

Zoning Districts

Section No.		Page No.
Section 3-1	Single Family Residential (R1) - - - - -	2
Section 3-2	Single Family Residential (R1A) - - - - -	3
Section 3-3	Single Family Residential Limited (R1L) - - - - -	4
Section 3-4	Single Family and Limited Multiple Family Residential (R2) -	5
Section 3-5	Multiple Family Residential (R3) - - - - -	6
Section 3-6	Manufactured Home Residential (R4) - - - - -	8
Section 3-7	Manufactured Home Residential Alternate (R4A) - - - - -	12
Section 3-8	Suburban Residential (RS3) - - - - -	15
Section 3-9	Central Business District (CB) - - - - -	16
Section 3-10	Commercial - - - - -	24
Section 3-11	Neighborhood Commercial (NC) - - - - -	28
Section 3-12	Highway Commercial (HC) - - - - -	32
Section 3-13	89A Corridor Commercial Overlay District - - - - -	36
Section 3-14	Industrial District (I) - - - - -	40
Section 3-15	Open Space District (OS) - - - - -	44
Section 3-16	Arts & Entertainment District- - - - -	45

Section 3-1 Single Family Residential (R1)

- A. Principal Use Permitted: (Not requiring a use permit).
1. Single family dwellings, excluding mobile or manufactured homes.
 2. Publicly owned or operated park, playground or community building.
 3. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
 4. Family Day Care Homes located on a public street.
 5. Bed and Breakfast establishments in conformance with Section 4-15.
- B. Accessory Uses Permitted: (Not requiring a use permit).
1. Accessory uses, building or structures customarily incident to any use permitted by this section such as servant or guest quarters, private garages, private workshops, and home occupations governed by the provisions of Section 4-11.
- C. Conditional Uses Permitted: (Requires a use permit).
1. Home Occupations which do not adhere to the provisions of Section 4-11.
 2. Group Day Care Homes located on a public street.
 3. Churches, Synagogues, or other places of worship on lots of at least 10,000 sq. ft.
 4. Cemeteries
 5. Medical Marijuana Caregiver Facility. **(Created Ordinance #331 - Effective 04/08/11)**
 - (a) Applicant is required to obtain a Home Occupation License.
- D. Building Height Limitation: 2 ½ stories, not to exceed 35 feet. E.
- Maximum Lot Coverage Ratio: 0.3
- F. Minimum Lot Size: 10,000 square feet per single family dwelling unit.
- G. Minimum Lot Frontage: 60 feet.
- H. Minimum Average Lot Width: 80 feet.
- I. Minimum Yard Area Standards: Front - 20 feet
Side- 10 feet
Rear- 20 feet
- J. Signs: Sign standards for this district are stated in Section 7.

Section 3-2 Single Family Residential (R1A)

- A. Principal Use Permitted: (Not requiring a use permit).
1. Single family dwellings, excluding mobile or manufactured homes.
 2. Publicly owned or operated park, playground or community building.
 3. Installation for sewer, water, gas electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
 4. Family Day Care Home.
 5. Bed and Breakfast establishments in conformance with Section 4-15.
- B. Accessory Uses Permitted: (Not requiring a use permit).
1. Accessory uses, buildings or structures customarily incident to any use permitted by this section such as servant or guest quarters, private garages, private workshops, and home occupations governed by the provisions of Section 4-11.
- C. Conditional Uses Permitted: (Requires a use permit).
1. Home Occupations which do not adhere to the provisions of Section 4-11.
 2. Group Day Care Homes
 3. Churches, Synagogues, or other places of worship on lots of at least 10,000 sq. ft.
 4. Medical Marijuana Caregiver Facility. **(Created Ordinance #331 - Effective 0 4/08/11)**
 - (a) Applicant is required to obtain a Home Occupation License.
- D. Building Height Limitation: 2 stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.4
- F. Minimum Lot Size: 5,000 sq. ft. per single family dwelling unit.
- G. Minimum Lot Frontage: 50 feet.
- H. Minimum Average Lot Width: 50 feet.
- I. Minimum Yard Area Standards:
- | |
|-----------------|
| Front - 15 feet |
| Side - 5 feet |
| Rear - 15 feet |
- J. Signs: Signs standards for this district are stated in Section 7.

Section 3-3 Single Family Residential Limited (R1L)

- A. Principal Use Permitted: (Not requiring a use permit).
1. Single family dwellings, excluding mobile or manufactured homes.
 2. Publicly owned or operated park, playground or community building.
 3. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
 4. Family Day Care Homes located on a public street.
 5. Bed and Breakfast establishments in conformance with Section 4-15.
- B. Accessory Uses Permitted: (Not requiring a use permit).
1. Accessory uses, buildings or structures customarily incident to any use permitted by this section such as servant or guest quarters, private garages, private workshops, and home occupations governed by the provisions of Section 4-11.
- C. Conditional Uses Permitted: (Required a use permit).
1. Home Occupations which do not adhere to the provisions of Section 4-11.
 2. Group Day Care Homes located on a public street.
 3. Churches, Synagogues, or other places of worship on lots of at least 43,560 sq. ft. (1 acre) and located on a public street.
 4. Golf Courses, Country Clubs including social and dining activities.
 5. Cemeteries.
 6. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)
 - (a) Applicant is required to obtain a Home Occupation License.
- D. Building Height Limitation: 2 ½ stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.2
- F. Minimum Lot Size: 43,560 sq. ft. (1 acre) per single family dwelling unit.
- G. Minimum Lot Frontage: 100 feet.
- H. Minimum Average Lot Width: 140 feet.
- I. Minimum Yard Area Standards: Front - 30 feet
Side - 10 feet
Rear - 30 feet

J. Signs: Sign standards for this district are stated in Section 7.

Section 3-4 Single Family and Limited Multiple Family Residential (R2)

A. Principal Uses Permitted: (Not requiring a use permit).

1. Single family dwellings, excluding mobile or manufactured homes.
2. Two (2), three (3) and four (4) family dwelling units, excluding mobile homes.
3. Publicly owned or operated park, playground or community building.
4. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
5. Family Day Care Homes and Group Day Care Homes.
6. Bed and Breakfast establishments in conformance with Section 4-15.

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incident to any use permitted by this section such as servant or guest quarters, private garages, private workshops, and home occupations governed by the provisions of Section 4-11 of this Zoning Code.

C. Conditional Uses Permitted: (Requires a use permit).

1. Home Occupations which do not adhere to the provisions of Section 4-11.
2. Apartment buildings exceeding four (4) units per building.
3. Churches, Synagogues or other places of worship on lots of at least 10,000 sq. feet.
4. Hospitals, public schools or private schools located on collector or arterial streets.
5. Day Care Centers.
6. Cemeteries.
7. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)

(a) Applicant is required to obtain a Home Occupation License.

D. Building Height Limitations: 2 ½ stories, not to exceed 35 feet.

E. Maximum Lot Coverage Ratio: 0.4

F. Minimum Lot Size:

1. 8,000 square feet per single family dwelling unit.

2. 4,000 square feet per dwelling unit for structures exceeding detached single family homes.

G. Minimum Lot Frontage:

1. 60 feet for a single family dwelling unit.
2. 90 feet for two (2), three (3) or four (4) unit structures.
3. 120 feet for apartment complexes.

H. Minimum Average Lot Width: 60 feet.

I. Minimum Yard Area Standards:

Front- 20 feet

Rear- 20 feet

Side- 8 feet for single family dwelling unit and single story multi-unit structures, 10 feet for multi-unit structures exceeding one story.

J. Signs: Sign standards for this district are stated in Section 7.

Section 3-5 Multiple Family Residential (R3)

A. Principal Uses Permitted: (Not requiring a use permit).

1. Any use permitted by right in the R2 zone district.
2. Multiple family dwelling structures.
3. Churches, hospitals, schools and cemeteries.
4. Convalescent homes and retirement centers.
5. Bed and breakfast establishments, boarding and rooming houses.

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Accessory uses, buildings or structures customarily incident to any use permitted by this section such as private garages, private workshops, and home occupations governed by the provisions of Section 4-11. For non-residential uses one illuminated, non-flashing identification on premise sign not exceeding sixty-four (64) square feet and indicating only the name or address of the use thereof in conformance with Section 7.

C. Conditional Uses Permitted: (Requires a use permit).

1. Home occupations which do not adhere to the provisions of Section 4-11.
2. Day Care Centers.

- 3. Golf Courses and Country Clubs including social and dining activities.
- 4. Private clubs, fraternities, sororities and lodges, excepting those whose chief activity is a service customarily carried on as a business.
- 5. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)
 - (a) Applicant is required to obtain a Home Occupation License.
- D. Maximum Building Height: 3 stories, not to exceed 45 feet.
- E. Minimum Lot Size:
 - 1. 8,000 square feet for single family use.
 - 2. 4,000 square feet per unit for two (2), three (3) or four (4) family structures.
 - 3. 3,000 square feet per unit for apartment structures, with a minimum of 18,000 square feet.
 - 4. 20,000 square feet for non-residential uses.
- F. Maximum Lot Coverage Ratio: 0.4
- G. Minimum Lot Frontage:
 - 1. 60 feet for a single family dwelling unit.
 - 2. 90 feet for two (2), three (3) or four (4) unit structures.
 - 3. 120 feet for apartment complexes and non-residential uses.
- H. Minimum Average Lot Width: 60 feet.
- I. Minimum Yard Area Standards:
 - Front- 20 feet for residential uses,
25 feet for non-residential uses
 - Rear- 20 feet for residential uses,
25 feet for non-residential uses
 - Side- 8 feet for single family dwelling unit and single story multi-unit structures,
10 feet for multi-unit structures exceeding one story,
25 feet for non-residential uses
- J. Signs: Sign standards for this district are stated in Section 7.

Section 3-6 Manufactured Home Residential (R4)

- A. Principal Uses Permitted (Not requiring a use permit).
1. Manufactured Home Rental Parks
 2. Manufactured Home Subdivisions
 3. Recreational Vehicle Parks
- B. Accessory Uses Permitted: (Not requiring a use permit).
1. Accessory Uses or structures customarily incident to any use permitted by this section as private garages, carports, utility rooms, and recreation facilities, and home occupations governed by the provisions in Section 4-11.
- C. Conditional Uses Permitted: (Requiring a use permit).
1. Home occupations which do not adhere to the provisions in Section 4-11.
 2. All uses other than principal uses require a conditional use permit.
 3. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)
 - (a) Applicant is required to obtain a Home Occupation License.
- D. Maximum Building Height:
1. One story front elevation, but not to exceed 18 feet.
- E. Minimum Lot Size:
1. Manufactured Home Rental Park 5,000 square feet
 2. Manufactured Home Subdivision 8,000 square feet
- F. Maximum Floor Area Ratio: .4
- E. Minimum Lot Frontage: 30 feet.
- G. Minimum Average Lot Width: 50 feet.
- H. Minimum Yards Required For Manufactured Home Rental Parks:
- Front- 15 feet
Side- 10 feet
Rear- 10 feet

With the exception on one side of the lot to the property line where an open sided covered metal carport with rain gutters will be allowed within the sideyard setback as long as 10 (ten) feet of separation is maintained to the nearest structure.

For Manufactured Home Subdivision:

Front- 20 feet
Side- 10 feet
Rear- 15 feet

- I. Signs: Sign requirements for this zone are outlined in Section 7.

- J. Use of Manufactured Homes in Manufactured Home Subdivisions and Lots:
 - 1. When authorized as provided elsewhere herein, such Manufactured Homes and use shall comply with the following requirements: Manufactured Homes shall be modern, minimum manufactured size twelve (12) feet minimum width, fifty (50) feet minimum length, used as a dwelling for not more than one (1) family unit, and shall be located on the site in accordance with the requirements for a permanent building; they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; and they shall be connected to Town sewer and water systems or as required by Town ordinance, accessory buildings and permanent add-ons shall be permitted as provided elsewhere, in the District in which located.

 - 2. All Manufactured Homes located in the Town for a duration of thirty (30) days or more shall be skirted within said thirty (30) day period with material similar in appearance to the material used for siding on the Manufactured Home. The skirting shall completely enclose the space under the Manufactured Home.

 - 3. Manufactured Homes shall, within thirty (30) days after installation, be provided with anchors and tie-downs adequate to secure stability and prevent shifting. Owners of Manufactured Homes shall, within thirty days after installation, secure an inspection of tie-downs and anchors from the Town’s Building Official.

 - 4. Floor Area, for the purpose of this Ordinance, shall include permanently constructed enclosed cabanas which are attached to the Manufactured Home and used as living quarters.

- K. Standards for Manufactured Home Rental Parks: (Excluding Manufactured Home Subdivisions).

1. Site Area Required:

- a. Minimum size, five (5) acres;
- b. For each Manufactured Home space; 5,000 square feet of gross site area per Manufactured Home space.

2. Separation Requirements:

- a. A Manufactured Home or any part thereof shall not be closer than fifteen (15) feet to any building or structure or occupy or encroach upon any portion of any required yard or driveway.
- b. A Manufactured Home or any part thereof shall not be closer than twenty-five (25) feet to any other Manufactured Home or part thereof if face to face, and if end to end, twelve (12) feet, except a temporary cabana having no side walls of any type may be erected and attached to a Manufactured Home, provided such temporary cabana shall not be closer than five (5) feet to any other Manufactured Home or occupy or encroach upon any portions of any required yard or driveway.

3. Streets:

All streets shall be dust free and have a minimum width of twenty-four (24) feet, except when a street is located between Manufactured Home parking spaces, it shall have a minimum width of thirty (30) feet.

4. Plan Engineering and Traffic Engineering:

All plans and traffic engineering shall be subject to approval of the Town Engineer and shall be based upon the spacing and maneuverability requirements for sixty (60) foot long Manufactured Homes.

5. Certificate of Occupancy and Business License:

No certificate of occupancy or business license shall be issued unless and until the following requirements have been met:

- a. Thirty (30) percent of the Manufactured Home spaces planned in any part, or ten (10) such Manufactured Home spaces whichever is greater, shall have been completely prepared, constructed and equipped for use in all respects and unless and until such portion of the Manufactured Home park's

community facilities in the category of, but not limited to, driveways, laundry facilities, bath, wash and toilet rooms as the Planning Commission may require, shall have been completely prepared, constructed, and equipped for use in all respects.

- b. A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of Certificate or License.
6. Use of Manufactured Homes in Manufactured Home Rental Parks & Lots:
- a. When authorized as provided elsewhere herein, such Manufactured Homes and their use shall comply with the following requirements: Manufactured Homes shall be modern, used as a dwelling for not more than one family unit, and shall be located on the site in accordance with the requirements for a permanent building; they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; they shall be connected to the Town sewer and water systems or as required by Town ordinances; accessory buildings and permanent additions shall be permitted as provided elsewhere, in the District in which located.
 - b. All Manufactured Homes located in the Town for a duration of thirty (30) days or more shall be skirted within said thirty (30) day period with material similar in appearance to the material used for siding on the Manufactured Home. The skirting shall completely enclose the space under the Manufactured Home.
 - c. Manufactured Homes shall within thirty (30) days after installation, be provided with anchors and tie-downs adequate to secure stability and prevent shifting. Owners of Manufactured Homes shall, within thirty (30) days after installation, secure an inspection tie-down and anchors from the Town's Building Official.
 - d. Floor Areas, for the purpose of this Ordinance shall include permanently constructed, enclosed cabanas, which are attached to the Manufactured Home and used as living quarters.
 - e. No business shall be conducted within a Manufactured Home Rental Park except those that are for the operation of the park itself.

Section 3-7 Manufactured Home Residential Alternate (R4A)

- A. Principal Uses Permitted: (Not requiring a use permit).
1. Manufactured Home Rental Parks
 2. Manufactured Homes and Manufactured Home Subdivisions
 3. Single Family Homes
- B. Accessory Uses Permitted: (Not requiring a use permit).
1. Accessory Uses or structures customarily incident to any use permitted by this section as private garages, carports, utility rooms, and recreation facilities, and home occupations governed by the provisions in Section 4-11.
- C. Conditional Uses Permitted: (Requiring a use permit).
1. Home occupations which do not adhere to the provisions in Section 4-11.
 2. Public utilities-but only where substantial public service and convenience would result from the use and there is absence of danger or annoyance to nearby property owners and residents.
 3. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)
 - (a) Applicant is required to obtain a Home Occupation License.
- D. Maximum Building Height:
1. One story front elevation, but not to exceed 18 feet.
- E. Minimum Lot Size:
1. Manufactured Home Rental Park 5,000 square feet
 2. Manufactured home Subdivision 8,000 square feet
- F. Maximum Floor Area Ratio: .4
- G. Minimum Lot Frontage: 30 feet.
- H. Minimum Lot Area Per Dwelling: 3,000 feet
- I. Minimum Average Lot Width: 50 feet

J. Minimum Yards Required For Manufactured Home Subdivision:

- Front- 15 feet
- Side- 10 feet
- Side adjacent to street-10 feet
- Rear- 15 feet

For Manufactured Home Rental Parks:

- Front- 15 feet
- Side- 10 feet
- Side adjacent to street-10 feet
- Rear- 10 feet

K. Signs: Sign requirements for this zone are outlined in Section 7.

L. Use of Manufactured Homes in Manufactured Home Subdivision and Lots:

1. When authorized as provided elsewhere herein, such Manufactured Homes and their uses shall comply with the following requirements: Manufactured Homes shall be modern, minimum manufactured size, twelve (12) feet minimum width, fifty (50) feet minimum length, used as a dwelling for not more than one family unit, and shall be located on the site in accordance with the requirements for a permanent building, they shall be blocked up off the ground in a safe manner so that utility connections will not be rendered unsafe by settlements; they shall be connected to Town sewer and water systems or as required by Town ordinance; accessory buildings and permanent add-ons shall be permitted as provided elsewhere, in the District in which located.
2. All Manufactured Homes located in the Town for a duration of thirty (30) days or more shall be skirted within said thirty (30) day period with material similar in appearance to the material used for siding on the Manufactured Home. The skirting shall completely enclose the space under the Manufactured Home.
3. Manufactured Homes shall, within thirty days after installation, be provided with anchors and tie-downs adequate to secure stability and prevent shifting. Owners of Manufactured Homes shall, within thirty (30) days after installation, secure an inspection of tie-down and anchors from the Town’s Building Official.
4. Floor Area, for the purpose of this Ordinance, shall include permanently constructed enclosed cabanas which are attached to the Manufactured Home and used as living quarters.

M. Standards or Manufactured Home Rental Parks: (Excluding Manufactured Home Subdivisions).

1. Site Area Required:

- a. Minimum size: five (5) acres.
- b. For each trailer space, 5,000 square feet of gross site area per trailer space.

2. Separation Requirements:

- a. A Manufactured Home or any part thereof shall not be closer than fifteen (15) feet to any building or structure or encroach upon any required yard or driveway.
- b. A Manufactured Home or any part thereof shall not be closer than twenty-five (25) feet to any other Manufactured Home or part thereof if face to face, and if end to end, twelve (12) feet, except a temporary cabana having no side walls of any type may be erected and attached to a Manufactured Home, provided such temporary cabana shall not be closer than five (5) feet to any other Manufactured Home or occupy or encroach upon any portion of any required yard or driveway.

3. Driveways:

All driveways shall be dust free and have a minimum width of twenty-four (24) feet, except when a driveway is located between Manufactured Home parking spaces, it shall have a minimum width of thirty (30) feet.

4. Plan Engineering and Traffic Engineering:

All plans and traffic engineering shall be subject to approval of the Town Engineer and shall be based upon the spacing and maneuverability requirements for sixty (60) foot long Manufactured Homes.

5. Certificate of Occupancy and Business License:

No certificate of occupancy or business license shall be issued unless and until the following requirements have been met:

- a. Unless and until thirty (30) percent of the trailer spaces planned in any part, or ten (10) such trailer spaces whichever is greater, shall have been completely prepared constructed and equipped for use in all respects and unless and until

such portion of the trailer park's community facilities in the category of, but not limited to, driveways, laundry facilities, bath, wash and toilet rooms as the Planning Commission may require, shall have been completely prepared, constructed, and equipped for use in all respects.

- b. A plan or permit for screening shall be reviewed and approved by the Building Inspector prior to final issuance of Certificate or License.

Section 3-8 Suburban Residential (RS3)

- A. Principal Use Permitted: (Not requiring a use permit).
 1. Single family dwellings, excluding mobile or manufactured homes.
 2. Agricultural uses.
 3. Publicly owned or operated park, playground or community building.
 4. Installation for sewer, water, gas, electric and telephone main lines and incidental appurtenances, excluding electrical substations and treatment plants.
 5. Family Day Care Homes located on a public street.
 6. Church and incidental facilities located on a public street.
 7. Bed and Breakfast Establishment in conformance with Section 4-15.
- B. Accessory Uses Permitted: (Not requiring a use permit).
 1. Accessory uses, buildings or structures customarily incident to any use permitted by this section such as servant or guest quarters, private garages, private workshops, and home occupations governed by the provisions of Section 4-11.
- C. Conditional Uses Permitted: (Requires a use permit).
 1. Home Occupations which do not adhere to the provisions of Section 4-11.
 2. Group Day Care Homes located on a public street.
 3. Golf Courses or Country Clubs including social and dining activities.
 4. Cemeteries.
 5. Medical Marijuana Caregiver Facility. (Created Ordinance #331 - Effective 04/08/11)
 - (a) Applicant is required to obtain a Home Occupation License.

- D. Building Height Limitation: 2 ½ stories, not to exceed 35 feet.
- E. Maximum Lot Coverage Ratio: 0.2
- F. Minimum Lot Size: 3 acres (130,680 sq. ft.) per single family dwelling unit.
- G. Minimum Lot Frontage: 150 feet.
- H. Minimum Average Lot Width: 200 feet.
- I. Minimum Yard Area Standards:
Front-30 feet (total of front and rear yard must meet or exceed 130 feet) Side-25 feet Rear-30 feet (total of front and rear yard must meet or exceed 130 feet).
- J. Signs: Sign standards for this district are stated in Section 7.

Section 3-9 Central Business District (CB)

A. Principal Use Permitted: (Not requiring a use permit).
(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

- 1. Amusement place in a completely enclosed building
- 2. Artist Studios – art production on site is subject to the performance standards of the Commercial District
- 3. Assisted living facilities including convalescent homes, hospice care and retirement centers
- 4. Bed and Breakfast Country Inn
- 5. Commercial, trade and vocational schools
- 6. Community Supported Agriculture (CSA) disbursement locations
- 7. Farmers Markets
- 8. Funeral Parlors without a crematorium
- 9. Hotels and motels

ZONING DISTRICTS ZONING CODE CHAPTER 3

10. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)

11. Medical Marijuana Dispensary in a storefront location. (Created Ordinance #331 – Effective 04/08/11)
- a) Total floor areas for medical marijuana shall not to exceed 1,500 square feet
 - b) The facility must have windows facing the street with window coverings open during business hours
 - c) One secure entrance/exit where the purchasing area is located
 - d) Located no closer than 500 feet from a public school, day care, pre-school through 12th grade
 - e) No use of medical marijuana shall be allowed on the premises
 - f) Shall not dispose of marijuana remnants or by-products in exterior refuse containers and shall be properly ventilated to filter the odor from marijuana so that the odor cannot be detected by a person with a normal sense of smell at any adjoining use or property
 - g) Any associated storage facility where medical marijuana or its by-products are stored shall be located in a building with appropriate security measures.

12. Museums

13. Parking lots

14. Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors and other personal service uses of a similar nature.

15. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices

16. Public garage, including storage and repair in accordance with Subsection 1: Performance Standards #3:Storage facilities

17. Religious institutions

18. Repair shops for household small appliances, bicycles, and personal items

19. Residential uses including single family and multi-family

- 20. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-16. (Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)
- 21. Retail sales including florist shops and greenhouses in connection with such shops
- 22. Self-service laundry and cleaning establishments
- B. Accessory Uses Permitted: (Not requiring a use permit).
 - 1. Private garages and private workshops.
- C. Conditional Uses Permitted: (Use permit required).
(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)
 - 1. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
 - 2. Day Care Center (child or adult)
 - 3. Medical Facilities, Licensed Inpatient and Outpatient
 - 4. Outside display & sale of goods & merchandise: outside storage
 - 5. Storage facilities
 - 6. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)
 - 7. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.
- D. Maximum Building Height: 50 feet
- E. Minimum Lot Size: None
- F. Minimum Lot Frontage: 25 feet
- G. Maximum Floor Area Ratio: None

ZONING DISTRICTS ZONING CODE CHAPTER 3

H. Minimum Yards Required: None

I. The Performance Standards for CB Districts are:

1. **Traffic and curbs**-No development will be permitted which permits or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.
2. **Landscaping and paving**-All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover. Undisturbed natural growth is encouraged. Covering with material that will provide an all-weather surface is an alternative.
3. **Storage facilities**-Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be enclosed on all sides by a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence; or as otherwise designated by the Board of Adjustment.
4. **Illumination**-Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare toward streets and adjoining properties.
5. **Noise**-At no point on the boundary of residential or business zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the designated octave banks shown below (excluding operation of motor vehicles or other transportation facilities):

Maximum Sound Pressure		
Octave	Bank	Level in Decibels
Cycles	Per Second	.0002 Dynes per CM ²
0	to	75.....72
75	to	150.....67
150	to	300.....59
300	to	600.....52
600	to	1200.....46
1200	to	2400.....40
2400	to	4800.....34
Above		4800.....32

Sound levels shall be measured with a sound level meter and associated octave band filter manufacture according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of

ZONING DISTRICTS ZONING CODE CHAPTER 3

the sound level meter. Impulsive type noise shall be capable of being accurately measure with equipment. Noises capable of being so measured, of the purpose of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels.

Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

6. **Smoke**-No emission of smoke from any source shall be permitted to exceed a greater density than that density described as No. 1 on the Ringleman Chart. However, smoke may be emitted, which is equal to but not darker than No. 2 on the Ringleman Chart, for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau of Mines shall be the Standard.
7. **Glare or Heat**-Any activity producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance or hazard along lot lines.
8. **Odors**-No Emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or such a manner as to create a nuisance or hazard beyond the property lines.
9. **Vibration**-No vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour of the day between the hours of 7:00 a.m. to 7:00 p.m., or of thirty (30) seconds or more duration in any one hour during the hours of 7:00 p.m. & 7:00 a.m.
10. **Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution**-No emission shall be permitted which can cause damage to health, to animals, to vegetation, to other forms of property, or which can cause any excessive spoiling.
11. **Liquids and Solid Waste**-No wastes shall be discharged in the streets, drainage ways or property which is dangerous to the public health and safety, and no waste shall be discharged in the public sewage system which endangers the normal operation of the public sewage system.
12. **Frontage Road**-In those CB areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct at hi won expense a frontage road providing access to said highway. The frontage road shall be constructed according to the specifications of the Town of Clarkdale, Arizona.
13. **Screening**-An owner of CB property whose property is immediately adjacent to any property having the zoning classification other than Industrial shall, at his own

ZONING DISTRICTS ZONING CODE CHAPTER 3

expense, at the time of use of the property, construct a screen on his property to act as a barrier between his property and adjacent property having a more restrictive zoning classification. The screen may consist of plantings and/or a fence of solid construction as prescribed by the Town of Clarkdale upon application of the owner at the time the property is put to use.

J. Signs: Sign requirements for this zone are outlined in Section 7.

Section 3-10 Commercial (C) (Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

A. Principal Uses permitted: (Not requiring a use permit).
(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Amusement place in a completely enclosed building
2. Artist Studios – art production on site is subject to the performance standards of the Commercial District
3. Assisted living facilities including convalescent homes, hospice care and retirement centers
4. Automobile, trailer, boat, or farm implement display, sales or rentals.
5. Bed and Breakfast Country Inn
6. Commercial, trade or vocational schools
7. Community Supported Agriculture (CSA) disbursement locations
8. Farmers Markets
9. Funeral Parlors without a crematorium
10. Hotels and motels
11. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)
12. Medical Facilities, Licensed Inpatient and Outpatient
13. Medical Marijuana Dispensary in a storefront location. (Created Ordinance #331 – Effective 04/08/11)

ZONING DISTRICTS ZONING CODE CHAPTER 3

- a. Total floor areas for medical marijuana shall not to exceed 1,500 square feet.
 - b. The facility must have windows facing the street with window coverings open during business hours
 - c. One secure entrance/exit where the purchasing area is located
 - d. Located no closer than 500 feet from a public school, day care, pre-school through 12th grade
 - e. No use of medical marijuana shall be allowed on the premises
 - f. Shall not dispose of marijuana remnants or by-products in exterior refuse containers and shall be properly ventilated to filter the odor from marijuana so that the odor cannot be detected by a person with a normal sense of smell at any adjoining use or property
 - g. Any associated storage facility where medical marijuana or its by-products are stored shall be located in a building with appropriate security measures
14. Museums
15. Park and ride facilities
16. Parking lots
17. Personal service uses, including barber shops and beauty parlors, day spas dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature
18. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
19. Public garages including storage and repair
20. Publicly owned or operated park, playground or building including public garages and storage yards in conformance with Subsection I.3
21. Religions institutions
22. Repair shops for household small appliances, bicycles, and personal items (previously included with Dressmaking, et. al.)
23. Residential uses including single family and multi-family
24. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-16. (Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12)

ZONING DISTRICTS ZONING CODE CHAPTER 3

25. Retail sales including florist shops and greenhouses in connection with such shops
26. Self-service laundry and cleaning establishments
27. Storage facilities in accordance with Subsection 1: Performance Standards #3:Storage facilities
28. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)

B. Accessory Uses Permitted: (Not requiring a use permit).

1. Caretaker's facilities clearly incidental to and secondary to the use of the premises for business purposes.

C. Conditional Uses Permitted: (Use permit required).

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Automatic or self-service car wash
2. Campsites and recreational vehicle parks
3. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
4. Day Care Center (child or adult)
5. Outside display of goods and merchandise, outside storage
6. Public Utilities
7. Wireless Communication Tower that meets or exceeds Federal Communications Commission standards, not to exceed 65 (sixty-five) feet in height. Height shall be measured as the distance from the base of the Wireless Communication Tower to the top of the Wireless Communication Tower. If the Wireless Communication Tower is attached to a building, height is the distance from the base of the building to the top of the Wireless Communication Tower. (Created 7/9/16 by Ordinance #352; Effective 8/9/13)
8. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

D. Maximum Building Height: 50 feet.

E. Minimum Lot Size: 24,000 sq. ft.

F. Minimum Lot Frontage: 200 feet.

G. Minimum Lot Width: 100 feet.

H. Minimum Yards Required:

Front- 30 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater

Side- None

Rear- 20 feet

I. Performance Standards For C Developments:

1. **Traffic and curbs**-No Commercial development will be permitted which permits or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.
2. **Landscaping and paving**-All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover. Undisturbed natural growth is encouraged. Covering with material that will provide an all weather surface is an alternative.
3. **Storage facilities**-Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be enclosed on all sides by a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence; or as otherwise designated by the Board of Adjustment.
4. **Illumination**-Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare toward streets and adjoining properties.
5. **Noise**-At no point on the boundary of residential or business zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the designated octave banks shown below (excluding operation of motor vehicles or other transportation facilities):

Maximum Sound Pressure		
Octave Cycles	Bank Per Second	Level In Decibels .0002 Dynes Per CM ²
0 to	75.....	72
75 to	150.....	67
150 to	300.....	59
300 to	600.....	52
600 to	1200.....	46
1200 to	2400.....	40
2400 to	4800.....	34
Above	4800.....	32

Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be capable of being accurately measured with equipment. Noises capable of being so measured, for the purposes of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels. Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

6. **Smoke**-No emission of smoke from any source shall be permitted to exceed a greater density than that density described as No. 1 on the Ringleman Chart. However, smoke may be emitted, which is equal to but not darker than No. 2 on the Ringleman Chart, for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau of Mines shall be the standard.
7. **Glare or Heat**-Any activity producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance or hazard along lot lines.
8. **Odors**-No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or such a manner as to create a nuisance or hazard along lot lines.
9. **Vibration**-No vibration shall be permitted which is discernible beyond the lot line to the human sense of feeling for three minutes or more duration in any one hour of the day between the hours of 7:00 a.m. to 7:00 p.m., or of thirty seconds or more duration in any one hour during the hours of 7:00 p.m. and 7:00 a.m.

10. **Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution-** No emission shall be permitted which can cause damage to health, to animals, to vegetation, to other forms of property, or which can cause any excessive spoiling.
11. **Liquids and Solid Waste-**No wastes shall be discharged in the streets, drainage ways or any property which is dangerous to the public health and safety, and no waste shall be discharged in the public sewage system which endangers the normal operation of the public sewage system.
12. In any Commercial area, access from any state of federal highway shall be four hundred (400) feet minimum between driveways and shall be approved by the Building Official of the Town of Clarkdale.
13. **Screening-**An owner of Commercial property whose property is immediately adjacent to any property having the zoning classification other than Industrial hall at his/her own expense, at the time of use of the property, construct a screen on his/her property to act as a barrier between his/her property and adjacent property having a more restrictive zoning classification. The screen may consist of plants and/or a fence of solid construction as prescribed by the Town of Clarkdale upon application of the owner at the time the property is put to use.

J. Signs: Sign requirements for this zone are outlined in Section 7.

Section 3-11 Neighborhood Commercial District (NC)

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

District Intent:

Provide opportunities for commercial centers that offer everyday goods and services located within close proximity to residential neighborhood and that promote foot and bicycle traffic to those areas.

District Purpose:

This zone strives to provide service commercial uses while still providing a desirable living environment by preserving and protecting surrounding residential land uses in terms of light, air and existing visual amenities. Adaptive reuse of residential structures is strongly encouraged with the intent to facilitate the use of mixed use areas to buffer residential areas.

A. Principal Permitted Uses

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Artist Studios – art production on site is subject to the performance standards of the Commercial District

ZONING DISTRICTS**ZONING CODE****CHAPTER 3**

2. Assisted living facilities including convalescent homes, hospice care and retirement centers
3. Bed and Breakfast Country Inn
4. Commercial, trade or vocational schools
5. Community Supported Agriculture (CSA) disbursement locations
6. Farmers Markets
7. Funeral Parlors without a crematorium
8. Hotels and motels a maximum of two stories in height
9. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.
10. Museums
11. Park and Ride facilities
12. Parking lots
13. Personal service uses, including barber shops and beauty parlors, day spas, dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature.
14. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
15. Public garages including storage and repair
16. Religious institutions
17. Repair shops for household small appliances, bicycles, and personal items
18. Residential uses including single family homes a maximum of two stories in height and multi-family a maximum of three stories in height or 35 feet whichever is less

ZONING DISTRICTS**ZONING CODE****CHAPTER 3**

19. Restaurants, taverns, bars and sidewalk cafes in conformance with Section 4-16. (Created 2/14/12 Resolution 1388-Ordinance 342; Effective 3/14/12)
 20. Retail sales which do not involve any kind of manufacturing, processing, or treating of products other than that which is clearly incidental to the retail business conducted on the premises and are similar in scale and design to the adjacent residential uses
- B. Accessory Uses (Not requiring a use permit)
- Caretaker's residence in conjunction with a permitted use
- C. Conditional Uses (Use Permit Required)
(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)
1. Amusement facilities within a structure with sound containment
 2. Campsites and recreational vehicle parks for stays of thirty (30) days or less
 3. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
 4. Day Care Center (child or adult)
 5. Dry cleaners
 6. Halfway House with on-site staff (excluding treatment centers)
 7. Laundry, self-service for individual use only
 8. Medical Facilities, Licensed Inpatient and Outpatient
 9. Outside display & sale of goods & merchandise for a limited period of time
 10. Parking structures or garages, a maximum of two stories in height
 11. Retail stores which involve any kind of manufacturing, processing or treating of products other than that which is clearly incidental to the retail business conducted on the premises
 12. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

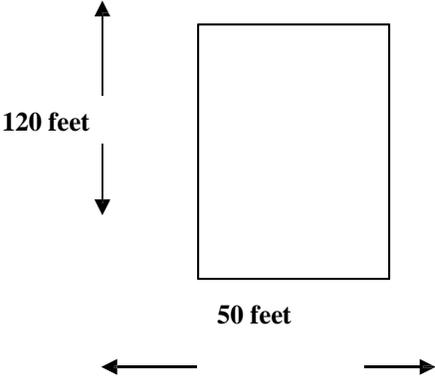
D. Development Standards for the Neighborhood Commercial District

Maximum Building Height
35 feet

Minimum Lot Size:
6000 square feet

Minimum Lot Frontage:
50 feet

Minimum Lot Depth
120 feet

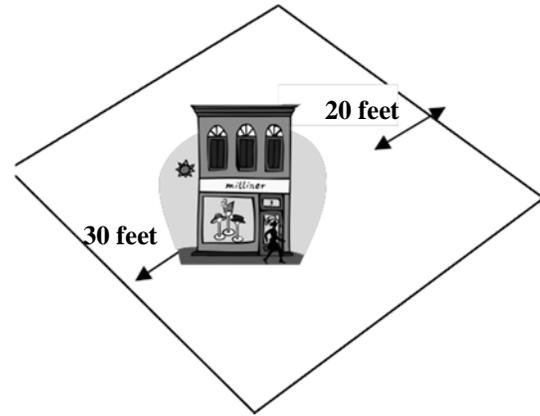


Minimum *Yard Setbacks*:

Front-30 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater

Side-None

Rear-20 feet



E. Performance Standards for Neighborhood Commercial

1. **Traffic and curbs** - No development will be permitted which allows or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.
2. **Landscaping and paving** - All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover, natural organic or inorganic material. Twenty-five [25] percent of the total lot area or a minimum fifteen [15] foot wide strip of land adjacent to the street right of way. All landscaping shall be developed in accordance with the Town of Clarkdale’s Landscape Ordinance (Chapter 9, Section 9-3).
3. **Storage facilities**-Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be screened from public view by an opaque enclosure such as a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence.
4. **Illumination**-Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare and light spill toward streets and adjoining properties and shall be in accordance with the Town of Clarkdale’s Outdoor Lighting Code. (Chapter 8).
5. **Nuisances** - No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site. Any business in the Neighborhood Commercial Zone must be operated in accordance with all state and federal environmental regulations.

6. **Liquids and solid waste** - No wastes shall be discharged in the streets, drainage ways or property. No waste shall be discharged in the public sewage system that endangers the normal operation of the public sewage system.
7. **Outdoor displays and seating** - All sales, displays and seating shall be conducted within an enclosed area, unless outdoor activities are previously approved by the Community Development Director.
8. **Site plan and design review** - All development and redevelopment in the Neighborhood Commercial Zone is subject to Site Plan and Design Review per Chapter 11 of the Town of Clarkdale Zoning Code
9. **Highway Access** - In any Neighborhood Commercial areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct, at their own expense, any required improvements in accordance with state and federal regulations.
10. **Odors** – No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such a manner as to create a nuisance or hazard at the lot lines.

J. The Sign Standards for Neighborhood Commercial are outlined in Chapter 7 of the Town of Clarkdale Zoning Code.

Section 3-12 Highway Commercial District (HC)

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

A. District Intent:

To provide opportunities for regional, automobile-oriented, commercial business development.

District Purpose:

The Highway Commercial District is intended for establishments offering accommodations, supplies, or services, specialized automotive and related sales and service establishments, all of which serve persons coming to them from large trading areas. Such uses ordinarily do not seek sites in shopping centers and therefore must be provided at independent locations. The Highway Commercial district will be located along major thoroughfares.

B. Principal Permitted Uses (Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

1. Amusement facilities
2. Artist Studios – art production on site is subject to the performance standards of the Commercial District

3. Assisted living facilities including convalescent homes, hospice care and retirement centers
4. Auto, trailer, boat, and farm implement display, sales and rental
5. Bed and Breakfast Country Inn
6. Commercial, trade or vocational schools
7. Community Supported Agriculture (CSA) disbursement locations
8. Farmers Markets
9. Funeral Parlors without a crematorium
10. Hotels and motels a maximum of two stories in height
11. Manufacturing, production and assembly of boutique consumable products using sustainable practices that minimize negative environmental impacts while conserving energy and natural resources. Re-use or re-purposing of by-products is encouraged. All such activity shall be conducted within completely enclosed building. A portion of the products manufactured on site shall be sold at retail on the premises.
12. Medical Facilities, Licensed Inpatient and Outpatient
13. Museums
14. Park and Ride facilities
15. Parking lots
16. Personal service uses, including barber shops and beauty parlors, day spas dressmakers, tailors, tattoo parlors, and other personal service uses of a similar nature.
17. Professional and business offices, including clinics, banks and financial institutions and medical/dental offices
18. Public garages, including storage and repair, a maximum of two stories in height.
19. Religions institutions

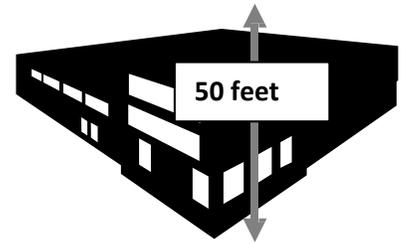
20. Repair shops for household small appliances, bicycles, and personal items
 21. Residential uses including single family and multi-family a maximum of two stories in height
 22. Restaurants, taverns, bars and sidewalk cafes (Created 2/14/12 Resolution 13388-Ordinance 342; Effective 3/14/12)
 23. Retail sales
 24. Wholesale establishments and warehouses, including the packaging of consumable products for retail sales distribution. (Created by Ordinance #358 on 3/11/14; Effective 4/11/14)
- C. Accessory Uses in the Highway Commercial District
- Caretaker's residence in conjunction with a permitted use
- D. Conditional Uses [Use Permit Required]
(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)
1. Campsites and recreational vehicle parks for stays of thirty (30) days or less
 2. Car wash-automatic or self-service
 3. Convenience stores/filling stations provided bulk storage of inflammable liquids is underground. No repair shop or vehicle storage shall be permitted except in conformance with the Zoning Code.
 4. Day Care Center (child or adult)
 5. Dry cleaners
 6. Halfway House with on-site staff (excluding treatment centers)
 7. Laundry, self-service for individual use only
 8. Outside display & sale of goods & merchandise for a limited period of time
 9. Public Utilities
 10. Storage facilities in accordance with Subsection 1: Performance Standards #3:Storage facilities

11. Any use not listed but determined by the Community Development Director to be similar in commercial character and use.

E. Development Standards for Highway Commercial

Maximum Building Height
50 feet

Minimum Lot Size:
12,000 square feet



Minimum Lot Frontage:
100 feet

Minimum Lot Depth
120 feet

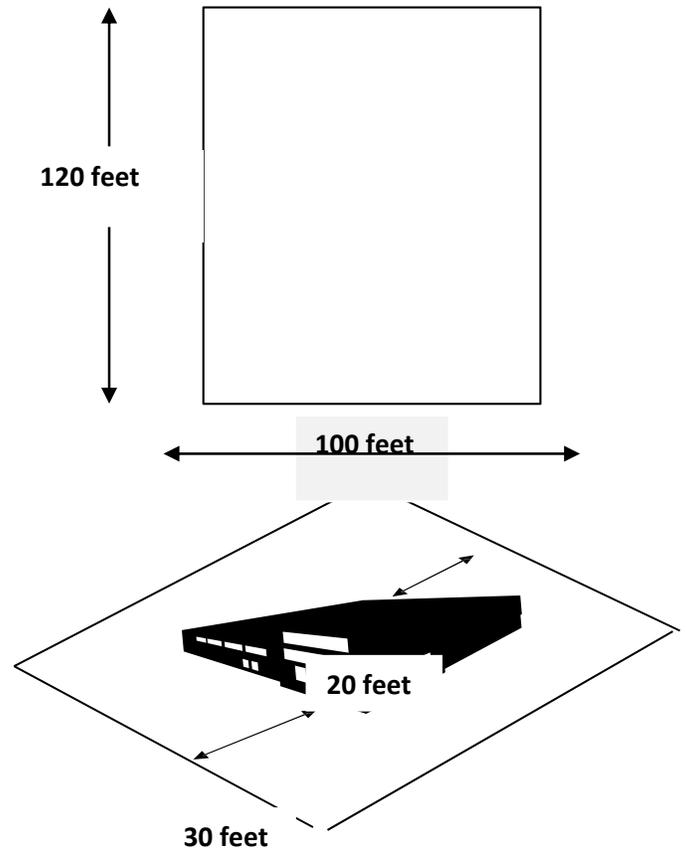
Minimum *Yard Setbacks*:

20 feet

Front-30 feet or minimum standards required by state or federal highway departments if abutting said highways, whichever is greater

Side-None

Rear-20 feet



F. Performance Standards for Highway Commercial

1. **Traffic and curbs** - No development will be permitted which allows or encourages vehicular traffic to back into the highway right-of-way, or to otherwise unduly restrict or interrupt the normal flow of through traffic. Curbs shall be installed in front of each developed parcel.
2. **Landscaping and paving** - All open areas of an improved lot shall be maintained in a dust free condition by landscaping with trees, shrubs, or suitable ground cover, natural organic or inorganic material. Twenty [20] percent of the total lot area or a minimum fifteen [15] foot wide strip of land adjacent to the street right of way. All landscaping shall be developed in accordance with the Town of Clarkdale's Landscape Ordinance (Chapter 9, Section 9-3).
3. **Storage facilities** - Outdoor storage shall be permitted only in rear yards or side yards when accessory to a permitted use. All areas used for storage shall be screened from public view by an opaque enclosure such as a masonry wall or solid fence. No materials or products shall be stacked or stored to exceed the height of the wall or fence.
4. **Illumination** - Illumination of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare and light spill toward streets and adjoining properties and shall be in accordance with the Town of Clarkdale's Outdoor Lighting Code. (Chapter 8).
5. **Nuisances** - No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration, or electrical interference detectable off the site. Any business in the Highway Commercial Zone must be operated in accordance with all state and federal environmental regulations.
6. **Liquids and solid waste** - No wastes shall be discharged in the streets, drainage ways or on private property. No waste shall be discharged in the public sewage system that endangers the normal operation of the public sewage system.
7. **Outdoor displays and seating** - All sales, displays and seating shall be conducted within an enclosed area, unless outdoor activities are previously approved by the Community Development Director.
8. **Site plan review and design review** - All development and redevelopment in the Highway Commercial Zone is subject to Site-Plan and Design Review per Chapter 11 of the Town of Clarkdale Zoning Code

9. **Highway access** - In any Highway Commercial areas which are immediately adjacent to any state or federal highway, the owner shall, upon use of said property, construct, at their own expense, any required improvements in accordance with state and federal regulations.
10. **Odors** – No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such a manner as to create a nuisance or hazard at the lot lines.
- G. The Sign Standards for Neighborhood Commercial are outlined in Chapter 7 of the Town of Clarkdale Zoning Code.

Section 3-13**89A Corridor Commercial Overlay District**

(Revised by Ord #368; Res 1507; Adopted 10/13/15; Eff 11/13/15)

A. Intent and Purpose:

The purpose and intent of the 89A Corridor Overlay Zone is to allow for the application and implementation of special design standards with the intent of achieving a sense of place by fostering a scale and form of development that emphasizes sensitivity to the pedestrian environment while accommodating the automobile and providing for efficient traffic movement. This is to be accomplished by providing for the sensitive placement of open spaces in relationship to building masses, shared use pathways, street furniture and landscaping features in a manner otherwise not insured by the application of the conventional bulk, landscaping and parking standards of the underlying zones.

B. Overlay Designation:

The 89A Corridor Overlay District shall be created which will encompass an area five hundred feet either side of the center line of Highway 89A from the Clarkdale Parkway intersection to the Town of Clarkdale boundary.

C. Viewshed Definition:

A **viewshed** is an area of land, water, and other environmental element that is visible from a fixed vantage point. The term is used widely in such areas as urban planning, archaeology, and military science. In urban planning, for example, viewsheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. The preservation of viewsheds is a goal in the designation of open space areas, green belts, and community separators.

D. Design Guidelines:

Commercial development shall use the site analysis and landscape inventory to determine the building/construction envelope for the building, parking area, driveway, and all accessory buildings. Areas outside of the building/construction

ZONING DISTRICTS ZONING CODE CHAPTER 3

envelope shall remain permanent undisturbed desert

A site analysis shall be required with any development plan. The site analysis is a tool to assist in determining areas to be retained in a natural undisturbed state and areas that may most easily be developed, which include areas with minimal vegetation or previously graded areas. Areas proposed for development by the applicant are to be identified on the plans through use of concept diagrams.

Similarly, areas to be maintained in an undisturbed state are also to be identified on all plans.

1. Land contours at two-foot intervals or smallest interval available.
2. Wash corridors and preliminary hydrological information (cfs flows, onsite and off-site, and velocity).
3. Identify specimen plants and significant stands of vegetation.
4. Identify potential view corridors.
5. Identify potential development areas.
6. Identify potential street alignments.
7. Identify the one hundred year floodplain boundary as defined by the Federal Emergency Management Act (FEMA) and one hundred year twenty-four-hour flow boundaries for washes not addressed by FEMA.
8. Identify and coordinate trail locations with the City using the City's recreational trails plan.

Lot coverage allowed for building, parking, driveways, and accessory buildings is fifty percent, with fifty percent of the parcel's gross area maintained as permanent undisturbed desert.

Construction envelope setbacks shall be fifty feet in the front yard. Side and rear yard setbacks for the overall master planned limited commercial node shall be limited to the exterior boundary of the master planned area. This shall be a minimum of fifty feet. Side and rear yard setbacks for interior parcels may be zero so that building development may occur in clusters. The Community Development Department shall base placement of the construction/building envelope on the results of the site analysis and a determination of the location of any significant vegetation, specimen vegetation and/or topographical features such as washes.

Parking areas for commercial development shall be landscaped with landscape material from the Town of Clarkdale Plant List and shall have twenty-five percent landscape area over the parking area, including drive aisles. A minimum of fifty percent of the required landscaped area is to be living vegetation. This plant material shall be maintained in a healthy condition. Parking shall not comprise more than forty percent of the front yard behind the required landscaped setback.

Signage shall be minimal and shall consist of either wall signs or monument signs. Wall signs shall not exceed eight feet in height and monument signs no greater than four feet in height.

Wash corridors containing regional, primary, or secondary washes shall be maintained as permanent undisturbed open space and incorporated into the site design, except at wash crossings which must be restored as closely as possible to a natural appearing state, both upstream and down, in accordance with plans approved by the Community Development Department.

1. **Regional wash corridors:** Flows of seven hundred fifty cfs or greater during the one hundred-year storm. Characterized as large and picturesque. The area within this boundary is to be maintained as permanent undisturbed open space with the exception of wash crossings.
2. **Primary washes:** Flows of fifty cfs or greater during the one hundred- year storm. The area within this boundary is to be maintained as permanent undisturbed open space with the exception of wash crossings.
3. **Secondary washes:** Flows from ten cfs to fifty cfs during the one hundred-year storm event. Setbacks for any structures, fences or walls shall be no less than an average of twenty-five feet with a minimum of ten feet from the wash top of the uppermost bank hinge. A secondary wash is to be maintained undisturbed and incorporated into the site design as an amenity.
4. **Minor washes:** Flows less than ten cfs during the one hundred-year storm event. Washes this size, not supporting any significantly thriving vegetation as determined by the Community Development Department may be incorporated into the parcel drainage plan. Where significant vegetation does exist, washes shall be maintained in existing condition or flows may be accommodated in another acceptable way as determined by the Community Development Department. Setbacks for any structures, fences or walls shall be a minimum of ten feet.

Street patterns and lot design shall allow direct access to washes or open space areas for maintenance of annual and non-native vegetation to prevent fire hazards and allow fire department access in case of fire.

Any development occurring in the 89A Corridor District shall be required to participate in the Town of Clarkdale Trails Plan by providing appropriately designed pathways that meet the Town of Clarkdale hardscape design standards.

1. Clearly defined pedestrian connections shall be provided
-Between a public right-of-way and building entrance

ZONING DISTRICTS ZONING CODE CHAPTER 3

-Between parking lot or structure and building entrances

-Between adjacent properties

2. Pedestrian connections shall not be less than 5 feet wide
3. Pedestrian connections should be clearly defined by textured paving across vehicular lanes and pedestrian scale lighting, bollard lighting, accent lighting or a combination

E. Permitted Land Uses:

The range of land uses permitted with the 89A Corridor Commercial Overlay District shall be those afforded by the underlying zoning districts as established by the Town of Clarkdale Zoning Ordinance and the Official Zoning Map.

F. Variation of Conventional Standards:

Cluster development is encouraged to provide for flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, and to preserve the natural and scenic qualities of open lands.

Design in the 89A Corridor is intended to reflect Contemporary Clarkdale: An area in which architectural features shall include traditional textures and colors in harmony with more contemporary materials, textures and colors.

Section 3-14 Industrial District (I)

- A. Principal Uses permitted: (Not requiring a use permit).
1. Any principal permitted use in the Commercial district.
 2. Wholesale establishments, warehouses and self-storage units.
 3. Laboratories, research, design and testing when conducted completely within an enclosed building.
 4. Manufacture or assembly of medical and dental equipment, drafting, optical, and musical instruments, watches, clocks, toys, games and electrical or electronic apparatus.
 5. Manufacture or assembly of boats, bolts, nuts, screws, rivets, ornamental iron products, firearms, electrical appliances, tools, dies, machinery and hardware products and sheet metal products.
 6. Manufacture or storage of food products including candy, dairy and ice cream and fruit and vegetable processing and canning.
 7. Manufacture of rugs, mattresses, pillows, quilts, millinery, clothing, hosiery and fabrics, and printing and finishing of textiles and fibers into fabric goods.
 8. Manufacture and/or fabrication of boxes, crates, furniture, cabinets, baskets, veneer and other wood products of a similar nature.
 9. Manufacture of clay, stone or glass products including brick, cement, lime or composites.
 10. Truck stop, transfer terminal or freight warehouse.
 11. Lumber yards and mill work plants.
 12. Sexually Oriented Businesses.
 13. Medical Marijuana Processing Facility. (Created Ordinance #331 - Effective 04/08/11)
 - (a) No use of medical marijuana shall be allowed on the premises.
 - (b) Shall not dispose of marijuana remnants or by-products in exterior refuse containers and shall be properly ventilated to filter the odor from marijuana so that the odor cannot be detected by a person with a normal sense of smell at any adjoining use or property.

- (c) Any associated storage facility where medical marijuana or its by-products are stored shall be located in a building with appropriate security measures.

B. Accessory Uses Permitted: (Not requiring a use permit).

- 1. Caretaker’s facilities clearly incidental and secondary to the use of the premises for business purposes.

C. Conditional Uses Permitted: (Use Permit Required) (Amended 7/9/13 by Ord #352; Eff 8/9/13)

- 1. Compounding of chemicals, petroleum, coal, and allied products, such as: acids and derivatives, ammonia, chlorine; distillation, manufacture or refining of coal, tar, asphalt or wood; refining or wholesale storage of petroleum, gasoline or lubricating oils.
- 2. Quarrying, extracting, grinding or crushing of earth or minerals.
- 3. Reduction, refining, smelting, or alloying of metal and metal ores.
- 4. Auto salvage or junkyard
- 5. Wireless Communication Tower that meets or exceeds Federal Communications Commission standards. (Created 7/9/13 by Ordinance #352; Effective 8/9/13)
 - a. Facilities within Zone A as indicated on the following map shall not exceed 200 (two hundred) feet.
 - b. Facilities in all other areas of the Industrial Zoning District shall not exceed 65 (sixty-five) feet.
- 6. Any such other use determined by the Community Development Director to be similar to those Conditional Uses listed above and not detrimental to the public health, safety or general welfare. (The Board of Adjustment shall have authority to hear and decide appeals where it is alleged by the appellant that there is error in any order or decision made by an administrative official of the Town of Clarkdale based on or made in the enforcement of the Zoning Ordinance. (Created 7/9/13 by Ordinance #352; Effective 8/9/13)

D. Maximum Building Height: 50 feet.

E. Minimum Lot Size: 35,000 square feet.

- F. Minimum Lot Frontage: 200 feet.
- G. Minimum Lot Width: 150 feet.
- H. Minimum Yards Required:

Front- Any property or parcel abutting any State or U.S. Highway must fulfill the state and federal requirements for all structures.

All other, 30 feet from front property line; Side-None, unless residential use or adjacent to residential use, then 10 feet; Rear- 20 feet.

- I. Performance Standards for Industrial Districts:

1. **Traffic and Curbs**-No Industrial development will be permitted which permits or encourages vehicular traffic to back into the street right-of-way, or otherwise unduly restricts or interrupts the normal flow of traffic. Curbs shall be installed in front of each developed parcel (as required by staff).
2. **Landscaping and Paving**-All open areas of an improved lot shall be maintained in a dust free conditions by landscaping with trees, shrubs, or suitable groundcover. Undisturbed natural growth is encouraged, however, covering with material which will provide an all-weather surface as an alternative.
3. **Storage Facilities**-Outside storage and display shall be permitted provided:
 - a. It is setback from the street or public right-of-way so as not to obstruct pedestrian or vehicular traffic and to allow necessary visibility of traffic signal, signs and approaching traffic.
 - b. Display or storage areas are kept free of litter and debris.
 - c. Goods, merchandise and materials are properly secured against theft, vandalism or lost.
 - d. Display or storage areas are established and maintained in conformance with fire access standards of the 2003 International Fire Code.
4. **Illumination**-of buildings, parking areas and loading facilities shall be so arranged as to eliminate glare toward street and adjoining properties.

- 5. **Noise**-At no point on the boundary of residential or business property zones shall the sound pressure level of an individual operation or plant exceed the decibel levels in the designated octave banks show below (excluding operation of motor vehicles or other transportation facilities):

Maximum Sound Pressure		
Octave Cycles	Bank Per Second	Level in Decibels .0002 Dynes Per CM2
0	to 75.....	72
75	to 150.....	67
150	to 300.....	59
300	to 600.....	52
600	to 1200.....	46
1200	to 2400.....	40
2400	to 4800.....	34
Above	4800.....	32

Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be capable of being accurately measured with equipment. Noises capable of being so measured, for the purposes of this section, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus, or minus, two decibels. Noises incapable of being so measured, such as those of an irregular or intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses.

- 6. **Smoke**-No emission of smoke from any source shall be permitted to exceed a greater density that described as No. 1 on the Ringleman Chart. However, smoke may be emitted, which is equal to, but, not darker than No. 2 on the Ringleman Chart for not more than four (4) minutes in any thirty (30) minute period. For the purpose of grading the density of smoke, the Ringleman Chart as published by the U.S. Bureau Mines shall be the standard.
- 7. **Glare or Heat**-Any activity producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a nuisance or hazard along the lot lines.
- 8. **Odors**-No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be offensive or in such manner as to create a nuisance or hazard along the lot lines.

9. **Vibration**-No vibration shall be permitted which is discernible beyond the lot line to the human sense of touch for three (3) minutes or more duration in any one (1) hour of the day between the hours of 7:00 am to 7:00 pm, or of thirty (30) seconds or more duration in any one (1) hour period during the hours between 7:00 pm to 7:00 am.
10. **Fly, Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution**-No emission shall be permitted which can cause damage to persons, animals or vegetation or other forms of property.
11. **Liquids and Solid Wastes**-No wastes shall be discharged into the streets, drainage ways or onto any property which is dangerous to the public health and safety, and no waste shall be discharged into the public sewer system which endangers the normal operations of the public sewer system.
12. In any Industrial area, access from any state or federal highway shall be a minimum four hundred 400 feet between driveways and shall be approved by the Zoning Administrator of the Town of Clarkdale.
13. **Screening**-An owner of industrial property adjacent to any property having a zoning classification other than industrial shall, at the time of development or redevelopment of his property and at his own expense, construct a screen or barrier between his and the adjoining property. The screen may consist of plants and/or a fence or wall of solid construction as described by the Town of Clarkdale upon application of the owner at the time his property is developed or redeveloped.

I. Signs: Signs in conformance with Section 7.

Section 3-15 Open Space District (OS)

A. Principal Uses Permitted:

1. Outdoor public uses, including open space and parking areas.
2. Ranching, farming, keeping of animals.
3. Historic and archaeological sites.
4. Water treatment, wastewater treatment facilities, and flood control structures.

B. Accessory Uses Permitted:

1. Caretaker's residence where clearly incidental, subordinate and secondary to the principal permitted use of the property.
2. Restroom, storage buildings, and barns, as per Section 2, Definitions, and Section 4-1, General Provisions, Accessory Structures Standards.

C. Conditional Uses Permitted:

1. Outdoor recreational facilities, including horse stables, golf courses, and campgrounds.
2. Municipal facilities, including public buildings, fire stations, visitor centers, and cemeteries.

D. Development Standards:

1. For any development other than undisturbed open space, the development standards for Maximum building Height, Minimum Lot Size, Minimum Lot Frontage, Minimum Lot Width, and Minimum Yards Required shall be the same as the adjacent use district, and where more than one adjacent use district is indicated, the more restrictive district shall be used;
2. Landscaping: Subject to Section 9, Landscape Standards. For development within open space areas, a development envelope shall be designated for purposes of identifying undisturbed native plant area and area subject to landscaping requirements. All areas disturbed by the development or construction process, including building areas, parking areas, and staging areas, shall be included in the required calculations for landscaping, and shall be subject to landscaping requirements.
3. Parking: Subject to Section 4-12.
4. Parking and Loading.
5. Signs: Subject to the Sign Code in Section 7.

Section 3-16 Arts & Entertainment District (Created by Ordinance #354; approved 9/24/13; Effective 10/24/13)

Section 3-16-1 Purpose

The purpose of this overlay district is three fold:

- To promote economic development in the Clarkdale central commercial area;
- To preserve the historic look of the Central Business District;
- To allow for the approval of exemptions from the distance restrictions prescribed in Arizona State Statute (A.R.S.) § 4-207(C)(4) regarding the location of establishments serving alcoholic beverages in relation to schools and churches.

Section 3-16-2 District Boundaries

The Clarkdale Historic District was listed on the National Register of Historic Places in 1998. The Central Business District, a zoning district, lies within this historic designation. The Central Business District originally provided a wide variety of services for residents of the original

Clarkdale Town Site.

The Arts & Entertainment District is an overlay district encompassing all of the Central Business District, some adjacent property with commercial zoning and residential property in close proximity to the Central Business District with the potential to transition, through a rezone process, to commercial uses and extending along Broadway Road into the Industrial Zoning District.

Section 3-16-3 Design Guidelines

Per the 2012 Clarkdale General Plan: *'The context of a place considers its history as well as its future.'*

Properties within the Clarkdale Arts & Entertainment District shall closely consider the surrounding context of the existing structures when designing new or remodeled buildings. Incorporation of the following features is recommended:

- Establishment of a relationship to adjoining spaces
- Continuity of street scape along Main Street through inclusion of benches and appropriate landscaping
- Brick façades and/or partial brick inlays
- Clerestory windows
- A strong pedestrian connection to existing sidewalks or extension of the sidewalk system
- A main entrance from a public sidewalk
- Rounded arches
- Large storefront windows
- Varied roof lines

Where feasible, as determined during the Site Plan Review process, new development in the Arts & Entertainment District shall conform to the following standards:

- Place public parking behind buildings or participate in the development of new central public parking areas.
- The front yard setback shall be reduced to zero if the main building abuts a public sidewalk.
- Landscaping shall include shade trees along the front boundary. These trees shall be from the approved plant list in Chapter Nine of the Zoning Code.

All other development and performance standards are as found in the underlying zoning district.

Section 3-167-4 Exemptions

Pursuant to A.R.S. § 4-207(C)(4), restrictions on licensing premises near school or church buildings, the Clarkdale Town Council may approve exemptions on liquor license applications to the distance restrictions in this section of state statute for businesses within the Arts & Entertainment District. Requests for exemptions must be submitted in writing to the Town Council. Review of the exemption requests will be scheduled on a Council agenda upon verification that the property owner and/or business owner is up to date on all utilities fees due to the Town, the business owner has a current business license, and there are no current code enforcement issues regarding the subject property.

