## **Article 9 / Administration and Procedures**

### **9.5.5 / Official Zoning Map Reference**

All Planned Area Developments approved in accordance with the provisions of this Code shall be parenthetically referenced on the Official Zoning Map. A list of such Planned Area Developments, together with the category of uses permitted therein, and other related attached plan or plat shall be maintained in the Community Development Department.

### **9.5.6 / Effect of an Approved Master Plan**

An approved master plan shall be binding on current and future property owners. All site plans shall be in substantial conformance with the approved master plan.

### **9.5.7 / Review Criteria**

The Planning and Zoning Commission shall review and the City Council may approve a Planned Area Development based on the following criteria:

- A.** Conforms with applicable regulations and standards established by this Code, unless a deviation therefrom is allowed in the PAD process;
- B.** Is compatible with existing or permitted uses on abutting sites or with uses internal to the PAD, in terms of use, building height, bulk and scale, density, setbacks and open spaces, landscaping, drainage, access and circulation features, or other elements within the standards established by the City;
- C.** Does not create unfavorable effects or impacts on other existing uses in the area or potential permitted uses in the area that cannot be mitigated by the provisions of the City;
- D.** Does not affect the safety and convenience of vehicular and pedestrian circulation in the vicinity;
- E.** Reasonably protects persons and property from erosion, flood or water damage, fire, lighting, noise, glare, and similar hazards or impacts;
- F.** Generally complies with the policies adopted in the General Plan of the City of Prescott.

### **9.5.8 / Minimum Requirements**

Unless otherwise indicated in the approved master plan, by development agreement, or as modified by Sec. 9.5.11, Density Transfers and Maximum PAD Density, the minimum requirements for each development shall be those stated in this Code based on the underlying base zoning district. Modification of these density and dimensional standards may be considered during the approval process of the PAD, provided measures are taken to provide effective mitigation of potential negative impacts.

### **9.5.9 / PAD Development Standards**

PAD approvals may specify greater or lesser development standards than required by the underlying zoning district. Greater flexibility may be warranted where citywide goals are met, and where there is sufficient capacity, on site and off site, to accommodate impacts and provide for appropriate mitigation.

#### **A. Hillsides**

PAD developments located on slopes greater than 20 percent shall be subject to the standards and processes found in Sec. 6.8, Hillside Development Standards. Where Table 9.5.11 and Sec. 6.8 are in conflict, the more restrictive shall apply. Generally, steep slopes are appropriate for open space preservation.

#### **B. Minimum Lot Area**

Minimum lot area may be reduced to achieve the maximum density specified by the underlying zoning district, subject to adequate site area and infrastructure, overall functionality, and open space requirements.

#### **C. Open Space**

A minimum of 25 percent of the entire PAD property shall be dedicated or reserved as private common or public open space (qualifying open space). All improvements proposed within qualifying open space shall be indicated on the master plan and related plans or plats approved by Council. Such qualifying open space shall be protected by no-build easements or plat designation where

appropriate, as a condition of PAD approval. The City may request qualifying open space to be rezoned to the RS district or NOS district, as appropriate.

1. Qualifying open space may include undisturbed land and drainages, natural wildlife habitat areas, non-motorized trails, hillsides, golf courses and cart paths, ball fields and tennis courts, swimming pools, clubhouses, restaurants, pro-shops and similar commercial-like uses, and medians at least 8 feet in width within dedicated public right-of-way that are landscaped in accordance with Sec. 6.5.5, Minimum Landscape Standards. However, qualified open spaces that entail impervious improvements shall not constitute more than 20 percent of the required open space (5 percent of the total PAD).
2. Qualifying open space shall not include streets, alleys or rights-of-way (public or private) vehicular drives, concrete-lined drainages, parking lots, storage areas, or loading and unloading areas.
3. Common buffer yards may qualify as open space; however, private yard area designed or intended for the sole use and enjoyment of the resident lot owner shall not qualify as open space for PAD requirements.
4. Maintenance shall be as established during the approval of a qualifying PAD project.

**D. Lot Coverage**

Maximum permitted lot coverage shall be that of the underlying zoning district except where a minimum of 40 percent of open space is provided, the lot coverage shall not be limited.

**E. Streets and Parking**

As provided in Sec. 6.2, Off-street Parking and Loading; Sec. 7.4.3, Streets, and Sec. 6.3, Access Management, lesser street widths, tandem arrangement for required single-family residential parking, and gated private streets may be approved, based upon impeding natural or manmade constraints, and demonstrated adequate or enhanced supplemental parking and general circulation for project users and the general public.

**F. Setbacks**

Garage or carport setbacks shall be a minimum of 20 feet from the right-of-way or 22 feet from the back of adjacent curb or sidewalk, and sufficient to accommodate off-street parking out of the right-of-way. Setbacks for other front, side or rear yards may be varied where overall function and compatibility are retained.

**G. Building Heights**

As specified in the underlying zoning district; however, Council may adjust permitted building heights up or down, based upon concept plan and consideration of any off-site impacts.

**H. Residential Protection**

As specified in Sec. 6.13, Residential Protection Standards, additional buffer yard depths and/or treatments may be required along PAD project perimeters and internal boundaries within PAD developments, as may be approved by the City Council.

**I. Land Uses**

All land uses shall conform to those permitted in the underlying zoning district; provided however, density transfers as described in Sec. 9.5.11, may be developed in clustered groupings of attached or detached dwellings provided that each unit in a clustered grouping is located on its own individual lot. Townhouses, patio homes and similar housing products on individual lots may be developed within a clustered grouping. However, the density transfer provisions of Sec. 9.5.11 shall not be interpreted to allow Multi-family Dwellings on individual lots in single-family districts.

**J. Landscaping**

Where required, a preliminary landscape plan shall be included with a PAD concept plan or Preliminary Plat and shall show dimensions, existing vegetation and topographic contours, and any proposed added plantings or walls. A final landscape plan shall be required prior to final site plan or Final Plat approvals.

**Article 9 / Administration and Procedures**

**9.5.10 / Exceptions to PAD Development Standards**

Exceptions to otherwise required minimum PAD standards, including but not limited to open space, lot coverage, setbacks, parking and maneuvering, may be approved by the City Council. Examples of projects that might be eligible for such exceptions include but are not limited to small in-fill projects; existing apartments converting to condominiums and projects exhibiting high quality designs and buffering that adequately meet the PAD objectives. Such exceptions shall not be approved where the exception adversely affects the surrounding neighborhood.

**9.5.11 / Density Transfers and Maximum PAD Density**

Density transfers within a residential or mixed-use PAD may be permitted for the clustering of units consistent with the requirements of Sec. 9.5.9I, Land Uses, in areas suitable for development, thus preserving open space and natural features. Where more than one zoning district occurs within a PAD, the maximum number of dwelling units within the PAD shall be determined by totaling the allowable residential density for each respective zoning district as follows:

Table 9.5.11

MAXIMUM PAD DENSITY		
Zoning District	Maximum Gross Residential Density Via PAD (Density Factor)	Maximum Residential Densities When Transferring Densities to Adjacent, More Restrictive Zoning District
RE-2 District	0.5 unit per gross acre	0.5 unit per gross acre
SF-35 District	1.1 units per gross acre	1.1 unit per gross acre
SF-18 District	2.2 units per gross acre	2.2 unit per gross acre
SF-12 District	3.3 units per gross acre	3.3 unit per gross acre
SF-9 District	4.4 units per gross acre	4.4 units per gross acre
SF-6 District	6.6 units per gross acre	6.6 unit per gross acre
RT District	12 units per gross acre	6 unit per gross acre
MF-M District	21 units per gross acre	11 unit per gross acre
MF-H District	32 units per gross acre	16 unit per gross acre
MU District	10 units per gross acre	5 unit per gross acre
RO District	10 units per gross acre	5 unit per gross acre
NOB District	14 units per gross acre	7 unit per gross acre
BG District	32 units per gross acre	16 unit per gross acre
BR District	32 units per gross acre	16 unit per gross acre
DTB District	N/A	N/A
IT District	14 units per gross acre	7 units per gross acre

- A. The above maximum allowable PAD densities may be reduced to ensure compatibility with surrounding existing neighborhood densities and sustainability with regard to natural resources, particularly water availability.
- B. Where multi-family or nonresidential district zoning is combined with adjacent single-family zoning, maximum allowed densities shall be reduced by up to 50% as indicated in the above table. (See also Sec. 9.5.9I, for additional related requirements.)
- C. Any single or combined BR, BG or IT District PAD shall be processed as a rezoning in accordance with the requirements of Sec. 9.15, Zoning Map Amendments.

**9.5.12 / Compliance with Other Regulations**

The granting of a PAD designation shall not relieve the developer from responsibility for complying with all other applicable Sections of this Code and other codes and ordinances of the City of Prescott unless such relief is granted in the approved concept plan or plat.

**9.5.13 / Homeowners' Association Required**

A homeowners' association will be required if other satisfactory arrangements have not been made for providing, operating, and maintaining common facilities including streets, drives, service and parking areas, common open spaces, buffer areas and common recreational areas at the time the development plan is submitted. If an owners association is required, it shall be submitted to the City to assure compliance with the provisions Sec. 7.8, Homeowners Associations.

**9.5.14 / Council-approved Modifications**

All changes of use from those approved in the original PAD, and any deviations from the approved concept plan not authorized by Sec. 9.5.15, below, shall require City Council approval.

**9.5.15 / Administrative Changes to PAD Concept Plan**

All changes of use from those approved in the original PAD shall require City Council approval. Minor additions and administrative changes to the approved Development Plans meeting the criteria below may be approved by the Community Development Director:

- A. Minor additions to structures, with a gross floor area no larger than 10 percent of the approved gross floor area of the main floor, not to exceed 5,000 square feet; or minor new accessory structures if the location does not interfere with existing site layout (e.g. circulation, parking, loading, storm water management facilities, open space, landscaping or buffering);
- B. Minor additions to parking lots comprising no more than 25 percent of the original number of parking spaces required, not to exceed 25 spaces; or
- C. Clearing or grading that does not exceed 5,000 square feet in area or 50 cubic yards.

**9.5.16 / Expiration of Approval**

The concept plan or master plan shall expire if development has not begun within 24 months of the effective date of the PAD approval, unless an extension is granted by the City Council.

**9.5.17 / Appeal**

An appeal from any final decision regarding a Planned Area Development shall be in accordance with Sec. 9.17, Appeals of Administrative Decisions or Sec. 9.18, Appeal of Council or Board of Adjustment Decisions, as appropriate.

**Sec. 9.6 / Site Disturbance and Grading Permit**

**9.6.1 / Applicability**

A site disturbance and grading permit shall be required as specified in Sec. Sec. 6.7, Site Disturbance, Restoration and Grading Standards.

**9.6.2 / Authority**

The Engineering Services Director or designee holds the authority to issue site disturbance and grading permits consistent with the provisions of this Code.

## Article 9 / Administration and Procedures

### 9.6.3 / Site Disturbance and Grading Permit Application Process

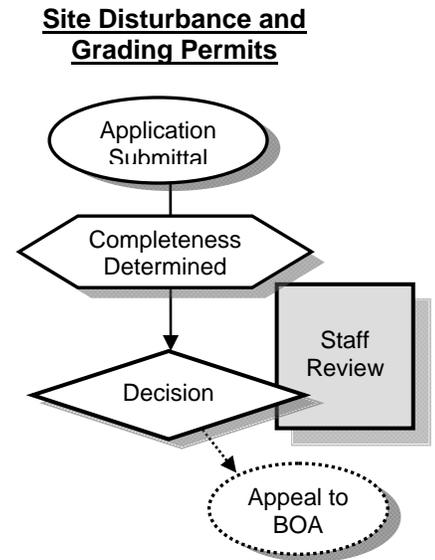
#### A. Application Submittal

Applications for a site disturbance and grading permit shall be submitted to the Community Development Department. Such applications shall be made by an Arizona-registered civil engineer or other qualified registrant, and shall contain sufficient information to demonstrate compliance with all conditions for the proposed site disturbance, grading, erosion control, and restoration as set forth in Sec. 6.7, Site Disturbance, Grading and Restoration. At a minimum, such applications shall include a copy of either the approved Preliminary Plat or a Preliminary Site Development Plan approved by the Community Development Director illustrating the following:

1. Public street access points;
2. Parking locations;
3. Adequate cut and fill (scarring) mitigation where applicable;
4. Building footprint(s) suitable for a permitted use and consistent with applicable size and setback requirements of this LDC;
5. Landscape areas and soil retaining treatments, if applicable;
6. Erosion controls;
7. Drainage analysis and calculations demonstrating pre- and post-development flows, and detention requirements; and
8. Other information as may be required by the Community Development Director.

#### B. Engineering Services Director Action

The Engineering Services Director shall review the application in consultation with the Community Development Director to ensure compliance with all applicable code requirements and approve, approve with conditions, or deny the application.



### 9.6.4 / Site Disturbance and Grading Permit Criteria

All site disturbance and grading permit applications shall be reviewed for conformance with the requirements of Sec. 6.7, Site Disturbance, Grading and Restoration.

### 9.6.5 / Appeal

An appeal from any final decision regarding a grading permit shall be in accordance with Sec. 9.17, Appeals of Administrative Decisions.

## Sec. 9.7 / Sign Permits and Comprehensive Sign Plans

### 9.7.1 / Applicability

A sign permit is required prior to the installation, relocation, expansion, or structural alteration (including any change to a sign face) of any sign. All sign permits are issued by the Community Development Director in conformity with the provisions of this Code. (See sign standards in Sec. 6.12, Signs)

### 9.7.2 / Exceptions

The following sign types are exempt from the provisions of this section:

- A. Real estate ("for sale" or "for lease"), finance, and construction signs;
- B. Traffic control signs; and
- C. Governmental signs.

**9.7.3 / Sign Permit Application Process**

**A. Application Submittal**

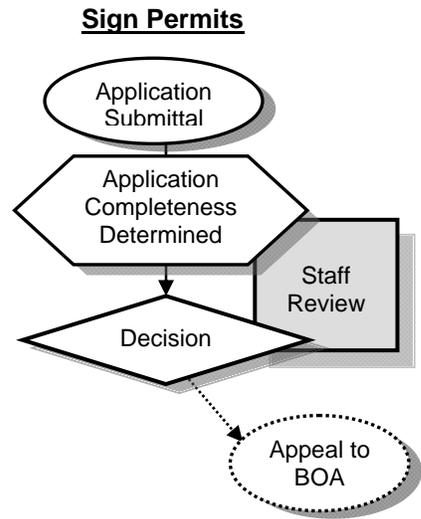
A complete application for a sign permit or Comprehensive Sign Plan shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, Application Forms and Fees, above. All sign permit applications shall provide information regarding location, materials, size, color and illumination. Sign permit applications shall be also required as part of a final site plan or final plat submittal, as may be required by the Community Development Director.

**B. Community Development Director Action**

The Community Development Director shall review each sign permit application for compliance with the requirements of this Code and act to approve, approve with conditions, or deny the permit.

**C. Appeal**

An appeal from any final decision regarding a Sign Permit shall in accordance with Sec. 9.17, Appeals of Administrative Decisions.



**9.7.4 / Comprehensive Sign Plans**

**A. Applicability**

A Comprehensive Sign Plan may be requested for qualifying properties as described in Sec. 6.12.6, Comprehensive Sign Plan Standards.

**B. Compliance**

All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the approved Comprehensive Sign Plan.

**C. Application Requirements**

1. The proposed plan shall include the size, location, height, color, lettering, lighting, and orientation of all proposed signs, in addition to any other information deemed necessary.
2. Allowances for a Comprehensive Sign Plan shall be subject to the stipulations and conditions specified by the City Council through the approval process. Implementation of a Comprehensive Sign Plan may be completed in phases.

**Commentary:**

Prior to the approval of sign permit applications for signs in the DTB district, such applications may be referred to the Preservation Commission for review and recommendations pursuant to the provisions of Sec. 4.9.4F.4, Painted Signs and Murals.

**D. Review by Planning and Zoning Commission**

The Planning and Zoning Commission shall review the application in a public meeting and recommend approval, approval with modifications, or denial of the subject application.

**E. City Council Action**

The City Council shall review the application in a public meeting and approve, approve with modifications, or deny the application.

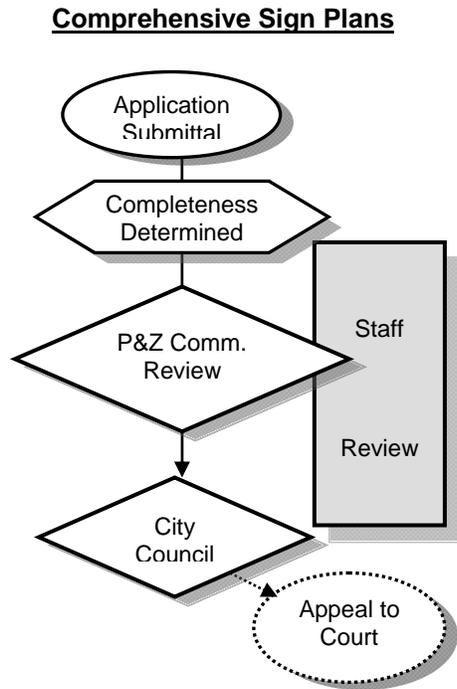
## Article 9 / Administration and Procedures

### F. Comprehensive Sign Plan Review Criteria

A Comprehensive Sign Plan may be approved by the City Council when it finds that the plan meets the objective of an improved design in exchange for a greater number of signs or larger sign face area than otherwise permitted by Sec. 6.12, Signs.

#### 9.7.5 / Maintenance and Repair

Cleaning, painting, repainting and other normal maintenance and repair of a sign shall not require a sign permit unless a structural or size change is made. Maintenance does not include replacement of a sign face.



## Sec. 9.8 / Site Plan Review

### 9.8.1 / General

The provisions of this section are intended to ensure that all developments have functional, well-designed and user-oriented spatial arrangements. Where Council approval is required, there may be greater emphasis on aesthetic quality.

### 9.8.2 / Applicability

No building, site, or use shall be developed and no building permits may be issued prior to completion of site plan review and approval, issued by the Community Development Director in conformity with the provisions of this Section. In addition, where required, site plan approval by City Council and/or the Planning and Zoning Commission may be required as a prerequisite for building permits.

### 9.8.3 / Exceptions

Although single-family residences must have an approved site plan for a building permit, individual single-family dwellings are exempt from these procedures and these submittal requirements unless specified otherwise / elsewhere in this LDC.

### 9.8.4 / Site Plan Application Process

#### A. Pre-application Meeting

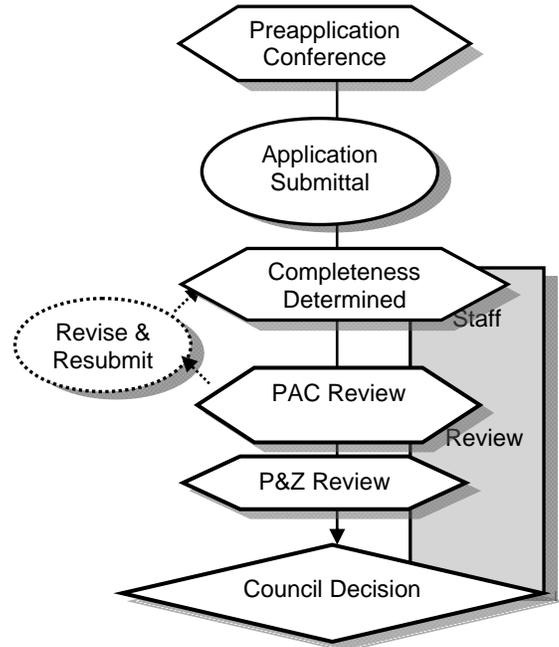
Prior to the submission of an application for review by the Technical Review Committee (TRC), potential applicants may be required to attend a pre-application meeting with the Community Development Director or designee as set forth in Sec. 9.1.2, Pre-application Meeting. The purpose of the meeting is to respond to questions the applicant or the City may have regarding application procedures, standards, or regulations required by this Code.

#### B. Application Submittal

A complete application (per Sec. 9.1.5) for site plan approval shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, Application Forms and Fees, and include the following:

1. Each site plan shall be prepared to scale showing all the existing and proposed uses, and lot dimensions for a specified property.
2. The plan shall accurately locate and describe proposed:
  - a. Bank stabilization plans;
  - b. Curb lines and sidewalks;
  - c. Drainageways and any needed detention;
  - d. Fences and walls;
  - e. Fire hydrants;
  - f. Ingress and egress points;
  - g. Internal circulation plan;
  - h. Landscaping and screening;
  - i. Loading and accessibility spaces;
  - j. Off-street parking layout;
  - k. Property lines;
  - l. Refuse areas;
  - m. Setbacks, including corner setbacks and intersection visibility triangles;
  - n. Signs, locations and design;
  - o. Topographic contours;
  - p. Utility lines; and
  - q. Any additional information requested by the Community Development Director to define clearly the intended development and use of the property.

**Council Site Plan Review**



**C. Review by the Technical Review Committee**

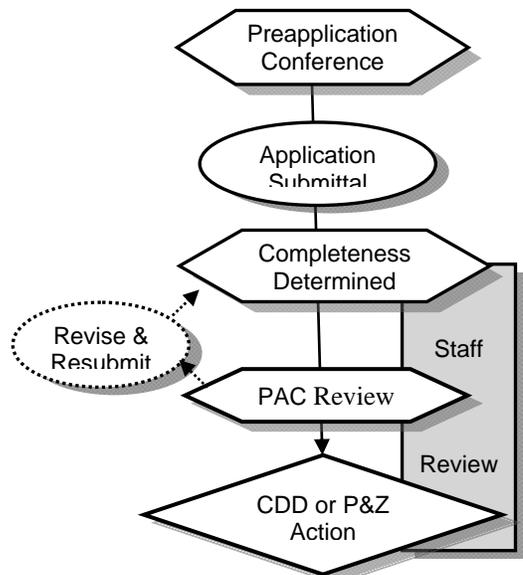
Following submittal of a complete application, the TRC shall review the application and provide written comments to the applicant within 15 working days. Following receipt of TRC comments, the applicant shall correct the site plan and resubmit the corrected application to the Community Development Department.

**D. Community Development Director Action**

1. If the proposed site plan is determined by the TRC to be consistent with all applicable provisions of the Code, the Community Development Director may approve the site plan and return 2 copies of the approved plan to the applicant and keeping one.
2. The Community Development Director may, at his discretion, require site plan review by the Planning and Zoning Commission and/or the Prescott Preservation Commission.

**E. Review by the Planning and Zoning Commission Recommendation and/or Action**

**Typical Site Plan Review**



## Article 9 / Administration and Procedures

1. Where the Community Development Director elects to refer a site plan to the Planning and Zoning Commission following TRC review, no building permit shall be issued without site plan approval by the Commission.
2. Where site plan approval by City Council is required as a condition of a rezoning or other approval, the Community Development Director shall refer the plan to the Planning and Zoning Commission for recommendation prior to scheduling for Council review.

### F. City Council Action

Where site plan approval by City Council is required as a condition of a rezoning, PAD or other approval, Staff shall prepare a report that includes the Planning and Zoning Commission recommendation. No building permit shall be issued prior to site plan approval by City Council.

### 9.8.5 / Site Plan Review Criteria

Approved site plans shall meet all applicable code standards including, but not limited to standards relative to the following:

- A. Archeological survey, as may be warranted;
- B. Building lot and setback requirements;
- C. Grading and bank stabilization/erosion controls, drainage, runoff and flood control;
- D. Efficient and economic public utility and sanitation access;
- E. Hillside development standards of Sec. 6.8, where applicable;
- F. Internal circulation, public, private or emergency;
- G. Landscaping, screening and buffering;
- H. Multi-modal transportation options;
- I. Noise, odor and emission control;
- J. Outdoor lighting standards of Sec. 6.11;
- K. Parking and maneuvering areas;
- L. Parking lot screening from public rights-of-way;
- M. Public road or street access with proposed street grades;
- N. Residential Protection Standards of Sec. 6.13, where applicable;
- O. Roof treatments, where applicable;
- P. Sidewalks and trails, as required by this LDC, adopted plans, or by other applicable requirements of the Prescott City Code (See Appendix F, Off-Site Improvements, Prescott City Code, Title XIV);
- Q. Sign location, size and design; and
- R. Traffic control and handling.

### 9.8.6 / Construction of Improvements

A site plan approval is a binding development order and all improvements reflected on approved site plans must be completed, and all restrictions and conditions of site plan approval must be fulfilled, prior to issuance of the final certificate of occupancy.

### 9.8.7 / Expiration of Approval

An approved site plan shall expire 6 months from the date of approval unless a complete building permit application has been submitted, which shall then be subject to the requirements under IBC, Sec. 105.3.2.

### 9.8.8 / Modification

Minor modification to a Council-approved Site Plan may be approved by the Community Development Director, provided that the development plan remains substantially consistent with the Council-approved Site Plan.

### 9.8.9 / Appeal

An appeal from any final decision regarding a Site Plan Review shall be in accordance with Sec. 9.17, Appeals of Administrative Decisions or Sec. 9.18, Appeal of Council or Board of Adjustment Decisions, as appropriate.

## Sec. 9.9 / Special Use Permits

### 9.9.1 / Purpose

Special uses are uses that may be permitted subject to the granting of a Special Use Permit. Because of area impacts or special characteristics of the use, special uses require additional consideration so that they may be located with respect to the objectives of this Code and their effect on surrounding properties, and/or meet citywide goals relating to the General Plan.

**Commentary:**

Special Use Permit applications for development in the DTB district should be referred to the Preservation Commission for courtesy, compatibility reviews and recommendation prior to Planning and Zoning Commission or City Council review and action.

### 9.9.2 / Applicability

Special uses may be complementary to those uses permitted by right in a zoning district, but require individual review of their location, design, configuration, density and intensity, and may require the imposition of additional conditions in order to ensure the appropriateness and compatibility of the use at a particular location.

### 9.9.3 / General

Special Use Permits shall run with the land unless the Council elects to specify a period of abandonment after which the Special Use Permit shall be voided.

### 9.9.4 / Special Use Application Process

#### A. Pre-application Meeting

Prior to the submission of an application for a Special Use Permit, all potential applicants shall meet with the Community Development Department Staff in a pre-application meeting unless waived by the Community Development Director. The purpose of the meeting is to respond to any questions that the applicant or the City may have regarding the application.

#### B. Application Submittal

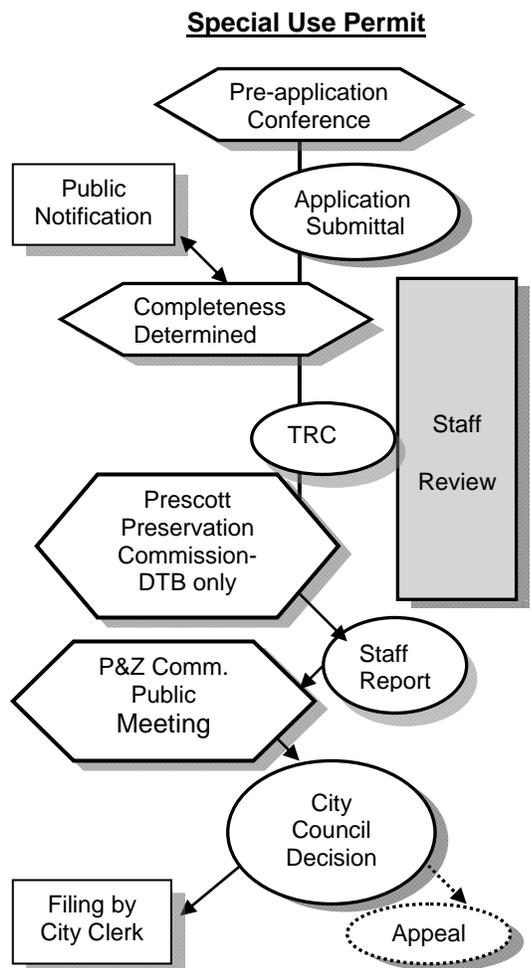
A complete application for a Special Use Permit shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, (Application Forms and Fees), and Sec. 9.1.5 (Application Completeness). A complete site plan must accompany all applications for a Special Use Permit as set forth in Sec. 9.8.4B.

#### C. Public Notification

Upon receipt of a complete application, public notices shall be issued in accordance with Sec. 9.1.7, Public Notice. Additional notice may also be provided to parties having specific interest or, in instances of an appeal, in accordance with the provisions of Sec. 9.1.10, Additional Notice.

#### D. Review by Technical Review Committee

Following submittal of a complete application, the TRC shall review the application and provide written comments to the applicant within 15 working days.



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### **E. Review by Prescott Preservation Commission**

For development proposals located in the Downtown Business District only, the proposal shall be scheduled for a "courtesy review."

### **F. Review by Community Development Director**

The Community Development Director shall review Special Use Permit applications, the comments of the Technical Review Committee (TRC) and prepare a staff report.

### **G. Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission shall review Special Use Permit applications in a public hearing and recommend approval, approval with conditions, or denial of the special use application.

### **H. City Council Action**

City Council shall review special use applications in a public meeting and vote to approve, approve with conditions, or deny the special use application.

### **I. Notice of Decision**

A copy of an approved or denied Special Use Permit shall be given to the owner of the property, and a copy shall be filed in the office of the Community Development Department.

## **9.9.5 / Special Use Review Criteria**

The City Council may approve an application for a special use where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the public. The City Council shall consider the following criteria in its review:

### **A. Effect on Environment**

The location, size, design, and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.

### **B. Compatible with Surrounding Area**

The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to scale, height, landscaping and screening, lot coverage, and density.

### **C. External Impacts Minimized**

The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation responses to these impacts.

### **D. Infrastructure Impacts Minimized**

The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.

### **E. Consistent with General Plan and Code**

The proposed use will be consistent with the purposes of this LDC, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located.

### **F. Parcel Size**

The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the zoning district.

### **G. Site Plan**

The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.

**9.9.6 / Additional Conditions**

The City Council may impose additional reasonable conditions necessary to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, additional landscaping or buffering, and additional improvements such as pavement, curbing, sidewalks, and screening.

**9.9.7 / Expiration/Revocation of Approval**

- A. Special Use Permits are approved from the date of Council action or as may be otherwise specified. If construction of the project has not been completed within the first 12 months thereafter, the City Council may grant an extension for its next review for completeness of the Special Use. Notice that the Special Use Permit may expire within 12 months shall be conveyed to the applicant in writing as part of notification of approval of the Permit.
- B. The City Council may extend the Special Use Permit for an additional period upon written request from the applicant, such request must be received before the date of expiration.
- C. The City Council may revoke a Special Use Permit in the event of a subsequent failure by the property owner or person in possession to comply with an on-going condition. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before by the City Council. Revocation procedures shall be subject to the public notice requirements set forth in Sec. 9.1.8A.

**9.9.8 / Appeal**

An appeal from any final decision regarding a Special Use Permit shall be in accordance with Sec. 9.1.8A, Appeal of Council or Board of Adjustment Decisions.

**Sec. 9.10 / Subdivision and Land Split Review**

**9.10.1 / Purpose**

The purpose for these regulations is to:

- A. Provide for the health, safety, general welfare, and harmonious development of the City of Prescott and its environs;
- B. Insure that future development shall be referenced in accordance with the principals, goals, and objectives of the adopted General Plan, including any area, neighborhood or other relevant plans;
- C. Insure that new development strengthens the city's economic base and valuation;
- D. Insure that new development preserves and enhances the city's natural systems and scenic attributes;
- E. Provide adequate provisions for streets and traffic circulation, water supply and distribution, sanitary sewerage, drainage, and flood control in the development of lots and properties having optimum utility and livability;
- F. Facilitate the provision of school sites, recreational lands, and other public uses;
- G. Promote the conveyance of land by accurate legal descriptions; and
- H. Establish procedures that will achieve a basis of mutual understanding and equitable relationships between public and private interests.

**9.10.2 / Applicability**

Subdivision approval shall be required to divide improved or unimproved land for the purpose of financing, sale or lease, whether immediate or future, into:

- A. 4 or more lots, tracts or parcels or land;
- B. 2 or more lots, tracts or parcels or land, if a new street is involved;

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- C. 2 or more lots, tracts or parcels of land, if the boundaries of said land have been fixed by a recorded plat; or
- D. Any condominium, cooperative, community apartment, townhouse or similar project containing 4 or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

### 9.10.3 / Exemptions

- A. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- B. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership, such as for land splits, below.
- C. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.
- D. A land split pursuant to a Court order.

### 9.10.4 / Unlawful to Record Plat without Final Plat Approval

It shall be unlawful to record any subdivision, master plan, plat, revision of plat or replat of land within the City limits unless the subject subdivision plat has been reviewed and approved by the City Council or the Community Development Director, as required by this Code.

### 9.10.5 / Types of Land Division; Processes -- General

#### A. Land Splits

A land split as used in this Code means the division of improved or unimproved land whose area includes 2.5 acres or less into 2 or 3 tracts or parcels of land for the purpose of sale or lease, which would not otherwise be deemed a subdivision such as where new streets or accesses are proposed. Cumulative creation of 4 or more parcels created by land split shall be subject to the procedures of Sec. 9.10.9, Subdivision Plat Review.

#### B. Subdivisions and Planned Area Developments

All subdivisions shall be reviewed in accordance with the requirements of Sec. 9.10.9, Subdivision Plat Review, provided, however, if a subdivision application is accompanied by a request for a Planned Area Development, the application shall additionally be reviewed in accordance with the requirements of Sec. 9.5, Planned Area Developments. All subdivision activities shall be reviewed as described below.

#### C. Plat Amendments

There are three (3) types of plat amendments used in this Code that apply to any recorded subdivision:

##### 1. Revision of Plat

The following activities shall be considered a Revision of Plat and require an application and processing with the Final Plat procedures of Sec. 9.10.9B, and subsequent approval by the City Council:

- a. Any division of a lot or lots in a recorded subdivision resulting in an increase in the total number of lots in that subdivision;
- b. Any revision or replat involving dedication or abandonment of land for a public street, public easement, or other public rights-of-way;
- c. Any change in lot lines in a recorded subdivision; provided, however, that changes in lot lines, which result in only nominal increases or decreases of lot sizes, may be administratively approved as a replat;
- d. Any changes in the location of streets, easements, and other public rights-of-way; provided, however, that nominal changes may be administratively approved as a replat; or

- e. Any changes in the exterior boundary of a recorded subdivision.

**2. Replat**

The following activities shall be considered a Replat and require an application in accordance and processing with the Final Plat procedures of Sec. 9.10.9B, but may be administratively approved by the Community Development Director. Notwithstanding the above, the Community Development Director may request and the City Council may direct that any replat request be acted on by Council.

- a. The joining or merger of lots in a recorded subdivision;
- b. Any joining of lots and subsequent division of those lots in a recorded subdivision which result in no increase in the total number of lots in that subdivision;
- c. Any changes in lot lines, which result in only nominal increases or decreases of lot sizes; or
- d. Any nominal changes in the location of streets, easements, and other public rights-of-way.

**3. Plat Correction**

An amendment to a plat for the sole purpose of correcting a scrivener error, such as for a distance or course, may be administratively approved by the Community Development Director with the correction noted and the plat labeled as "Amended Map of \_\_\_\_\_."

**9.10.6 / Standards for Subdivision Approval**

All subdivisions shall be subject to the following minimum standards:

**A. Design and Improvement Standards**

- 1. All subdivisions shall be designed and constructed in accordance with the requirements of Article 7, Subdivision and Land Split Standards.
- 2. All subdivisions shall be designed and constructed in accordance with the applicable requirements of Article 6, General Development Standards.

**B. General Plan Consistency**

No subdivision shall be approved unless the project or development is consistent with and conforms to, furthers the implementation of, and is not contrary to any applicable adopted plans, including but not limited to Specific Area Plans, Circulation Plans, Capital Improvement Plans, Open Space and Trail Plans, Neighborhood Plans, Local Historic District Plans, growth planning or growth management plans, and redevelopment plans; provided, however:

- 1. Where a land use recommended by the General Plan is not allowed in the underlying zoning district, the requirements of the underlying zoning district shall prevail.

**C. Site Plan Requirement**

A site plan, in accordance with the requirements of Sec. 9.8, Site Plan Review, may be required with submission of a plat application. Where a site plan has been approved in accordance with Sec. 9.8, Site Plan Review, all plat applications and subsequent plats shall be consistent with the approved site plan.

**D. Master Plan**

- 1. All Preliminary Plats and land split applications shall include a master plan for the entire contiguous property under common ownership. Such master plans enable the staff, public, Planning and Zoning Commission and City Council to evaluate the proposed development, including its historical character, topography, physical constraints, proposed lot layout and land uses, or other features; and its relationship to existing and planned streets, and to surrounding properties. The master plan shall conform in all respects to the requirements of the Preliminary Plat; except, it may be on a scale of not more than one inch to 400 feet.
- 2. The Community Development Director may waive all or part of the Master Development Plan requirements depending upon the nature of the proposed development. However, the Planning

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and Zoning Commission or City Council may require additional information on some or all items excluded from the report before action is taken on the request.

**E. Hillside Development**

**1. Hillside Development Standards**

All subdivisions and land splits located on slopes in excess of 20 percent shall be in accordance with the requirements and density transfer opportunities of Sec. 6.8, Hillside Development Standards.

**2. Plat Processing Time**

Due to problems requiring special field and office review by the Community Development Department, the Public Works Director, and other relevant staff, a subdivider should expect processing time for hillside plats to exceed that otherwise required for other plats not involving such hillsides.

**9.10.7 / Land Splits Review**

All land splits shall be processed in accordance with the requirements of this section, as well as those listed in Sec. 7.9, where applicable.

**A. Submittal Requirements**

The applicant shall file folded copies of the land split (24" by 36") and provide other information consistent with all of the requirements outlined in the City's application form. Such plat shall also be accompanied by or show the following information:

- 1. Complete application form,
- 2. Title report, when requested,
- 3. Notarized certification of land split,
- 4. 2 Mylar copies of land split,
- 5. Application filing fee, and
- 6. Recording fee.

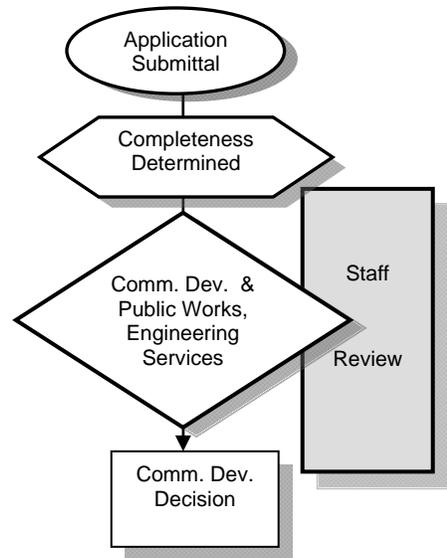
**B. Community Development Director Action**

The Community Development Director shall in consultation with Engineering Services review Land Splits and approve, approve with conditions or deny the application.

**C. Land Split Review Criteria**

The Community Development Director shall approve a land split if it conforms with applicable requirements of this Code and to the General Plan as it relates to the City's current and future streets, sidewalks, alleys, parks, playgrounds, public utility facilities, including the availability of water to serve the new parcels.

**Land Split Divisions**



**9.10.8 / Subdivisions within 3 Miles of City Review**

In accordance with Arizona Revised Statutes, Section 9-474 as amended, the subdivider of land outside the City but within 3 miles of the corporate limits shall submit all plats to the City of Prescott for review and comment, as follows:

**A. Submittal Requirements**

The Plat shall particularly set forth and describe:

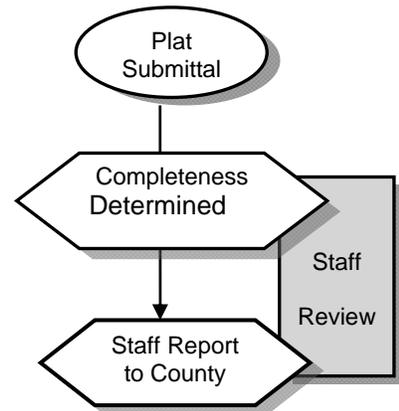
- 1. Parcels of ground within the tract or subdivision to be used for public purposes offered for dedication for public uses and their dimensions, boundaries, and courses.

2. Either by number or letter, lots intended for sale or reserved for private use and their dimensions, boundaries, and courses.
3. The location of the subdivision relative to adjacent subdivisions, the maps or plats of which have been previously recorded, or, if none, then to some prominent artificial monument established for such purposes.

**B. Procedure**

1. When the owner of land (the whole or part of which) is located in an unincorporated area within 3 miles of the City of Prescott corporate limits desires to subdivide the land into lots for the purpose of sale by reference to a map or plat, said owner shall first give written notice to the City of his intention to subdivide the land. The owner shall name and describe the land to identify it on the ground and shall submit to the City a tentative plat of the land showing the manner in which he desires to subdivide the land.
2. Where the City desires that the streets or alleys affecting a tract conform to projected existing streets or alleys or to an adopted plan, the City may, at its cost, project the lines of its streets and alleys to the nearest outer boundary lines of the tract, illustrate the projected streets and alleys on the plat, and supply the information to the owner.
3. The City of Prescott may also submit to the owner a written report recommending changes in the submitted plat relative to the location or dimension of streets, alleys, parks, easements, rights-of-way, or property intended to be devoted to the use of the public. One copy of the staff report shall be delivered to the County Board of Supervisors.
4. If the report is given to the owner, or the lines are so marked and the courses given the owner within 30 days from the date of service of notice of intention to the City, then the owner shall cause the land to be subdivided into blocks, lots, streets, alleys, parks, and parkways so as to conform reasonably to the report and the projected street lines.

**Subdivisions Out-of-City**



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### 9.10.9 / Subdivision Plat Review

#### A. Preliminary Plats

##### 1. Pre-Application Conference

Prior to the submission of a Preliminary Plat, applicants shall meet with the Community Development Department and Engineering Services Department Staff in a pre-application conference unless waived by the Community Development Director. The purpose of the conference is to respond to any questions that the applicant may have regarding the application. At the pre-application conference, a land planner, engineer or surveyor may represent the subdivider.

##### 2. Preliminary Plat Submittal Requirements

The applicant shall submit folded copies of the Preliminary Plat (24" by 36"). The total number of required copies is found on the application. Such plat shall be accompanied by or contain the following information:

###### a. Adjacent Properties

- 1) Name, book and page numbers of any recorded subdivisions within or having a common boundary with the tract, or notation "unsubdivided" where applicable.
- 2) Name and location of a portion of adjoining subdivisions shall be drawn to the same scale and shown in a distinguishable manner adjacent to the tract proposed for subdivision in sufficient detail to show the existing streets and alleys, and other physical features and constraints that may influence the layout and development of the proposed subdivision. Where adjacent land is not subdivided, the name and address of the owner of the adjacent parcels will be provided. Names and addresses may be retrieved from the Yavapai County Assessor's Maps and are understood to be only as current as the Assessor's records.

###### b. Blocks, Lots, Building Lines, Park and Yards

The subdivision shall show all proposed rights-of-ways and alleys, easements, blocks, lots and lot layout, building lines, parks, etc., with principal dimensions to the nearest foot. Each lot shall be numbered. The total number of lots shall be shown and front, side and rear designations shall be shown for lots that are unusual shapes. The area, in acres, of the subdivision will be shown as well as municipal corporation lines within, or adjacent to, the tract.

###### c. Contours

Topographic contours related to USGS survey datum, shall be shown on the same map as the proposed subdivision layout. Grades up to 5 percent shall be shown in 2 foot intervals and grades over 5 percent shall be shown in 5-foot intervals. Topography shall be shown a minimum of 100 feet beyond the subdivision boundaries.

###### d. Drainage Report

A general drainage report shall accompany the Preliminary Plat. This report shall show the acreage draining into the subdivision; points of runoff through, and away from, the subdivision; a map illustrating the proposed direction of storm flows within public or private right-of-way shall be indicated by drainage arrows; and the area of proposed detention within the common area shall be displayed.

###### e. Engineer or Surveyor Identification and Property Owner(s) or Agent(s) Information

Include the name, registration number, and seal of the registered professional engineer or land surveyor responsible for preparation of the plat. The engineer or surveyor shall have a valid and current certificate from the Arizona State Board of Technical Registration for Engineers and Land Surveyors. The name, address, and telephone number of the property owner(s) and agent(s) shall also be included. Plans, specifications, plats or

reports prepared by a registrant or a registrant's bona fide employee shall be issued under the registrant's seal if the Board requires the registrant to use a seal.

**f. Format, Boundary Lines, Northpoint, Subdivision Title and Vicinity Map**

The plat and mylar shall be drawn to a legible scale of 1-inch equals 200 feet, or 1-inch equals 100', or another legible scale as approved by the Community Development Department. Each drawing shall measure 24 inches by 36 inches. When necessary, the plat may be contained on several sheets accompanied by an index sheet showing the entire subdivision.

The area, in acres, of the subdivision shall be shown on the plat. The date of preparation of the plat and any revisions shall be shown on the plat.

The title under which the proposed subdivision is to be recorded and its location by section, township, range and county shall be shown. The name or title of the subdivision shall not duplicate the name of any existing subdivision.

A vicinity map on a smaller scale showing the proposed subdivision and its relationship to the surrounding area shall appear on the plat.

Include the name, address, and telephone number of the property owner(s).

**g. Grading Plan and Declaration**

A written declaration is required with a Preliminary Plat application for all projects proposing mass grading. A preliminary grading plan shall be required where mass grading is planned and/or hillside development is proposed. The scale of the Preliminary Plat may be at 1-inch equals 200 feet or at 1-inch equals 100 feet. The date of preparation of the plat and any revisions. The title under which the proposed subdivision is to be recorded, and its location by section, township, range and county. The name or title of the subdivision shall not duplicate the name of any existing subdivision. A vicinity map on a smaller scale showing the proposed subdivision and its relationship to the surrounding area and streets.

**h. Land Uses and Zoning**

Designation of the proposed uses of land (including all lots and tracts) within the subdivision shall be shown. All areas to be excluded from the subdivision shall be shown as "not a part". Sites, if any, to be reserved or dedicated for parks, playgrounds or other public uses; and, sites, if any, to be reserved or dedicated for private common open space shall be shown. Any zoning amendments to be requested shall be noted. If the proposed plat includes land for multi-family, commercial or industrial use, such areas shall be clearly designated together with existing zoning classification, present district boundary lines, and status of any pending zoning changes.

**i. Phasing**

Each Preliminary Plat shall identify all proposed units, as well as lots, for Council consideration, provided each phase can stand alone. The Final Plat shall be recorded unit by unit, as stated on the approved Preliminary Plat. Construction may occur in phases as may be approved on each recorded Final Plat unit. Separate plans shall be required for each phase.

**j. Protective Covenants**

If necessary, a draft of any protective covenants where the subdivider proposes to regulate land use or development standards in the subdivision shall be provided.

**k. Subdivision Identification Signs**

The location of the permanent subdivision identification sign(s) shall be shown.

**l. Title Report**

A title report if requested shall be provided.

**m. Traffic Impact Analysis**

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A Traffic Impact Analysis study may required in accordance with the requirements of Sec. 6.14, Traffic Impact Analysis.

### **n. Water and Wastewater Utilities**

Reports for both water and wastewater utilities shall include maps of the locations where lines serving the site will be connected; sizes of existing lines and facilities; schematic layouts indicating the types, sizes, and approximate locations of new facilities (mains, pump stations, lift stations, upgrades, etc.) anticipated to be needed both within the site as well as off-site which have been identified through consultation with the City's water and sewer models; and associated preliminary assessments of demand and infrastructure sufficiency shall be provided.

### **o. Surface Water Data**

- 1) Location of streams, washes, canals, irrigation laterals, private ditches, existing culverts, lakes, or other water features including direction of flow; and,
- 2) Location and extent of FEMA Floodplains.

### **p. Water Supply Plan**

An assured water supply plan and application consistent with the requirements of Sec. 7.4.8E., Assured Water Supply, shall be provided.

### **q. Archaeological Study**

An archaeological study may be required to determine the potential for any prehistoric or historic resources, unless due to the small size of the project site or improbability of resources, the Community Development Director waives the requirement.

## **3. Preliminary Plat Procedures**

### **a. Date of Filing**

The Preliminary Plat and all supporting data as described in subsection 2 above shall be submitted to the Community Development Director a minimum of 34 days prior to the Planning and Zoning Commission.

meeting at which consideration is desired. The Preliminary Plat shall be considered officially filed only after it is examined and found to comply with the general provisions of these regulations by the Community Development Director.

### **b. Distribution of Preliminary Plats**

Upon receipt of a complete application, the Community Development Director shall distribute the Preliminary Plat to the following

- 1) City Engineering Services Department
- 2) City Fire Department
- 3) City Parks, Recreation, and Library Department
- 4) City Police Department
- 5) City Public Works Department
- 6) County Assessor – Cartography Division
- 7) County Flood Control District
- 8) County Health Department
- 9) County Public Works Department
- 10) Prescott Public Schools
- 11) Natural Resources Conservation Service
- 12) Private utility companies
- 13) ADOT (where applicable)

### **c. Review by Technical Review Committee**

The Technical Review Committee shall review the preliminary plat and provide written comments for use in the staff report, as specified below. The subdivider, his engineer, land surveyor, or other representative may request a Technical Review Committee meeting at which the proposed plat is to be discussed. If the Committee determines that additional information is needed prior to the Planning and Zoning Commission review, the Commission's review may be delayed as necessary to allow the applicant sufficient time to provide such information.

**d. Review by Community Development Director**

The Community Development Director shall review the Preliminary Plat application and the recommendation of the Technical Review Committee and prepare a staff report.

**4. Review by Planning and Zoning Commission**

The Planning and Zoning Commission shall review the application in a public meeting and recommend approval, approval with conditions or denial. The recommendation and its reasons shall be forwarded to the City Council.

**5. City Council Action**

The City Council shall review the Preliminary Plat in a public meeting and vote to approve, approve with conditions, or deny the plat application.

**6. Issues for Consideration**

The City shall consider the following in the review of Preliminary Plats:

- a. The purposes for subdivision regulations of Sec. 9.10.1;
- b. The requirements of Sec. 9.10.6, Standards for Subdivision Approval;
- c. The physical arrangement of the subdivision;
- d. Adequacy of street and thoroughfare rights-of-way and alignment;
- e. Compliance of the streets and thoroughfares with the adopted plans and the existing street pattern in the area;
- f. Adequacy of easements for proposed or future utility service and surface drainage; and
- g. Suitability of lot size and area with respect to the minimum requirements for the type of sanitary sewage disposal proposed.

**7. Effect of Preliminary Plat Approval**

**a. Not Approval of Final Plat**

Conditional approval of a Preliminary Plat shall not constitute approval of the Final Plat. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plat as a guide to the preparation of the Final Plat.

**b. Lapse of Approval**

Preliminary approval of the subdivision shall be valid for a period of 12 months from the date of approval, and the general terms and conditions under which the preliminary approval was granted will not be changed. The preliminary plat approval of a subdivision shall expire unless a Final Plat is submitted within the 12 month period or unless an extension is approved by the City Council at the request of the subdivider. An extended approval for a phased development may be granted by the Council.

**B. Final Plats**

The Final Plat shall substantially conform to the Preliminary Plat as approved by the City Council, incorporating all changes, modifications, corrections, and conditions imposed by the Planning and Zoning Commission and City Council; and provided further, that it conforms to all applicable requirements of this Code.

**1. Submittal Requirements**

Nineteen (19) folded copies of the Final Plat shall be filed together with a reduced version on paper (8½" by 11") and transparency attached with a complete application and filing fee.

For large subdivisions, the Final Plat may be submitted for approval progressively in units, within which there may be a number of distinct construction phases, satisfactory to The City Council. The Final Plat shall show or be accompanied by the following:

**a. Adjacent Land**

References to recorded subdivision plats or adjoining platted land by record name shall be placed on the Final Plat.

**b. Boundary Lines and Bearings**

Tract boundary lines sufficient to locate the exact area proposed for subdivision, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves shall be placed on the Final Plat. All dimensions and bearings shall be balanced and fully closed.

**c. Building Lines**

Minimum building setback lines when required or approved by the City Council shall be placed on the Final Plat.

**d. Construction Plans**

Three sets of construction plans for required improvements and a set of reproducible transparent sheets, 24" x 36" in size along with all data and calculations related to utilities, drainage or other construction in the subdivision, as necessary to demonstrate compliance with the requirements of Sec. 7.4.2, Engineering and Construction Standards, shall be submitted with the Final Plat. Such plans shall also show all existing or proposed surface and subsurface improvements and obstructions, and shall be reviewed and approved by the Public Works Director prior to scheduling a Final Plat for approval by the City Council.

**e. Control Points; Acres**

The primary control points, or descriptions of such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred, shall be placed on the Final Plat. The area of the subdivision, in acres, shall be shown.

**f. Declaration of Units and Phasing**

The labeled units and requested construction phasing shall be noted on the final plat.

**g. Deed Restrictions**

One original and one copy of any deed restrictions to be imposed upon the plat or any part or parts thereof shall be submitted with the final plat. Said deed restrictions must be in proper form to be recorded as a separate instrument. Space for cross-referencing the deed restrictions shall be placed on the Final Plat.

**h. Dedications Statement**

The property owners' statement of dedications shall be placed on the Final Plat. The certificate of dedication shall be executed by all persons, firms or corporations owning an interest in the property subdivided and platted, and shall be acknowledged in the manner

**Commentary:**

Each Final Plat must substantially conform to the approved Preliminary Plat. While a Final Plat may represent only a portion of the approved Preliminary Plat, each final plat unit must be in conformance with the approved Preliminary Plat. This is true even when there is a mutual agreement between the subdivider and City Council allowing for phasing, and the proposed phasing is in accordance with a plan submitted by the subdivider and approved by the Community Development Director.

prescribed by the laws for the State of Arizona for conveyances of real property. In addition to the above requirements, the statement of dedications shall contain the following:

- 1) An accurate description of the tract of land subdivided.
- 2) A statement and express representation that the parties joining in such dedication are the sole owners of such tract of land, with notarized signatures.
- 3) An express dedication without reservation to the public for public use; the streets, alleys, rights-of-way, school site and any other public areas shown on the attached plat.
- 4) A dedication for use and maintenance of private streets, recreational facilities, common open space, and drainage easements, etc. to the Homeowners' association, where applicable.
- 5) A positive reference and identification of the plat of such subdivision, date of plat and engineer.
- 6) Flood plain/floodways shall be delineated with 100 year flood limits by elevation.

**i. Disturbable Area Envelope Map**

Where sensitive terrain is to be protected on targeted lots, there shall be disturbable area envelopes indicated on the final plat, or alternatively, on a correlated map that is not recorded but referenced on the Final Plat and kept on file at the Community Development Department.

**j. Easements**

Location and dimensions of all easements shall be placed on the Final Plat. Any private easements shall be identified as "private easements" and purposes denoted, such as "No Build Easement", "Utility Easement", "Access Easement", etc.

**k. Excepted Parcel(s)**

All excepted parcel(s) within the plat boundary, accurately described by bearings and distances, and indicated as "not a part". Proper streets and alley dedications adjacent to any proposed tracts or exempted parcels shall be provided by the subdivider by inclusion within the plat or by separate dedications noted on the plat.

**l. Format**

The plat and Mylar shall be drawn to a scale of 200 feet to one inch or to another scale as may be specified by the Community Development Director. Each drawing shall measure 24 inches by 36 inches. When necessary the plat may be on several sheets accompanied by an index sheet showing the entire subdivision.

**m. Legal description**

A legal description and surveyor's or engineer's certificate similar to the one which follows shall be placed on the Final Plat:

**Article 9 / Administration and Procedures**

KNOW ALL MEN BY THESE PRESENTS:

That I, \_\_\_\_\_, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my supervision. The subdivision boundary accurately closes, and is designed in conformance with the City's regulations and survey datum approved Preliminary Plat.

\_\_\_\_\_  
Signature

**n. Lot and Block Numbers**

Number to identify each lot or site and each block, and the dimensions of lots and blocks, shall be placed on the Final Plat.

**o. Monuments**

Location and description of monuments shall be placed on the Final Plat.

**p. Plat Identification**

A positive reference and identification of the plat and date of plat shall be placed on the Final Plat.

**q. Purpose of Sites**

The purpose for which sites (land use), other than residential lots, are dedicated or reserved shall be indicated on the Final Plat.

**r. Streets**

Name and right-of-way width of each street or other right-of-way shall be placed on the Final Plat.

**s. Streets and Intersections**

The location of the point of intersection and points of tangency of street intersections, and the bearing and distance of each street right-of-way centerline shall be placed on the Final Plat.

**t. Tax Certificates**

Tax certificates indicating that all taxes on the land being subdivided have been paid to the current year shall be submitted with the Final Plat.

**u. Title; Scale**

A title, scale, north point, and date of plat preparation shall be placed on the Final Plat.

**v. Water Supply**

A statement shall be included on the Final Plat that a Certificate of Assured Water Supply in accordance with the requirements of Sec. 7.4.8E, has been submitted with the Final Plat, or that the City of Prescott has entered into a Water Service Agreement with the subdivider to provide an Assured Water Supply.

**w. Yards**

If processed as a Planned Area Development, the plat shall indicate approved setbacks, drawn either on each lot or as typical(s).

**2. Final Plat Review Procedures**

**a. Date of Filing**

- 1) The Final Plat as described in subsection 9.10.9.B.1 shall be submitted to the Community Development Director. The related construction civil plans plat shall be submitted to the Community Development Departments for concurrent review. The Final Plat shall be considered officially filed only after it is examined and found to be in compliance with the general provisions of these regulations by the Community Development Director.
- 2) The Final Plat will not be considered unless a Preliminary Plat has first been approved or a waiver has been granted by City Council.

**b. Review by Community Development Director**

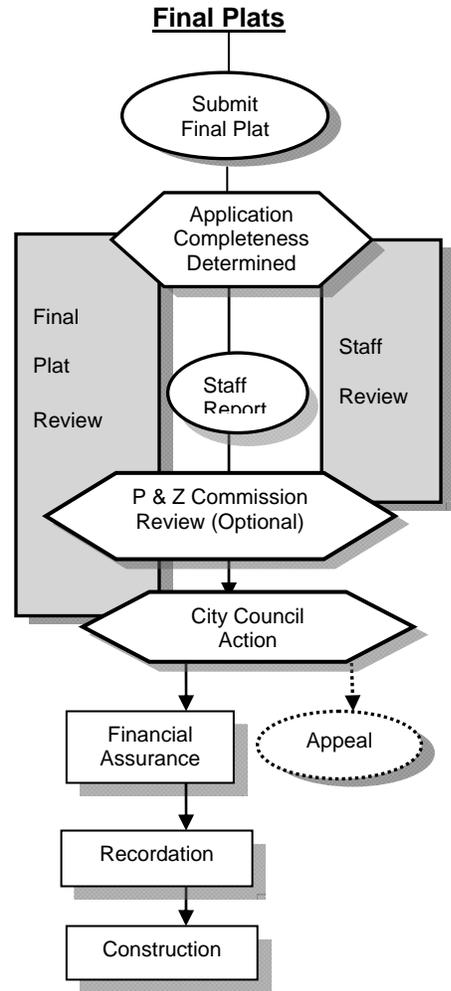
The Community Development Director shall review the Final Plat application for compliance with the provisions of this Code, the conditions or modifications required by Preliminary Plat approval, and shall then prepare a summary report. Scheduling the report and review by the Planning and Zoning Commission or the City Council shall occur only after the full multi-department compliance review is complete.

**c. Review by Planning and Zoning Commission (Optional)**

The Director may elect to refer a Final Plat to the Planning and Zoning Commission for recommendation where there are concerns regarding consistency of a Final Plat with the approved Preliminary Plat or other relevant matters.

**d. City Council Action**

The City Council shall review the application (Refer to Sec. 9.19.1B) in a public meeting and vote to approve, approve with conditions, or deny the plat application.



**9.10.10 / Electronic Submission – Survey Datum Requirements**

All plats and improvement plans shall be prepared and submitted in digital format compatible with the City's geographic information system, prior to recordation of the Final Plat, as follows:

COORDINATE UNITS: International Feet  
 DISTANCE UNITS: International Feet  
 HEIGHT UNITS: International Feet  
 VERTICAL DATUM: NAVD 88

State Plane  
 COORDINATE SYSTEM: US State Plane 1983  
 DATUM: (WGS 84)  
 ZONE: Arizona Central 0202  
 GEOID MODEL: GEOID99 (Conus)

**Article 9 / Administration and Procedures**

City of Prescott – Conversion from State Plane

NORTHING: (State Plane x 1.000329975) – 701,456.0090  
EASTING: (State Plane x 1.000329975) + 69,457.2499

State Plane – Conversion from City of Prescott

NORTHING: (City of Prescott + 701,456.0090) x 0.999670134  
EASTING: (City of Prescott – 69,457.2499) x 0.999670134

EXAMPLE COP MINGO BASE

LATITUDE: 34°34'29.27969" N  
LONGITUDE: 112°28'48.72638" W  
HEIGHT: 5582.412'

STATE PLANE COORDINATES COP GRID

NORTHING: 1,301,026.703 600,000.0000  
EASTING: 530,367.742 600,000.0000  
ELEVATION: 5,673.955'

Control provided by the City of Prescott will be in both State Plane and the City of Prescott coordinate systems.

**INTERNATIONAL FEET & U.S. FEET CONVERSIONS**

U.S. Feet to International Feet  
U.S. Feet x 1.00000200

International Feet to U.S. Feet  
International feet x 0.99999800

When converting elevations, the difference is negligible: 0.011  
For example: 5673.955 International Feet = 5673.944 U.S. Feet

However, when converting State Plane, the difference is unacceptable:

Northing: 1,301,026.703 International Feet = 1,301,024.101 U.S. Feet

Easting: 530,367.742 International Feet = 530,366.681 U.S. Feet

The difference in coordinates is 2.602 feet in the northing and 1.061 feet in the easting, that is a locational difference of 2.810 feet.

Questions concerning these requirements may be directed to: City of Prescott, Engineering Services Department.

**9.10.11 / Construction of Improvements**

After approval and prior to recordation of the Final Plat:

- A. The subdivider shall file financial assurances as required by Sec. 7.6.1, in which case the guarantee of performance shall be filed with the City Clerk. The Construction Documents must be duly signed by both the City Engineering and City Utility Engineer before proceeding with grading, drainage or the construction of streets and utilities. The City will inspect the construction work as it progresses and will make the final inspection to assure compliance with City requirements. The Design Engineer shall also make sufficient inspections to certify that the subdivision is constructed per approved plans.
- B. Upon certification by the design engineer that the subdivision is constructed to the approved plan, and City approval of construction, in accordance with Sec. 7.6, Subdivision Improvements Guarantees, the subdivider shall guarantee a 2-year warranty of workmanship and materials as provided in Sec. 7.6.2, Release of Financial Assurances.

**9.10.12 / Recordation**

If favorable action has been taken by the City Council, all other applicable requirements have been met, and the recording fees have been paid, the Final Plat becomes the instrument to be recorded in the County Recorder's Office by the City Clerk. Three Mylar copies of the approved Final Plat shall be provided to the City Clerk for signature(s). Furthermore, the owner or subdivider shall submit three (3) Mylar copies of the required improvement construction drawings (Construction Documents). The Construction Documents when duly signed by both the City Engineering and the City Utilities Engineer are authority to proceed with the construction of required improvements. Nothing in the procedure authorizes construction other than as specifically detailed on the approved construction plans.

**9.10.13 / Waivers**

The City Council may approve, approve with conditions, or disapprove waivers of the standards in Sec. 7.4, Subdivision Design Standards, or to the procedural requirements of Sec. 9.10, Subdivision and Land Split Review, when it is demonstrated to be appropriate for a project's viability, to not to detract from the public good, and to be consistent with the Sec. 1.5, Purpose and Intent, of these regulations.

**9.10.14 / Appeals**

**A. Subdivision Plat or Revision of Plat**

An appeal from any final decision regarding a final subdivision plat or a plat amendment shall be filed with a court of competent jurisdiction within 30 days of the decision. If no appeal is filed in writing within 30 calendar days from the date of final City action, the decision shall be considered final.

**B. Land Split or Replat**

An appeal from any final administrative decision regarding a land split or a replat shall be submitted in writing to the Board of Adjustment by the Community Development Director or his designee within 30 calendar days of the decision.

**Sec. 9.11 / Temporary Use Permits**

**9.11.1 / Applicability**

The temporary use for which the permit is requested must be specifically authorized as a temporary use in the zoning district in which the use is to be located.

**A. Application Submittal**

Applications for a temporary use permit, accompanied by the required fee, shall be submitted to the Community Development Director. The application shall contain sufficient information to demonstrate compliance with temporary use conditions in accordance with Sec. 2.6, Temporary Uses.

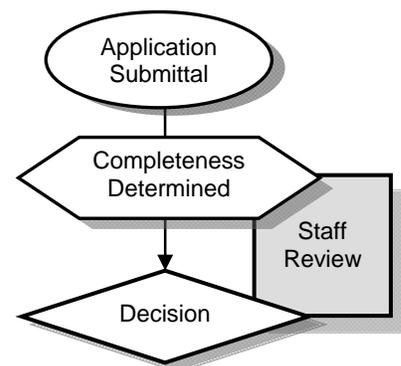
**B. Community Development Director Action**

The Director shall review the application to ensure compliance with all applicable code requirements and approve, approve with conditions, or deny the application.

**9.11.2 / Time Limit**

A time limit for the discontinuance of the temporary use shall be specified on the temporary use permit. An extension may be granted by the Community Development Director subject to a review of the permit application and any conditions placed upon said permit.

**Temporary Use Permit**



## Sec. 9.12 / Text Amendments

### 9.12.1 / Applicability

This Code provides zoning, subdivision and other relevant development regulations for all properties within the incorporated area. To initiate a change to the text of the land development regulations, an application for a text amendment must be filed with the City. All applications for text amendments are subject to the standards of this section.

### 9.12.2 / Initiation of Amendments

An amendment to the text of this Code may be initiated by:

- A. City Council on its own motion;
- B. The Planning and Zoning Commission;
- C. The Community Development Director; or
- D. An application filed by an individual or group.

### 9.12.3 / Text Amendment Application Process

#### A. Pre-application Meeting

Prior to the submission of an application for a text amendment, all applicants are encouraged to request a meeting with the Community Development Director, as set forth in Sec. 9.1.2, Pre-application Meeting. The purpose of the meeting is to respond to any questions that the applicant or the City may have regarding the application.

#### B. Application Submittal

A complete application for a text amendment shall be submitted to the Community Development Director as required by Sec. 9.1.3, Application Forms and Fees.

#### C. Public Notification

Upon receipt of a complete application, public notices shall be issued in accordance with Sec. 9.1.7, Public Notice. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Sec. 9.1.10, Additional Notice.

#### D. Review Community Development Director

Upon receipt of a complete application, the Community Development Director shall review the proposed text amendment for consistency with the goals and objectives of the Prescott General Plan, and prepare a report for presentation to the Planning and Zoning Commission.

#### E. Review by Planning and Zoning Commission

The Planning and Zoning Commission shall review the application in a public hearing, and recommend approval, approval with modifications, or denial of the subject application.

#### F. City Council Action

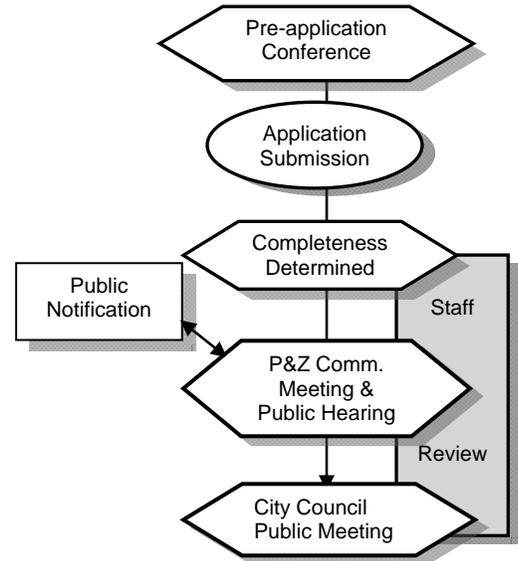
The City Council shall review the application in a public meeting and public hearing, and approve, approve with modifications, or deny the application.

### 9.12.4 / Issues for Consideration

In determining whether to approve, approve with modifications, or deny proposed text amendments, issues for consideration shall include but not be limited to:

- A. Consistency (or lack thereof) with the Prescott General Plan, and other adopted Plans;
- B. The purpose and intent of this Code as listed in Sec. 1.5.

### Text Amendments



**Sec. 9.13 / Variances**

**9.13.1 / Purpose**

The Board of Adjustment shall have jurisdiction to hear requests for a Variance from the terms of this Code as outlined in Sec. 8.4, Board of Adjustment, and ARS 9-462.06(G)(2) and (H)(2). The Board of Adjustment shall be authorized to grant a Variance from the terms hereof if the Board finds that the strict enforcement of this Code would create a substantial hardship to the applicant by virtue of unique special conditions not generally found within the vicinity, that the granting of the Variance would preserve the spirit and intent of the Ordinance, would serve the general interests of the public and the applicant, would preserve public health, and safety; and welfare may be secured, and substantial justice done.

**9.13.2 / Applicability**

All sections of this Code are considered binding unless relief is granted through the following processes:

**A. Administrative Adjustments**

A Variance request up to 10 percent of height, bulk, setback and other site-related standards may be treated as an administrative adjustment subject to the requirements of Sec. 9.16, Administrative Adjustments.

**B. Variances**

All other requests for Variance are subject to review and approval by the Board of Adjustment. All Variance applications are subject to the standards of this section.

**C. Council Approvals**

Modifications to the otherwise required development standards through City Council actions on a Planned Area Development, a subdivision waiver, or a Special Use Permit.

**9.13.3 / Variance Application Process**

**A. Pre-application Meeting**

Prior to the submission of an application for a Variance, all potential applicants are required to attend a pre-application meeting. The purpose of the meeting is to respond to any questions that the applicant or the City may have regarding the application.

**B. Application Submittal**

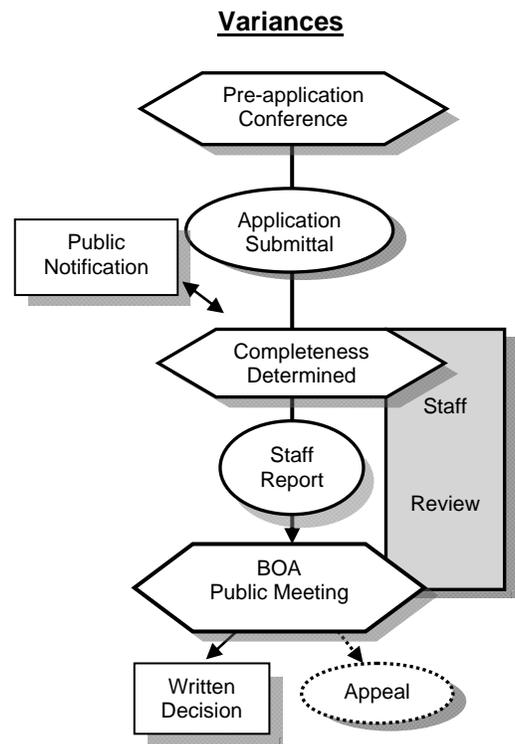
A complete application for a Variance shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, Application Forms and Fees and Sec. 9.1.5. Application Completeness.

**C. Public Notification**

Upon receipt of a complete application, public notices shall be issued in accordance with Sec. 9.1.7, Public Notice. Additional notice may also be provided to parties having specific interest in the application in accordance with the provisions of Sec. 9.1.10, Additional Notice.

**D. Review by Community Development Director**

Upon receipt of a complete application, the Community Development Director shall review the proposed Variance for compliance with criteria enumerated in Sec. 9.13.4. The Director shall then prepare a report for presentation to the Board of Adjustment and schedule a public meeting.



## Article 9 / Administration and Procedures

### E. Board of Adjustment Action

The Board of Adjustment shall review the application in a public hearing and vote to approve, approve with conditions, or deny the Variance.

### F. Written Decision

The decision to approve or approve with conditions, or deny shall be communicated in writing to the applicant within 15 days from the decision.

### 9.13.4 / Variance Criteria

The Board of Adjustment shall take into account the proposed use of the land involved, the surrounding land uses, and the possibility that a nuisance will be created. In addition, any probable effect of such Variance upon traffic conditions and upon public health, convenience, and welfare of the vicinity shall be considered.

#### A. Criteria

The Board of Adjustment shall consider the following specific criteria:

##### 1. Extraordinary Conditions

There are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of the reasonable use of his land. For example, a Variance may be justified because of topography, or size, shape, intrusive off-site impacts, or other special conditions unique to the property and development involved.

##### 2. Substantial Detriment

Granting of the Variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

##### 3. Special Privileges

Granting of a Variance shall be subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

##### 4. Self-Induced Hardship

The hardship is not the result of the applicant's own actions.

##### 5. General Plan

Granting of the Variance would be in substantial compliance with the General Plan or other relevant area plans or neighborhood plans.

##### 6. Utilization

Because of special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

#### B. Profitability or Financial Hardship Not to Be Considered

Financial hardship, personal preference of the owner, or the fact that property may be utilized more profitably if the requested Variance is granted shall not be considered grounds for a Variance.

#### C. Conditions

The Board of Adjustment may prescribe conditions to mitigate impacts to the public or neighborhood.

#### D. Approval Limitations

The Board of Adjustment may not:

1. Make any changes in the uses or densities permitted in any zoning classification or zoning district, or make any changes in the terms of the zoning ordinance provided the restriction in this paragraph shall not affect the authority to Grant Variances pursuant to this section;
2. Grant a Variance if the special circumstances applicable to the property are self-imposed by the property owner.

**9.13.5 / Expiration/Revocation of Approval**

- A. Variances are approved from the date of Board of Adjustment action or as may be otherwise specified. If construction of the project has not been completed within the first 12 months thereafter, the Board of Adjustment may grant an extension for its next review for completeness of the Variance. Notice that the Variance may expire within 12 months shall be conveyed to the applicant in writing as part of notification of approval of the Permit.
- B. The Board of Adjustment may extend the Variance for a specified period upon written request from the applicant, which such request must be received before the date of expiration.
- C. The Board of Adjustment may revoke a Variance in the event of a subsequent failure by the property owner or person in possession to comply with an on-going condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec. 9.1.8A.

**9.13.6 / Appeal**

An appeal from any final decision regarding a Variance shall be filed with a court of competent jurisdiction within 30 days of the decision per Sec. 9.18, Appeals of Council or Board of Adjustment Decisions. If no appeal is filed within 30 days, the decision shall be considered final.

**Sec. 9.14 / Written Interpretations**

**9.14.1 / Authority**

The Community Development Director shall have authority to make written interpretations of this Code.

**9.14.2 / Request for Interpretation**

A written request for interpretation shall be submitted to the Community Development Director.

**9.14.3 / Interpretation by Community Development Director**

- A. The Community Development Director shall take the following steps within 15 working days of receipt of a written request for interpretation:
  1. Review and evaluate the request in light of the text of this Code, the Official Zoning Map, the General Plan, and any other relevant information;
  2. Consult with the Planning and Zoning Commission, as necessary and at the option of the Community Development Director;
  3. Consult with other staff, as necessary; and
  4. Render an opinion.

**B. Written Decision**

The interpretation shall be communicated in writing to the applicant within 15 days from the decision.

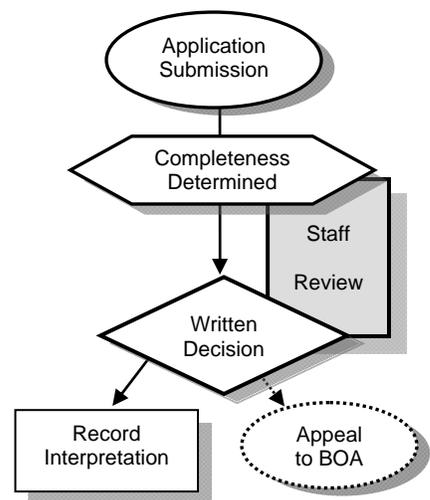
**C. Official Record**

The Community Development Director shall maintain an official record of interpretations, which shall be available for public inspection during normal business hours.

**D. Appeals**

Appeals of written interpretations shall be made to the Board of Adjustment within 30 days of the interpretation decision in accordance with the procedures in Sec. 9.17, Appeals of Administrative Decisions.

**Written Interpretation**



**Sec. 9.15 / Zoning Map Amendment (Rezoning)**

**9.15.1 / Applicability**

The Official Zoning Map of the City of Prescott provides zoning classifications for all properties within the incorporated area. For a property owner to initiate a change in the zoning classification of any property, an application for an amendment to the zoning map (a rezoning) must be filed with the City.

**9.15.2 / Initiation of Rezoning**

An application for an amendment to the Official Zoning Map may be initiated by:

- A. City Council on its own motion;
- B. Planning and Zoning Commission;
- C. Community Development Director; or
- D. The owner of the subject property.

**9.15.3 / Rezoning Application Process**

**A. Pre-application Meeting**

Prior to the submission of an application for a zoning map amendment, all potential private party applicants or agents shall attend a pre-application meeting as set forth in Sec. 9.1.2, Pre-application Meeting. The purpose of the meeting is to acquaint the applicant with applicable procedures, standards and plans, and to respond to any questions that the applicant or the City may have regarding the application.

**B. Application Submittal**

A complete application for a zoning map amendment shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, Application Forms and Fees and Sec 9.1.5, Application Completeness.

**C. Public Notification**

Upon receipt of a complete application, public notices shall be issued in accordance with Sec. 9.1.7, Public Notice. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Sec. 9.1.10, Additional Notice. In addition, a public hearing before the City Council may also be required as specified in ARS 9-462.04.

**D. Area / Neighborhood Meeting**

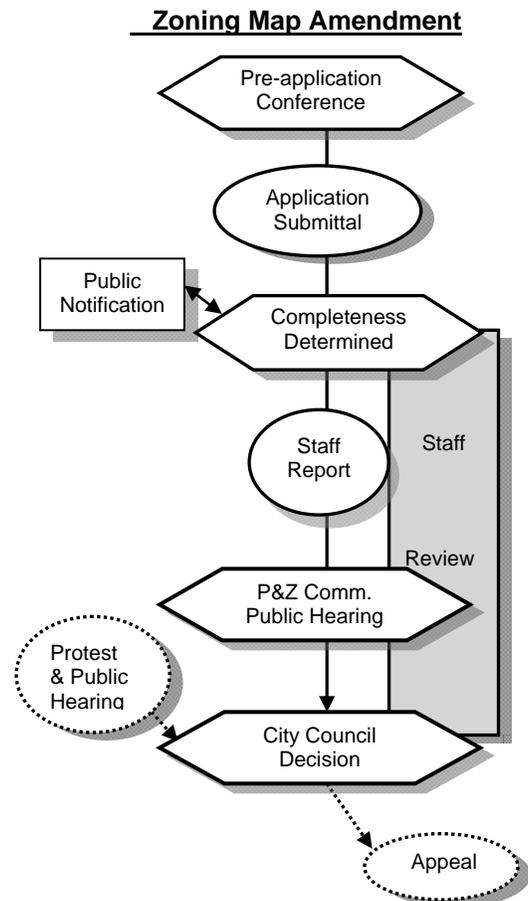
At the discretion of the Community Development Director, a area / neighborhood meeting may be scheduled and held prior to the Planning and Zoning Commission public hearing.

**E. Review by Community Development Director**

Upon receipt of a complete application, the Community Development Director shall review the proposed amendment and prepare a staff report.

**F. Review by Planning and Zoning Commission**

The Planning and Zoning Commission shall review the application in a public hearing and recommend approval, approval with modifications, or denial of the subject application.



**G. City Council Action**

The City Council shall review the application in a public hearing, if required, and may vote to approve, approve with modifications, or deny the application and rezoning ordinance. An approved rezoning ordinance may be “conditional” upon a specific site plan and may contain a reversionary zoning condition and such other conditions as may be appropriate. Failure by the City Council to act on a rezoning matter within 60 days of initial consideration shall be deemed a denial.

**H. Written Decision**

The decision to approve or approve with conditions, or deny shall be communicated in writing to the applicant within 15 days from the decision.

**9.15.4 / Protest of Proposed Amendment**

In the event a protest against the proposed amendment is made that meets the conditions of Arizona Revised Statutes, Sec. 9-462.04(H), a public hearing shall be scheduled before the City Council. In the event such hearing is held, the amendment shall not become effective except by the favorable vote of ¾ of the City Council.

**9.15.5 / Issues for Consideration**

In determining whether to approve, approve with modifications, or deny proposed Official Zoning Map amendments, issues for consideration shall include but not be limited to:

- A. Consistency (or lack thereof) with the Prescott General Plan, and other adopted Plans;
- B. Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood;
- C. Suitability of the subject property for uses permitted by the proposed zoning district;
- D. Suitability of the subject property for uses permitted by the existing district; and
- E. Availability of sewer, water and stormwater facilities.

**9.15.6 / Limitation on Reapplication**

In the event of a denial by the City Council, another petition for reclassification of the same property or any portion thereof shall not be filed within a period of 180 days from the date of final denial, unless the Applicant demonstrates:

- A. A substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might reasonably affect the decision-making body’s application of the relevant review standards to the development proposed in the application; or
- B. A new application is proposed to be submitted that is materially different (e.g., proposes new uses, or a substantial decrease in proposed densities and intensities) from the prior application; or
- C. The final decision on the application was based on a material mistake of fact; or
- D. The foregoing limitations shall not limit the City Council from reconsidering the application on its own initiative.

**Sec. 9.16 / Administrative Adjustments**

**9.16.1 / Purpose**

Administrative adjustments are intended to provide flexibility with respect to the numerical standards of this LDC and the General Development Standards of Article 6 where development is proposed that would be:

- A. Compatible with surrounding land uses;
- B. Harmonious with the public interest; and
- C. Consistent with the purposes of this Code.

**9.16.2 / Applicability**

## Article 9 / Administration and Procedures

Pursuant to the requirements of this Section, the Community Development Director may authorize adjustment of:

- A. Up to 10 percent from any numerical standard related to height, bulk, setback or lot coverage; and
- B. Outdoor Lighting Standards of Sec. 6.11.

Any numerical adjustment request greater than 10 percent shall be treated as a Variance handled by the Board of Adjustment pursuant to the requirements of Sec. 9.13, Variances. Outdoor lighting standards adjustments that do not meet or exceed the applicable standard in the opinion of the Community Development Director shall be treated as a Variance handled by the Board of Adjustment pursuant to the requirements of Sec. 9.13, Variances.

### Commentary:

Most numerical standards are summarized in the **Sec. 2.7**, Density and Dimensional Standards. However, other eligible numerical standards are found throughout the LDC.

### 9.16.3 / Administrative Adjustment Application Process

#### A. Application Submittal

A complete application for an administrative adjustment shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, Applications Forms and Fees, and Sec. 9.1.5, Application Completeness.

#### B. Public Notification

Upon receipt of a complete application, at a minimum, public notices shall be mailed to adjacent property owners with the Community Development Director's discretion to notice farther when warranted. Additional notice may also be provided to parties having specific interest in the matter in accordance with the provisions of Sec. 9.1.10, Additional Notice.

#### C. Community Development Director Action

The Community Development Director shall approve, approve with conditions or deny the application. A written notification of the decision shall be mailed, or otherwise provided, to the applicant.

#### D. Written Decision

The decision to approve or approve with conditions, or deny shall be communicated in writing to the applicant within 15 days from the decision.

### 9.16.4 / Administrative Adjustment Criteria

To approve an application for an administrative adjustment, the Community Development Director shall consider the following criteria:

- A. Granting the adjustment will ensure the same general level of land use compatibility as the otherwise applicable standards;
- B. Granting the adjustment will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate buffering, screening, setbacks and other land use considerations;
- C. Granting the adjustment will be generally consistent with the purposes and intent of this Code; and
- D. Granting the adjustment will be based on the physical constraints and land use specifics, rather than on economic hardship of the applicant.

### 9.16.5 / Referral to the Board of Adjustment

In the event that the Community Development Director denies the administrative adjustment, the applicant may seek a Variance from the Board of Adjustment in accordance with the provisions of Sec. 9.13, Variances.

## Sec. 9.17 / Appeals of Administrative Decisions

### 9.17.1 / Applicability

Any person aggrieved with the final administrative decision(s) of the Community Development Director (including written interpretations pursuant to Sec. 9.14) may appeal to the Board of Adjustment.

### 9.17.2 / Effect of Appeal

The filing of an appeal stays all legal proceedings in the matter appealed from, unless the officer from whom the appeal is taken certifies to the City Attorney that by reason of facts stated a stay would cause imminent peril to life and property. In such case, proceedings shall not be stayed except by an order of a Court of record.

### 9.17.3 / Appeal Process

#### A. Deadline for Submission of Application

An appeal from any final decision of the Community Development Director shall be filed in writing with the Director within 30 calendar days of the decision. If no appeal is filed within 30 days, the decision shall be considered final.

#### B. Application Submittal

A complete application for an administrative appeal shall be submitted to the Community Development Director as set forth in Sec. 9.1.3, Application Forms and Fees and Sec. 9.1.5. Application Completeness.

#### C. Public Notification

Upon receipt of a complete application, Public Notices shall be issued in accordance with the requirements of Sec. 9.1.7, Public Notice. Additional notice may also be provided to parties having specific interest in the appeal in accordance with the provisions of Sec. 9.1.10, Additional Notice.

#### D. Record of Administrative Decision

Immediately following receipt of an appeal application, the Community Development Director shall forthwith transmit to the Board of Adjustment all the papers constituting the record of the action appealed.

#### E. Board of Adjustment Action

##### 1. Public Hearing

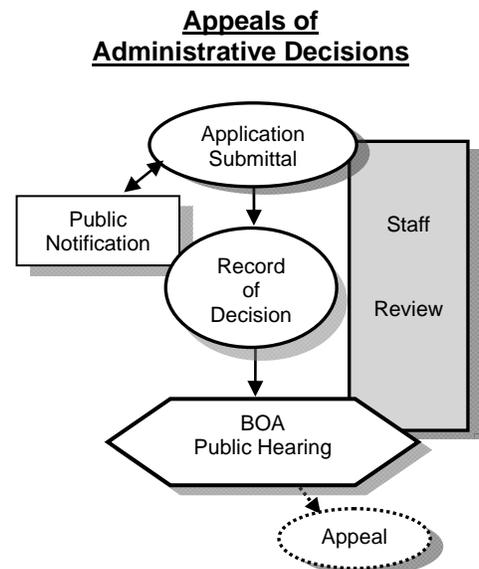
The Board of Adjustment shall hear the appeal in a public hearing within 60 days of the date of the appeal application or such extension as requested by the applicant. During the public hearing, any party may appear in person or by agent or by attorney. The Board of Adjustment's consideration is limited to the specific interpretation of the Community Development Director.

##### 2. Final Action

After the hearing, the Board shall vote to reverse, affirm wholly or partly, or modify the appealed interpretation. The Board may then provide direction for the appropriate action on the final interpretation. In any case, the Board shall only present findings regarding specific errors made in the Community Development Director's interpretation or permit issuance.

#### F. Written Decision

The decision shall be communicated in writing to the applicant within 15 days from the decision.



## **Sec. 9.18/ Appeal of Council or Board of Adjustment Decision**

### **9.18.1 / Appeal**

An appeal from any final decision regarding a City Council or Board of Adjustment action (e.g., Variances, Conditional Use Permits, Special Use Permits, Text Amendments, Appeals of Administrative Interpretations, Subdivisions) shall be filed with a court of competent jurisdiction within 30 days of the decision. If no appeal is filed in writing within 30 days, the decision shall be considered final.

## **Sec. 9.19/ Protected Development Rights Plan**

### **9.19.1 / Development Plan**

A protected development right shall be granted by the City Council only by means of an adopted development agreement based upon an approved Development Plan. Such a Development Plan may be either for a non-phased or a phased development per ARS 9-1204, and may be subject to terms and conditions.

#### **A. Non-phased Development Plans**

Non-phased Development Plans, approved by the City Council via a development agreement, shall provide the final site development approval needed for issuance of a building permit.

#### **B. Phased Development**

For a phased development, a site plan or a master plan attached to and incorporated in an adopted development agreement may be considered and approved by the City Council as a Protected Development Right Plan. A qualifying site plan shall generally meet the Site Plan Review Criteria of Sec. 9.8.5, in addition to specifying phasing details. A qualifying master plan shall indicate the type, density, and intensity of uses for each development parcel within the phased project. Significant topographical and other natural features; drainage, traffic, infrastructure studies; and other details shall also be provided as may be required. A more detailed plan may be required for each phase of the phased development in order to obtain final site development approval to develop the property. An approved final subdivision plat shall be considered a Protected Development Right.

### **9.19.2 / Effective Date of Protected Development Right**

A protected development right shall be deemed established with respect to a property on the effective date of the approval of the Protected Development Right Plan.

### **9.19.3 / Duration of Protected Development Right**

The duration of the protected development right shall be set forth in the development agreement that identifies a Protected Development Right Plan but shall not exceed 3 years for a non-phased development and 5 years for a phased development. A single discretionary 2 year extension by the City Council is permitted in either event, as provided in Arizona Revised Statutes (ARS) § 9-1203. A designated Development Right Plan shall expire upon termination of the protected development right.

### **9.19.4 / Notation of Protected Development Right on Plan**

The period of time a property has a protected development right shall be noted on the Protected Development Right Plan.

### **9.19.5 / Approval Process**

#### **A. Concurrent Approval**

If the requested Protected Development Right Plan is a subdivision plat or a development plan of a type that requires approval by the Mayor and Council, a development agreement conferring a protected development right may be presented to the Mayor and Council concurrently with the subdivision plat or development approval.

**B. Prior Separate Approval**

A development agreement authorizing a protected development right may be presented to the Mayor and Council at any time before final approval of a development plan that does not require approval by the Mayor and Council or a subdivision plat or development plan that has not yet been completed. The development agreement shall sufficiently identify the project for which a protected development right is being authorized, and the protected development right shall not be effective until the subdivision plat or development plan is approved.



**Article 10/ Nonconformities**

**Sec. 10.1 / General**

Except as specified in this Article, any legal use, building, structure or sign existing at the time of enactment of this Code or classification amendment applicable to its use, may be continued even though such use, building, structure or sign may not conform with the provisions of this Code for the district in which it is located; provided, however, that this Article shall not apply to any use, building or structure that was unlawful when established.

**10.1.1 / Non-conforming status**

The use of land, use of a structure, or a structure itself; including but not limited to substandard parcels, or structures not complying with applicable dimensional standards, shall be deemed to have nonconforming status when each of the following conditions are satisfied:

- A. The use or structure does not conform to the regulations prescribed in the district in which such use or structure is located and was in existence and lawfully constructed, located and operating prior to, and at the time of the event that made such use or structure nonconforming.
- B. The event that made such use, structure, lot or parcel nonconforming was one of the following: annexation by the City of Prescott, adoption of this Code or a previous Zoning Ordinance, acquisition of land by the City for public purposes, amendment of this Land Development Code, or by Court Order.
- C. The nonconforming use or the use occupying the nonconforming structure has been operating since the time that the use or structure first became nonconforming without abandonment, as abandonment is defined in Sec. 10.2.6., Cessation of a Nonconforming Use.

**10.1.2 / Burden of Proof**

The burden of establishing that a nonconforming use or structure lawfully exists under this Code, in all cases, shall be the owner's and not that of the City of Prescott.

**Commentary:**

Nonconforming status is exclusively reserved for "legal" uses and structures, that is, where a use or structure does not comply with current city regulations as follows: (1) because the regulations have changed or because the property has been rezoned since the time that the use began, and (2) the use was lawful when installed and has continued to be lawful to the present. Uses satisfying these conditions are said to be "nonconforming" and may continue in perpetuity subject to the limitations of this Article 10.

The burden of proof is always the property owners, rather than that of the City or the City Staff, to prove that these conditions are met.

Where reasonable doubt regarding nonconforming status exists, the Staff should require the property owner to submit evidence that the use was lawfully installed. Examples of evidence that might be useful in this regard include but are not limited to: copies of dated and approved building permits, utility connection receipts, construction labor and materials receipts, property tax assessments or receipts, and historically datable photographs, etc.

## Sec. 10.2 / Nonconforming Uses

### 10.2.1 / Continuance and Expansion

An existing use that is not in compliance with this Code or subsequent amendment applicable to the use shall not be enlarged, extended, or substituted unless the use is brought into compliance with this Code. However, reasonable repairs and alterations are permissible in accordance with the provisions of Sec. 10.3.2. A non-conforming use may be extended through the same pre-existing building, provided no structural alteration of the building is proposed or made for the purpose of the extension.

### 10.2.2 / Conditional Use

A use existing on the effective date of this Code, or subsequent amendment applicable to its use, which would only be permitted as a conditional use, shall be deemed to have a Conditional Use Permit. Any change or expansion of such use shall require a new Conditional Use Permit pursuant to Sec. 9.3.

### 10.2.3 / Special Use

A use existing on the effective date of this Code, or subsequent amendment applicable to its use, which would only be permitted as a special use, shall be deemed to have a Special Use Permit. Any change or expansion of such use shall require a new Special Use Permit pursuant to Sec. 9.9.

### 10.2.4 / Change of Use

- A. Any nonconforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a nonconforming use.
- B. Where a conforming use is located in a nonconforming structure, the use may be changed to another conforming use by securing a Certificate of Occupancy.

### 10.2.5 / Destruction or Demolition

Any nonconforming structure or a conforming structure containing a nonconforming use (see Sec. 10.3.3) damaged or destroyed by casualty or act of God, may be restored without impairment to any nonconforming status, provided:

- A. A building permit for the restoration is obtained within twelve (12) months from the time of the calamity; and completion for occupancy is accomplished within 24 months from the time of the calamity.
- B. The size and function of the nonconforming use shall not be expanded.

### 10.2.6 / Cessation of a Nonconforming Use

- A. Whenever a nonconforming use has been discontinued and changed to a conforming use, or whenever a nonconforming use has been discontinued for more than 12 months attributable, at least in part, to the property owner or occupant, a presumption of intent to cease said use shall have been established and the right to continue the former nonconforming use shall no longer exist. Subsequent operation as a nonconforming use shall be unlawful, unless within 30 days following written notice from the City to the property owner of the pending loss of the nonconforming status, the property owner shows the Community Development Director proof that he did not intend to abandon the use.
- B. Upon determination by the Community Development Director of cessation of a nonconforming use, the property owner shall have 30 calendar days from the date of cessation determination to submit a written appeal to the Board of Adjustment.

## Sec. 10.3 / Nonconforming Structures

### 10.3.1 / Continuance

An existing structure that is not in compliance with this Code or subsequent amendment applicable to the structure shall not be enlarged, extended, or substituted, except in full compliance with this Code.

### 10.3.2 / Ordinary Repair and Maintenance

Normal maintenance and incidental repair may be performed on a conforming structure that contains a nonconforming use or on a nonconforming structure. This Section shall not be construed to prevent the strengthening or restoration of a nonconforming structure.

### 10.3.3 / Destruction or Demolition

Any nonconforming structure or a conforming structure containing a nonconforming use, when damaged or destroyed by casualty or act of God, may be restored without impairment to any nonconforming status, provided:

- A. A building permit for restoration is obtained within twelve (12) months from the time of the calamity; and completion for occupancy is accomplished within 24 months from the time of the calamity.
- B. The size of the nonconforming structure shall not be expanded.

## Sec. 10.4 / Nonconforming Lots of Record

### 10.4.1 / Authority to Utilize for Single-Family Residence

A single-family dwelling and customary accessory buildings may be developed, on a qualified lot of record, that has less area than the minimum required by the subject zone district pursuant to Sec. 7.3, Building Lots. The proposed single-family dwelling shall be located on the lot so that the yard, height, and other dimensional standards of the underlying zoning district can be met, or a Variance is obtained from the Board of Adjustment pursuant to Sec. 9.13, Variances. The dwelling shall be placed on the lot so as to provide a yard on each side of the dwelling.

### 10.4.2 / Other Uses of Nonconforming Lots: Site Plan Required

In any district in which single-family dwellings are not permitted, a legal nonconforming lot of record, which meets the requirements of Sec. 10.4.1, may be used for any use permitted in the district in which it is located if, but only if, a site plan for such use has been approved in accordance with the provisions of Sec. 9.8, Site Plan Review.

## Sec. 10.5 / Nonconforming Signs

### 10.5.1 / Continuation Allowed

A lawfully nonconforming sign may continue except as otherwise provided in or authorized by this Section. A change in the information on the face of an existing nonconforming sign is allowed if the change does not increase the area of the sign face. However, any nonconforming sign shall either be eliminated or made to conform to the requirements of Sec. 6.12, Signs, when any substantial alteration to the sign or structure is performed, other than change of text or sign panels, routine maintenance or repair.

### 10.5.2 / Alteration, Expansion, Moving

Signs may be temporarily removed for maintenance or sign face change if re-erected within 20 days, provided that no nonconforming sign shall be:

- A. Changed or altered in any manner which would increase the degree of its nonconformity;
- B. Expanded;
- C. Altered by replacement of structural supports; or

## Article 10 / Nonconformities

- D. Moved in whole or in part to any other location where it would remain, or continue to be, nonconforming.

### 10.5.3 / Cessation of Nonconforming Sign

- A. Whenever a nonconforming sign has been discontinued for more than 12 months, a presumption of intent to cease said sign shall have been established and the right to continue the former nonconforming sign shall no longer exist, unless following 30 days following written notice from the City to the property owner of the pending loss of the nonconforming status, the property owner shows the Community Development Director proof that he did not intend to abandon the sign. If the Community Development Director determines that the subject structure lost its nonconforming status, subsequent use as a nonconforming sign shall be unlawful and the sign shall be promptly removed.
- B. Upon determination by the Community Development Director of cessation of a nonconforming sign, the property owner shall have 30 calendar days from the date of cessation determination to submit a written appeal to the Board of Adjustment.

### 10.5.4 / Nonconforming Downtown Business (DTB) District Signs

The list of nonconforming DTB district signs is found in Sec. 4.9.4G, Grandfathered Signs in Downtown Area.

## Sec. 10.6 / Elimination of Nonconforming Status

The owner of a nonconforming use, structure or sign may employ the following mechanisms in an attempt to eliminate the nonconformity:

### 10.6.1 / Nonconforming Uses

- A. Replace the existing use with a conforming use;
- B. Rezone to a district where the use is permitted; or
- C. Apply for a Conditional Use Permit or Special Use Permit, provided the use is listed as a conditional or special use in the Use Table of Sec. 2.3 for the zoning district applied to the subject property.

### 10.6.2 / Nonconforming Structures and Signs

- A. Modify the structure or sign to conform;
- B. Apply for a Variance to allow the structure or sign as built; or
- C. Rezone to a district where the structure would conform.

<b>Article 11 / Definitions</b>
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## Sec. 11.1 / Use Categories

### 11.1.1 / General

Use Categories shall be defined or otherwise interpreted in accordance with the following:

**A. Basis for Classifications**

Use categories classify land uses and activities into use categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories provide a systematic basis for assigning present and future land uses into appropriate zoning districts.

**B. Principal Uses**

Principal uses are assigned to the category that most closely describes the nature of the principal use. The "Characteristics" subsection of each use category describes the common characteristics of each principal use.

**C. Developments with Multiple Principal Uses**

When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a coffee shop, bookstore and bakery, for example, would be classified in the Retail Sales and Service category because all of the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.

**D. Accessory Uses**

Accessory uses are allowed by right in conjunction with a principal use unless otherwise stated in the regulations. In addition, unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as examples in the use category descriptions.

**E. Use of Examples**

The "Examples" subsection of each use category lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself "Wholesale Warehouse" but that sells mostly to consumers is included in the Retail Sales and Service category rather than the Wholesale Sales category. This is because the actual activity on the site matches the description of the Retail Sales and Service category.

### 11.1.2 / Similar Use Interpretations

The standards of this Section shall guide officials in making Similar Use Interpretations.

**A. Authority**

If an application is submitted for a use type not listed in the Use Table, Sec. 2.3, the Community Development Director shall be authorized to make a similar use interpretation, based on the following considerations:

1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use type;
2. The relative amount of site area or floor space and equipment devoted to the activity;
3. Relative amounts of sales from each activity;

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4. The customer type for each activity;
5. The relative number of employees in each activity;
6. Hours of operation;
7. Building and site arrangement;
8. Vehicles used with the activity;
9. The relative number of vehicle trips generated by the use; and
10. How the use advertises itself.

### B. Use Interpretation Standards

1. No Similar Use Interpretation shall allow a use in a zoning district when that use is a permitted, special or conditional use in any other zoning district.
2. No Similar Use Interpretation shall permit any use in any zoning district unless evidence shall be presented demonstrating that it will comply with all applicable Use Standards and all other applicable requirements and standards of this Code.
3. No Similar Use Interpretation shall permit any use in a zoning district unless the use is more similar to the uses listed for the respective zone than to permitted, special and conditional uses allowed in other zoning districts.
4. If the proposed use is more similar to a use allowed only as a conditional or special use in the zoning district in which it is proposed to be located, then any Similar Use Interpretation permitting that use shall require a Conditional Use Permit or Special Use Permit.

### C. Effect of Similar Use Interpretation

No Similar Use Interpretation finding a particular use to be permitted or conditionally permitted in a specific District shall authorize the establishment of such use or the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approvals that may be required by the codes and ordinances of the City of Prescott or other governmental agencies having jurisdiction. These permits and approvals include, but are not limited to Conditional Use Permits, Special Use Permits, Building Permits, and Certificates of Occupancy.

## 11.1.3 / Residential Use Categories

### A. Assisted Living

#### 1. Characteristics

Assisted Living is characterized by occupancy of a building by a group of aged people, those with developmental disabilities, or those in immediate crisis not related to criminal or substance abuse conduct. The residents may receive care, training, or treatment. Care givers are present at all times, and may (or may not) reside at the site.

#### 2. Accessory Uses

Accessory uses include offices, cafeterias, parking, and maintenance facilities.

#### 3. Examples

Examples of Assisted Living include nursing and convalescent homes; hospice; homes for more than 8 resident clients who are physically disabled, mentally retarded, or emotionally disturbed - and may include temporary housing for battered persons (also referred to as a safe house).

### B. Accommodations

#### 1. Characteristics

Dwelling units arranged for short term stays of less than 30 days for rent, lease or interval occupancy.

#### 2. Accessory Uses

Accessory uses may include pools and other recreational facilities, limited storage, and offices.

**3. Examples**

Examples include bed and breakfast establishments, hotels, motels, inns, and interval occupancy facilities. Also includes central reception and check-in facilities for resorts and interval occupancy facilities.

**C. Congregate Living**

**1. Characteristics**

Congregate Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. The size of the group may be larger than the average size of a household. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see Resort Accommodations and Community Service categories). Generally, Congregate Living structures have a common eating area for residents. The residents may receive care, training, or treatment, as long as the caregivers also reside at the site.

**2. Accessory Uses**

Accessory uses commonly associated with Congregate Living are recreational facilities, dining facilities and parking of vehicles for occupants and staff.

**3. Examples**

Examples of Congregate Living include dormitories; fraternities and sororities; monasteries and convents.

**4. Exceptions**

- a. Lodging where tenancy may be arranged for periods of less than 30 days is classified in the Resort Accommodations category.
- b. Lodging where the residents meet the definition of Household and where tenancy is arranged on a month-to-month basis or for a longer period is classified as Household Living.
- c. Congregate care facilities where individual units meet the definition of a dwelling unit in Sec. 11.2 are classified as Household Living.
- d. Foster homes where more than 4 children reside are classified as a Foster Group Home.

**D. Household Living**

**1. Characteristics**

Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is to be arranged on a month-to-month or longer basis. Uses where tenancy is arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).

**2. Accessory Uses**

Accessory uses commonly associated with Household Living are recreational activities, raising of pets, hobbies, home occupations, greenhouses, storage of household goods, storage of supplies and equipment for maintaining the dwelling and associated yard, and parking and occasional maintenance of the occupants' vehicles. Home occupations, Caretaker's Quarters and Guest Houses are accessory uses that are subject to additional regulations.

**3. Examples**

Examples of household living use (structure) types include: Single-family Dwellings, Attached Single Family Dwellings, Duplexes, Patio Homes, Multi-family Dwellings, Townhouses, Mobile Home Parks, Group Homes, Retirement Center Apartments, manufactured housing and other structures with self-contained dwelling units.

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### 4. Exceptions

Lodging in a dwelling unit or where units are rented on a less than monthly basis is classified in the Accommodations category.

## E. Transitional Housing

### 1. Characteristics

Transitional Housing includes lodging or dwelling unit, or a portion thereof, which is provided to a person or persons for a period usually less than 180 days and which lodging or dwelling unit is not the legal permanent address of the lodger.

### 2. Accessory Uses

Accessory uses may include counseling; transportation to social, job training, court, or other service providers; mail and message services, assistance with self medication and the like.

### 3. Examples

Examples include, but are not limited to, Crisis Center, Halfway House, Residential Treatment Center, Supervisory Care Center, and Temporary Shelter (see 11.2 Terms Defined).

### 4. Exceptions

Exceptions include foster homes, group homes, safe houses, single-family and multifamily dwellings and other forms of Household Living.

## 11.1.4 / Public, Civic and Institutional Use Categories

### A. Educational Facilities

#### 1. Characteristics

This category includes public and private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. This category also includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks.

#### 2. Accessory Uses

Accessory uses at schools include play areas, cafeterias, recreational and sport facilities, auditoriums and before- or after-school day care. Accessory uses at colleges include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial.

#### 3. Examples

Examples include public and private daytime schools, boarding schools, military academies, universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital and seminaries.

#### 4. Exceptions

- a. Preschools are classified as Day Care uses.
- b. Business and trade schools are classified as Retail Sales and Service.
- c. Governmental uses are technically exempt from these regulations; however; such uses are encouraged to comply.

### B. Community Service

#### 1. Characteristics

Community Services are uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community Services or facilities that have membership provisions are open to the public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature.

**2. Accessory Uses**

Accessory uses may include offices; meeting areas; food preparation areas; parking, health and therapy areas, and athletic facilities.

**3. Examples**

Examples include Libraries, Museums, Crematoriums, Neighborhood or Community Centers, Senior Centers, and Youth Club Facilities.

**4. Exceptions**

- a. Private lodges, clubs and private or commercial athletic or health clubs are classified as Retail Sales and Service.
- b. Public parks and recreation are classified as Parks and Open Space.
- c. Governmental uses are technically exempt from these regulations; however; such uses are encouraged to comply.

**C. Day Care**

**1. Characteristics**

Day Care uses provide care, protection and supervision for children or adults on a regular basis for less than 24 hours per day.

**2. Accessory Uses**

Accessory uses include offices, recreation areas and parking.

**3. Examples**

Examples include Adult Day Care Programs (For More than 8 Individuals), Commercial Day Care Center (For More than 8 Individuals), Home Day Care (For 5 to 8 children or adults) Day Care Facility (For more than 8 children or adults), Family Child Care, Group Child Care (For More than 8 Individuals), Nursery Schools (For More than 8 Individuals), and Preschools (For More than 8 Individuals).

**4. Exceptions**

Day Care does not include public or private schools or facilities operated in connection with an employment use, shopping center or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity – such uses are accessory to other principal uses. Day care for 4 or fewer individuals at any one time is regulated as a home occupation.

**D. Medical Facilities**

**1. Characteristics**

Medical facilities include uses providing medical or surgical care to patients and offering overnight care.

**2. Accessory Uses**

Accessory uses include outpatient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, and maintenance facilities and housing facilities for staff or trainees.

**3. Examples**

Examples include Hospitals, Trauma Centers and Medical Centers.

**4. Exceptions**

- a. Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents of the program, are classified in the Assisted Living category.
- b. Medical clinics or offices that provide care where patients are generally not kept overnight are classified as Offices.
- c. Emergency medical clinics are classified as Retail Sales and Service.

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### E. Parks and Open Space

#### 1. Characteristics

Parks and Open Space are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping, community gardens, or public squares. Land tends to be occupied by few structures.

#### 2. Accessory Uses

Accessory uses may include clubhouses, maintenance facilities, concessions, caretaker's quarters and parking.

#### 3. Examples

Examples include Boat Launching Ramps, Botanical Gardens, Cemeteries, Mausoleums, Golf Courses, Nature Preserves, Park/Playgrounds, Noncommercial Parks, Pet Cemeteries, Playgrounds, Plazas, Public Open Lands, Nature Preserves, and Recreational Trails.

#### 4. Exceptions

Governmental uses are technically exempt from these regulations; however, such uses are encouraged to comply.

### F. Religious Institutions

#### 1. Characteristics

Religious Institutions primarily provide meeting areas for religious activities.

#### 2. Accessory Uses

Accessory uses include Sunday school facilities, parking, parsonage, caretaker's housing and Congregate Living facilities such as convents and monasteries.

#### 3. Examples

Examples include Places of Worship, Churches, Temples, Synagogues and Mosques.

#### 4. Exceptions

- a. Preschools are classified as Day Care uses.
- b. Schools are classified as Schools.

### G. Schools

#### 1. Characteristics

This category includes private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education.

#### 2. Accessory Uses

Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums and before- or after-school day care.

#### 3. Examples

Examples include private daytime schools, boarding schools and military academies.

#### 4. Exceptions

- a. Preschools are classified as Day Care uses.
- b. Business and trade schools are classified as Retail Sales and Service.
- c. Public schools are a government use (See "Community Service") and, as such, are technically exempt from these regulations; however, such uses are encouraged to comply.

**H. Utilities**

**1. Characteristics**

Major Utilities are infrastructure services providing citywide service. Minor utilities are infrastructure services that need to be located in or near the area where the service is provided. Utility uses generally do not regularly have employees at the site. Services may be publicly or privately provided.

**2. Accessory Uses**

Accessory uses may include parking and control, monitoring, data or transmission equipment.

**3. Examples**

- a. Examples of Major Utilities include water towers, waste treatment plants, communication towers, electrical substations, and generating plants.
- b. Examples of Minor Utilities include water and sewage pump stations, stormwater retention and detention facilities, local service lines and poles, streets, commercial power generation, and telephone exchanges.

**4. Exceptions**

- a. Maintenance yards and buildings are classified as Industrial Services.
- b. Utility offices are classified as Offices.
- c. Governmental uses are technically exempt from these regulations; however; such uses are encouraged to comply.

**11.1.5 / Retail, Service and Business Use Categories**

**A. Entertainment Event, Major**

**1. Characteristics**

Major Entertainment Event uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.

**2. Accessory Uses**

Accessory uses may include restaurants, bars, concessions, and parking and maintenance facilities.

**3. Examples**

Examples include Amphitheaters, Stadiums, Sports Arenas, Coliseums, Auditoriums, Drive-in Theaters, Exhibition and Meeting Areas and Fairgrounds.

**4. Exceptions**

- a. Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales and Service.
- b. Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales and Service category.
- c. Indoor theaters are classified as Retail Sales and Service.
- d. Recreation or entertainment uses conducted on a continuous basis are classified as Outdoor Recreation and Entertainment or Retail Sales and Service uses.
- e. Governmental uses are technically exempt from these regulations; however; such uses are encouraged to comply.

**B. Office**

**1. Characteristics**

Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

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### 2. Accessory Uses

Accessory uses may include cafeterias, health facilities, gift shops, dry cleaning pick-up stations, parking, or other amenities primarily for the use of employees or customers of permitted primary uses.

### 3. Examples

Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government offices and public utilities offices; TV and radio studios; medical and dental clinics (including minor emergency centers), medical and dental labs; and blood-collection facilities.

### 4. Exceptions

- a. Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters offices, when in conjunction with or adjacent to a principal use in another category, are considered part of the other category.
- b. Contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.
- c. Governmental uses are technically exempt from these regulations; however, such uses are encouraged to comply.

## C. Parking, Commercial

### 1. Characteristics

Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.

### 2. Examples

Examples include short- and long-term fee parking facilities, park and ride facilities and mixed parking lots (partially accessory to a specific use, partly for rent to others).

### 3. Exceptions

- a. Parking facilities that are accessory to a use, but that charge the public to park for occasional events nearby, are not considered Commercial Parking facilities.
- b. Parking facilities that are accessory to a principal use are not considered Commercial Parking uses, even if the operator leases the facility to the principal use or charges a fee to the individuals who park in the facility.
- c. Governmental uses are technically exempt from these regulations; however, such uses are encouraged to comply.

## D. Recreation and Entertainment, Outdoor

### 1. Characteristics

Outdoor Recreation and Entertainment uses are large, generally commercial uses that provide continuous recreation or entertainment-oriented activities. They primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting.

### 2. Accessory Uses

Accessory uses may include concessions, restaurants, parking, caretaker's quarters and maintenance facilities.

**3. Examples**

Examples include Amusement Parks, Animal Racetracks, Archery Ranges (Outdoor), Arenas, Auto Racetracks, BMX (bicycle) Tracks, Campgrounds, Commercial Parks/Playgrounds, Go-Cart Tracks, Golf Driving Range, Miniature Golf Course, Model Airplane Club, Moto-Cross Tracks, Recreational Vehicle (RV) Parks, Shooting Ranges (Outdoor), Skating Rinks (Outdoor), Ski or Toboggan Clubs, Polo Clubs, Commercial Swimming Pools, Outdoor Theaters, Theme Parks, and Zoos.

**4. Exceptions**

- a. Golf courses are classified as Parks and Open Space.
- b. Uses that draw large numbers of people to periodic events, rather than on a continuous basis, are classified as Major Entertainment Events.
- c. Governmental uses are technically exempt from these regulations; however, such uses are encouraged to comply.

**E. Retail Sales and Service**

**1. Characteristics**

Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

**2. Accessory Uses**

Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.

**3. Examples**

Examples include uses from the 4 following groups:

**a. Sales-Oriented:**

Art Supply Stores, Auto Sales, Bicycle Shops, Boat Sales, Book Stores, Electronic Equipment Stores, Fabric Stores, Furniture Stores, Garden Supply Stores, Hardware Stores, Home Improvement Stores, Household Product Stores, Jewelry Stores, Motorcycle Sales, Pet Food Stores, Pharmacies, Plant Sales (Retail), Plumbing Supplies and Fixture Sales/Service, Retail, Stationary and Video Stores, Truck (Light and Medium) Sales, Antique Sales, Appliance Sales, Art Gallery, Commercial, Bait Shop, Business Machine Sales, Service, Camera Shop, Cigar, Cigarette, Tobacco Store, Clothing Store, Consumer Vehicle Sales, Supplies and Service, Dairy Products Sales, Department Store, Drug Store, Dry Goods Store, Retail, Electronics/Computer Sales, Service, Fire Arms Dealers, Fish Market, Floor Covering Sales, Florist Sales, Fruit and Vegetable Market, Retail, Garden Center, Gift Shop, Greenhouse/Nursery, Retail, Grocery Store or Supermarket, Hardware Store, Retail, Health Food Store, Hearing Aid Sales, Hobby Shop, Leather Goods Sales, Liquor Store, Lumber and Building Material Sales, Magazine and News Stand, Meat Market, Music, Musical Instrument, and Records, Sales and Service, Office Equipment and Supplies, Retail Sales and Service, Paint and Wallpaper Sales, Pawn Shop, Pet Shop, Picture Frame Sales and Service, Recreational Vehicle Sales, Rental of Equipment and Supplies, Shopping Centers, Sporting Goods Sales, Toy Store, Watch, Clock, Sales and Repair Shop, and Water Softening Equipment Sales/Service.

**b. Personal Service-Oriented:**

Animal Grooming, Branch Bank, Drive-In Bank, Barber Shop, Beauty Shop, Business School, Martial Arts School, Trade School, Dance or Music Classes, Dry Cleaning Drop-Off/Pick-Up, Emergency Medical Care, Funeral Home, Mortuary, Hair Salon, Tanning Salon Personal Care Services, Laundry drop-off, Laundromats, Mortuaries, Photocopy and Blueprint Services, Photography Studios, Tailors and Clothing Repair, Taxidermists, Veterinary Clinic, Crematorium, Currency Exchange, Kennels, Animal Boarding, Obedience School and Union Hall.

## Article 11 / Definitions

### c. **Entertainment-Oriented:**

Amusement Arcades, Archery Ranges (Indoor), Bars, Billiard Parlors, Bowling Alleys, Casino/Commercial Watercraft, Dance Halls, Health Clubs, Ice Cream Shops, Nightclubs, Pool Halls, Recreational Vehicle Parks, Resorts, Restaurants, Shooting (Firing) Ranges, Skating Rinks (Indoor), Taverns, Adult Entertainment Establishments, Private Clubs, Coin-Operated Arcade, Recreational Uses (Indoor), Shooting Ranges (Indoor), and Indoor Theaters.

### d. **Repair-Oriented:**

Appliance Repair, Bicycle Repair, Locksmith, Shoe Repair, Television Repair, Upholsterer, Furniture Repair, Furniture Refinishing.

## 4. **Exceptions**

- a. Lumberyards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
- b. Repair and service of consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Service/Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Sales and Service.
- c. Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Sales.
- d. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop, which is classified as Industrial Sales and Service.
- e. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See "Community Service."

## F. **Self-Service Storage (Mini-storage)**

### 1. **Characteristics**

Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.

### 2. **Accessory Uses**

Accessory uses may include living quarters for a resident manager or security and leasing offices. Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use. The rental of trucks or equipment is also not considered accessory to a Self-Service Storage use.

### 3. **Examples**

Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses and mini-storage.

### 4. **Exceptions**

A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse and Freight Movement category.

## G. **Vehicle Repair**

### 1. **Characteristics**

Vehicle Repair firms service passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.

### 2. **Accessory Uses**

Accessory uses may include offices, sales of parts and vehicle storage.

**3. Examples**

Examples include Alignment Shop, Auto Body Shop, Auto Detailing and Tire Sales and Mounting, Auto Repair, Auto Upholstery Shop, Recreational Vehicle Service, Transmission or Muffler Shop.

**4. Exceptions**

Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage are classified as Industrial Sales and Service.

**H. Vehicle Service, Limited**

**1. Characteristics**

Limited Vehicle Service uses provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed. Fuel sales are often a related function.

**2. Accessory Uses**

Accessory uses may include auto repair and tire sales.

**3. Examples**

Examples include Car Washes, Quick Lubrication Services, and Service Stations (full-service or self-service).

**4. Exceptions**

- a. Truck stops are classified as Industrial Sales and Service.
- b. Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the principal use.

**11.1.6 / Industrial Use Categories**

**A. Industrial General Uses Standards**

The general Use Standards of this subsection apply to all industrial uses that require state or federal permits.

- 1. Current state and federal permits, waivers of permits, licenses and certificates of insurance shall be on file with the City of Prescott Community Development Department throughout the life of the Conditional Use Permit.
- 2. All activity on the subject property shall operate in accordance with all applicable Environmental Protection Agency regulations throughout the life of the Conditional Use Permit.
- 3. No vibration shall be produced which is transmitted through the ground (and is discernible without the aid of instruments) at or at any point beyond the lot line.
- 4. All noise shall be muffled so as to be not objectionable due to intermittence, beat frequency or shrillness.
- 5. Visible emissions of air pollutants of any kind at ground level, past the lot line of the lot on which the source of emissions is located, are prohibited.
- 6. No person shall cause or permit any materials to be handled, transported or stored in such a manner that allows or may allow particulate matter to become airborne.
- 7. No direct glare from high temperature processes such as combustion or welding, which is visible at the lot line, shall be permitted.
- 8. There shall be no emission or transmission of heat or heated air so as to be discernible from the lot line.
- 9. Any condition or operation that results in the creation of odors of such intensity or character as to unreasonably interfere with the comfort of the public shall be removed, stopped or modified so as to remove the odor.

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### B. Aviation and Surface Transportation Facilities

#### 1. Characteristics

Aviation and Surface Transportation Facilities includes facilities for the landing and takeoff of flying vehicles, including loading and unloading areas. Aviation facilities may be improved or unimproved. Aviation and Surface Transportation Facilities also includes passenger terminals for aircraft, regional bus service and regional rail service.

#### 2. Accessory Uses

Accessory uses include freight handling areas, concessions, offices, parking and maintenance, and fueling facilities.

#### 3. Examples

Examples include Airports, Bus Passenger Terminals, Bus Terminal, Helicopter Landing Facilities, Rental Car Agencies and Railroad Passenger Stations.

#### 4. Exceptions

- a. Bus and rail passenger stations for sub-regional service such as mass transit stops and park-and-ride facilities are classified as Basic Utilities.
- b. Private helicopter landings and landing facilities for unique occasions and that are accessory to temporary construction of an otherwise allowed use are considered accessory uses.
- c. Governmental uses are technically exempt from these regulations; however, such uses are encouraged to comply.

### C. Light Industrial Sales and Service

#### 1. Characteristics

Light Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors, building maintenance services and similar uses perform services off-site. Few customers, especially the public, come to the site.

#### 2. Accessory Uses

Accessory activities may include offices, parking and storage.

#### 3. Examples

Examples include Agricultural Implement Sales/Service; Auto and Truck Salvage/Wrecking; Building Contractors; Heating Contractors; Plumbing Contractors; Electrical Contractors; Carpet/Rug Cleaning Plant; Contractor's Equipment Sales; Dry Cleaning/Dyeing Plant; Electric Motor Repair; Exterminators; Farriers; Feed and Grain Sales; Fuel Oil Distributors; Fuel Oil Sales; Firewood Sales; Furnace/Water Heater Sales; Gas/Butane and Propane Sales; Heavy Machinery Sales; Metal and Building Materials Sales; Salvage or Wrecking Yards; Janitorial and Building Maintenance Services; Junkyard; Landscape Contractor's Storage Yard; Laundry, Dry-cleaning and Carpet Cleaning Plants; Machine Shops; Mobile Home Sales; Petroleum or Chemical Refining/Production; Rendering or Tanning Plants; Repair of Scientific or Professional Instruments; Sewage Disposal (Individual) Systems Sales/Service; Solid Fuel Yards; Tire Retreading or Recapping; Tool Repair; Towing Service and Vehicle Storage; Truck (Heavy) Servicing and Repair; Truck Stops; Truck/Trailer Sales, Parking, Repair, or Rental; Welding Shops, and Well Drilling Services.

#### 4. Exceptions

- a. Contractors and others who perform services off-site are included in the Office category, if major equipment and materials are not stored at the site and fabrication, or similar work is not carried on at the site.
- b. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop.

**D. Telecommunications Facilities**

**1. Characteristics**

Telecommunications Facilities are signal distribution systems used or operated by a telecommunications carrier under a license from the FCC consisting of a combination of improvements and equipment including (i) one or more antennas, (ii) a supporting structure and the hardware by which antennas are attached; (iii) equipment housing; and (iv) ancillary equipment such as signal transmission cables and miscellaneous hardware.

**2. Accessory Uses**

Accessory uses may include transmitter facility buildings.

**3. Examples**

Examples include broadcast towers, attached Telecommunications Facilities; telecommunications support towers and point-to-point microwave towers.

**4. Exceptions**

- a. Receive-only antennas are not included in this category and amateur radio facilities that are owned and operated by a federally licensed amateur radio station operator are not included in this category.
- b. Radio and television studios are classified in the Office category.

**E. Manufacturing and Production**

**1. Characteristics**

Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, fabricated (man-made), raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

**2. Accessory Uses**

Accessory activities may include offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.

**3. Examples**

Examples include Advertising Display Construction/Sign Shop; Asphalt, Concrete or Redi-Mix Plant; Bakery; Boatworks; Custom Building; Catering Service; Concrete Batching and Asphalt Mixing; Custom Boatworks; Food and Related Products Processing; Food Processing and Packing; Lumber Mills; Manufacture or Production of Artwork and Toys; Manufacture or Production of Chemical, Rubber, Leather, Clay, Bone, Plastic, Stone, or Glass Materials or Products; Manufacture or Assembly of Machinery, Equipment, Instruments, Including Musical Instruments, Vehicles, Appliances, Precision Items and Other Electrical Items; Manufacture, Production or Fabrication of Metals or Metal Products Including Enameling and Galvanizing, Manufactured Housing Unit Production and Fabrication; Monument Works; Movie Production Facilities; Ornamental Iron Work Shop; Printing, Publishing and Lithography; Pulp and Paper Mills and Other Wood Products Manufacturing; Research Laboratory, including but not limited to Pure Research, Product Development, Pilot Plants and Research Manufacturing Facilities; Sign Making; Slaughterhouse; Meat Packing; Weaving or Production of Textiles or Apparel; and Woodworking, Including Cabinet Makers

**4. Exceptions**

- a. Manufacturing of goods to be sold primarily on-site and to the public are classified as Retail Sales and Service.
- b. Manufacture and production of goods from composting organic material is classified as Waste-Related uses.

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### F. Warehouse and Freight Movement

#### 1. Characteristics

Warehouse and Freight Movement firms are involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.

#### 2. Accessory Uses

Accessory uses may include offices, truck fleet parking and maintenance areas.

#### 3. Examples

Examples include Machinery Storage Yard, Recreational Vehicle Storage, Utility Service Yard or Garage, Bulk Materials Storage, Bus Barns, Cold Storage Plants, Including Frozen Food Lockers, Freight Terminal, Motor/Rail, Grain Elevators, Moving Companies and General Freight Storage, Parcel Services, Post Office(s), (Main), Sand, Gravel, or Other Aggregate Materials Stockpiling, Truck, or Air Freight Terminals, Warehouse, Warehouses (Separate from Retail Business) Used by Retail Stores Such as Furniture and Appliance Stores and Wholesale Distribution Centers.

#### 4. Exceptions

- a. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses.
- b. Mini-warehouses are classified as Self-Service Storage uses.

### G. Waste-Related

#### 1. Characteristics

Characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material.

#### 2. Accessory Uses

Accessory uses may include recycling of materials, offices, repackaging, and transshipment of by-products.

#### 3. Examples

Examples include Energy Recovery Plants, Hazardous-waste-collection Sites, Recycling Center, Junkyards, Sanitary Landfills and Waste Composting.

### H. Wholesale Sales

#### 1. Characteristics

Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the public, but sales to the public are limited. Products may be picked up on-site or delivered to the customer.

#### 2. Accessory Uses

Accessory uses may include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.

#### 3. Examples

Examples include Auction Houses; Sales of Heavy Trucks, Mobile Homes and Manufactured Homes; Mail Order Houses and Wholesalers of Food, Clothing, Auto Parts, and Building Hardware.

#### 4. Exceptions

- a. Firms that engage primarily in sales to the public or on a membership basis are classified as Retail Sales and Service.

- b. Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement.

**11.1.7 / Agriculture Use Category**

**A. Characteristics**

Agriculture includes activities that primarily involve raising, producing or keeping plants or farm animals.

**B. Accessory Uses**

Accessory uses include dwellings for proprietors and employees of the use and animal training.

**C. Examples**

Examples include Agriculture Uses; Animal (farm animal) Breeding or Raising; Apiary, Dairy Farms' Farming; Truck Gardening; Forestry; Tree Farming; Non-retail Greenhouse/Nursery; Plant Nurseries (Wholesale); Riding Academies, and Public Stables.

**D. Exceptions**

1. Uses involved in the processing of animal or plant products are classified as Manufacturing and Production.
2. Livestock auctions are classified as Wholesale Sales.
3. Plant nurseries that are oriented to retail sales are classified as Sales-Oriented Retail Sales and Service.

**Sec. 11.2 / Terms Defined**

Words and terms used in this Ordinance shall be given the meanings set forth in this section. All words not defined in this section shall be given their common, ordinary meanings, as the context may reasonably suggest. The use-related terms are mutually exclusive, meaning that uses given a specific definition shall not also be considered to be a part of a more general definition of that use type. A "bookstore," for example, shall not be considered a general "Retail Sales and Service" use, since "bookstore" is a more specific definition of that use.

**11.2.1 / Telecommunications-related Terms**

Definitions for telecommunications-related terms are found in Sec. 2.4.51M.

**11.2.2 / Floodplain-related Terms**

Definitions for floodplain-related terms are found in the Prescott City Code, Title XIII.

**11.2.3 / Outdoor Lighting-Related Definitions**

Definitions for outdoor lighting-related terms are found in the Sec. 6.11.10.

**11.2.4 / Sign-related Terms**

Definitions for sign-related terms are found in Sec. 6.12.13.

**11.2.5 / General Terms**

General terms used shall have the following meanings as used throughout this LDC:

## Article 11 / Definitions

Table 11.2.5

GENERAL TERMS	
Term	Definition
Abutting	Having a common border with, or being separated from, such common border by an alley, easement or right-of-way.
Access Street or Service Road	A street or road that is parallel to and adjacent to a major arterial street and provides a means of direct ingress and egress to abutting property.
Accessory	A building, structure, part of building or structure, or use which is subordinate to, and the use of which is incidental to that of the main building, structure, or use on the same lot or plot therewith.
Accessory Structure	A structure that: (1) is subordinate to and services a principal building or a principal use legally existing on the same lot; (2) is subordinate in area, extent and purpose to the principal building or principal use; (3) contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served; and (4), is located on the same lot as the principal structure or principal use served.
Accessway	The place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress/egress to a property or use as required by this Code, including driveways, sidewalks, multi-use paths, and bikeways.
Acre	An acre is equal to 43,560 square feet.
Advertising Display	Advertising structures, lights and lighting, and signs used for outdoor advertising purposes, not including on-premise advertising signs.
Aeronautical Activities	Any activity, which involves, makes possible, or is required for, the operation of aircraft, or which directly contributes to or is required for the safety of such operations. Examples of such uses include, but are not limited to: Aerial advertising and surveying, Aerial photography, Air taxi and charter operations, Aircraft rental and sightseeing, Aircraft sales and service, Aircraft storage, Crop dusting, Helipads and heliports, Parachute activities  Pilot training, Repair and maintenance of aircraft, Sale of aircraft parts, Sale of aviation petroleum products, Scheduled or nonscheduled air carrier, and Ultralight activities services.
Affordable Housing	Decent, safe and sanitary housing that can be secured at a cost not exceeding 30 percent of the owner's/owners' or renter's household income. For renters, the 30 percent is comprised of rent and utilities. For owner(s), the 30 percent is comprised of mortgage principal, interest, real estate taxes and insurance (PITI).
Agriculture	The tilling of the soil; the growing of crops; the operation of non-retail greenhouses and nurseries; the raising and/or keeping of livestock, equine, fur-bearing animals, game birds, poultry and farm animals; and incidental structures for carrying out the above.
Airside	Consists of the paved and unpaved portions of the airport directly adjacent to the Airport Operating Area, extending to the security perimeter of the airport. These areas include aircraft parking aprons and hangar facilities and lease properties within the Prescott Municipal Airport.
Airside Building Frontage	That frontage of a building which is considered airside frontage as defined herein.
Airside Frontage	Those business areas which front on and are primarily directed toward areas of air traffic.
Airside Signage	That signage which is placed in areas considered to be "airside" under this Code and intended solely for air traffic.
Alley	A public, dedicated right-of-way or private, shared access easement used primarily as a service or secondary means of ingress and egress to the service side of abutting properties.
AOA	That portion of the airport designated in the Zoning Code as public lands. These areas include all portions of all runways, taxiways, and their associated safety areas as defined by the FAA and shown on the official Airport Layout Plan.
Apartment	A room or suite of rooms occupied or suitable for occupancy as a residence or home for an individual, family, or household and containing a private toilet and facilities for cooking. No space hereafter constructed or altered for such purpose shall be used for such purpose unless it comprises not less than 320 square feet of gross floor area.

GENERAL TERMS	
Term	Definition
Area of Significant Traffic Impact	The geographic area that includes the facilities significantly impacted by the site traffic.
Arterial Street	A street or road with the principal function to serve as a part of a major network for the through traffic flow, separate from local traffic, to and from areas of principal traffic generation of adequate design, capacity, and construction to provide for the safe and rapid distribution and collection of through traffic and to provide limited ingress and egress to and from collector and local streets.
Artisan Studio	A small scale shop or facility used to create unique pieces of art, sculpture, textile, signs, etc., from a variety of media in a low impact scale and quantity.
Auto Repair Shop	Any premises or structures when used for the servicing and/or repair of motor vehicles, including paint and body work, engine rebuilding and minor maintenance activities, irrespective of commercial gain derived therefrom. Excepted from this definition are residential premises where not more than one motor vehicle belonging to the lawful residents thereof are involved in such activities at any one time, and not in operating condition, or where not more than one motor vehicle, whether or not in operating condition, and not belonging to the lawful residents thereof is involved in such activities for a period of more than one week, and only one motor vehicle may be serviced and/or repaired each month.
Auto Sales	Display for sale of 4 or more vehicles at one time.
Babysitting	Any facility in which day care is regularly provided for compensation for 1 to 4 persons not related to the proprietor or operator.
Bank	An establishment for the custody, loan, exchange or issue of money, for the extension of credit and for facilitating the transfer of funds. Such operations shall not be considered an office
Base Flood, 100 year	The flood having a 1% chance of being equaled or exceeded in any given year.
Basement	One or more stories wholly or partly underground and having 1/2 or more of its height measured from its floor to its finished ceiling below the average adjoining grade. A basement shall be considered a story if the vertical distance from the average adjoining grade to its finished ceiling is over 6 feet.
Bed and Breakfast	A dwelling, with a host or host family residing therein, where members of the public are lodged for compensation, with a morning meal provided as part of the normal charge for said room.
Block	An area of land that is entirely bounded on all sides by streets and/or exterior boundary or boundaries of a subdivision; or, All of the real property entirely enclosed by connecting street lines or a series of connecting lines of streets, city limit lines, or lines of natural barriers.
Boarding or Rooming House	A dwelling or apartment in which sleeping accommodations are provided, for any type consideration whatsoever, for 3 or more persons not members of the resident family, provided not more than 5 rooms in such building or apartment are used for such purpose.
Bookstore	A commercial establishment having for sale or viewing by its patrons on its premise stock in trade, books, magazines, or other periodicals or printed matter.
Building	A structure, having a roof for support, housing, shelter and/or enclosure of any person, animal or tangible goods; and, when any portion thereof is separated from every other portion thereof by a masonry wall, without openings, extending from the ground through the upper surface of the roof, then such portion may be deemed a separate building; provided, however, that in no instance shall a manufactured home, mobile home, trailer or recreational vehicle be deemed to be a building.

## Article 11 / Definitions

GENERAL TERMS	
Term	Definition
Building Site	The total horizontal area included within the setbacks.
Bulk Containers	Large containers designed to hold bulk materials, including but not limited to, cargo cars, sea containers, hot tubs, sheds larger than 48 square feet in size.
Business or Commercial	The purchase, sale or other transaction involving the handling or disposition of any article, substance, service or commodity for profit, gain, livelihood (whole or partial), or consideration conducted at any location.
Cabin	A building used, or designed, or intended for use or occupancy by not more than one family as living quarters, including all necessary domestic employees of such family, having only one (1) kitchen or kitchen facility, and not having a private indoor toilet. No space hereafter constructed or altered for such purpose shall be used for such purpose unless it comprises not less than 320 square feet of gross floor area.
Campground,	Public and quasi-public open space areas, with or without sanitation facilities or water, for overnight camping. Campground may also include the overnight parking of recreational vehicles. (See also Recreational Vehicle Parks Sec. 2.4.42,
Car Wash	A facility for the cleaning and washing of motor vehicles which may include interior cleaning, vacuuming, and waxing by means of self-service, mechanical apparatuses, manual labor, or a combination thereof. A car wash may be in conjunction with an automobile Service Station.
Casita or Cottage	A small, detached house or dwelling unit that may be used for short-term rental purposes in the manner of a motel room.
Certification	A written statement of the fact to be certified and made under oath by the applicant and notarized.
Child	Any person through the age of fourteen years.
City	Shall mean the City of Prescott, Arizona, and shall include the Planning and Zoning Commission and the City Council.
City Council	Shall mean the City Council of Prescott, Arizona.
Collector Street	A street or road that serves local traffic movement within an area and traffic between major arterials and local streets and provides a means of ingress and egress to local streets and sometimes to abutting property. A collector street also serves to connect adjacent neighborhoods and includes the principal entrance streets into residential neighborhoods. There may also be provisions for parking and loading or unloading on collector streets.
Commercial	See "Business".
Communications Tower	A tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes above ground in a fixed location, free standing, guyed, or on another structure.
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 air space in a residential or commercial complex located on such real property. This condominium may include cluster housing or semi-detached housing. In addition, a condominium may include a separate interest in other portions of such real property, such as common area.
Conceptual Plan	A written and graphic plan submitted for consideration of a Planned Area Development that indicates in a conceptual form, the proposed land uses and their overall impact on the subject land and surrounding lands
Corner Lot	See Lot, Corner
Cornice	The molded and projecting horizontal member that crowns an architectural composition.
Cottage	See Casita
Court	Any space other than a yard on the same lot with a building or group of buildings and which is unobstructed and open to the sky from and above the floor level of any room having a window or door opening on such space. The width of a court shall be its least horizontal dimension.

GENERAL TERMS	
Term	Definition
Crisis Center	A facility, or portion thereof, used for purposes of emergency shelter, crisis intervention, including counseling, referral or other human services functions. Such a facility may provide shelter, meals and/or merchandise distribution. Such a facility may include a Crisis Nursery.
Cutoff Fixture	Outdoor light fixtures shielded or constructed so that the light rays emitted by the fixture are projected below a horizontal plane passing through the lowest point on the fixture from which light is emitted. Drop or sag lens type fixtures shall not be allowed.
Day Care	Day Care uses provide care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. Day care uses providing care for up to 4 persons are considered "Babysitting".
Day Care Business	Any facility in which day care is regularly provided for compensation for 9 or more children or adults not related to the proprietor or operator.
Day Care, Home-based	A facility in which 5 to 8 children or adults who are not members of the family residing therein are cared for in return for compensation.
Dead-end Street	A street or road having a traffic outlet on one end only. A dead-end street shall have temporary provisions at or near the end for the turning around of vehicular traffic. (See Sec. 7.4.3C, Dead-end Streets.)
Deck	A flat floored, roofless area adjoining a house.
Density	Means the number of dwelling units for each acre of land.
Development	The making of any material change in the use or appearance of any structure or land, the creation of a subdivision or the creation of 2 or 3 parcels pursuant to a land split division over which the City has regulatory authority. Development includes, but is not limited to, such activities as the construction, reconstruction or alteration of the size or material change in the external appearance of a structure or land; trenching or grading; demolition of a structure or removal of vegetation; deposit of fill; or the alteration of a floodplain, bank or watercourse.
Developmental Disability	A physical or mental impairment that substantially limits one or more of a person's major life activities, impairs their ability to live independently, or possessing a record of having such impairment.
Direct Glare	Glare resulting from the arc tube being visible in the field of view.
District	Any area or areas similarly classified, whether contiguous or not, and shown by specific and similar designations on the maps which are a part of this Code.
Disturbable Area Envelope	That designated portion of a lot or tract that is approved for grading and grubbing (including driveway grading) but excluding any public or private street.
Dormitory	Any structure with 6 or more rooms specifically designed for the exclusive purpose of housing students of a university, college or school, excepting resident staff.
Double Frontage Lot	A lot having street frontage on both the front and rear property lines. Double frontage lots have two "front" lot lines.
Drainage Regulations	The regulations contained in Title VIII, Chapter 7 of the Prescott City Code, and Sec. 7.4.10, Drainage, this Code.
Drainageway	A natural or man-made path of flow for stormwater.
Drive-through Window	An establishment which by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

## Article 11 / Definitions

GENERAL TERMS	
Term	Definition
Duplex Dwelling	See Dwelling, Duplex
Dwelling Unit	A residential unit providing complete, independent living facilities for one family including permanent provisions for living, sleeping, cooking, eating and sanitation.
Dwelling, Attached Single-family	A dwelling unit on its own individual lot that shares one or more common or abutting walls with one or more dwelling units. An attached single-family dwelling (or townhouse) does not share common floors/ceilings with other dwelling units.
Dwelling, Duplex	A building, or portion thereof, having 2 dwelling units on a single lot designed or intended for use or occupancy by 2 families living independently of each other, including all necessary domestic employees of each family, and having both kitchen or cooking facilities and private, indoor toilet within each such housekeeping unit, and conforming to the IBC of the City of Prescott.
Dwelling, Multiple-Family	A building, or portion thereof, having 3 or more dwelling units on a single lot, used, or designed or intended for use or occupancy as living quarters by 3 or more families living independently of each other, including all necessary domestic employees of each family and having both kitchen or cooking facilities, private, indoor toilet within each such housekeeping unit, conforming to the IBC of the City of Prescott. This definition shall also include any number of dwelling units in a nonresidential structure, but shall not include recreational vehicle parks, motels, or hotels. No such unit hereafter constructed or altered for such purpose shall be used for such purpose unless it comprises gross floor area in conformance with that specified in the IBC.
Dwelling, Senior Apartment	An age-restricted (generally 55 years or older) multi-unit housing development with self-contained living units for older adults who are able to care for themselves. Usually no additional services such as meals or transportation are provided but may be offered as an option.
Dwelling, Single-Family	A detached dwelling unit designed for occupancy by one family and built to IBC-Standards.
Easement	A grant of one or more property rights (e.g., access) by the owner to, or for the use by the public, a corporation, or another person or entity.
Egress	That movement of traffic from the abutting properties to the street.
Electric Transmission Line	An electric line used for the bulk transmission of electricity between generating or receiving points and major substations or delivery points.
FAA	The Federal Aviation Administration.
Facade	A structure's entire single elevation, including wall face, parapet, windows, doors, awning or canopy.
Fairgrounds	An area consisting of both open spaces and structures, owned by a governmental entity, at which activities generally associated with a fairgrounds take place, including but not limited to, carnivals, bazaars, midways, horse racing, exhibitions, amusements and education displays excluding vehicular racetracks other than as incidental use to a county fair
Family	A. An individual, or 2 or more persons related by blood, marriage, or adoption, including any live-in domestic help, living together as a single housekeeping unit in a dwelling unit; or B. A group of not more than 8 persons who need not be related, living together as a single housekeeping unit in a dwelling unit
Family Game Center	An establishment or enterprise whose primary business is to provide arcade-type entertainment that can include video/electronic games, pinball, billiards/pool, and other forms of family games.
Fence	A structure erected to provide privacy or security that defines a private space or is used to constrain domestic animals.
Final Plat	The final drawing of a property being subdivided as prepared by a land surveyor or engineer for recording and approval by the City Council and prepared in accordance with Sec. 9.10.9B.1 of this LDC.
Flag	Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other entity.

GENERAL TERMS	
Term	Definition
Flag Lot	See Lot, Flag
Floor Area, Net (Net Floor Area)	For the purpose of applying the requirements for off-street parking, the term "floor area," in the case of offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used by tenants, or the service to the public as customers, patrons, clients or patients, including areas occupied by fixtures and equipment for display or sale of merchandise. It shall also include restrooms, fitting or dressing rooms, and kitchen areas in the case of restaurants. It shall not include areas used principally for non-public purposes such as storage, incidental repair, processing or packaging of merchandise, or for offices incidental to the management or maintenance of stores or buildings.
Floor Area, Gross (Gross Floor Area)	The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a height of more than 7 feet, but excluding areas used exclusively for vehicle parking or loading and, in industrial areas, storage sheds with less than 150 square feet of space, bunkers, electrical substations, smoking shelters, instrument shelters, and similar enclosures.
Foot Candle (FC)	The unit of luminance when the foot is taken as the unit of length. It is the luminance on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the luminance produced on a surface all points of which are at a distance of one foot from a directionally uniform point source of one candela.
Foster Home	A home licensed by the Arizona Department of Economic Security maintained by persons having care or control of one to 5 minor children, other than those related by blood, marriage, or adoption.
Foster Home, Group	A foster home licensed by the Arizona Department of Economic Security suitable for the placement of 6, but not more than 10, minor children.
Fraternity or Sorority House	A residence hall or building used as living quarters for members of an approved college or university group while enrolled at an institution of higher learning
Garage, Private	An accessory to, or a portion of, a main building, utilized or intended for use by motor vehicles of the individuals residing on the lot, including the use of a reasonable portion of such garage for the storage of tools equipment and other items belonging to the individuals residing on the lot. A private garage shall not be available for rent or rented to members of the public.
Garbage	"Garbage" is putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.
Gazebo	A free-standing structure of no more than 150 square feet which may be roofed or unroofed, enclosed by an open railing or parapet sides where solid/opaque walls are used, said walls may not be more than 4 feet in height as measured from the floor of said structure. Where a cross lattice or similar transparent/open type of wall material is used, said wall(s) may extend from the floor to the ceiling. Any combination of cross lattice or similar transparent/open type wall materials and solid/opaque type wall materials may not cover more than 75 percent of the total wall area.
General Plan	A council-adopted municipal statement of land development policies, which may include maps, charts, graphs and text, which set forth objectives, principles and standards for local growth and redevelopment enacted pursuant to the provisions of ARS 9-416.06 or any prior statute.
Grading	Any change of existing surface conditions by excavating, placing of any soils or rocks, or stripping of vegetation.
Grading, Mass	See Mass Grading
Group Home	A home serving 8 or fewer mentally or physically handicapped persons provided the home provides care on a 24-hour basis and is approved or licensed by the State for that purpose. A group home shall be considered a single family dwelling.
Guard House	An accessory structure designed or used to provide shelter for security personnel.

## Article 11 / Definitions

GENERAL TERMS	
Term	Definition
Guest Quarters	A room or rooms, including a kitchen, accessory to the primary single-family use and located in a portion of the main residential building or in a separate building located on the same lot as the primary residential building.
Halfway House	A residential facility which offers temporary (usually up to 180 days) housing, for compensation or not for compensation, to adults who are personally committed or required by a court system or otherwise legally obligated to participate in a rehabilitation/treatment/recovery program for alcohol, drug/substance abuse or other behaviors.
Hazardous Materials	Those chemicals or substances, which are physical hazards or health hazards, whether the materials are in usable or waste condition, as defined and classified in the Uniform Fire Code, 1988 Edition, as adopted by the City Council.
Hazardous Waste	"Hazardous waste" is defined under ARS 49-921 et. seq. and rules promulgated thereunder.
Health Care Practitioner	Health care practitioner shall include massage therapists and similar health services providers.
Height, Building	See Sec. Error! Reference source not found. , Maximum Height, for method of measurement.
Hillside Subdivision	A subdivision with slopes of 20 percent or greater.
Home Occupation	Means an occupation for monetary gain conducted in a dwelling unit, garage, or accessory building in a residential district that is incidental to the principal residential use of a lot or site. (See also Sec. 2.5.7, Home Occupations)
Hotel	Same as motel.
IBC	International Building Code, including any amendments, as adopted by the City Council of the City of Prescott.
Impermeable Cover or Coverage	Those portions of a lot that are covered by principal and accessory buildings or structures, and by surfaces that prevent the passage or absorption of storm water such as paving and driveways.
Industrial Street	A street or road that serves local traffic movement within and provides access to industrial areas.
Influence Area	The geographic area surrounding the site from which the development is likely to draw a high percentage (80 percent or more) of the total site traffic.
Ingress	The movement of traffic from the street to abutting property.
Junkyard, including Scrap and Salvage	The use of a lot, or portion thereof, whether inside or outside a building, for the storage and/or sale of scrap metal, waste paper, rags, non-operated vehicles or other junk materials and including non-commercial storage of non-operating or non-drivable motor vehicles, dismantling or storage of such vehicles or parts thereof, or used machinery, and regardless of whether repair or any other type of commercial operation occurs, but excluding scrap for use in manufacturing processes on the premises, or waste materials resulting from manufacturing processes, or resulting from the construction or elimination of facilities for such processes.
Kennel	The boarding and/or breeding of domestic animals for sale, as a business activity.
Key Lot	The first lot to the rear of a corner lot, the front line of such key lot fronting upon the side street for such corner lot.
Kitchen	Any room or portion of room used, intended, or designed to be used for cooking and/or the preparation of food, except cooking facilities of a recreational or incidental nature such as barbecues, food bars, hot plates, and the like shall not be considered kitchen facilities.
Landing	A level part of a staircase at the end of a flight of stairs
Landside	All areas not considered to be "airside" (Refer to "airside" definition).
Landside Signage	All signage within the City of Prescott that is not intended solely for air traffic.
Livestock	Animals such as, horses, ponies, mules, sheep, goats, cattle and other meat animals.

GENERAL TERMS	
Term	Definition
Livestock Auction	Barns, pens and sheds for the temporary holding and sale of livestock.
Litter	"Litter" is refuse or rubbish as defined herein and all other waste material, which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, and welfare.
Lot	A piece or parcel of land established by plat, subdivision, or otherwise permitted by law to be used, occupied, or intended to be occupied by one or more buildings, structures, or uses, together with such open spaces and access to or frontage on a street, as required by this Code.
Lot Area	The area contained within the boundary lines of a lot or parcel, excluding any street, easement for street purposes, or street right-of-way.
Lot Coverage	See Sec. 2.7.3F, Lot Coverage.
Lot Line	A line bounding a lot that divides one lot from another or from a street or any other public or private space.
Lot Line, Front	That part of an interior lot abutting the street or that part of a corner lot extending across the narrowest part of the lot abutting the street. Double frontage lots have 2 "front" lot lines.
Lot Line, Rear	That lot line which is parallel to and most distant from the front lot line; in the case of a triangular, or an irregular lot, a line 20 feet in length, placed entirely within the lot, parallel to and at the maximum possible distance from, the front lot line shall be considered to be the rear lot line.
Lot Line, Side	Any lot line other than a front or rear lot line.
Lot of Record	A lot that is part of a subdivision, the plat of which has been recorded in the plat records of Yavapai County, Arizona; a metes and bounds parcel approved as a land split; or a parcel of land, the deed for which is recorded in the office of the County Recorder of Yavapai County prior to the adoption of the City's original zoning ordinance [1951]; or a parcel legally created from a parent tract larger than 2.5 acres.
Lot Width	(1) Non-cul-de-sac lots: The horizontal distance between side lot lines. Lot width shall be measured between side lot lines at the required Front Setback line. (See also Sec. 2.7.3B, Minimum Lot Width) Cul-de-sac lots: minimum lot width is 50 feet determined by measuring, from the front property line and moving towards the rear property line, the point at which the horizontal distance between side lot lines creates a 50-foot horizontal segment. For purposes of determining the front yard setback, the point at which the 50-foot horizontal segment is created / determined shall constitute the required Front Setback line, regardless of which residential zone district said lot is proposed.
Lot, Corner	A lot or parcel located at the intersection of and abutting upon 2 streets at their juncture.
Lot, Double-frontage	Double frontage lots have two "front" lot lines and area also called a "through lot".
Lot, Flag	A lot with substandard street frontage and where access to the public road is by a long driveway.
Lot, Interior	A lot or parcel other than a corner lot or parcel.
Lot, Key	See Key Lot.
Lot-Line House (Zero Lot Line)	A dwelling unit that is located on its own lot, not attached to any other dwelling unit, and set on or within 5 feet of the interior side lot line.
Luminaire	A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.
Mail Order Facility	An office in which orders are received via telephone or by delivery service and in which a work/processing area is utilized for the purpose of preparation of orders for delivery.
Manufactured Home	A structure designed to be a permanent residence that was fabricated in an off-site manufacturing facility for installation or assembly on a building site, that bears a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards (HUD Code), which became effective June 15, 1976. (See also "Mobile Home".)
Manufactured Home Park	A parcel of land under single ownership, which has been planned and improved for the placement of HUD-code, manufactured homes for non transient use. (See also Sec. 2.4.31, Manufactured Home Parks).

**Article 11 / Definitions**

GENERAL TERMS	
Term	Definition
Manufactured Home Space	A unit of ground indicated by corner markers on which a manufactured home may be placed in a Manufactured Home Park.
Manufactured Housing Subdivision	A subdivision designed and/or intended for the sale of lots for siting an individual manufactured home on a lot.
Manufactured Park or Subdivision	A parcel (or contiguous parcels) of land divided into 2 or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lots on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this LDC [December 31, 2004].
Manufacturing, Light	To process materials into a finished product, light manufacturing is conducted wholly from within an enclosed building, with all outdoor storage when permitted visually screened by means of fence, wall, landscape or other approved method, and only minimal noise, dust, glare, smoke, vibration, odor or debris is produced.
Market Value	The value as determined by a competent appraiser.
Mass Grading	Grading of more than two acres or 60% of a given lot or parcel, whichever is less.
Master Plan	A plan map or series of maps with associated reports designed to describe with a reasonable degree of certainty all of the following: A. The proposed uses of the site and locations thereof; B. The boundaries of the site; C. Significant topographical and other natural features affecting development of the site; D. The location on the site of the proposed buildings, structures, and other improvements such as recreational and civic amenities and facilities; E. The number, type and density of dwelling units and the height of proposed buildings and other structures, by planning sub-area; F. The location of all existing, and the general location of proposed, utilities and other infrastructure on the site, including: water, sewer, roads, trails, and other pedestrian walkways; and G. The location of designated open space and the project perimeter buffers.
Maximum Extent Feasible	No prudent, practical, and feasible alternative exists, and all possible planning to minimize potential harm has been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."
Medical Office	Including offices of Doctors, Dentists, Chiropractors, and similar offices.
Mini storage or Mini warehouse	See Warehouse, Mini
Minor Street	A street or road used primarily for direct access and egress to residential, commercial, and industrial areas and having major service functions of loading, unloading, and direct access and egress to abutting property and controlled in such fashion as to discourage through traffic and to maintain relatively slow speed. There may also be provisions for parking, on minor streets.
Mobile Food Vendor	A two- or four-wheeled vehicle designed to carry foods and permitted by the County's Health Department. Such vehicles shall not be self propelled. (See Sec. 2.5.13)
Mobile Home	A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems. (Pre '76 Mobile Homes are not HUD-std "Manufactured Homes.")
Modular Building (Factory-built)	A factory-built building, residential or nonresidential, excluding mobile homes and manufactured homes defined herein. Such housing is certified as meeting the local building codes as applicable to modular housing and shall be considered equivalent to a site built building and which requires substantial assembly on site. Also referred to as "factory built" in Department of Building, Fire and Safety Rules, State of Arizona.

GENERAL TERMS	
Term	Definition
Motel / Hotel	A building or group of two or more detached, semi-detached or attached buildings containing guest rooms or apartments with automobile storage space provided in connection therewith, which building or group is designed, intended or used primarily for the accommodation of automobile travelers.
Multi-family Dwelling	See Dwelling, Multi-family
Municipal Uses	Municipal uses shall include, but not be limited to, any governmental use operated by, or contracted for, the City of Prescott and shall include uses such as, but not limited to, public playgrounds and parks, fire stations, police stations, libraries, City buildings, golf courses, shop and service facilities, water storage facilities, landfills, airports, sewage treatment plants, and warehouses.
Natural Grade	The ground surface (or grade) which is undisturbed by man.
Nonconforming Buildings, Improvements or Uses	Buildings, improvements, or uses which lawfully existed on any lot or plot prior to the effective date of any regulation, classification, or restriction under this Code or any amendment thereof, but which at such effective date did not comply with the regulations of this Code, and which thereafter uninterruptedly continue to exist, and which do not comply with the provisions of this Code for the district within which such buildings, improvements, or uses are located.
Nonresidential Subdivision	The division of a tract of land into parcels for occupancy by nonresidential uses and/or structures, whether for sale or for building development for leasing and/or renting.
Nurseries, Non-retail	Plant cultivation for eventual resale off-site, such as a wholesale operation.
Office, General and Professional	A place where a particular kind of business, excluding retailing, is transacted or a service is supplied according to the following: (1) Place in which the functions (such as consulting, record keeping, and clerical work) of a public or private agent are performed, or (2) A place in which a professional person conducts his professional business. (e.g., a psychologist, architect, or lawyer.)
Off-site Improvements	Those improvements required by Title XIV of the City Code.
Overlay Zoning District	A zoning district that encompasses one or more underlying zoning districts and that imposes additional or alternative requirements to that required by the underlying zoning district.
Parapet Wall	A low wall or railing to protect the edge of a platform, roof, or bridge.
Parcel	Real property that: (1) has a separate and distinct number or other designation shown on a plan, recorded with the County Recorder's Office or (2) is delineated on an approved record of survey, parcel map or subdivision map as filed with the County Recorder and abutting at least one public right-of-way or easement determined by the City to be adequate access.
Park and Ride Lot	Parking facilities that are accessory to a principal use, even if the operator leases the facility to the principal use or charges a fee to the individuals who park in the facility. Such lots are not considered Commercial Parking facilities.
Park Model	A recreational vehicle not exceeding 400 square feet in its set-up mode intended for permanent or semi-permanent installation and used as temporary or full-time living quarters. Such units are permitted in manufactured home parks and on individual manufactured home lots possessing the City's "MH" Manufactured Home Floating District designation.
Partial Width Street	A street having only a portion of its required right-of-way width dedicated for public use with a minimum street section to provide two traffic lanes and, where required, parking lanes.
Patio	A recreational area that is directly adjacent to a principal building, at or within 3 feet of finished grade, is often paved, especially for outdoor dining.
Patio Home	A single family detached dwelling unit located on its own relatively small lot. A patio home lot may be enclosed by a solid wall located at the lot line, broken only by driveways and pedestrian access points, thus creating a private yard area between the house and the wall.
Permit	A document issued by the City of Prescott, Arizona, granting permission to perform an act or service which is regulated by the City.

**Article 11 / Definitions**

GENERAL TERMS	
Term	Definition
Person	Any individual or his agent, firm, partnership, association, corporation or agent of the aforementioned groups or the State, or any agency or political subdivision thereof.
Planned Area Development	A residential, business, or industrial development that creates a more creative approach in the development of land and results in a more efficient, aesthetic, and desirable use of open area while maintaining the same population density and lot coverage permitted in the underlying zoning district. PAD permits flexibility in type of dwellings, placement of buildings, circulation facilities, off-street parking areas, and use of open spaces.
Planning and Zoning Commission	Shall mean the Planning and Zoning Commission of the City of Prescott, Arizona.
Plat or Tentative Plat	That portion of a preliminary plan or any separate drawing of a parcel of land that conforms with the requirements of the subdivision regulations intended for subdivision and approval of the Planning and Zoning Commission and City Council which is prepared in accordance with subdivision Plat Review procedures of the City of Prescott Land Development Code.
Playground	A piece of land used for, and usually equipped with, facilities for recreation especially by children.
Porch	A covered entrance to a building, usually with a separate attached roof.
Preliminary Site Development Plan	See Site Development Plan, Preliminary
Principal Building or Principal Use	That building or use on any building site to which all other uses on such site are subordinate. If there is more than one such use, the use of the lowest classification of Sec. 2.1, Districts Established, shall be considered the principal use.
Printing Shops	The business or profession where the primary function is the commercial production and/or publishing of literature, information, musical scores, or art.
Professional Practice	The conduct of the business or profession of a physician, surgeon, dentist, artist, lawyer, architect, engineer, surveyor, or similar professional person.
Property Lines	Those lines outlining the boundaries of properties on lots for the purpose of description in sale, lease, building development, or other separate use of property.
Protected Development Right	A protected development right is a right granted to undertake and complete the development and use of property - under the terms and conditions of a Protected Development Right Plan - without compliance with subsequent changes in zoning regulations and development standards, except as provided by Arizona Revised Statutes (ARS) § 9-1204 and as may be determined by the City Council.
Radial	A line forming right angles with the tangent of any given arc.
Recreational Vehicle	A vehicular-type unit 40 feet or less in length and 8 feet or less in width primarily designed as temporary living quarters for recreational, camping or travel use which either has its own automotive power or is mounted on or drawn by another vehicle.
Recreational Vehicle Park	An approved residential development as shown in the records of the City of Prescott Planning and Zoning Department, together with certain accessory buildings and uses providing for the enjoyment and benefit of the patrons of the park in which individual spaces are provided for parking of a recreational vehicle for temporary portable housing and sleeping purposes, whether or not a charge is made for such accommodation.
Recycling Collection Facility	A building or fenced/enclosed area used for the collection and processing of presorted recyclable materials. "Recycling processing" means the preparation of recyclable material for efficient shipment, to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning. "Recyclable materials" are re-usable materials including, but not limited to: metals, glass, plastic and paper, which are intended for re-use, remanufacture, or reconstitution for the purposes of using the altered form. Recyclable material does not include refuse or hazardous waste.

GENERAL TERMS	
Term	Definition
Recycling Facility	A totally enclosed building within which recyclable materials are converted into new products by reprocessing or remanufacturing. A recycling facility may also include collection and processing of recyclables for more efficient shipment. Outdoor storage of materials is acceptable on an area surfaced with a permanent, dust-free pavement behind an opaque fence or wall and landscaping in accordance with Municipal Code Sec. 4-62-A-4.
Refuse	"Refuse" is all putrescible and nonputrescible solid waste, including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.
Residential Street	A street or road within a residential area containing single-family homes, (e.g. townhouses, condominiums, mobile home subdivisions, or apartments). It also includes regional parks and cemeteries.
Residential Treatment Center	A residential facility which offers temporary (usually up to 180 days) housing which typically includes, but is not limited to, alcohol, drug/substance abuse or other treatment/recovery programs and which provides at a minimum: 1) On-site supervision by 1 or more responsible adults who are not obligated in any way to participate in the treatment/recovery programs provided at the Residential Treatment Center and who may provide supervision, personal care, meals, education, participation in community activities, counseling, treatment, or therapy for the residents thereof; 2) Administration of an in-house program of guidelines and goals for the expected conduct, achievement, performance and participation of the residents in an established treatment/recovery program; 3) Dispensing, storage and/or oversight of prescription medications by responsible individuals who are properly trained to do so; 4) Is recognized by potential referral agencies, public or private; and 5) A facility may be required to be licensed by, certified by, registered with, or otherwise authorized, funded or regulated, in whole or in part, by an agency or the State or the Federal government.
Ridge	An elongated crest or series of crests of a hill.
Ridgeline	A ground line located at the highest elevation of and running parallel to the long axis of the ridge.
Right-of-way	The entire dedicated tract, usually in a strip, of land for public use for street, highway, or other public improvement.
Rubbish	"Rubbish" is nonputrescible solid waste consisting of both combustible and noncombustible waste such as: paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, weeds, brush, wood, glass, bedding, crockery, or other accumulation of filth or debris.
School	School shall mean, unless otherwise specified, private or public places of general instruction for the education of children through grade 12 which is licensed by the Arizona Department of Education but shall not include pre-schools, dancing schools, riding academies, or trade or specialized vocational schools.
Separation Facility	The actual separation of recyclable materials prior to disposal at the landfill.
Service Station	An establishment engaged in the sale of motor vehicle fuel.
Sidewalk	That paved portion of a right-of-way between the curb lines or lateral lines of the roadbed and the boundary line of said right-of-way designed and intended for the movement of and use of pedestrian traffic.
Setback Line	A line that marks the minimum distance a structure must be located from the property line, and establishes the minimum required front, side or rear yard space of a building plot.
Sight Distance	A sight distance triangle as defined in Sec. Error! Reference source not found., Corner Setbacks and Intersection Visibility, or where determined by the Public Works Director as a location that would hinder intersection visibility.
Significant Traffic Impact	See Area of Significant Traffic Impact.
Single-family Dwelling	See Dwelling, Single Family.
Site Development Plan, Preliminary	A tentative site plan including, but not limited to, uses, building footprints, access and parking, drainage, landscape areas, and other information sufficient to allow the possible issuance of a grading permit.

## Article 11 / Definitions

GENERAL TERMS	
Term	Definition
Site Plan	A plan prepared pursuant to the requirements of Error! Reference source not found., Site Plan Review, to scale showing all the uses, existing and proposed, for a specified property, and including all information necessary to clearly define the intended use of the property.
Solid Waste Transfer Station	A centrally-located station, which allows the unloading of waste for transfer and/or consolidation into larger vehicles for the hauling of such waste to the disposal site.
Start of Construction	Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement occurs within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or, the placement of a manufactured home on foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
Stoop	A porch, platform, entrance stairway with up to 15 square feet.
Storage, Outdoor	For nonresidential uses, the placement of unenclosed placement of goods and equipment out of doors for more than 24 hours per month.
Storm Drain	A constructed conduit necessary, useful, or convenient for the collection and carrying of surface waters to a drainage course.
Story	A. Any portion of a building included between the floor at any point and the finished ceiling next above it or the finished undersurface of the roof over that particular floor. B. The lowest story, or the ground story, or first story of any building is the lowest story the ceiling of which is more than 6 feet above the average contact ground level at the exterior walls of the building. C. The mezzanine story shall be deemed a full story where it covers more than 33 1/3% of the area of the ground story.
Street	Any existing or proposed street avenue, road, lane, parkway, place, bridge, viaduct or, easement for public or private vehicular access, or a street in a plat duly filed and recorded in the County Recorder's office. A street includes all land within the street right-of-way, whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges, and viaducts.
Streets, Arterial	Arterial streets include such streets as may be so designated in the General Plan, Transportation Plans or Specific Area Plans -- major roadways carrying the greatest traffic volumes
Streets, Collector	Collector streets include such streets as may be so designated in the General Plan, Transportation Plans or Specific Area Plans - mid level streets often connecting to arterials and local streets.
Streets, Minor or Local	Local streets include all streets not otherwise designated as Arterial or Collector streets in the General Plan, Transportation Plans or Specific Area Plans - minor level streets providing direct access.
Structural Alterations	Any change in the supporting members of a building such as bearing walls, columns, beams, or girders and floor joists or roof joists, girders, rafters, or changes in roof or exterior lines.
Structure	Anything constructed, built or erected.
Stub Street	A short dead-end street or road no more than one lot deep in length, formed at the boundaries of a subdivision to provide access to abutting property.
Studio	The working place of an artist, painter, sculptor, fiber artist, ceramist, or photographer. A place for the study of fine arts; e.g. dancing, music, singing, acting, or other.
Subdivider	Any individual, firm, association, syndicate, co-partnership, corporation trust, or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

GENERAL TERMS	
Term	Definition
Subdivision	Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into 4 or more lots, tracts, or parcels of land, or, if a new street is involved, any such property which is divided into 2 or more lots, tracts, or parcels of land, or any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than 2 parts. A subdivision also includes any condominium, cooperative, community apartment, townhouse, or similar project containing 4 or more parcels in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.
Supervisory Care Center	A 24-hour supervised residence used as temporary living quarters for adults, and providing transitional housing and rehabilitation opportunities for persons experiencing an unstable or crucial time. Such use may or may not be licensed, certified or registered, in whole or in part, by and agency of the State or the Federal government.
Swimming Pool	A contained body of water, including spas and hot tubs, used for bathing or swimming purposes, either above or below ground level, with the container being 18 or more inches in depth and/or wider than 8 feet at any point measured on the long axis.
Technical Review Committee	The Technical Review Committee (TRC) of the City of Prescott.
Telecommunications	A communications tower or antenna and any associated accessory structures and equipment. (See Also "Communications Tower" and Sec. 2.4.51, Telecommunications Facilities)
Temporary Shelter	Also known as Homeless Shelter. A residential facility which offers short-term, temporary (up to 7 days), housing to indigent, needy, homeless or transient persons and which typically includes, but is not limited to, the following programs: 1) Beds, showers, personal grooming facilities; 2) Mail and telephone message services; 3) Guidance to obtain assistance from social service agencies or other agencies which can provide more permanent housing, transportation, etc. for residents of the Temporary Shelter.
Townhouse	See Dwelling, Single-family Dwelling.
Traffic Generation	The estimation of the number of origins from and destinations to a site resulting from the land use activity on that site.
Traffic Generator	A designated land use (residential, commercial, office, industrial, etc.) that generates vehicular and/or pedestrian traffic to and from the site.
Traffic Impact Analysis (TIA)	Traffic impacts study (TIA) that determines the potential traffic impacts of a proposed traffic generator. A complete analysis will include an estimation of future traffic with and without the proposed generator, analysis of the traffic impacts, and recommended roadway improvements that may be necessary to accommodate the expected traffic.
Traffic Mitigation	The reduction of traffic impacts on roadways and/or intersections to an acceptable level of service.
Transportation Plan	That portion of the General Plan adopted by the Planning and Zoning Commission and City Council designating and defining the physical street system for Prescott, Arizona.
Treadway	That portion of a trail, sidewalk or multi-use path improved for walking or riding upon; excludes slope easements and the like.
Use	The purpose for which premises or a building thereon is designed, arranged, or intended, or for which it is or in the future may be actually occupied or maintained.
User	A single dwelling or a structure used by a single business.
Veterinary Clinic	A facility for the diagnosis and treatment of domestic animals as outpatients, including the boarding of animals for the purpose of observation and recovery incidental to medical care. (See Also "Kennels")
Warehouse, Mini	A building or group of buildings that contains varying sizes of individual, compartmentalized, and controlled-access stalls or lockers for the dead storage of a customer's goods or wares. No service or repair activities other than the rental of dead storage units are permitted on the premises.
Yard	Open spaces on the lot or building plot on which a building is situated and which are open and unobstructed to the sky by any structure except as herein provided.

## Article 11 / Definitions

GENERAL TERMS	
Term	Definition
Yard, Front (required)	A yard facing and abutting a street and extending across the front of a lot or building plot between the side property lines and having a minimum horizontal depth measured from the front property line to a depth of the setback specified for the district in which the lot is located.
Yard, Side (required)	A yard located on a lot or building plot extending from the required rear yard to the required front yard having a minimum width measured from the side property line as specified for the district in which the building plot is located.
Yard, Rear (required)	A yard extending across the rear of the lot or building plot between the side property lines and having a minimum depth measured from the rear property line as specified for the district in which the building plot is located.
Zero Lot Line	Means the location of a structure on a lot in such a manner that one or more of the structure's side facades rest directly on a lot line.





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## Appendices

### A. Airport Influence Area

The Airport influence Area is described to include the following parcels:

**Parcel 1**

All of Sections 1, 2 & 3, Township 14 North, Range 02 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

**Parcel 2**

All of Sections 5 & 6, Township 14 North, Range 01 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

**Parcel 3**

All of Sections 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 & 36, Township 15 North, Range 02 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

**Parcel 4**

All of Sections 8, 9, 16, 17, 18, 19, 20, 29, 30, 31 & 32, Township 15 North, Range 01 West, Gila and Salt River Base and Meridian, Yavapai County, Arizona.

(City of Prescott Map)

## **B. Traffic Impact Analysis Format**

- 1. Introduction and Summary**
  - a. Purpose of Report and Study Objectives**
  - b. Executive Summary**
    - i. Site Location and Study Area
    - ii. Development Description
    - iii. Principal Findings
    - iv. Conclusions
    - v. Recommendations
- 2. Proposed Development**
  - a. Site Location (vicinity map)**
  - b. Land Use and Intensity**
  - c. Proposed Development Details**
  - d. Site Plan (readable version must be provided)**
  - e. Access Geometrics**
  - f. Development Phasing and Timing**
- 3. Study Area Conditions**
  - a. Study Area**
    - i. Area of Significant Traffic Impact
    - ii. Influence Area
  - b. Land Use**
  - c. Existing Land Use**
  - d. Anticipated Future Development**
  - e. Site Accessibility**
  - f. Existing and Future Area Roadway System**
- 4. Analysis of Existing Conditions**
  - a. Physical Characteristics**
  - b. Roadway Characteristics**
  - c. Traffic Control Devices**
  - d. Pedestrian/Bicycle Facilities**
  - e. Traffic Volumes**
    - i. Peak Periods (2 hour minimum, and others as required)
    - ii. Daily,
    - iii. Morning, and
    - iv. Afternoon



**10. Figures and Tables**

**11. Site Location**

- Site Plan
- Existing Transportation
- Existing Peak Hour Turning Volumes
- Collision Diagram(s)
- Estimated Site Traffic Generation
- Directional Distribution of Site Traffic
- Site Traffic
- Non-Site Traffic
- Total Future Traffic
- Projected Levels of Service
- Recommended Improvements

(For Sec. 1, many of the items may be documented within the text. For other categories, the items shall be included in figures and/or tables.)

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## C. Low Water Use Plant List – Prescott Management Area

### LOW WATER USE PLANT LIST PRESCOTT ACTIVE MANAGEMENT AREA

This list was compiled by the Department in cooperation with experts from the Desert Botanical Garden, Arizona Department of Transportation, and various nurserymen and landscape specialists from the Prescott AMA. Individuals wishing to add low water use plants to this list or delete plants from the list may submit information to the director of the Department of Water Resources for consideration. The director will amend the list as appropriate.

#### TREES

<b>Botanical Name</b>	<b>Common Name</b>
<i>Abies concolor</i>	White Fir
<i>Ailanthus altissima</i>	China Tree of Heaven
<i>Albizia julibrissim</i>	Mimosa
<i>Betula papyrifera</i>	Paper Birch
<i>Buchichiton populneum</i>	Ottle Tree
<i>Cedrus deodara</i>	Deodra Cedar
<i>Celtis occidentalis</i>	Hackberry
<i>Cupressus glabra</i>	Arizona Cypress
<i>Elaegnus augustifolia</i>	Russian Olive
<i>Fraxinus velutina</i>	Arizona Ash
<i>Fraxinus velutina glabra</i>	Modesto Ash
<i>Gleditsia tricanthos, var. Moraine</i>	Moraine Locust
<i>Gleditsia tricanthosinerus</i>	Thornless Honey Locust
<i>Juniperus drepaeanna pachyphlaia</i>	Alligator Juniper
<i>Juniperus scopulorum</i>	Rock Mountain Juniper
<i>Koellreuteria poniculata</i>	Golden RainTree
<i>Malus spp.</i>	Flowering Crab
<i>Morus Kingan</i>	Kingan Fruitless Mulberry
<i>Picea Canadensis</i>	White Spruce
<i>Pinus cembroedes edulis</i>	Pinyon Pine
<i>Pinus Halepensis</i>	Pine, Bristlecone
<i>Pinus ponderosa</i>	Ponderosa (Western Yellow) Pine
<i>Prunus padus</i>	Mayday Tree
<i>Quercus emoryii</i>	Emory Oak
<i>Quercus gambelli</i>	Gambell's Oak
<i>Robinia pseudocacia</i>	Black Locust
<i>Sequoiadendron gigantium</i>	Giant Sequoia
<i>Thuja occidentalis pyramidalis</i>	American Pyramid Arbor Vitae
<i>Tilia tomentosa</i>	Silver Linden
<i>Ulmus americans</i>	American Elm
<i>Efimus pumila</i>	Chinese Elm

**LOW WATER USE PLANT LIST (*continued*)**

**SHRUBS**

<b>Botanical Name</b>	<b>Common Name</b>
<i>Acacia greggii</i>	Catclaw
<i>Acer grandidentatum</i>	Big Tooth Maple
<i>Berberis mentorensis</i>	Mentor Barberry
<i>Berberis atropupurea</i>	Red Leaf Barberry
<i>Berberis repens</i>	Creeping Mahonia
<i>Buxux microphylla koreana</i>	Korean Boxwood
<i>Caragnan arborescens</i>	Siberian Peashrub
<i>Ceratoides lanata</i>	Winterfat
<i>Cercis occidentalis</i>	Western Redbud
<i>Cerocarpus ledifolius</i>	Curl-leaf Mountain Mahogany
<i>Chrysothamnus spp.</i>	Rabbitbrush
<i>Cotoneaster congestus</i>	Pyrenees Cotoneaster
<i>Cotoneaster horizontalis</i>	Creeping Cotoneaster
<i>Cotoneaster divaricata</i>	Spreading Cotoneaster
<i>Cornus stolonifera</i>	Red-osifer Dogwood
<i>Continus coggygria</i>	Smoke Tree
<i>Cowania mexicana</i>	Cliffrose
<i>Euonymous</i>	Euonymous
<i>Fallugia paradoxa</i>	Apache Plume
<i>Hedera helix</i>	English Ivy
<i>Heteromeles arbutifolia</i>	Toyon/Christmas berry
<i>Hibicus syriacus</i>	Rose of Sharon
<i>Holodiscus dumosus</i>	Bush Rockspiera
<i>Japonica</i>	Euonymous
<i>Kolwitzia amabilis</i>	Beauty Bush
<i>Lonicera Clavey's Dwarf</i>	Clavey's Dwarf Honeysuckle
<i>Mahonia aquifolium</i>	Oregon Hollygrape
<i>Philadelphus lemoninea</i>	Mockorange
<i>Photinia serrulata</i>	Chinese Photinia
<i>Physocarpus monogynus</i>	Ninebark
<i>Prunus virginiana demissa</i>	Western Chokecherry
<i>Pyracantha coccinea lalandei</i>	Lalandei Firethorn Pyracantha
<i>Rhus trilobata</i>	Skunkbush Sumac
<i>Rhus glaba</i>	Smooth Sumac
<i>Rosa arizona</i>	Arizona Rose
<i>Rosa rugosa</i>	Rugosa Rose
<i>Sambucus spp.</i>	Elderberry
<i>Senecio longilobus</i>	Threadleap Groundsel/Mescal bean
<i>Sophora secundiflora</i>	Texas Mountain Laurel
<i>Spirea trichocarpa</i>	Korean Spirea
<i>Syringa vulgaris</i>	Common Lilac
<i>Tamarix parviflora</i>	Salt Cedar
<i>Taxux species</i>	Japanese Yew
<i>Yucca baccata</i>	Indian Banana
<i>Yucca glauca</i>	Soapweed

**LOW WATER USE PLANT LIST (*continued*)**

**PERENNIALS, BULBS, ANNUALS**  
**(Common and/or Botanical Names not specified)**

**Botanical Name**

Achillea  
Agave  
Anacyclus depressus  
Baptisia australis  
Bearded Iris  
Cleome spinosa  
Coreopsis  
Cortaderia selloana  
Cosmos  
Echeveria  
Erigeron  
Euphorbia  
Gaillardia  
Kniphofia livaria  
Liatris  
Linum  
Marrubium vulgare  
Narcissus  
Oenothera berlandieri  
Phlox fruticosa  
Portulaca grandiflora  
Sedum  
Tithonia rotundifolia  
Verbena  
Wisteria  
Yucca

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## **D. Planning and Zoning Commission Bylaws**

### **CITY OF PRESCOTT PLANNING AND ZONING COMMISSION BYLAWS**

#### **ARTICLE I**

##### **Name**

- A. The name of this organization shall be: PLANNING AND ZONING COMMISSION City of Prescott, Arizona (hereinafter called Commission).

#### **ARTICLE II**

##### **Purpose**

- A. The Commission is responsible for acting in accordance with the provisions of the Prescott City code, Title I chapters 6 and 13, applicable city council Resolutions regulating same, and the Prescott Zoning Code as adopted pursuant to Title X of the Prescott City Code, for the purpose of taking action and making recommendations on all matters which properly come within the purview of the Commission.

#### **ARTICLE III**

##### **Membership**

- A. Members shall be appointed by the Mayor and the Prescott City Council.
- B. The Commission shall consist of seven (7) members.
- C. Members shall serve for a four-(4) year term

#### **ARTICLE IV**

##### **Vacancies**

- A. Commission members may resign from their appointed post for any reason. It is suggested that thirty-(30) days' written notice be given.
- B. Members will be terminated in the event of excessive absences, as more particularly set forth in Prescott City Code Section 1-13-5.

#### **ARTICLE V**

##### **Officers**

- A. The Commission shall elect from its members a Chairman and Vice-chairman at the first regularly scheduled meeting in January. Term of office shall be one (1) year.
- B. The Secretary shall be appointed by the Community Development Director.

## ARTICLE VI

### Duties of Officers

- A. The Chairman shall:
  - (1) Preside at all meetings.
  - (2) Coordinate the agenda with the Community Development Director.
  - (3) Coordinate with the Community Development Director to provide current information on Planning and Zoning regulations, City Council actions and Planning and Zoning policies.
- B. The Vice-chairman shall assume the duties of the Chairman in his/her absence.
- C. The Secretary shall keep a record of the proceedings of all meetings, send out required notices for all meetings, compile agendas, keep records, files and indexes, perform the clerical work of the Commission and any other duties assigned by the Community Development Director.

## ARTICLE VII

### Legal Counsel

- A. The Prescott City Attorney shall be the legal counsel for this Commission.

## ARTICLE VIII

### Meetings

- A. All meetings and hearings of the Commission shall be subject to the Arizona Open Meeting Law. Parliamentary authority shall be Robert's Rules of Order Newly Revised.
- B. Regular Meetings will be held on the second (2<sup>nd</sup>) Thursday and last Thursday of each month at 9:00 A.M. unless a different date and time is designated by the Chairman of the Commission
- C. Special meetings will be held at the call of the Chairman with appropriate notice.
- D. The quorum shall be four (4) Commission members.
- E. Agenda format:
  - (1) Call to order
  - (2) Recording of member's present/absent and staff in attendance
  - (3) Regular action items
  - (4) Public hearings
  - (5) Discussion items
  - (6) Adjournment
- F. If an item is being considered by the Commission for the first time, it shall not be voted upon at the initial meeting if there is an objection to a vote by one Commission member.

**ARTICLE IX**

**Field Inspections**

- A. The Community Development Department shall provide staff accompaniment for Commission members who wish to conduct field inspections to personally examine properties, which will be considered by the Commission.

**ARTICLE X**

**Amendments**

- A. Amendments to these Bylaws may be made by a two-thirds (2/3<sup>rd</sup>s) vote of the Commission following a fourteen (14) day written notice of proposed changes.
- B. Exceptions are those articles that are established by Ordinance and may not be changed without action of the Prescott City Council.

PASSED, APPROVED and ADOPTED by the Planning and Zoning Commission of the City of Prescott this 13<sup>th</sup> day of December 2001.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Tom Guice, Community Development Director

APPROVED AS TO FORM:

\_\_\_\_\_  
John R. Moffitt, City Attorney

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## E. Board of Adjustment Bylaws

### BOARD OF ADJUSTMENT

#### BYLAWS

##### ARTICLE I

###### Name

The name of the Board shall be BOARD OF ADJUSTMENT, City of Prescott, Arizona

##### ARTICLE II

###### Purpose

The Board is responsible for acting in accordance with the provisions of the Arizona Revised Statutes Section 9-462 et seq. and the City Code Title I, Chapter 7, and the Zoning Code of the City of Prescott for the purpose of taking action on all matters which properly come within the purview of the Board.

##### ARTICLE III

###### Membership

- A. Members shall be appointed by the Mayor, with the advice and consent of the City Council, in accordance with City Code and Council polity.
- B. The Board shall consist of seven (7) members.

##### ARTICLE IV

###### Vacancies

- A. Board members may resign from their appointed post for any reason. It is requested that thirty (30) days written notice of resignation be given to the Chairman of the Board.
- B. If any member shall be absent for more than two (2) consecutive meetings without notifying the Chairman or the Planning and Zoning Director, or shall be absent for more that thirty percent (30%) of all meetings during any one twelve-month period for any reason, he or she shall thereupon automatically cease to hold membership on the Board of Adjustment without any further action being taken by either the Board or the City Council. It shall be the responsibility of the Chairman of the Board to so notify the City Council immediately upon the creation of a vacancy pursuant to this Section. Meetings as used in this Section shall include all regular and special meetings, study sessions and field inspections. (City Code, Section 1-7-6/Ord. 2278, 6/25/91)

ARTICLE V

Officers and their Duties

- A. The Board shall elect from its members a Chairman and Vice-chairman at the first regularly scheduled meeting in January of each year. Term of office shall be one (1) year. A chairman shall not serve more than two (2) consecutive full terms. In the event of the vacancy of the office of chairman, the current vice-chairman shall fulfill the unexpired term of the chairman and a new vice-chairman shall be elected at the next meeting of the Board.
- B. The Chairman shall:
  - (1) Preside at all meetings
  - (2) Coordinate agenda with Planning and Zoning Division.
  - (3) Coordinate with the Planning and Zoning Director to provide the Board current \_\_\_\_\_.
  - (4) Review and sign all minutes of Board meetings.
- C. The Vice-chairman shall act for the Chairman in his/her absence.
- D. Secretary: The secretary, who shall be appointed by the Planning and Zoning Director, shall keep a record of proceedings of all meetings, send out all meeting notices required, compile agenda, records, files, indexes, and shall perform the clerical work of the Board. The secretary shall not be a member of the Board.
- E. Legal counsel: The Prescott City Attorney shall be legal counsel for the Board.

ARTICLE VI

Meetings

- A. All meetings and hearings of the Board shall be subject to the Arizona Open Meeting Law.
- B. Each member of the Board will be expected to make individual field inspections to examine the properties for which variances, conditional use permits and appeals are requested; and if there should be a need for a group field inspection, Staff will notify Board members by phone or in writing.
- C. Regular Board meetings will be held on the third (3<sup>rd</sup>) Thursday of every month.
- D. Changes in the date of the field inspection meetings may be made by the Chairman or four members of the Board. Special meetings may be held on call of the Chairman or four members of the Board.
- E. Voting: A majority of the total members of the Board (4) must vote for a request for approval. Members shall only refrain from voting due to a substantial conflict of interest, as defined in A.R.S. Section 38-502, and shall state that fact for the record. The chairman may request a show of hands to clarify the vote.
- F. Agenda Format:
  - (1) Call to order (normally 9:00 A.M.)
  - (2) Recording of members present/absent, staff, and public in attendance
  - (3) Administering oath
  - (4) Deferred items
  - (5) Other items, such as variances, conditional use permits, appeals, parking requirements, screening plans, etc.

ARTICLE VII

Code of Ethics

- A. Board of Adjustment members occupy positions of public trust. Board members shall strictly adhere to both the letter and the spirit of the laws of the State of Arizona pertaining to conflicts of interest and open meetings.
- B. Board members shall refrain from making use of special knowledge or information before it is made available to the general public.
- C. Board members shall refrain from using their influence as members of the board in attempts to secure favorable municipal action for themselves, friends, immediate family members, or business associates.
- D. Board members shall be disqualified from participation in any manner in the decision of the Board when such action will violate sections A through C of this Article.

ARTICLE VIII

Amendments

Amendments to these By-laws shall be made by a majority vote of the full Board.

These By-laws have been presented to the Board. All By-laws dated previous to \_\_\_\_\_, \_\_\_\_\_ 1993, are null and void.

Approved on the \_\_\_\_\_ day of \_\_\_\_\_, 1993, by a quorum of Board of Adjustment members.

\_\_\_\_\_  
Chairman of the Board of Adjustment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator, Planning and Zoning Division

\_\_\_\_\_  
Date

ARRPOVED AS TO FORM:

\_\_\_\_\_  
John R. Moffitt, City Attorney

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## F. Title XIV, Chapter 1, Prescott City Code, Off-Site Improvements

### OFF-SITE IMPROVEMENTS

**14.1.1 / Applicability Of Chapter:** (amended. Ordinance. 3469, effective. 2-22-96; amended. Ordinance 3652, effective 8-21-97)

- A. This Chapter shall apply:
  - 1. When a new building is being constructed.
  - 2. When an addition to an existing building is being constructed and the addition is valued at fifty percent (50%) or more of the building's value prior to the addition.
  - 3. When an interior or exterior remodeling is done, and the value of that remodeling is fifty percent (50%) or more of the building's value prior to the remodeling.
  - 4. When there is any change in use or change in allowed use for which any City approvals are required.
- B. This Chapter shall not apply to a structure which is zoned solely for single-family residential purposes.
- C. Subsections 14.1.2(A), (C), (E) and (F) shall not apply to a property which is scheduled for those improvements in accordance with a Capital Improvement Plan as adopted by the City Council.

**14.1.2 / Off-Site Improvements Required:**

- A. Asphalt concrete surfacing, grading, and aggregate base of a roadway or alleyway.
- B. Traffic control devices and signalization.
- C. Construction or repair of concrete sidewalks abutting the property.
- D. Installation of fire hydrants to service the property.
- E. Construction or repair of curb and gutter which abuts the property.
- F. Dedication of right-of-way.
- G. Completion of traffic area impact studies, or financial contribution towards the cost thereof.
- H. Utility upgrades to adequately service the property.
- I. On-site and/or off-site drainage facilities or improvements.

**14.1.3 / Determination of Extent of Off-Site Improvements:** (amended Ordinance. 3684, effective 11-27-97)

- A. The improvements required by Sections 14.1.2(A), (B), (G) and (I) shall be determined based upon an individualized determination to be made by the Public Works Director that the required improvement (or proportionate amount thereof) is related both in nature and extent to the proposed use of the property.
- B. The improvements required by Section 14.1.2 (F) shall be determined based upon an individualized determination that the required dedication is related both in nature and extent to the proposed use of the property, said determination to be made pursuant to a traffic impact analysis. The Public Works Director shall determine whether or not a traffic impact analysis is required; in the event that such an analysis is required, it shall be paid for by the property owner, and shall be performed by an independent third party acceptable to the Public Works Director.
- C. In the event that the traffic impact analysis required pursuant to Section 14.1.3 (B) determines that right-of-way dedication is not required, then and in that event the City of Prescott shall be responsible for paying for the actual cost of said analysis.
- D. Notwithstanding the provisions of Section 14.1.3(B), right-of-way dedication may be accepted by the City if the property owner voluntarily agrees to dedicate said right-of-way without the necessity of obtaining a traffic impact analysis.

**14.1.4 / Approval Of Off-Site Improvements**

- A. Approval of off-site improvement plans consisting of designed and engineered plans shall be prerequisite to the issuance of a building permit. Off-site improvements shall be constructed in accordance with the plans approved by the Public Works Director and in accordance with "The Standard Detail Drawings and Uniform Standard Specifications for Public Works Construction", as defined in Title VIII, Chapter 5 of the City Code.
- B. When off-site improvements are waived and a cash deposit is made in lieu thereof in accordance with Section 14.1.5 of this Chapter, the submittal of off-site improvement plans consisting of designed and engineered plans are not required as a prerequisite to the issuance of a building permit or the issuance of an occupancy permit by the Building Official.

**14.1.5 / Completion Of Off-Site Improvements**

- A. Completion of the required off-site improvements is a prerequisite to the issuance of a Certificate of Occupancy by the Building Official, unless an earlier completion date is required as a condition of City approval in accordance with Section 14.1.1(A)(iv). Improvements will be considered complete when they have been inspected and accepted by the Public Works Director, who shall certify in writing to the Building Official that the required off-site improvements have been constructed in accordance with the approved plans.
- B. If the Public Works Director determines, in his sole discretion, that off-site improvements are applicable, but should not be constructed by the property owner, the Public Works Director may waive actual construction of said improvements and require, in their place, a deposit in cash by, or on behalf of, the applicant or property owner, in an amount estimated by the Public Works Director to cover the costs of the installation of such off-site improvements. All such sums deposited shall be used to defray the cost of any required off-site improvements, and when thus installed the portion of such deposit exceeding the cost of said installation shall be refunded, without interest, to the person making the deposit. Payment of the foregoing sums shall be required prior to the issuance of a Certificate of Occupancy by the Building Official, unless an earlier date is set forth as a condition of City approval in accordance with Section 14.1.1(A)(iv).

- 14.1.6 / Exceptions:** Where the construction alterations or additions consist solely of the installation or replacement of mechanical equipment, or the alterations or additions do not constitute a change in use and will not generate additional traffic, off-site improvements are not a requirement under this Chapter.
- 14.1.7 / Non-Conforming Lot Resulting From Dedication Of Right-Of-Way:** When dedication is required by this Chapter and the resultant lot or parcel of land whose lot area or street frontage becomes less than that required by the Zoning Code, said lot or parcel of land shall hereafter be deemed to be a legal lot or parcel of land under the Zoning Code from which the dedication was obtained.
- 14.1.8 / Compatibility With Subdivision Regulations:** The provisions of Title XIV are not intended to conflict with or waive any of the provisions of Title XII entitled "Subdivisions" of the City Code, Prescott, Arizona.
- 14.1.9 / Civil Violation:** Violation of any provision of this Chapter shall be a civil violation and shall be subject to the provisions of Section 1-3-2 for each day that the violation continues.

## G. Adopting Resolution, Amending Resolutions and Ordinances

### **Resolution #3541 – *Land Development Code***

Adopted July 8, 2003

### **Resolution #3594**

Amended previous Resolution on March 30, 2004

Sections amended:

- Table 2.3, Use Table
- Table 3.11, Specially Planned Community
- Table 6.2.3, Off-Street Parking and Loading
- Section 9.10.9(a)(2)(v)(1), Subdivision Plat Review
- Preliminary Plats, Preliminary Plat Requirements, Utility Layout

### **Resolution #3638**

Amended previous resolutions on November 9, 2004

Sections amended:

- Table 2.3, Use Table
- Section 2.4, adding Section 2.4.45, Transitional Housing (Residential Use Categories)
- Section 6.2.2(A), Off-Street Parking and Loading; Applicability; New Development
- Section 6.5.2(D), Landscaping and Screening; Applicability
- Section 6.8.3(A), (B), and (C), Hillside Development Standards; Residential Density Allocation and Maximum Site Disturbance
- Table 6.8.3, Hillside Residential Density
- Section 10.2.5, Nonconforming Uses; Destruction or Demolition
- Section 10.3.3, Nonconforming Structures; Destruction or Demolition
- Section 11.1.3(B)(3), Residential Use Categories; Assisted Living; Examples
- Section 11.1.3, adding Section 11.1.3(E), Transitional Housing
- Table 11.2.5, General Terms

### **Resolution #3647 (continued on next page)**

Amended previous resolutions on December 21, 2004

Sections amended:

- Section 1.9.2, Reliance Upon Previous Code
- Section 1.9.3, Conditional Uses
- Section 1.9.4, Special Uses
- Section 3.8.3(C)(4), Density and Dimensional Standards; Townhouse Dwellings
- Section 3.8.3(F)(2), Density and Dimensional Standards; Side
- Section 4.5.4(C), District Standards; Maximum Allowable Floor Area
- Section 5.3.2, Applicability
- Table 6.12.5(A), Freestanding Sign Standards
- Table 6.12.5(B), Canopy or Wall Sign Standards

**Resolution #3647** (continued)

Section 7.4.7(C)(3), Easements  
Section 7.4.7(C)(6), Easements  
Section 7.4.8(A), Water Supply  
Section 7.4.8(C), Water Supply  
Section 7.4.9(A), Sanitary Sewers  
Section 7.4.10(C), Drainage  
Section 7.6.2(B), Release of Financial Assurance  
Section 7.6.2(D), Release of Financial Assurance

**Resolution #3751**

Amended previous resolutions on April 25, 2008

“The April 2006 Amendments to the City of Prescott *Land Development Code* dated July 1, 2003” declared to be a public record.

**Resolution #3801**

Amended previous resolutions on February 13, 2007

“The February 2007 Amendments to the City of Prescott *Land Development Code* dated July 1, 2003” declared to be a public record.

**Resolution #3809**

Amended previous resolutions on March 27, 2007

“The March 2007 Amendments to the City of Prescott *Land Development Code* dated July 1, 2003” declared to be a public record.

**Ordinance #4683-0926**

Adopted on November 25, 2008, amended Title X

Sections amended:

Title X, *Land Development Code*, Table 6.2.9  
Section 6.4.3, Permit Requirements  
Section 6.4.7, Design Considerations omitted; Section 6.4.7 reserved  
Section 6.11.3(A)(1)(b), Security Lighting  
Table 6.12.5(C), Special Events

**Ordinance #4700-0943**

Amended previous resolutions on May 12, 2009

Sections amended/added:

Table 2.3, Use Table (Hotels/Motels, Dormitories, Schools)  
Section 2.5.13, Mobile Food Vendors (added)  
Section 6.2.5.C, Compact Parking  
Section 7.4.5.B.4, Flag Lot Dimensions