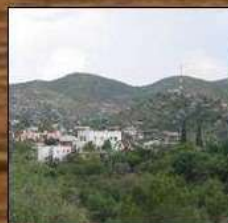


Santa Cruz County



Zoning and Development Code



2018



**ORDINANCE NO. 2006-03
AMENDING ORDINANCE #3A OF 1973
WHICH ESTABLISHED THE
SANTA CRUZ COUNTY ZONING AND
DEVELOPMENT CODE**

WHEREAS, on May 21, 1973, the Board of Supervisors adopted the Santa Cruz County Zoning Ordinance of 1973 which became effective on October 5, 1973; and

Whereas, the Board has considered additional ordinances to revise and amend the adopted Zoning and Development Code, pursuant to public hearings held before the Planning and Zoning Commission and the Board of Supervisors; and

Whereas, inconsistency in numbering protocol for these amendments over the years has resulted in a confusing and disjointed working document; and

Whereas, it is for the benefit of the public that the Zoning and Development Code be reformatted to provide consistency throughout the document.

NOW, THEREFORE, BE IT ORDAINED that effective on the 30th day of September, 2006 the Zoning and Development Code shall be revised and amended to reformat the Code providing consistency in article, section, and subsection numbering. The new Code is attached hereto as Exhibit A

PASSED AND ADOPTED THIS 30th DAY OF AUGUST, 2006.

Robert Damon, Chairman
ATTEST:

Manuel Ruiz, District 1

John Maynard, District 3

Melinda Meek, Clerk of the Board

APPROVED AS TO FORM:

Luis Pana, Deputy County Attorney, Civil

SANTA CRUZ COUNTY ZONING AND DEVELOPMENT CODE

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ARTICLE 1 – PURPOSE AND TITLE

--- 101 --- PURPOSE

--- 102 --- SHORT TITLE

SEC. 101 PURPOSE.

This Amended Zoning Ordinance is designed to promote the public health, peace, safety, comfort, convenience and general welfare of the citizens of Santa Cruz County; to guide, control and regulate future growth and development in order to promote orderly and appropriate use of land in the entire unincorporated area of said County; to protect the character and the stability of residential, business and industrial areas of Santa Cruz County; to facilitate existing or potential traffic movements; to provide adequate light, air and parking facilities; to secure safety from fire and other dangers; to prevent overcrowding of land and undue congestion of population; and to prevent the concentration of adult oriented facilities which has been determined to be a cause of neighborhood deterioration and blight through an increase in crime and diminution of property values. The provisions of this Ordinance should have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including adult oriented materials. Similarly, it is not the intent or effect of the Ordinance to restrict or deny access to materials protected by the First Amendment. In preparation of this Ordinance consideration has been given to Sections 11-801 through 11-808 and 11-821 through 11-830 of the Arizona Revised Statutes, and to all studies and surveys made in the past in connection therewith, including, but not limited to the Santa Cruz County Comprehensive Plan.

SEC. 102 SHORT TITLE.

This Ordinance may be cited as “The Santa Cruz County Zoning and Development Code”.



ARTICLE 2 – DEFINITIONS

---201--- GENERAL RULES FOR THE CONSTRUCTION OF LANGUAGE ---202--- DEFINITIONS

SEC. 201 GENERAL RULES FOR THE CONSTRUCTION OF LANGUAGE

- A. The word person includes a firm, association, organization, partnership trust, company, or corporation, as well as an individual.
- B. The word shall is mandatory and the word may is permissive.
- C. The word lot includes the words plot or parcel.
- D. The word building includes the word structure.
- E. The words used or occupied include the words intended, designed, or arranged to be used or occupied.
- F. The present tense includes the future tense the singular number includes the plural, and the plural number includes the singular.
- G. All terms shall be interpreted according to their common usage unless otherwise defined.
- H. Any dispute regarding the meaning of any word, term used in this Development Code shall be decided by the Planning and Zoning Director, and all such decisions shall be subject to appeal to the appropriate Board of Adjustment.

SEC. 202 DEFINITIONS

For the purpose of this Ordinance, certain words are hereby defined:

Access. A means of ingress and egress connecting a site to the public roadway system. Unless otherwise specified, “access” refers to vehicular access.

Accessory Structure, Building or Use. A use, structure or building on the same lot with, and of a nature customarily incidental and subordinate to the principal building, structure or use.

Acre. A measure of land area containing 43,560 square feet.

Adjacent. Sharing all or part of a common property line.

Adult Orientated Facilities: Which shall include the following:



- A. **Adult Arcade (also known as “peep show”).** Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion pictures machines, projectors, or other image-producing devices are maintained to show images to persons in booths or viewing rooms where the images to persons in booths or viewing rooms where the images so displayed depict or describe “specified sexual activities” or “specified anatomical areas”.
- B. **Adult Bookstore or Adult Video Store:** A commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:
1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that depict or describe “specified sexual activities” or “specified anatomical areas”; or
 2. Instruments, devices, or paraphernalia that are designed for use in connection with “specified sexual activities.”

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing “specified service activities” or “specified anatomical areas” and still be categorized as “adult book store” or “adult video store”. Such other business purposes will not serve to exempt video store so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe “specified sexual activities” or “specified anatomical areas”.

- C. **Adult Live Entertainment Establishment:** An establishment, which features:
1. Persons who appear in a state of nudity; or
 2. Live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities’; or
 3. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”.
- D. **“Adult” Motion Picture Theater:** A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are predominantly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”.



- E. **“Adult” Theater:** A theater, concert hall, auditorium, or similar commercial establishment which predominantly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”.
- F. **Massage Establishment:** Any establishment having its place of business where any person, firm, association or corporation engages in or carries on or permits to be engaged in or carried on any massage activities defined as: Any method of pressure on, friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of external soft parts of the body with the hands or with the aid of any mechanical apparatus or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol. This definition shall not apply to:
1. Persons authorized by the laws of this state to practice medicine, osteopathy, chiropractic, podiatry, or naturopathy;
 2. Registered nurses, licensed practical nurses or technicians, when acting under the supervision of a licensed physician or osteopath;
 3. Persons employed or acting as trainees for any bona fide amateur, semiprofessional or athlete or athletic team;
 4. Persons authorized by the laws of this state as barbers or cosmetologist, provided their activity is limited to the head, face, or neck;
- G. **Nude Model Studio:** Any place where a person who appears in a state of nudity, or who displays “specified anatomical areas” is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude model studio shall not include a proprietary school licensed by the State of Arizona of a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates education programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:
1. That has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
 2. Where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and
 3. Where no more than one (1) nude or semi-nude model is on the premises at any one (1) time.

Advertising Public Hearing. A public hearing on a matter before the Planning and Zoning Commission, the Board of Adjustment, or the Board of Supervisors, that is advertised in the County’s newspaper of general circulation at least 15 days prior to the public hearing date and notification is sent out by first class mail to property owners within 300 feet of the rezoning site.



Agent. Any person, firm partnership, association joint venture, corporation, or any other entity or combination of entities who represents or acts for or on behalf of an applicant or appellant.

Agricultural Use. That portion of a parcel or parcels of land devoted to the tilling of soil, rising of crops, animal husbandry, horticulture, beekeeping or aquaculture.

Airport. An area of land that is used for landing and take-off of aircraft, fueling and repair facilities, and terminal buildings.

- A. **Airport Elevation.** The established elevation in feet above mean sea level of an airport reference point.
- B. **Airport Hazard.** Any structure or object of manmade and/or natural growth located on or in the vicinity of an airport, or any use of land near such airport, which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or take-off or maneuvering at such airport.
- C. **Helipad:** An area on a heliport established for the landing or takeoff of helicopters.
- D. **Heliport:** A landing area solely for the use of helicopters. A heliport may include more than one helipad.
- E. **Landing Area:** Any locality, either land or water, including airports and landing fields, which is used or intended to be used for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft or for receiving or discharging passengers or cargo.
- F. **Landing Area Boundary:** the outer limit of the land or water of a landing area.

Airstrip. An area of private land that is used for landing and take-off of aircraft.

Aisle. The travel way by which cars enter and depart parking spaces.

Alley. Any public way or thoroughfare which has been dedicated or deeded to the public for public use.

Amusement and Recreation Services. Establishment engaged in providing amusement or entertainment for fee or admission charge and including but not limited to such uses as dance halls, studios, theatrical productions, musical entertainment, bowling alleys, billiard and pool establishment, commercial sports such as arenas, rings, racetracks, public golf courses, miniature golf course, amusement parks, membership sports and recreation clubs, carnival operations, expositions, game parlors, and horse shows.



Animal Hospital or Veterinarian Clinic. A place where animals or pets are given medical or surgical treatment.

Apartment. Any building containing five or more attached dwelling units.

Appeal. Request to the Board of Adjustment to review a decision made by the Community Development Director, or review by the Board of Supervisors of a Conditional Use Permit, or Modification of a Conditional Use Permit decision by the Planning and Zoning Commission.

Approval. Conditional Rezoning. An affirmative action by the Board of Supervisors indicating that approval of a rezoning ordinance will be forthcoming upon satisfaction of certain specified stipulations.

A.R.S. Arizona Revised Statutes.

Area of Jurisdiction. That part of the County without the corporate limits of any municipality.

Attached. In reference to dwelling units, Attached to another similar dwelling unit.

Automobile Agency. A facility whose primary business involves the sales, rental or lease of vehicles.

Automobile Lubrication and Oil Change Operation. An establishment primarily engaged in the lubrication and changing of fluids for automobiles and trucks, but not including tractor trailers. This does not include the overnight storage of vehicles, or any repair work other than minor repairs incidental to the primary activity.

Automobile Repair Service and Garages. Establishments primarily engaged in general automotive and truck repair, including paint and body work except tractor trailers, but not including storage or salvaging of vehicles or their parts.

Automobile Wrecking Yard. The dismantling or wrecking of motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts, outside of an enclosed building, but not including the incidental storage of vehicles in connection with the operation of a repair garage, provided the repair period for any vehicle does not exceed 30 days.

Awning. Is a shelter supported entirely from the exterior wall of a building.

Bar. An establishment including, but not limited to, a cocktail lounge, discotheque, night club or tavern, the main use of which is to serve alcoholic beverages for on-site consumption. Such a facility may serve food and provide dancing and entertainment.

Bed & Breakfast. A house, or portion thereof or casitas where short term lodging and meals are provided for overnight or weekly visitors.



Berm. A mound of earth or the act of pushing earth into a mound.

Board. The Santa Cruz County Board of Supervisors.

Board of Adjustment. One of the three Santa Cruz County Boards of Adjustment.

Boarding House. A building with more than three rooms that are rented on a month-to-month basis, where meals may be provided, but not supervisory or medical care.

Buildable Area. The area of a lot remaining after the minimum yard and open space requirements have been subtracted.

Building. A structure covered by a roof and supported by walls or posts.

Building Coverage. The horizontal area covered by all principal and accessory buildings on a lot, including carports, and covered porches or patios.

Building Height. The vertical distance of a building measured from the lowest grade adjacent to the building to the highest point of the roof, fascia, or parapet.

Building Principal. Is a building in which the principal use of the site is conducted.

Camp. Similar to a lodge as defined in this article except the camp is for a group sharing similar beliefs occupied for short periods of time.

Caretaker. A person whose assigned duties may include maintaining property, caring for farm animals, providing security, or providing care for a person having a documented medical condition.

Carport. A roofed structure providing space for the parking or storage of motor vehicles or pleasure type vehicles only and entirely open on one or more sides.

Child Care Home. A home for not more than six orphaned, abandoned, dependent, abused, or neglected children, together with not more than two adults who supervise such children, all of whom live together as a single housekeeping unit.

Clinic (out patient). A building used for the diagnosis and treatment of human patients that does not include overnight care facilities.

Clinic (in-patient) A building used for the diagnosis and treatment of human patients that includes overnight facilities.



Club. A group of people organized for a common purpose to pursue common goals, interest, and activities, and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and constitutions and bylaws.

Commercial vehicle. Any motor vehicle listed by the State as a commercial vehicle.

Commission. The Santa Cruz County Planning and Zoning Commission.

Common Area. Within a subdivision, all designated land that is jointly owned by all lot owners within the subdivision. Common areas may include private streets, drainage easements, recreation areas, and parking areas.

Communication Tower. A freestanding structure greater than 35 feet in height including appurtenance, used for the following commercial communication purposes:

- A. VHF and UHF television;
- B. AM and FM radio;
- C. Two-way radio;
- D. Common carriers;
- E. Cellular telephone;
- F. Microwave; and
- G. Digital.

Amateur (HAM) towers for the personal use of the property owner are exempt from this definition unless in excess of 100 feet in height.

Comprehensive Plan. The plan adopted by the Board of Supervisors which meets the requirements of Title 11, Section 821 of Arizona Revised Statutes governing County Planning and Zoning.

Conditional Use Permit. A permit, granted at a public hearing by the Planning and Zoning Commission for a specific use of property in the section titled “Conditional Use Permit Required” in a particular zoning district, after the applicant has demonstrated that the use will comply with all the conditions and standards for the location or operation of such use, as specified in the Zoning and Development Code, and that the use will have no adverse impact on surrounding properties.

Condominium. Real estate, portions of which are designated for separate ownership with the remainder designated for common ownership by the owners of the separate portions. Real estate is not a



condominium unless the undivided interests in the common elements are vested in the unit owners. For purposes of this code, a condominium project is considered one lot, and not a subdivision.

Construction Trailer. Contains open space to conduct business without kitchen and bedroom facilities.

Contractor's Material Yard. The use of any parcel or portion thereof or building for the commercial storage, of building materials including, but not limited to, aggregate, sand concrete block, lumber, pipe, conduit, brick, cement, and/or roofing material. Such storage may also include vehicles and other equipment. A construction office may be located in the Contractor's Material Yard.

Convenience Store. A one-story retail establishment that is located and designed for the sale of limited food items, beverages, domestic supplies, and gasoline.

Corral. An enclosure for confining animals.

Country Club. A facility emphasizing outdoor recreation, such as golf, tennis, and horseback riding, for members of the club. Accessory uses may include overnight accommodations, a restaurant, bar, and/or storage facilities.

Covenants, Codes, and Restrictions. Privately-enforced and binding deed restrictions for a parcel of land or lots within a subdivision, and are not created or enforced by the county, state, or municipality in which the parcel or lot is located.

Day Care Center. Any facility, licensed by the State, in which care, supervision and guidance of children for periods of less than twenty-four hours per day, is provided for compensation for five or more children not related to the proprietor.

Density. The number of dwelling units on an acre of land.

Developer. One who transforms raw land to improved property by use of labor, capital, entrepreneurial efforts, or by modification of existing development.

Development Plan. A general term used for any sketch plan, site plan, plot plan, or subdivision plat map showing how a site is to be developed.

Development Site. Is the total contiguous area of property owned by a developer.

Director. The Director of the Santa Cruz County Department of Planning and Zoning.

Distillery, Craft. A distillery in the united states or in a territory or possession of the united states that is subject to a license pursuant to Arizona revised statute §4-205.10 or as those requirements may subsequently and from time to time be amended.



Disturbed Area. Is that area of natural ground excluding the area occupied by the lot coverage that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. Disturbed areas may be reclaimed if they are restored to their natural contours, vegetation and colors to the satisfaction of the Planning and Zoning Director.

Domestic microbrewery. A brewery in the United States or in a territory or possession of the United States that meets the requirements of Arizona Revised Statutes §4-205.08.

Dual Licensee. An entity that holds both a non-profit medical marijuana dispensary registration and a marijuana establishment license as defined in Arizona Revised Statutes §36-2850(9).

Dude Ranch. See guest ranch.

Dwelling Unit. An enclosed space providing complete independent living facilities for a person or persons, which includes permanent provisions for living, sleeping, eating, cooking, and sanitation, and contains one kitchen.

Dwelling Unit, Multi-family. A residential structure containing two or more attached dwelling units.

Easement. A right given by the owner of land to another party for a specific limited use of that land. Examples include utility easements and public trail easements.

Easement, Non-Access. An easement prohibiting vehicular access from a public street.

Emergency Housing. Temporary shelter required due to a natural disaster or fire.

Equestrian School. See “Stable, commercial.”

Fair Market Value. Fair Market Value shall be determined by the County with a written appraisal report prepared by a certified appraiser acceptable to the County. The appraisal shall be made immediately prior to the filing of site plan. The subdivider shall notify the County of the expected filing date at least six (6) weeks prior to filing the final map. If more than one (1) year elapses prior to the filing of the final map, the County will require a new appraisal and will bill the subdivider for the cost of the reappraisal. For the purposes of the chapter, the determination of the Fair Market Value, shall consider, but not necessarily be limited to, the following:

- A. Approval of and conditions of the preliminary plat;
- B. The general plan;
- C. Conditional zoning;



- D. Property location;
- E. Off-site improvements facilitating use of the property;
- F. Site characteristics of the property, and
- G. The fair market value shall be based on the improved value of the land, without structures, but having the applicable infrastructure (roadways, drainage, water, electric, telephone, and sewer) installed to the property.

If the subdivider objects to the determined Fair Market Value, he/she may appeal to the Board of Supervisors who shall hear the appeal, with the burden of proof lying with the subdivider.

Farm. An area of not less than 5 contiguous acres which is used for the commercial production of farm crops such as vegetables, fruit trees, cotton, grain and other crops and their storage on the area, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep and swine for commercial purposes. The term “farm” includes the operating of such an area for 1 or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce, provided that the operation of any such accessory use is secondary to that of the farm activities, and provided further that the farm activities do not include commercial pen feeding or commercial feed lots or the commercial feeding of garbage or offal to swine or other animals.

Farm Animals. Animals, other than household pets, that are kept and maintained for commercial production or family food and/or recreation, including, but not limited to: dairy animals, swine, poultry, cattle, sheep, llamas, horses, mules, goats, ostriches, emus, and turkeys.

Farm Tractor. A motor vehicle designed and used primarily as an agricultural implement for pulling agricultural equipment.

Feedlot. Any tract of land, or structure, pen, or corral, wherein cattle, horses, sheep, goats, or swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market.

Fifteen Gallon Tree. Is a tree in a container with a capacity of 15 gallons.

Floor Area, Gross. Is the sum of the horizontal areas of floors or a building measured from the exterior face of exterior walls or, if appropriate, from the center line of dividing walls. This includes courts and decks or porches when covered by a roof.

Frontage. Is the width of a lot or parcel abutting a public right-of-way measured at the front property line or access easement or as determined by the Planning and Zoning Director in cases of unique topography or unique lot configuration where there is no abutting public right-of-way.



Garage, Private Residential. An accessory building or portion of a principal building completely enclosed used for the parking or temporary storage of motor vehicles of occupants of the building to which such garage is accessory, by not including the parking or storage of delivery trucks, tractors or similar which have gross vehicle weight in excess of 20,000 pounds GVWR unless approved by the Board of Adjustment pursuant to Section 1004 of this Code.

Gasoline Service Station. A retail establishment primarily engaged in the sale of petroleum products, and including automobile repair, and the sale of snack foods and beverages. Gasoline service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, painting, body repair, and transmission repair are conducted, and shall include only incidental overnight parking of vehicles.

Grade, Finished. The final elevation of the ground surface after development.

Grading. To change the natural contours of the land as detailed in the U.B.C.

Grade, Natural. The elevation of the ground surface in its natural state.

Group Home for the Handicapped. A dwelling shared by four or more handicapped persons, including residential staff, who live together as a single housekeeping unit and in a long-term family-like environment, in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential.

Grubbing. Is the clearing of the vegetative matter as detailed in the U.B.C.

Guesthouse. A site-built detached structure used primarily by members of the family occupying the main dwelling and their nonpaying guests.

Guest Ranch. A remote transient lodging facility providing services to their guests such as sleeping quarters, meals, horse-back riding and other outdoor recreational activities on a parcel of land greater than 720,000 sq. ft.

Guest Room. A room which is designed for occupancy by one or more guests for sleeping purposes.

Halfway House. A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. Such placement is pursuant to the authority of the State Department of Corrections.

Handicapped. A person who: 1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, 2) has a record of having impairment. However,



“Handicapped” shall not include current illegal use of or addiction to a controlled substance (as defined in §102 of the Controlled Substance Act [21 United States Code 802]).

Historic Vehicle. A motor vehicle with a manufacture or model year date of twenty-five (25) years or more prior to the present date.

Historical Site. A site listed with the Arizona State Museum or designated as a State Historical site or landmark.

Home Occupation, Residential. An accessory use of a dwelling that involves very limited manufacture, provisions, or sale of goods and/or professional services. Garage/yard sales or home parties, that are held for the sale of goods or services, are not considered a home occupation provided these sales do not exceed 6 in 1 year. A residential home occupation is only permitted per the standards contained within Article 10.

Hospice. An institution providing care and comfort to terminally ill persons.

Hospital. An institution for the diagnosis, treatment, or other care of human ailments. The term hospital is deemed to include sanitarium, preventorium, clinic, rest home, nursing home, convalescent home and maternity home.

Hotel. Similar to a motel possibly having additional amenities and/or services.

Impervious Surface. Impervious surface are those which do not absorb water. They consist of all buildings, parking areas, driveways, road, sidewalks, and any areas of concrete or asphalt, or areas where materials are stored.

Agricultural equipment or vehicle. Equipment or vehicles designed primarily for agricultural purposes and used exclusively in the conduct of agricultural operations, including an implement or vehicle whether self-propelled or otherwise that meets all of the following conditions:

- A. Is used exclusively for carrying products of farming from one part of a farm to another part of the same farm or from one farm to another farm.
- B. Is used solely for agricultural purposes including the preparation or harvesting of cotton, alfalfa, grains and other farm crops.
- C. Is only incidentally operated or moved on a highway whether as a trailer or self-propelled unit.

Improvement. Any man made immovable item, including utility hook-ups, streets, water mains, drainage facilities, and other work of such extent, that become part of, placed upon, or affixed to real estate.



Inn, Small. A transient lodging facility with no more than nine (9) sleeping units.

Junk Yard. Any premises, or any parcel of land or portion thereof, where two or more unregistered or inoperable vehicles, vehicle parts, used building materials, used household appliances or furniture, or scrap materials including metal, wood, glass, or paper, are stored, kept, or abandoned.

Kennel. Any premises in which are kept, harbored or maintained five or more dogs under controlled conditions whether for commercial purposes or not.

Landscaping. Is the finishing and adornment of unpaved yard areas. Materials and treatment generally include naturally growing elements such as grass, trees, shrubs and flowers. This treatment may also include the use of logs, rocks, fountains, water features and contouring of the earth.

Laundry, Self-service. A building within which clothes washing and drying machines, and clothes dry cleaning machines, either coin operated or attendant operated, are provided on a rental basis for use by individuals for doing their own laundry and dry cleaning. Self-service laundry does not include outdoor drying facilities.

Litter. Means any rubbish, trash, weeds, filth, dilapidated buildings, and debris which shall constitute a health and safety hazard, and all solid wastes including garbage, trash, dead animals, or any unsightly or unsanitary matter whatsoever.

Lodge. See guest ranch.

Lot. Any lot, parcel, tract of land, or combination thereof, shown on a plat of record or recorded by metes and bounds that is occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) principal building together with its accessory buildings, the open spaces and parking spaces required by this Ordinance, and having its principal frontage upon a street or upon an officially approved place.

Lot Area. The area of a horizontal plane within the lot lines of a lot.

Lot Line. A line of record bounding a lot that divides one lot from another lot or from a public or private entity.

Lot line, front. In the case of a lot abutting only one street, the line separating such lot from the street. In the case of a corner lot, typically the side of the driveway serves as the front.

Lot Key. A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot.



Lot line, rear. The lot line which is opposite and most distant from the front lot line. In the case of a triangular lot, the rear lot line shall be a line at least ten feet long entirely within the lot and parallel to the front lot line.

Lot line, side. Any lot line not a front or rear lot line.

Lot of Record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Santa Cruz County; or a lot, parcel or tract of land, the deed of which has been recorded in the office of the County Recorder of Santa Cruz County.

Lot Width. Is, for rectangular lots having side lot lines not parallel and for lots outside the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a parallel to the street or street chord. For lots inside the curve of a street, lot width is the distance between side lot lines measured thirty feet behind the required minimum front yard line on a line parallel to the street or street chord (See Figure One).

Manufactured Home. See Article 18 for definition.

Manufactured Home Subdivision. A subdivision designed and intended for residential use where residences are exclusively manufactured homes.

Marijuana. As defined by A.R.S. §36-2850(16), means:

(a) All parts of the plant of the genus cannabis, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture or preparation of the plant or its seeds or resin.

(b) Includes cannabis as defined in A.R.S. §13-3401.

(c) Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus cannabis, oil or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.

Marijuana Establishment. An entity defined in A.R.S. §36-2850(18) licensed by the Arizona Department of Health Services to operate all of the following:

(a) A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.

(b) A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers (see Marijuana Dispensary Offsite Cultivation Location).



(c) A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

Marijuana Off-Site Cultivation Facilities. A single offsite cultivation location at which the following entities may cultivate marijuana and manufacture marijuana products but from which marijuana and marijuana products may not be delivered, transferred, supplied, sold or dispensed to consumers:

- (a) A Nonprofit Medical Marijuana Dispensary as defined in A.R.S. §36-2801(12);
- (b) A Marijuana Establishment as defined in A.R.S. §36-2850(18)(b);
- (c) A Dual Licensee Establishment as defined in Arizona Revised Statutes §36-2850(9).

Marijuana Off-Site Manufacturing Facilities. A single offsite cultivation location at which the following entities may manufacture, package and store marijuana and marijuana products but from which marijuana and marijuana products may not be delivered, transferred, supplied, sold or dispensed to consumers:

- (a) A Nonprofit Medical Marijuana Dispensary as defined in A.R.S. §36-2801(12);
- (b) A Marijuana Establishment as defined in A.R.S. §36-2850(18)(c);
- (c) A Dual Licensee Establishment as defined in Arizona Revised Statutes §36-2850(9).

Metes and bounds. A system of describing or identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, or the corner of intersecting streets.

Mobile Home. See Article 18 for definition.

Mobile Home Subdivision. A subdivision designed and intended for residential use where residences are exclusively mobile homes.

Modification of a Conditional Use Permit. A permit, granted at a public hearing by the Planning and Zoning Commission, that alters, modifies, expands or otherwise changes an existing Conditional Use Permit.

Modular Building. A structure of which sections or components are produced at a factory for assembly on-site. (See Manufactured Housing)

Motel. An establishment providing sleeping accommodations with a majority of the rooms having direct access to the outside.



Natural State. Undisturbed or native desert vegetation.

Natural Waterways. Are those areas, varying in width along streams, creeks, springs, gullies or washes, which are natural drainage channels as determined and identified by the jurisdiction.

Nonconforming Lot. A lot that does not meet the minimum area requirement of the zoning district in which the lot is located.

Nonconforming Use or Activity. The lawful use of any building, lot, parcel or tract of land existing at the time this Ordinance, or amendments thereto, become effective which does not conform with the use regulations of the zoning district in which it is located.

Nonprofit Medical Marijuana Dispensary. An entity defined in A.R.S. §36-2801(12) as a not-for-profit entity that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders. A nonprofit medical marijuana dispensary may receive payment for all expenses incurred in its operation.

Nudity or a State of Nudity. Means:

- A. The appearance of a human anus, male genitals, female genitals, or female breast; or
- B. A state of dress which fails to opaquely cover human anus, male genitals, female genitals, or areola of the female breast.

Nursing Home. A facility, whether for profit or not, which provides care to persons who need nursing assistance on a continuing basis, but who do not require hospital care or care under the daily direction of a physician.

Off-Street Parking. Parking on privately owned land.

On-Site. Located on the site in question.

Open Space. Are land areas that are not occupied by buildings, structures, parking areas, streets, or alleys. Open space may be devoted to landscaping, preservation of natural features, patios, and recreational areas and facilities.

Orphanage. An institution providing residential care and supervision to seven or more orphaned, abandoned, dependent, abused, or neglected children, together with trained staff as required by the Arizona Department of Health Services.

Parking Lot. Is an open area, other than a street or right of way used for the parking of motor vehicles.



Planning and Zoning Commission. The Planning and Zoning Commission of Santa Cruz County.

Plat Preliminary Subdivision. A preliminary map of a proposed subdivision design, prepared in accordance with the provisions of this Code.

Plat, Final Subdivision. A map of a surveyed subdivision, approved by all required County Officials and the Board of Supervisors.

Plot Plan. A sketch of existing or proposed structures and other features on a specific parcel of land.

Public Utility Substations. Buildings, structures, and facilities including generating and switching stations, poles, lines, pipes, pumping stations, repeaters, antennas, transmitters and receivers, valves and all buildings and structures relating to the furnishing of utility services, such as electric, gas, telephone, water, sewer, and public transit to the public.

Recreational Area. Any land area that is designated for recreation or contains specific facilities such as community recreational centers, pedestrian ways, swimming pools, picnic facilities, basketball and sport courts, playground equipment and exercise equipment.

Recreational Area, Active. Recreation area delineated for activities, in the form of a formal nature and that often are performed with others, which requires equipment and which take place on a prescribed field. Active Recreational Areas include, but are not limited to, tennis, volleyball, basketball, and other court games, baseball, soccer and other field sports, swimming pools, track and improved playground activity areas.

Recreational Area, Passive. Recreation area delineated for activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, checkers, and similar table games. Passive Recreational Areas also include natural open space, which contain nature walks and observation areas.

Recreational Vehicle (RV). See Article 18 for definition.

Recreational Vehicle (RV) Park. A facility providing two or more rental spaces for occupancy by RV's, together with certain accessory buildings and uses provided for the benefit and enjoyment of the renters.

Renovation. Is interior or exterior remodeling of a structure, other than ordinary repair.

Research Area. Land devoted to scientific or educational research involving the study of the natural environment.



Residential Substance Abuse Center. A clinic providing treatment, diagnostic services, and counseling services, in a resort-type setting, for patients with problems relating to alcoholism or other substance abuse. Must be licensed by the Arizona Department of Health Services.

Resort. Generally a full service luxury hotel constructed as a building or group of buildings with a majority of the site devoted to outdoor recreational activities

Restaurant. Establishments providing prepared food and beverages for consumption on the premises. Restaurants include, but are not limited to cafeterias, ice cream parlors, coffee shops, sandwich shops, supper clubs, and sidewalk cafes.

Retaining Wall. A wall or terraced combination of walls used to retain earth but not supporting a wall of a building.

Right of Way. A transportation corridor dedicated for public use which may or may not be maintained by a public entity.

Riding Stable. See “Stable, commercial.”

Sanatorium. A hospital used for treating chronic and usually long term illness.

School - grade. A building used for education or instruction licensed by the State meeting the requirements for elementary education.

School - high. A building used for education or instruction licensed by the State meeting the requirements for secondary education.

Screening. A method of visually shielding or obscuring an abutting or nearby structure or use from another by the implementation of fencing, walls, or other approved structures or devices. A screen shall be visually opaque and constructed of durable materials. Acceptable materials include: wood fencing, masonry walls, and brick walls. Alternative materials may be approved by the Planning and Zoning department providing a high degree of opacity is achieved.

Self Service Storage Facility. A building or buildings consisting of individual self-contained units for rent or lease, in which the occupants themselves customarily store and remove their own personal property on a self-service basis.

Self-Service Car Wash. A facility with coin-operated equipment for the cleaning of vehicles, including industrial vacuums.

Semi-Trailer. A vehicle with or without a means of propulsion, other than a pole trailer, designed for carrying persons or property and for being pulled by a motor vehicle constructed so that some part of its weight and that of its load rests on or is carried by another vehicle.



Servant. A person who is paid for performing household duties such as cooking, cleaning, chauffeuring, nursing, caring for children, or similar activities.

Service Station. A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor vehicles, including minor repair activities which are subordinate to the sale of petroleum products.

Setback, Building. The required distance between a lot line and any building on a lot.

Setback line. A line measured from the existing or future right-of-way of a street or property line, as applicable.

Sign. Any device for visual communication, including any structure or natural object or part thereof, that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia of any government or governmental agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization.

Site. A contiguous parcel of land, subdivided or unsubdivided, under one ownership and one development plan, submitted for County review, to which the standards of this code are applied. A site shall not extend across a public street or right-of-way.

Site Plan. A plan prepared to scale, showing all of the buildings, structures and uses, existing and proposed, for a specific parcel of land.

Special Events. Circuses, fairs, carnivals, festivals, or other types of special events that run for longer than one day, are intended to or likely to attract substantial crowds, and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Stable, commercial. A building or land containing stables for horses, which are bred, hired, boarded, or shown on a commercial basis.

Structure. An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Subdivision. The division of improved or unimproved land into six or more lots of less than 36 acres each.

Swap Meet. A place of commercial activity open to the general public, composed of indoor or outdoor stalls, stands, or spaces rented or leased to persons on a daily basis for the purpose of display, sale, and/or barter of new and used merchandise. Does not include special events craft fairs.

Tenant House, Caretaker's residence. A dwelling unit existing in conjunction with a business.

Theater. A building or part of a building devoted to showing motion pictures or live performances.



Townhouse. An attached dwelling unit, usually having its own entrance and exit apart from other units, and usually located on its own separate lot, within a subdivision with common area provided.

Tractor Trailer Rig. A semi or full trailer exceeding twenty-eight feet in length or truck-tractor or any combination thereof, or any truck exceeding 26,000 pounds in gross vehicle weight rating (GVWR).

Trailer. A vehicle with or without means of propulsion, other than a pole trailer, designed for carrying persons or property and for being pulled by a motor vehicle constructed so that no part of its weight rests upon the towing vehicle. A semi-trailer equipped with an auxiliary front axle commonly known as a dolly shall be deemed a trailer.

Truck Stop. A facility for the servicing of trucks and tractor trailers, with or without a convenience market. One or more of the following uses shall constitute a truck stop:

- A. Four or more diesel fuel pumps;
- B. Two or more truck washing bays;
- C. Facilities for the repair of diesel engines.

Truck Tractor. A motor vehicle that is designed and used primarily for pulling other vehicles and that is not constructed to carry a load other than a part of the weight of the vehicle and pulled.

Unregistered Vehicle. Any motor vehicle without a current year registration certificate and registration plates issued through the Motor Vehicle Department under the laws of Arizona.

Use. The purpose or activity for which land or buildings are designated, arranged, or intended, or for which land or buildings are occupied or maintained.

Utility, Public. Any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, communication, rail transportation, water, sewage collection, or other similar services.

Warehouse. A building used primarily for the storage of goods and materials.

Warehouses, Mini. Buildings which are composed of contiguous individual rooms which are rented to the public for the storage of personal property and which have independent access and locks under the control of the tenant; but excluding the storage of explosive, corrosive or noxious materials, such as dust, fumes, or noise that could be dangerous, injurious, distasteful, pernicious or obnoxious to man, other organisms or properties; and further excluding any other use otherwise permitted in the zoning district in which the Mini-Warehouse is located.

Wireless Communication Facilities. Either a structure composed of a monopole; or a structure mounted on a building; either of which is maintained by a public service corporation, and which supports



microwave antennae and dishes and other necessary attachments used exclusively for cellular or digital communication purposes, all of which are used as part of a mobile telephone communications systems.

Yard. An open and unoccupied space on a lot, unobstructed from the ground to the sky.

- A. **Yard, Front.** A yard extending the full width of the lot between front lot line and the nearest line of the main building or the nearest line of any enclosed or covered porch.
- B. **Yard, Side.** A yard extending from the front yard to the rear yard, between the side lot line and the nearest line of the main building.
- C. **Yard, Rear.** A yard extending across the full width of the lot between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch.

Zoning District. A bounded area within which certain uniform regulations and requirements of the designated zone apply.

Zoning Clearance. Is the verification by the Planning and Zoning Director indicating that a proposed building, structure or use meets all the regulations of this ordinance.

Zoning Inspector. The Director of the Santa Cruz County Planning and Zoning Department.

Zoning Inspector, Deputy. A duly authorized representative of the Santa Cruz County Department of Planning and Zoning under general direction of the Zoning Inspector.



ARTICLE 3 – ADMINISTRATIVE MECHANISMS

- 301--- PLANNING AND ZONING COMMISSION, FUNCTIONS AND DUTIES
- 302--- APPOINTMENT OF PLANNING AND ZONING COMMISSION
- 303--- LENGTH OF TERMS
- 304--- REMOVAL FROM COMMISSION
- 305--- COMMISSION MEETINGS
- 306--- MINUTES
- 307--- PUBLIC AGENDA
- 308--- PUBLIC NOTICE
- 309--- QUORUM
- 310--- VOTING
- 311--- OFFICERS OF THE COMMISSION
- 312--- ADVISORY COMMITTEES
- 313--- BOARD OF ADJUSTMENT, FUNCTIONS AND DUTIES
- 314--- APPOINTMENTS OF THE BOARD OF ADJUSTMENT
- 315--- LENGTH OF TERMS
- 316--- REMOVAL FROM BOARD
- 317--- MEETING OF THE BORAD OF ADJUSTMENT
- 318--- MINUTES
- 319--- PUBLIC AGENDA
- 320--- PUBLIC NOTICE
- 321--- QUORUM
- 322--- VOTING
- 323--- BOARD OF ADJUSTMEND OFFICERS
- 324--- COMMUNITY DEVELOPMENT DIRECTOR
- 325--- BOARD OF SUPERVISORS
- 326--- SEPARABILITY CLAUSE, REPEAL OF CONFLCITING ORDINANCES, EFFECTIVE DATE

SEC. 301 FUNCTIONS AND DUTIES OF THE PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission may:

- A. Make studies and recommend to the Board of Supervisors plans, goals, and objectives relating to the growth, development, and redevelopment of the County and the surrounding extra territorial planning areas.
- B. Develop and recommend to the Board of Supervisors policies, codes, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
- C. Make recommendations to the Board of Supervisors concerning proposed zoning changes, plat approvals and other related land development issues.
- A. Perform any other duties assigned by the Board of Supervisors.



- E. The Planning and Zoning Commission may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of the Development Code or the Arizona Revised Statutes.
- F. Review and approve Conditional Use Permit applications.

SEC. 302 APPOINTMENT OF THE PLANNING AND ZONING COMMISSION

Three members shall be appointed from each supervisorial district by the Supervisor from that district, and not more than one of three shall be a resident of an incorporated municipality. Members of the Commission shall serve without compensation except for reasonable travel expenses, phone calls and mailing expenses related to their duties as per County standards.

SEC. 303 LENGTH OF TERMS

The terms of the members of the Commission shall be four years. Members may be appointed to successive terms without limitation. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment by the Supervisor of the district in which the vacancy occurred, for the unexpired portion of the term.

SEC. 304 REMOVAL FROM COMMISSION

A Commissioner may be removed by the Board of Supervisors at any time for failure to attend fifty (50) percent of the meetings within any twelve (12) month period. If a Commissioner moves outside the district from which he was appointed or from the County, the change of residence shall constitute a resignation from the Commission.

Upon request of a member proposed for removal, the Board of Supervisors shall hold a hearing on the removal before it becomes effective.

SEC. 305 COMMISSION MEETINGS

The Planning and Zoning Commission shall establish a regular meeting date, time and location for hearings, which schedule may be adjusted to accommodate public holidays, and will be posted on the County web

SEC. 306 MINUTES

Minutes shall be kept of all Planning and Zoning Commission meetings and made available to the public, upon receipt of a public records request, prior to approval by the Commission at their next meeting.

SEC. 307 PUBLIC AGENDA

All Commission meeting shall be open to the public, and the agenda for each Commission meeting shall be made available to the public in advance of the meeting.



SEC. 308 PUBLIC NOTICE

Whenever the Commission is called upon to make recommendations concerning a proposed zoning amendment, subdivision plat, Conditional Use Permit, Modification of a Conditional Use Permit or any other item properly invoking its jurisdiction, the applicant shall give notice of a public hearing as follows:

The applicant shall post one or more public notices both on the property and in the vicinity of the property that are in location that are sufficiently conspicuous to provide reasonably adequate notice to potentially interested persons. The notices shall specify the date and time of the Commission hearing and the subject of the proposed action. Such notices shall be posted not less than fifteen (15) calendar days prior to the hearing.

The applicant shall post a prominent public notice of the hearing in the post office nearest to the property that is the subject of the proposed action.

A notarized affidavit of posting shall be submitted by the applicant to the Commission before the public hearing.

It shall be the responsibility of the Planning and Zoning Department to provide the applicant with the notices and affidavit of posting form.

The planning staff shall also send written notices to adjoining property owners as required by the Arizona Revised Statutes.

Except that, if the Planning and Zoning Commission initiates an amendment or action, planning staff shall provide the required public notice in accordance with the requirements in the Arizona Revised Statutes.

SEC. 309 QUORUM

A quorum for the Planning and Zoning Commission shall consist of a majority of the Commission membership, excluding vacant seats. A quorum is necessary for the Commission to take official action.

SEC. 310 VOTING

All actions of the Planning and Zoning Commission shall be taken by majority vote, a quorum being present. A roll call vote shall be taken upon the request of any member.

A member may recuse themselves from voting on a particular issue for any of the following reasons:

- A. If the member has a direct financial interest in the outcome of the matter at issue, or
- B. If the matter at issue involves the member's own official conduct, or
- C. If participation in the matter might violate the letter or spirit of a member's code of professional responsibility; or
- D. If a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.



SEC. 311 OFFICERS OF THE COMMISSION

At its first meeting of each year, the Planning and Zoning Commission shall, by majority vote of its membership, excluding vacant seats, elect one (1) of its members to serve as a Chairman to preside over the Commission meetings, and one (1) member to serve as Vice-Chairman. The people so designated shall serve in these capacities for terms of one (1) year. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the Commission membership, excluding vacant seats.

The Chairman and Vice-Chairman may take part in all deliberations and vote on all issues.

SEC. 312 ADVISORY COMMITTEES

From time to time, the Board of Supervisors may appoint one or more individuals to help the Planning and Zoning Commission carry out its planning responsibilities with respect to a particular subject area. By way of illustration, without limitation, the Board of Supervisors may appoint advisory committees to consider the transportation plan, bikeway plans, housing plans, economic development plans, etc.

Members of such advisory committees shall sit in an advisory capacity to the Planning and Zoning Commission when such issues are being considered and lend their talents, energies, and expertise to the Planning and Zoning Commission. All formal recommendations to the Board of Supervisors shall be made by the Planning and Zoning Commission.

Nothing in this section shall prevent the Board of Supervisors from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the Board of Supervisors.

SEC. 313 BOARD OF ADJUSTMENT FUNCTION AND DUTIES

The Board of Adjustment shall:

- A. Allow a variance from the terms of the ordinance when, owing to special circumstances due to the physical conditions, a strict interpretation would work an unnecessary hardship, and that, in granting a variance the general intent and the purpose of the zoning ordinance will be preserved.
- B. Interpret the zoning ordinance when the meaning of any word, phrase, or section is in doubt, when there is dispute between the appellant and enforcing officer, or when the location of a district boundary is in doubt.
- C. Hear an appeal by any person who feels that there is error or doubt in the decision of the Community Development Director in the interpretation of the Zoning and Development Code.

The Board may adopt rules and regulations governing its procedures and operations consistent with the provisions of the Arizona Revised Statutes.



SEC. 314 APPOINTMENT OF THE BOARD OF ADJUSTMENT

A Board of Adjustment shall be appointed for each supervisorial district of the County. Each Board of Adjustment shall consist of five (5) members, each of whom shall be a resident and taxpayer of the unincorporated area of the County. Appointments shall be made by the Board of Supervisors. No more than one (1) member of each Board of Adjustment shall be a member of the County Planning and Zoning Commission and no employee of the County Planning and Zoning Department shall be appointed to a Board of Adjustment. A member may be compensated for reasonable travel, phone calls and mailing expenses related to their duties as per County standards.

SEC. 315 LENGTH OF TERMS

The terms of the member of each Board of Adjustment shall be four (4) years. Their terms shall be staggered.

SEC. 316 REMOVAL FROM BOARD OF ADJUSTMENT

Any member may be removed by the Board of Supervisors for neglect of duty, inefficiency, or misconduct in office, after a ten (10) business-day written notice and public hearing before the Board of Supervisors. A written statement of the reasons for removal shall be filed with the Clerk of the Board of Supervisors. If a member moves into an incorporated area, or from the County, his office shall become vacant. Vacancies shall be filled by the Board of Supervisors for the unexpired term of any member whose place has become vacant.

SEC. 317 MEETINGS OF THE BOARD OF ADJUSTMENT

All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall establish a regular meeting schedule at the first meeting of every year. Upon receipt of an application for a variance, request for interpretation or appeal of a decision of the Community Development Director, the Board of Adjustment shall schedule a public hearing to take place within not more than sixty (60) calendar days from the date of the receipt of an application.

SEC. 318 MINUTES

Minutes shall be kept of all Board of Adjustment meetings and made available to the public, upon receipt of a public records request, prior to their approval by the Board at their next meeting.

SEC. 319 PUBLIC AGENDA

All Board of Adjustment meetings shall be open to the public, and the agenda for each meeting shall be made available to the public in advance of the meeting.



SEC. 320 PUBLIC NOTICE

Notice shall be given at least fifteen (15) days prior to the public hearing to the person filing an application or appeal. Public notice of every hearing shall be given not less than fifteen (15) days prior to the hearing by publication of the notice at least once in a newspaper of general circulation in the county.

SEC. 321 QUORUM

A quorum for the Board of Adjustment shall consist of three (3) members of the Board. A quorum is necessary for the Board to take official action.

SEC. 322 VOTING

The concurring vote of members of the Board shall be necessary for any action taken by the Board of Adjustment.

A member may recuse themselves from voting on a particular issue for any of the following reasons:

- A. If the member has a direct financial interest in the outcome of the matter at issue, or
- B. If the matter at issue involves the member's own official conduct, or
- C. If participation in the matter might violate the letter of spirit of a member's code of professional responsibility or
- D. If a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.

A roll call vote shall be taken upon the request of any member.

SEC. 323 BOARD OF ADJUSTMENT OFFICERS

At its first regular meeting each year, the Board of Adjustment shall, by majority vote of its membership, excluding vacant seats, elect one (1) of its members to serve as the Chairman to preside over the Board's meetings, and one (1) member to serve as Vice-Chairman. The persons so designated shall serve in these capacities for terms of one (1) year. Vacancies may be filled for the unexpired terms only by a majority vote of the board membership, excluding vacant seats.

The chair of any member temporarily acting as the chair may administer oaths to witnesses coming before the Board.

The chair and vice-chair may take part in all deliberations and vote on all issues.



SEC. 324 COMMUNITY DEVELOPMENT DIRECTOR

The Community Development Director is the administrative head of the Planning and Zoning Department and except as otherwise specifically provided, shall have primary responsibility for interpreting, administering and enforcing the Zoning and Development Code.

SEC. 325 BOARD OF SUPERVISORS

In considering proposed changes in the Development Code and the Zoning Map and or approving subdivision plats, the Board of Supervisors acts in its legislative capacity and must proceed in accordance with the requirements of the Arizona Revised Statutes.

SEC. 326 SEPARABILITY CLAUSE, REPEAL OF CONFLICTING ORDINANCES, EFFECTIVE DATE

A. SEPARABILITY CLAUSE

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

B. REPEAL OF CONFLICTING ORDINANCE

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

C. EFFECTIVE DATE.

This Ordinance shall become effective on October 5, 1973.



ARTICLE 4 – REZONING PROCEDURES

---401---	PURPOSE
---402---	DEFINITIONS
---403---	APPLICATION
---404---	PUBLIC NOTICE
---405---	PLANNING AND ZONING COMMISSION REVIEW
---406---	BOARD OF SUPERVISORS REVIEW
---407---	REZONING ORDINANCE ADOPTION

SEC. 401 PURPOSE

Pursuant to A.R.S. section 11-829, this article establishes procedures for zoning district changes and amendments.

SEC. 402 DEFINITIONS

Certain terms used in this chapter shall be defined as follows:

- A. Board: The Santa Cruz County Board of Supervisors.
- B. Commission: The Santa Cruz County Planning and Zoning Commission.
- C. Department: The Santa Cruz County Planning and Zoning Department.
- D. Notification Area: Comprises all properties within a 300 foot radius of the property involved in the application for rezoning.
- E. Substantial Change:
 - 1. in density, if the number of residences per acre (R/AC) increases by ten percent or greater; or
 - 2. of a special condition of rezoning; that is, when change is to be made to quantified physical dimensions which were established in a special condition to adapt to specific site characteristics or mitigate development impacts on the site and surrounding neighborhood. Example of such dimensions include setbacks, heights, natural areas, when these are stated in special condition; or
 - 3. of a special condition which states that only a specific set of uses of the zone are permitted on the subject property.
- F. Zoning Area: Comprises that portion of all properties within a three-hundred foot radius of the perimeter boundaries of the proposed rezoning site.

SEC. 403 APPLICATION

- A. Scope



1. A rezoning may be requested by filing a rezoning application with the department.
2. Application for rezoning may only be made by the following:
 - a) The property owner of the subject property; or
 - b) An authorized agent for the property owner; or
 - c) Santa Cruz County, upon initiation by the Planning and Zoning Commission.

B. Restriction on Application:

Applications shall not be considered on property denied rezoning by the Board within the previous twelve months, if the request is for zoning equal to or less restrictive than that previously denied.

C. Staff Consultation:

The applicant is advised to consult with county staff concerning requirements prior to submittal of the rezoning application.

D. Application:

1. The completed rezoning application shall include, at a minimum;
 - a) A legal description of the property;
 - b) A list, by name and title, of all ownership interest in the property (e.g. individual, corporation, trust or limited partnership) where applicable;
 - c) A letter of authorization for an agent, signed by the property owner;
 - d) A map from the County Assessor's Office showing the property to be rezoned;
 - e) Applicable rezoning fees, in accordance with the adopted fee scheduled;
 - f) A site plan or preliminary development plan (refer to Sec. 403E);
 - g) A completed application form.
2. Additional submittals may be required depending on the size and intensity of proposed uses.
3. Incomplete applications will not be processed.

E. Plan Submittals:

1. Site Plan:
 - a) Scope: a site plan which illustrates the basic features of the proposed development shall be submitted for rezoning of any parcel that is:



- (1) Less than or equal to one acre in size; or
- (2) Greater than one acre but less than or equal to five acres in size, to be developed at a residential density of less than four residences per acre.

b) Specifications: A site plan shall include:

- (1) Parcel boundaries and dimensions;
- (2) Approximate location and size of all structures;
- (3) Points of ingress and egress;
- (4) Adjacent public rights-of-way;
- (5) Building setbacks; and
- (6) Parking areas.

2. Preliminary development plan:

a) Scope:

A preliminary development plan and support data, describing the proposed development, shall be submitted for rezoning of any parcel that is:

- (1) Greater than one acre in size, to be developed for nonresidential uses; or
- (2) Greater than one acre in size, to be developed at a residential density of four or more residences per acre; or
- (3) Greater than five acres in size.

b) Specifications:

A preliminary development plan shall be drawn at a scale which is adequate to show all necessary details clearly. It shall contain, at a minimum, the following applicable mapped elements and supporting information:

- (1) Parcel boundaries and dimensions;
- (2) Approximate location and size of all structures, or lots in case of a proposed subdivision. On project sites over one hundred acres, lots and structures within one hundred feet of the boundary of the property including the rezoning and proposed lots and structures on visually prominent portions of the property shall be indicated;
- (3) Existing and proposed adjacent public rights-of-way;
- (4) Points of ingress and egress, and internal streets and circulation features;
- (5) Parking areas;
- (6) Existing and proposed utility and sewer easements;
- (7) Buffers, screening and walls;
- (8) Landscape areas;
- (9) Recreation areas, common areas, open spaces and natural improvements.



- (10) Natural drainage features and proposed drainage improvements.
- (11) Significant physical features such as prominent peaks or ridges;
- (12) Areas where the natural grade of the site will be changed by more than five feet;
- (13) Wells or well sites within one hundred feet of the site; or
- (14) Land uses within three hundred feet of the site.

c) Written support data: The following data shall also be provided:

- (1) Gross floor area of commercial and industrial structures;
- (2) Building Heights;
- (3) Total number of dwelling units;
- (4) Maximum residential density of each planning unit;
- (5) Total number of parking spaces;
- (6) Type of landscaping;
- (7) Pertinent preliminary hydrologic data, and a statement if natural drainage courses are to be obstructed or disturbed or if regulatory natural floodplain are to be altered or filled, and;
- (8) Any other relevant information which cannot be depicted on the preliminary development plan map.

SEC. 404 PUBLIC NOTICE

A. Planning and Zoning Commission public hearing:

A minimum of fifteen days prior to the hearing, the department shall provide notice by:

- 1 Publication once in a newspaper of general circulation in the county seat a “display ad” covering not less than one-eighth page, at least fifteen days prior to the hearing date; and
- 2 Posting notice on the property or area to be considered at the hearing. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter public rights-of-way so that the notices are visible from the nearest public right-of-way.
- 3 First-class mailed written notice to all property owners (as shown on the last assessment) within three hundred feet of the rezoning district. The Commission or Board may expand the notification area to greater than three hundred feet. The notice sent by mail shall include, at a minimum, the date, time and place of the hearing on the proposed amendment or change including a general explanation of the matter to be considered, a general description of the area of the proposed amendment or change, how the real property owners within the zoning area may file approvals or protests of the proposed rezoning, and notification that if twenty per cent of the property owners by area and number within the zoning area file protests, an affirmative vote of three-fourths of all members of the Board will be required to approve the rezoning.



- B. Board of Supervisors public hearing: As required for the Commission.
- C. Exceptions: Mailed written notice and posting of property for public hearings shall not be required for adoption or amendment of a development code text amendment.
- D. Failure of notice: The unintentional failure to give written notice or the unintentional omission of the name of a property owner shall not invalidate an action of the Commission or Board.

SEC. 405 PLANNING AND ZONING COMMISSION REVIEW.

A. Hearing

- 1. After proper public notice, the Commission shall hold a public hearing on the application, at which all interested parties may appear and shall be heard;
- 2. The Commission may continue the public hearing, for a definite time not to exceed three months, on its own initiative or at the request of the applicant or affected property owners.

B. Transmittal

- 1. After the public hearing, the department shall transmit the findings and recommendations of the Commission to the Board;
- 2. The department may also transmit alternative recommendations when staff and commission opinions differ;
- 3. The department is authorized to evaluate recommendations of the Commission when enforceability is uncertain, or if such evaluation results in, or implies, a change in intent, as determined by the Commission's legal advisor.

SEC. 406 BOARD OF SUPERVISORS REVIEW.

A. Hearing.

- 1. After proper public notice, the Board shall hold a public hearing on the application, at which all interested parties may appear and shall be heard.
- 2. The Board may continue the public hearing, for a definite time not to exceed two months, on their own initiative or at the request of the applicant or affected property owners.

B. Protest Petition and Voting Requirements.

- 1. Property owners within the zoning area may file written protests to the rezoning prior to the hearing before the Board.
- 2. After holding a public hearing, the Board may adopt the rezoning, but if written protest from property owners within the zoning area totals at least twenty percent, by number



and area, a three-fourths vote of all members of the Board is required to pass the rezoning.

C. Conditional Approval by the Board.

1. The Board may amend Commission recommendations or approve additional rezoning conditions;
2. If the Board approves the request, rezoning is subject to:
 - a) The satisfaction of all rezoning conditions, as approved by the Board; and
 - b) Adoption of a rezoning ordinance;
3. The satisfaction of all conditions and adoption of a rezoning ordinance shall occur on or before the time limit designated. If a time limit is designated for completion of conditions, the deadline is calculated from the date of conditional approval by the Board.
4. Department Evaluation. The Planning and Zoning Department is authorized to evaluate conditions approved by the Board when enforceability is uncertain, or if such evaluation results in, or implies, a change in intent, as determined by the Board's legal advisor.

A. Substantial change of rezoning.

1. Any substantial change (see definition) in a condition of rezoning shall be referred back to the Commission at an advertised public hearing, and to the Board for their approval.

SEC. 407 REZONING ORDINANCE ADOPTION

A. Rezoning Ordinance Adoption.

1. The Board shall adopt an ordinance changing the zoning district only when all rezoning conditions have been satisfied, as documented in writing by the department.
2. Final rezoning approval may include conditions added by the Board at public hearing since the date of conditional approval, when such additions are determined necessary for the public safety or welfare
3. No permits based on the approved zoning shall be issued until a rezoning ordinance establishing that zoning is adopted, except as otherwise indicated by the Board.
4. Existing zoning for the property shall remain in effect until a rezoning ordinance is adopted by the Board.
5. Pursuant to A.R.S. §11-829, the rezoning shall not become effective for at least thirty (30) days after Board approval of the rezoning ordinance.

B. Time Extension of Conditional Rezoning Approval.

1. Request for Time Extension by Applicant:



- a) If the applicant is unable to satisfy the conditions of rezoning within the required time limit, a request for a time extension shall be made in writing to the department prior to the expiration of the original time limitation;
- b) Evidence of substantial progress towards completing the conditional rezoning requirements shall be permitted when a time extension is requested;
- c) A hearing shall be held before the Board, and the owner and applicant who requested the rezoning shall be notified of the hearing date by registered mail;
- d) The Board shall either grant a time extension or deny the time extension causing the property to revert to its former zoning classification after the expiration date;
- e) Request for time extensions once the rezoning case has been closed shall not be processed. The entire rezoning process must be reinitiated;
- f) If the time extension is approved, the Board may add conditions recommended by staff, apply additional conditions, or grant the requested time extension without added conditions.

C. Closure of Rezoning Applications.

- 1. The Planning and Zoning Department shall close a rezoning application:
 - a) Upon adoption of a rezoning ordinance(s) by the Board for the entire property;
 - b) Upon written request of the applicant to withdraw the case;
 - c) After the effective date of annexation for the entire property;
 - d) Upon denial of the rezoning request by the Board; or, after six months of inactivity proceeding the Commission hearing;
 - e) After the expiration date of the request, if a rezoning ordinance has not been adopted and no time extension request has been approved.



ARTICLE 5 – ESTABLISHMENT OF ZONING DISTRICTS AND BOUNDARIES

- 501 --- ESTABLISHMENT OF ZONING DISTRICTS
- 502 --- BOUNDARY LINES ON THE ZONING DISTRICT MAPS
- 503 --- BOUNDARY DETERMINATION
- 504 --- PUBLIC WAY VACATION
- 505 --- LANDS NOT PREVIOUSLY ZONED
- 506 --- LANDS PREVIOUSLY ZONED BY OTHER JURISDICTIONS
- 507 --- INTERPRETATION

SEC. 501 ESTABLISHMENT OF ZONING DISTRICTS

For the purpose of this Ordinance that part of Santa Cruz County outside the corporate limits of any municipality is hereby classified into the following zoning districts:

GR-40	General Rural-40 Zoning District – 36 acres per dwelling unit
GR	General Rural Zoning District - 180,000 square feet per dwelling unit
SR R-1	Suburban Ranch Zoning District - 72,000 square feet per dwelling unit Residential Zoning District - 36,000 square feet per dwelling unit
R-2	Residential Zoning District - 18,000 square feet per dwelling unit
R-3	Residential Zoning District - 10,000 square feet per dwelling unit
R-4	Residential Zoning District - 7,500 square feet per dwelling unit
R-5	Residential Zoning District - 6,000 square feet per dwelling unit
MF	Multi Family Zoning District (Single Family Residences) - 5,000 square feet per dwelling unit (Attached Dwelling Units) - 4,000 square feet per dwelling unit
MH	Mobile Home Residential Zoning District 5,000 square feet per dwelling unit
MFR	Manufactured Housing Residential Zoning District 6,000 square feet per dwelling unit
P	Preservation Area - As determined by the Planning and Zoning Commission
B-1	Neighborhood Business Zoning District 6,000 square feet minimum lot size
B-2	General Business Zoning District 10,000 square feet minimum lot size
M-1	Light Industry Zoning District Minimum lot size by Community Development Director

SEC. 502 BOUNDARY LINES ON THE ZONING DISTRICT MAPS

The boundaries of the aforesaid zoning districts are shown upon the maps designated as the Official Zoning Map. The official zoning district maps, along with all notations, references, and other maps, along with all the notations, references and other information shown thereon, are a part of this Ordinance and have the same force and effect as if said maps and all the notations, references and other information shown thereon were all fully set forth or described herein.



SEC. 503 BOUNDARY DETERMINATION

Where uncertainty exists with respect to the boundaries of any zoning district as shown on the zoning district maps, the following rules shall apply:

- A. Where zoning district boundaries are indicated as approximately following street or alley lines or the centerlines thereof, such lines shall be construed to be the zoning district boundaries.
- B. Where zoning district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the zoning district boundaries.
- C. Where zoning district boundaries are indicated as approximately following the line of any stream, irrigation canal or other waterway or railroad right-of-way, or the boundary line of public land, the center of such stream, canal or water way, or of such railroad right-of-way, or the boundary line of such public land shall be construed to be the zoning district boundaries.
- D. Where a zoning district boundary divides a lot or parcel of land, the location of such boundary, unless indicated by dimensions shown on the zoning district maps, shall be determined by the use of the scale appearing on said maps. Further, such zoning district line shall be treated as a property line for applying all zoning district requirements.
- E. Where such boundaries have been changed by the Board of Supervisors pursuant to Article 22 of this Ordinance and where such changed boundaries are shown on detailed maps, the detailed maps shall govern in the event there is any difference between the boundaries shown on the zoning district maps adopted as part of this Ordinance, or subsequent amendments thereto, and the detailed maps.

SEC. 504 PUBLIC WAY VACATION

Whenever any street, alley or other public way is vacated by a public entity, the zoning districts adjoining each side of such street, alley or public way shall be considered as extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended zoning districts.

SEC. 505 LANDS NOT PREVIOUSLY ZONED

Lands which for reason of law, change in ownership or for any other reason, come under the authority of Santa Cruz County after this Ordinance becomes effective and which have not been zoned prior thereto by any other jurisdiction having zoning authority, shall be subject to the regulations of the General Rural-40 (GR-40) Zoning District. At such time as practicable thereafter, public hearings shall be held as required by law for the expressed purpose of zoning such lands pursuant to this Ordinance.



SEC. 506 LANDS PREVIOUSLY ZONED BY OTHER JURISDICTIONS

Lands which for reason of law, change in ownership or for any other reason, come under the authority of Santa Cruz County after this Ordinance becomes effective and which have been zoned prior thereto by another jurisdiction having zoning authority, shall retain such zoning until such time as soon as practicable thereafter public hearings are held as required by law for the expressed purpose of zoning such lands pursuant to this Ordinance.

SEC. 507 INTERPRETATION

In interpreting and applying the regulations of this Ordinance, they shall be held to be minimum requirements for the promotion of the public health, safety and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any ordinance, rules, regulations or permits previously adopted or issued, and not in conflict with this Ordinance; nor is it intended by this Ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that if this Ordinance imposes a greater restriction, this Ordinance shall regulate.



ARTICLE 6 – VARIANCES, APPEALS AND INTERPRETATIONS

---601---PURPOSE AND INTENT

---602--- GENERAL PROVISIONS

---603--- DEFINITIONS

---604--- VARIANCES

---605--- RESERVED

---606--- APPEALS TO THE BOARD OF ADJUSTMENT

---607--- CODE INTERPRETATIONS

---608--- APPLICATION FOR A VARIANCE, OR CODE INTERPRETATION, OR APPEAL OF CODE INTERPRETATION

---609--- HEARING REQUIRED

---610--- NOTICE OF HEARING

---611--- MODIFICATION OF APPLICATION AT HEARING

---612--- RECORD

---613--- WRITTEN DECISION

---614--- APPEAL OF A DECISION OF THE BOARD OF ADJUSTMENT

---615--- RESERVED

SEC. 601 PURPOSE AND INTENT

The purpose of this ordinance is to establish procedural guidelines to assist the public, planning staff and Board of Adjustment with variance requests, and appeals of interpretations of the Santa Cruz County Zoning and Development Code.

SEC. 602 GENERAL PROVISIONS

The provisions of this Ordinance shall apply independently of any easement, covenant, or other agreement between private parties.

If any regulation, restriction, condition, stipulation is violated or a misrepresentation made to the Board, the variance may become null and void after a hearing by the Board of Adjustment.

SEC. 603 DEFINITIONS

Appeal of Code Interpretation: A request for relief from a decision regarding the Zoning and Development Code made by the Zoning Inspector.

Code Interpretation: A request for clarification or an opinion from the Board of Adjustment on any section of the Santa Cruz County Zoning and Development Code.

Special Circumstances: Physical characteristics of a particular parcel, including but not limited to its size, shape, topography, location and surrounding uses, that are relevant to the question of whether it is appropriate to grant a variance to waive a specific regulation of this ordinance



Variance: Authorization by the Board of Adjustment or court of law that waives the strict application of a specific regulation due to special circumstances, construction or placement limitations, as opposed to use restrictions or personal preferences, that limit the use of a property, and would unfairly deprive the owner of the parcel of privileges available to other parcels within the general area; and that, if granted, will preserve the intent and purpose of the Zoning Code

SEC. 604 VARIANCES

The Board of Adjustment may, in its discretion, grant a variance upon whatever terms it deems just provided the following standards are met:

- A. The Board of Adjustment determines that the variance requested is consistent with the general intent and purposes of this ordinance.

- B. The Board of Adjustment determines that special circumstances exist such that requiring strict application of the zoning regulation at issue would impose an undue burden or unfairly deprive the owner of the parcel of privileges available to owners of other parcels within the general area and zoning district. In making this determination, the Board of Adjustment shall consider the benefits that the zoning regulation was designed to afford to nearby parcels against the costs, burdens and limitations that would be imposed on the subject parcel should the regulation at issue be strictly enforced.

Due to the fact-intensive nature of any variance request, previously approved variances shall not establish a precedent for future variance requests.

SEC. 605 RESERVED

SEC. 606 APPEALS TO THE BOARD OF ADJUSTMENT

- A. Appeal of a Code Interpretation.

Appeals to a Board of Adjustment may be taken by any person who feels that there is error or doubt in the interpretation of the ordinance. An appeal is taken by filling a written notice of appeal specifying the grounds supporting the appeal on a form provided by the Planning Department. A notice of appeal shall be considered filed when the completed form is delivered to the Planning Department and the date and time of filing shall be entered on the notice of appeal by the planning staff.

An appeal must be filed within fourteen (14) days after the date of the decision or order appealed from, and the date of the public hearing shall be no later than sixty (60) calendar days thereafter.

When an appeal is filed, the Community Development Director shall transmit to the Board of Adjustment the notice of appeal and all documents constituting the record relating to the action appealed.



An appeal stays all actions by the Community Development Director seeking enforcement of, or compliance with, the order or decision appealed from, unless the following occurs within ten (10) calendar days of the appeal:

- i) The Community Development Director certifies to the Board of Adjustment a stay would, in the Director's opinion, cause imminent peril to life or property; or
- ii) the deputy county attorney assigned to the Planning Department certifies that the appeal is without any basis in law or fact.

The Board of Adjustment may reverse, modify or affirm, in whole or in part, the order, requirement, or decision or determination being appealed

SEC. 607 CODE INTERPRETATIONS

The Board of Adjustment is authorized to interpret this Code and the Santa Cruz County Zoning Map and to pass upon disputed questions and or interpretations of the codes, lot lines, or district boundary lines and other questions of a similar nature.

If such questions arise in the context of an appeal from a decision of the Zoning Inspector, they shall be handled as provided in Section 606.

An application for an interpretation of a zoning or other related map shall be submitted to the Board of Adjustment by filing a copy of the application with the Planning Department. The application shall contain sufficient information to enable the Board of Adjustment to make the necessary interpretations.

Where uncertainly exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply.

- A. Boundaries indicated as approximately following the centerlines of alleys, street, highways, streams, or railroads shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following lot lines, county limits or extraterritorial boundary lines shall be constructed as following such lines, limits, or boundaries.
- C. Boundaries indicated as following a river or wash shall be construed to follow such river/wash, and in the event of change in the river/wash, shall be construed as following such river/wash.
- D. Where a district boundary divides a lot or where distances are not specifically indicated on the Official Zoning Map, the boundary shall be determined by measurement, using the scale of the Official Zoning Map.
- E. Where any street, alley, or right of way is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.



SEC. 608 APPLICATION FOR A VARIANCE, OR CODE INTERPRETATION OR APPEAL OF CODE INTERPRETATION

A request for a variance, code interpretation or appeal of a code interpretation may be initiated by a property owner or his authorized agent by filing an application with the Planning and Zoning Department. Such application shall include all information necessary for the Board to make an informed decision , and may include, but is not limited to information regarding the proposed location, area, height, bulk, and placement of such use, and shall be accompanied by a site plan and a list of the names and addresses of adjacent property under consideration. A survey of the property may be required by the Planning Department.

Any application filed shall be accompanied by the required fee. Such fee shall be determined according to a schedule established by resolution of the Board of Supervisors and posted in the Planning Department.

The Planning Department shall review each application for technical compliance with established application requirements and shall formally accept or reject the application within ten (10) business days.

No hearing shall be advertised until the application is complete and the required fee received.

SEC. 609 HEARING REQUIRED ON APPLICATIONS

Before making a decision on a variance, code interpretation or appeal interpretation, the Board of Adjustment shall hold a public hearing.

The hearing shall be open to the public and all persons interested in the outcome shall be given an opportunity to present evidence and arguments to the Board.

The Board of Adjustment may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses so that the matter at issue may be heard and decided expeditiously.

The Board may continue the hearing until a subsequent meeting and may keep the hearing open to take additional information up to the point a final decision is made. Notification of the continuation shall be published in a newspaper of countywide circulation not less than fifteen (5) nor more than thirty (30) calendar days prior to the hearing.

SEC. 610 NOTICE OF HEARING

Notice required by this section shall state the date, time, and place of the hearing, reasonably identify the parcel of land that is the subject of the application or appeal, and give a brief description of the action requested or proposed.



A. The Planning Department shall give notice of a hearing as follows:

Notice shall be given to potentially interested persons by publishing a notice at least one time in a newspaper having general circulation the county not less than fifteen (15) nor more than thirty (30) calendar days prior to the hearing.

Notice shall be given to the appellant or applicant and any other person who makes a written request for such notice by mailing to such persons a written notice not later than fifteen (15) calendar days before the hearing.

Notice shall be given to all property owners within three hundred (300) feet whose names and addresses appear on the current Property Assessor's roll by mailing a written notice, not later than fifteen (15) calendar days before the hearing.

B. The applicant shall give notice of a hearing as follows:

The applicant shall post a public notice by prominently posting notices, on and in the vicinity of the property that is the subject of the proposed action. Such notices shall be posted not less than fifteen (15) calendar days prior to the hearing.

The applicant shall post a public notice by prominently posting a notice of the hearing in the post office nearest to the property that is the subject of the proposed action.

A notarized affidavit of posting shall be submitted by the applicant to the Board of Adjustment before the public hearing.

It shall be the responsibility of the Planning and Zoning Department to provide the applicant with the notices and affidavit of posting form.

SEC. 611 MODIFICATION OF APPLICATION AT HEARING

In response to questions or comments by persons appearing at the hearing or suggestions or recommendations by the Board of Adjustment, the applicant may agree to modify his application, including the plans and specifications submitted, and request that the Board table the item to a date certain to give the applicant time to prepare and revise the application, plans and specifications.

SEC. 612 RECORD

An audio tape recording shall be made of all hearings and such recordings shall be kept for at least two (2) years. Accurate minutes shall also be kept of all such proceedings, but a transcript need not be made. If a transcript is requested for further deliberation, it shall be made at the expense of the person or party requesting the transcript.



Whenever applicable, all documentary evidence presented at a hearing, as well as all other types of physical evidence shall be made a part of the record of the proceedings and shall be kept by the county for at least two (2) years.

SEC. 613 WRITTEN DECISION

Any decision by the Board of Adjustment regarding a variance, interpretation or appeal shall be written and sent to the applicant or appellant and all other persons who made a written request for a copy within ten (10) business days after the hearing.

In addition to a statement of the Board’s ultimate disposition of the case and any other information deemed appropriate, the written decision shall state the Board’s findings and conclusions, as well as supporting reasons or facts.

SEC. 614 APPEAL OF A DECISION OF THE BOARD OF ADJUSTMENT

Any decision by the Board of Adjustment regarding a variance or code interpretation or an appeal of a code interpretation may be appealed to Superior Court within thirty (30) calendar days of the decision and the matter shall be heard de novo.

SEC. 615 RESERVED



ARTICLE 7 – CONDITIONAL USE PERMITS AND MODIFICATIONS OF CONDITIONAL USE PERMITS

---702--- APPLICATION FOR A CONDITIONAL USE PERMIT OR MODIFICATION OF A CONDITIONAL USE PERMIT

---703--- HEARING REQUIRED ON APPLICATIONS

---704--- NOTICE OF HEARING

---705--- RECORD

---706--- WRITTEN DECISION

---707--- APPEAL OF A DECISION OF THE PLANNING AND ZONING COMMISSION

---708--- APPEAL APPLICATION REQUIRED

---709--- RECORD FOR BOARD OF SUPERVISORS' REVIEW

---710--- NOTICE OF TIME SET FOR REVIEW OF DECISION

---711--- DECISION AND NOTICE OF DECISION BY BOARD OF SUPERVISORS

---712--- JUDICIAL REVIEW OF FINAL DECISIONS BY BOARD OF SUPERVISORS

SEC. 701 CONDITIONS FOR APPROVAL OF CONDITIONAL USE PERMITS AND MODIFICATIONS OF CONDITIONAL USE PERMITS

The owner or occupant of any parcel of land must first obtain permission from the Planning and Zoning Commission via an application for a Conditional Use Permit before such person may use the parcel for a purpose designated in this ordinance as Conditional Use Permit Required, or to modify any existing Conditional Use Permit. The Commission may approve, approve with conditions, or deny such an application for a Conditional Use Permit or Modification of a Conditional Use Permit based on the following standard:

In considering the application, the Planning and Zoning Commission may condition its approval on the applicant's taking reasonable measures to mitigate any off-site impacts likely to result from the proposed use. The conditions of approval may include, but are not limited to, the following:

- A. Limiting the manner in which the use is conducted, such as restricting the time a certain activity may occur, and/or requiring the applicant to install environmental buffers to minimize noise, vibration, air pollution, glare, odor, etc.
- B. Establishing special yard, open space, lot area setbacks, or other dimensional requirements.
- C. Limiting the height, size, or location of a building or other structures or uses.
- D. Designating the size, number, and location of parking spaces and vehicle access points.
- E. Designating the size, location, screening, drainage, surfacing or other improvements for a parking lot, loading area, or other improvement.
- F. Limiting or otherwise designating the number, size, location, height, and lighting of signs.
- G. Limiting the number, location, and intensity of outdoor lighting. Shielding shall be required.
- H. Requiring environmental buffers such as screening, retention ponds, landscaping or similar measures to protect adjacent or nearby property, to be built to such standards, as deemed necessary.



- I. Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural resources, or limiting the type and extent of landscaping to preserve existing environment.
- J. Limiting the time period for which the conditional use will be permitted or requiring periodic review or subsequent renewal of the conditional use permit.

SEC. 702 APPLICATION FOR A CONDITIONAL USE PERMIT OR MODIFICATION OF A CONDITIONAL USE PERMIT

A request for a Conditional Use Permit, or Modification of an existing Conditional Use Permit may be initiated by a property owner or his authorized agent by filing an application with the Planning and Zoning Department. The application shall include information regarding the proposed location, area, height, bulk, and placement on the site, location and number of parking spaces, number of employees, location of landscaping and any other information requested by the Planning Department considered necessary to evaluate the application. The application shall be accompanied by a site plan and a list of the names and addresses and zoning districts of adjacent properties. A survey of the property may be required by the Planning Department.

An application shall be accompanied by the required fee as determined according to a schedule established by resolution of the Board of Supervisors and posted in the Planning Department.

The Planning Department shall review each application for technical compliance with established application requirements and shall formally accept or reject the application within ten (10) business days.

No hearing shall be advertised until the application is complete and the required fee received.

SEC. 703 HEARING REQUIRED ON APPLICATIONS

Before making a decision on a Conditional Use Permit, or a Modification of an existing Conditional Use Permit conditional use permit, the Planning and Zoning Commission shall hold a public hearing.

The hearing shall be open to the public and all persons interested in the outcome shall be given an opportunity to present evidence and arguments to the Board.

The Commission may place reasonable and equitable limitations on the presentation of evidence and arguments and the cross-examination of witnesses so that the matter at issue may be heard and decided expeditiously.

The Commission may continue the hearing until a subsequent meeting and may keep the hearing open to take additional information up to the point a final decision is made. The Commission may table the item to a date certain, and such action shall not require additional public notification. Notification of a continuation shall be required if the item is not tabled to a date certain, and the additional notification shall be published in a newspaper of countywide circulation not less than fifteen (15) nor more than thirty (30) calendar days prior to the hearing.



SEC. 704 NOTICE OF HEARING

Notice shall be given as required in Article 3, Section 308.

SEC. 705 RECORD

A tape recording shall be made of all hearings and such recordings shall be kept for at least two years. Accurate minutes shall also be kept of all such proceedings, but a transcript need not be made. If a transcript is requested for further deliberation, it shall be at the expense of the person or party requesting the transcript.

Whenever applicable, all documentary evidence presented at a hearing, as well as all other types of physical evidence shall be made a part of the record of the proceedings and shall be kept by the county for at least two years.

SEC. 706 WRITTEN DECISION

Any decision by the Planning and Zoning Commission regarding a Conditional Use Permit or Modification of a Conditional Use Permit shall be written and sent to the applicant and all other persons who made a written request for a copy within ten (10) business days after the hearing.

In addition to a statement of the Commission's ultimate disposition of the case and any other information deemed appropriate, the written decision shall state the Commission's findings and conclusions, as well as supporting reasons or facts.

If a transcript is requested of the hearing, it shall be at the expense of the requesting party.

SEC. 707 APPEAL OF A DECISION OF THE PLANNING AND ZONING COMMISSION

An appeal of a decision by the Planning and Zoning Commission regarding a Conditional Use Permit or Modification of a Conditional Use Permit shall be heard at a public hearing before the Board of Supervisors.

SEC. 708 APPEAL APPLICATION REQUIRED

An appeal of a decision for a Conditional Use Permit or Modification of a Conditional Use Permit shall be in writing on the Conditional Use Permit Appeal application form provided by the Planning and Zoning Department and shall specify the grounds upon which the application is based. An application for review of a Planning and Zoning Commission decision shall be filed with the Clerk of the Board of Supervisors not later than fifteen (15) calendar days after the date of the Planning and Zoning Commission action being appealed. The Clerk of the Board of Supervisors shall transmit a copy of the application to the Community Development Director and the adverse party within five (5) business days of the filing.



SEC. 709 RECORD FOR BOARD OF SUPERVISORS' REVIEW

The review shall be limited to the record of the Commission proceedings. No additional or new evidence shall be considered by the Board of Supervisors. The Record shall include all documents relating to the action appealed, all evidence presented at the Commission hearing, and minutes of the Commission hearing. If the Board of Supervisors' determine that a transcript of the audiotape of the hearing is required, the cost of transcript shall be at the appellant's expense. If there is no audiotape or transcript, the Board of Supervisors may, by unanimous vote, order a new hearing.

Upon receipt of the notice of application for appeal by the Community Development Director, the Clerk of the Planning and Zoning Commission shall, within five (5) business days, prepare and transmit the Record to the Clerk of the Board of Supervisors.

SEC. 710 NOTICE OF TIME SET FOR REVIEW OF DECISION

The Clerk of the Board of Supervisors shall set the date for the review of the decision at a public hearing before the Board of Supervisors within sixty (60) calendar days after receipt of the application for appeal. Notice shall be given by mail and/or electronic mail to the original applicant, the appellant, and the Community Development Director not less than fifteen (15) calendar days prior to the hearing date and shall include the date, place and time of the review hearing.

The party filing the application for appeal may request to withdraw the appeal by submitting a signed request in writing at any time prior to the public meeting of the Board of Supervisors.

SEC. 711 DECISION AND NOTICE OF DECISION BY THE BOARD OF SUPERVISORS

The Board of Supervisors may affirm, reverse, or modify, in whole or in part, the decision of the Planning and Zoning Commission for the Conditional Use Permit or Modification of a Conditional Use Permit being appealed. The Board of Supervisors shall issue a written decision no later than 30 days after the completion of the public hearing, and the original applicant, appellant and Zoning Inspector shall be notified by mail and/or electronic mail of the decision of the Board of Supervisors within ten (10) business days of the Board's decision.

The decision of the Board of Supervisors shall be final.

SEC. 712 JUDICIAL REVIEW OF FINAL DECISIONS OF BOARD OF SUPERVISORS

Judicial review of the final decisions the Board of Supervisors shall be pursuant to Title 12, Chapter 7, Article 6 § 12-901 et seq. of the Arizona Revised Statutes.



ARTICLE 8 – ENFORCEMENT AND REVIEW

- 801 --- SCOPE AND INTENT
- 802 --- DEFINITION OF TERMS
- 803 --- COMMENCEMENT OF ENFORCEMENT
- 804 --- AMENDING THE CITATION
- 805 --- DISMISSAL
- 806 --- DEFENDANT’S APPEARANCE ANSWER
- 807 --- NOTICE OF COUNSEL OR DESIGNATED REPRESENTATIVE
- 808 --- DISCOVERY
- 809 --- CONTINUANCES
- 810 --- BURDEN OF PROOF
- 811 --- SUBPOENAS
- 812 --- WITNESSES
- 813 --- ORDER OF PROCEEDINGS AND EVIDENCE
- 814 --- RECORD
- 815 --- DEFAULT
- 816 --- FINDINGS OF RESPONSIBILITY AND JUDGMENT
- 817 --- CIVIL PENALTIES
- 818 --- NOTICE OR RIGHT TO REVIEW OF DECISION
- 819 --- REVIEW OF DECISION
- 820 --- RECORD OF BOARD OF SUPERVISORS’ REVIEW
- 821 --- ORDER FOR HEARING RECORD
- 822 --- WRITTEN REVIEW STATEMENT
- 823 --- REQUEST FOR ORAL STATEMENT AT TIME SET FOR REVIEW OF DECISION
- 824 --- NOTICE OF TIME SET FOR REVIEW OF DECISION
- 825 --- NOTICE OF DECISION BY BOARD OF SUPERVISORS
- 826 --- JUDICIAL REVIEW OF FINAL DECISIONS OF BOARD OF SUPERVISORS
- 827 --- ENFORCEMENT OF JUDGMENT
- 828 --- ALTERNATIVE ENFORCEMENT OF VIOLATIONS

SEC. 801 SCOPE AND INTENT

The scope of this article is to develop rules which shall apply in all cases involving the adjudication of violations of the Santa Cruz County Zoning and Development Code before a Santa Cruz County hearing officer, for which a civil penalty may be imposed pursuant to A.R.S. § 11-808(E) and the County of Santa Cruz Zoning and Development Code. The intent of this ordinance is to provide an alternative mechanism and procedure for the enforcement of the Santa Cruz County Zoning and Development Code.

SEC. 802 DEFINITION OF TERMS

Amended Citation: Change(s) made to the citation by the County Zoning Inspector or Deputy.
Board: Santa Cruz County Board of Supervisors.



Citation: Notice of Violation of Santa Cruz County Zoning and Development Code.

County: Santa Cruz County.

Default: Failure to respond to the Citation or to appear before the hearing officer.

Defendant: The cited party which may be a person and/or entity.

Designated Representative: An authorized agent of the defendant who appears before the hearing officer in place of the Defendant and is not an Attorney licensed in the State of Arizona.

Dismissal Without Prejudice: The Citation is dismissed, but may be brought again at a later time for the same violation or in conjunction with additional violations.

Entry of Default Judgment: Date the hearing officer renders judgment.

Extraordinary Circumstances: Events which do not normally occur and are not controlled by the parties.

Hearing Officer(s): Appointed pursuant to A.R.S. § 11-808(G) by the Santa Cruz County Board of Supervisors. The officer(s) may be an employee(s) of the County.

Parties: The cited person (Defendant) and County of Santa Cruz by and through the County Zoning Inspector or Deputy.

Review of Decision: Process for Board of Supervisors to review the hearing officer's decision on a specific citation.

Service: Delivery of Notice of Violation (Citation) on the defendant.

SEC. 803 COMMENCEMENT OF ENFORCEMENT

Every citation shall be served on the landowner and/or person or entity charged with a violation by the County Zoning Inspector or Deputy. Service may be effected by personal delivery or pursuant to Arizona Rules of Civil Procedure. Once service has been made, the County Zoning Inspector or Deputy shall report the zoning violation to a hearing officer or the County Attorney for enforcement. If the violation is reported to the hearing officer, the hearing officer shall hold an enforcement hearing on the date of appearance in the notice of violation.

SEC. 804 AMENDING THE CITATION

The Hearing Officer may permit a citation to be amended at any time before judgment if no additional or different violation is charged and substantial rights of the defendant are not thereby prejudiced.

The citation may be amended to conform to the evidence adduced at the hearing if no additional or different violation is charged thereby and substantial rights of the Defendant are not thereby prejudiced.

All amendments to a citation relate back to the date the original citation was issued.

SEC. 805 DISMISSAL

The County Zoning Inspector or Deputy may request, in writing, that the hearing officer dismiss a citation. All such requests shall be filed on or before the date of hearing. Any dismissal granted under this rule shall be without prejudice.



SEC. 806 DEFENDANT’S APPEARANCE AND ANSWER

The cited party may elect one of the following procedures to enter a plea to the citation:

- A. The Defendant may admit responsibility within ten (10) days of service of the citation by notarized written statement or in person to the County Zoning Inspector or Deputy. Upon immediate compliance with the Santa Cruz County Zoning Ordinance, no penalty, only actual cost will be assessed.
- B. The Defendant may deny responsibility within ten (10) days of service of the citation by notarized written statement or in person to the County Zoning Inspector or Deputy. The cited hearing date will remain. No further notice shall be given to the Defendant of the date, time and place for the hearing other than the appearance date on the citation.

Failure of the Defendant to admit or deny responsibility within ten (10) days of receipt of the service of citation shall be considered a default under Section 817.

SEC. 807 NOTICE OF COUNSEL OR DESIGNATED REPRESENTATIVE

- A. The parties have the right to an attorney. However, as the hearing is civil in nature there is no provision to provide counsel for the Defendant. Therefore, any and all costs and attorney fees incurred are the responsibility of the party.
- B. The hearing is civil in nature and therefore the Defendant may elect to appear by and through a designated representative. A designated representative must be of 18 years of age or older and authorized and empowering the designated representative to appear before the hearing officer. The authorization shall state the Defendant understands and agrees to be bound by the acts taken by the designated representative before the hearing officer. The designated representative is not authorized to act as an attorney for the Defendant, but to appear in place of the Defendant.
- C. Notice of Counsel or of a designated representative must be served on the County Zoning Inspector or Deputy at least five days prior to the hearing. Service shall be made by personal delivery or pursuant to Arizona Rules of Civil Procedure. Failure to give notice of such election shall waive the right of the non-complying Defendant to a continuance absent extraordinary circumstance.
- D. Election of the Defendant to be represented by an attorney or designated representative shall give the right of the County Zoning Inspector or Deputy to appear by and through the Santa Cruz County Attorney without notice to the Defendant. The County Zoning Inspector or Deputy will not be represented by counsel unless an election to be represented by an attorney or designated representative is made by the Defendant or Notice of Counsel is served on the Defendant by personal service or pursuant to the Arizona Rules of Civil Procedure.

SEC. 808 DISCOVERY

- A. There shall be no formal discovery prior to the hearing.



B. There shall be a Disclosure Exchange of evidence, witness list and exhibits no later than three working days prior to the hearing date. Admission of evidence and Exhibits not presented during this conference shall be allowed only at the discretion of the hearing officer.

SEC. 809 CONTINUANCES

A. The hearing officer may continue the hearing at the request of either party for a period not to exceed thirty (30) days or on the hearing officer's own motion in the interest of justice.

B. Absent extraordinary circumstances, no hearing shall be continued without notice to the opposing party and hearing officer at least 48 hours prior to the cited date for the hearing.

C. If a continuance is granted by the hearing officer, the hearing officer shall notify both parties in writing of the new hearing date to be set within thirty (30) days of the previous hearing date.

SEC. 810 BURDEN OF PROOF

The County has the burden of proving by a preponderance of the evidence all of the facts necessary to establish the essential elements of the cited violation.

SEC. 811 SUBPOENAS

The hearing officer is authorized to take evidence, issue subpoenas, compel attendance of witnesses and production of documentary evidence, administer oaths to witnesses, and cause depositions to be taken, in like manner as in civil actions in the superior court. A.R.S. § 12-2212.

If a witness fails to appear at the time and place designated in the subpoena, or fails to answer questions relating to the matter about which the hearing officer is authorized to take testimony, or fails to produce a document, the hearing officer may hold the witness in contempt pursuant to A.R.S. § 12-2212.

SEC. 812 WITNESSES

A. All testimony shall be given under oath or affirmation. The oath shall be administered by the hearing officer.

B. Every person, including a party, may testify in any civil proceeding, or before any person who has authority to receive evidence, except as otherwise expressly provided by law.

C. Examination of the witness shall be limited to the hearing officer, the Defendant, Defendant's attorney, or designated representative and the County Zoning Inspector or Deputy or legal representative.



SEC. 813 ORDER OF PROCEEDINGS AND EVIDENCE

The hearing will be conducted in an informal manner and without adherence to the rules of evidence required in judicial proceedings. Irrelevant, immaterial or unduly repetitious evidence shall be excluded by the hearing officer.

Copies of documentary evidence may be received in the discretion of the hearing officer. Upon request, parties shall be given an opportunity to compare the copy with the original.

Notice may be taken of judicially cognizable facts.

Order of hearing:

The County of Santa Cruz shall put on its evidence first.
The Defendant shall put on its evidence following the County of Santa Cruz.
The County of Santa Cruz shall be allowed rebuttal evidence.

Order of Statements:

A closing statement may be made by the County of Santa Cruz.
A closing statement may be made by the Defendant.
A rebuttal of closing statements may be made by the County of Santa Cruz.

Ruling of hearing officer:

The hearing officer may take the matter under advisement and issue a ruling within five days of the hearing or rule at the time of the hearing.

SEC. 814 RECORD

A record of the proceedings shall be made by audiotape unless a court reporter is requested by either party. All requests for a court reporter shall be made in writing no later than three (3) days prior to the original cited date of hearing. The party requesting the court reporter shall remit \$250.00 at the time of the request to cover reporter fees.

SEC. 815 DEFAULT

A. If the Defendant fails to answer as stated in Sec. 806 or fails to appear at the hearing as provided by these rules, the violation(s) cited shall be deemed admitted by the Defendant. The hearing officer shall enter judgment against the Defendant and for the County of Santa Cruz and issue an order of immediate compliance with the zoning ordinance and impose civil penalties and all costs. Notice of the judgment shall be served on the defendant by personal delivery or pursuant to Arizona Rules of Civil Procedure.



B. The Defendant has ten (10) days from the entry of judgment to file a written notarized request for rehearing on the basis of extraordinary circumstances. The hearing officer shall set a rehearing upon such finding no later than fifteen (15) days from the date of the granting of the rehearing.

C. Failure to appear on the part of the County of Santa Cruz shall result in dismissal without prejudice as to all violations cited.

SEC. 816 FINDINGS OF RESPONSIBILITY AND JUDGMENT

If the Defendant is found responsible by the hearing officer for violation(s) cited by the hearing officer, the hearing officer shall enter judgment for the County of Santa Cruz and against the Defendant and impose civil penalties in accordance with Section 817.

SEC. 817 CIVIL PENALTIES

Civil penalties shall include an order to abate the violation(s) and the imposition of a fine not to exceed the amount of the maximum fine for a class 2 misdemeanor and actual costs. The hearing officer may order the fine to continue day to day until the violation(s) is abated. Each and every day during which the cited zoning violation (illegal erection, construction, reconstruction, alteration, maintenance or use) continues is a separate offense and may be subject to enforcement pursuant to this article or criminal charges.

SEC. 818 NOTICE OR RIGHT TO REVIEW OF DECISION

A review of the hearing officer's decision by the Santa Cruz County Board of Supervisors may be granted on application of either of the parties.

The application for review of decision shall be in writing and shall specify the grounds upon which the application is based. An application for review of decision shall be filed with the Clerk of the Board of Supervisors not later than fifteen (15) days after entry of the judgment. The Clerk of the Board of Supervisors shall transmit a copy of the application to the hearing officer and adverse party within three (3) days of filing.

SEC. 819 REVIEW OF DECISION

The only question the Santa Cruz County Board of Supervisors shall consider is whether the hearing officer's determination was arbitrary and capricious or an abuse of discretion.

SEC. 820 RECORD FOR BOARD OF SUPERVISORS' REVIEW

The review shall be limited to the record of the hearing officer's proceedings. No additional or new evidence shall be considered by the Board of Supervisors. The record shall include all documents and orders in the hearing officer's file, all evidence admitted at the hearing, and the audiotape or court reporter's transcript, if any. If the Board of Supervisors determine that, a transcript of the audiotape is



required, the transcript shall be at the hearing requestor's expense. If the transcript is defective, the Board of Supervisors may order a new hearing on the finding that the evidence submitted is insufficient.

SEC. 821 ORDER FOR HEARING RECORD

Upon receipt of the notice of application for review by the Board of Supervisors, the hearing officer shall, within 5 days, prepare and transmit the record to the Clerk of the Board of Supervisors.

The Defendant and County Zoning Inspector or Deputy, or the parties' respective counsel, may stipulate that the review by the Board of Supervisors may be on less than a complete record or upon stipulated facts. The designation of the stipulation shall be in writing and filed with the Clerk of the Board of Supervisors no later than three (3) days after receipt of the responding written statement as set forth in Section 822.

The Clerk of the Board of Supervisors shall give notice to the Defendant and the County Zoning Inspector or Deputy, or respective counsel, that the hearing record has been filed with the Board of Supervisors within three (3) days of receipt of the record. Written statements are due five (5) days from the date of the notice of receipt of the record.

SEC. 822 WRITTEN REVIEW STATEMENT

The requesting party shall file a written statement as to why the Board of Supervisors should affirm, modify, or reverse the hearing officer's judgment pursuant to Section 819. The written statement may not raise new facts or issues not before the hearing officer. The written statement shall be filed within five (5) days from the date of the notice of filing of the record with the Board of Supervisors. The written statement shall not exceed five (5) pages. The original written statement and four (4) copies shall be filed with the Clerk of the Board of Supervisors and a copy of the statement shall be served personally or pursuant to Arizona Rules of Civil Procedure.

The responding party will have five (5) days after the date of service or if the party is served by mail, five (5) calendar days shall be added to the prescribed period to file a written response. The original response and four (4) copies shall be filed with the Clerk of the Board of Supervisors and a copy of the response shall be served on the applying party pursuant to the Arizona Rules of civil Procedure. The response shall not exceed five (5) written pages.

SEC. 823 REQUEST FOR ORAL STATEMENT FOR REVIEW OF DECISION

The written statement must request oral comment before the Board of Supervisors in the first paragraph. Failure to state a request for oral comment will waive the right to be heard. All requests for oral comment are limited to five (5) minutes.

All requests for personal appearance are limited to 5 minutes. The Board will instruct the Clerk of the Board of Supervisors to give notice of the review date and time for personal appearance.



SEC. 824 NOTICE OF TIME SET FOR REVIEW OF DECISION

The Clerk of the Board of Supervisors shall set the date for the review hearing before the Board of Supervisors within sixty (60) days after receipt of the written statement of the applicant. Notice of the review hearing shall be given by the Clerk of the Board of Supervisors within three (3) days of receipt of the response, but no later than fifteen (15) days after receipt of the applying party's written statement by mail notice to the Defendant and the County Zoning Inspector or Deputy, or their respective counsel. The notice shall state if oral comment will be permitted, the date, place and time of the review hearing. The notice shall be mailed five (5) days prior to the review hearing.

SEC. 825 NOTICE OF DECISION BY BOARD OF SUPERVISORS

The Board of Supervisors shall issue a written decision and serve it by mail on the Defendant and County Zoning Inspector or Deputy, or their respective counsel, within 10 days of its decision. All decisions shall be final.

The Board of Supervisors upon review of the hearing officer's record may:

- A. Affirm the action of the hearing officer;
- B. Affirm in part and reverse in part or return to the hearing officer for further proceedings; or
- C. Reverse the hearing officer's judgment.

SEC. 826 JUDICIAL REVIEW OF FINAL DECISIONS OF BOARD OF SUPERVISORS

Judicial review of the final decisions of the Board of Supervisors shall be pursuant to title 12, chapter 7, Article 6, § 12-901 et seq. [A.R.S. § 11-808 (G)].

SEC. 827 ENFORCEMENT OF JUDGMENT

The judgment of the hearing officer shall be enforced pursuant to Arizona Rules of Civil Procedure, Rule 69; which shall include, but is not limited to, Recording of Lien on property, Writ of Execution and Wage Garnishment by the County Attorney.

SEC. 828 ALTERNATIVE ENFORCEMENT OF VIOLATIONS

The County Zoning Inspector or Deputy may elect to refer the Notice of Violation to the Santa Cruz County Attorney for review as to criminal charges. The Santa Cruz County Attorney will determine if criminal charges will be filed. If a charge is filed, the violation shall be a class 2 misdemeanor. Each and every day during which the cited zoning violation (illegal erection, construction, reconstruction, alteration, maintenance or use) continues is a separate offense and may be subject to enforcement pursuant to this article or criminal charges.



If any building is or is proposed to be located, constructed, reconstructed, enlarged, changed, maintained, or used, or any land is or is proposed to be used in violation of any provision of this ordinance, the Board of Supervisors, the County Attorney, the County Zoning Inspector or Deputy, or any adjacent or neighboring property owner who is or will be specifically damaged by the violation, may, in addition to any other remedy provided by law, institute an action for injunction, mandamus, abatement or any other appropriate action or proceedings to prevent or abate or remove the unlawful erection, construction, reconstruction, alteration, maintenance or use. A.R.S. § 11-808(H).



ARTICLE 9 – ZONING DISTRICTS AND ZONING MAPS

---900--- PURPOSE AND INTENT

GR-40 GENERAL RURAL 40 (36 acres)

---901--- PURPOSES AND INTENT

---902--- PERMITTED USES

---903--- CONDITIONAL USE PERMIT REQUIRED

---904--- USES PROHIBITED

GR GENERAL RURAL (180,000 SQ. FT.)

---905--- PURPOSE AND INTENT

---906--- PERMITTED USES

---907--- CONDITIONAL USE PERMIT REQUIRED

---908--- PROHIBITED USES

SR SUBURBAN RANCH (72,000 SQ. FT.)

---911--- PURPOSE AND INTENT

---912--- PERMITTED USES

---913--- CONDITIONAL USE PERMIT REQUIRED

---914--- PROHIBITED USES

R-1 RESIDENTIAL (36,000 SQ. FT.)

---921--- PURPOSE AND INTENT

---922--- PERMITTED USES

---923--- CONDITIONAL USE PERMIT REQUIRED

---924--- PROHIBITED USES

R-2 RESIDENTIAL (18,000 SQ. FT.)

---931--- PURPOSE AND INTENT

---932--- PERMITTED USES

---933--- CONDITIONAL USE PERMIT REQUIRED

---934--- PROHIBITED USES

R-3 RESIDENTIAL (10,000 SQ. FT.)

---941--- PURPOSE AND INTENT

---942--- PERMITTED USES

---943---CONDITIONAL USE PERMIT REQUIRED

---944--- PROHIBITED USES

R-4 RESIDENTIAL (7,500 SQ. FT.)

---951--- PURPOSE AND INTENT

---952--- PERMITTED USES

---953--- CONDITIONAL USE PERMIT REQUIRED

---954--- PROHIBITED USES



R-5 RESIDENTIAL (6,000 SQ. FT.)

- 961--- PURPOSE AND INTENT**
- 962--- PERMITTED USES**
- 963--- CONDITIONAL USE PERMIT REQUIRED**
- 964--- PROHIBITED USES**

MF MULTI FAMILY (5,000 SQ. FT.)

- 971--- PURPOSE AND INTENT**
- 972--- PERMITTED USES**
- 973--- CONDITIONAL USE PERMIT REQUIRED**
- 974--- PROHIBITED USES**

MH MOBILE HOME (5,000 SQ. FT.)

- 981--- PURPOSE AND INTENT**
- 982--- PERMITTED USES**
- 983--- CONDITIONAL USE PERMIT REQUIRED**
- 984--- PROHIBITED USES**

P PRESERVATION AREA

- 991--- PURPOSE AND INTENT**
- 992--- PERMITTED USES**
- 993--- CONDITIONAL USE PERMIT REQUIRED**
- 994--- PROHIBITED USES**

MFR RESIDENTIAL

- 9010--- PURPOSE AND INTENT**
- 9020--- PERMITTED USES**
- 9030--- CONDITIONAL USE PERMIT REQUIRED**
- 9040--- USES PROHIBITED**

COMMERCIAL DISTRICTS

B-1 NEIGHBORHOOD BUSINESS

- 9110--- PURPOSE AND INTENT**
- 9120--- PERMITTED USES**
- 9130--- CONDITIONAL USE PERMIT REQUIRED**
- 9140--- PROHIBITED USES**

B-2 GENERAL BUSINESS

- 9210--- PURPOSE AND INTENT**
- 9220--- PERMITTED USES**
- 9230--- CONDITIONAL USE PERMIT REQUIRED**
- 9240--- PROHIBITED USES**



INDUSTRIAL DISTRICTS

M-1 LIGHT INDUSTRY

---9310--- PURPOSE AND INTENT

---9320--- PERMITTED USES

---9330--- CONDITIONAL USE PERMIT REQUIRED

---9340--- PROHIBITED USES

ZONING MAPS

---9610--- MAP

---9620--- AMENDMENTS

---9630--- RESERVED



GENERAL RURAL-40

SEC. 900 PURPOSE AND INTENT

The purpose and intent of this article is to create a healthy, safe and pleasant living environment by regulating the use of land, buildings and structures, their type, height and bulk, and the area of land separating them. All lot sizes and setbacks are minimum requirements.

SEC. 901 PURPOSES AND INTENT

The purpose of the General Rural-40 (GR-40) zoning district is to accommodate large lot rural residential uses on a minimum of 36 acres. A very low density rural lifestyle with an emphasis on resource conservation, rangeland preservation, agriculture and viewsheds is the intent of this district.

SEC. 902 PERMITTED USES

- A. Any accessory structure as permitted in Article 10, Section 1002.
- B. Single Family Dwelling.
 - 1. Minimum Lot Area: Thirty-six (36) acres.
 - 2. Minimum Lot Width: Three hundred fifty (350) feet.
 - 3. Minimum Front Yard Setback: Fifty (50) feet.
 - 4. Minimum Side Yard Setback: Fifty (50) feet.
 - 5. Minimum Rear Yard Setback: Fifty (50) feet.
 - 6. Maximum Building Height: Thirty-five (35) feet.
 - 7. Other Requirements: As required by Article 11 (Parking Standards).

- C. Farm Animals.

Restrictions:

- 1. No barn, corral, or stable shall be closer to any lot line than seventy five (75) feet.
- 2. The raising of small animals is permitted provided there are no more than ten (10) animals per acre.
- 3. The presence of offensive or noxious gases or odors is prohibited:

Every owner, tenant, or occupant of any premises within the GR-40 Zoning District, in or upon which are kept any horses, mules, cattle, sheep, goats, ostriches, emus, or other livestock shall, at all times, keep and maintain such premises so covered, enclosed, protected, cleaned, drained, and disinfected that no offensive or noxious gases or odors may or shall arise. Any such



premises which are not at all times kept and maintained so covered, closed, protected, cleaned, drained, and disinfected as to prevent any and all offensive or noxious gases and odors from arising or which are allowed or suffered to become a breeding place for flies and insects or to become offensive or noxious to the residents in the neighborhood are hereby declared to be a nuisance.

D. Riding Stables and Equestrian Schools.

1. Minimum Lot Area: Thirty-six (36) acres.
2. Minimum Lot Width: Three hundred fifty (350) feet.
3. Minimum Front Yard Setback: Fifty (50) feet.
4. Minimum Side Yard Setback: Fifty (50) feet.
5. Minimum Rear Yard Setback: Fifty (50) feet.
6. Maximum Building Height: Thirty-five (35) feet.
7. Other Restrictions: No barn, corral or stable shall be closer to any lot line than seventy five (75) feet.

E. Nurseries and Greenhouses (wholesale).

1. Minimum Lot Area: Thirty-six (36) acres.
2. Minimum Lot Width: Three hundred fifty (350) feet.
3. Minimum Front Yard Setback: Fifty (50) feet.
4. Minimum Side Yard Setback: Fifty (50) feet.
5. Minimum Rear Yard Setback: Fifty (50) feet.
6. Maximum Building Height: Thirty-five (35) feet.
7. Other Restrictions: As Required by Article 11 (Parking Standards).

F. Motion Picture Production Site.

1. Minimum Site Area: Forty (40) acres; permanent structures shall be located at least 600 feet from the property lines, so as to buffer neighboring properties from noise.
2. Required Consent: The applicant shall present the Planning and Zoning Department with written consent from at least 75% of the property owners (by area and number) within one thousand (1,000) feet of the site boundaries.
3. The motion picture production site shall be closed to the public. Any business conducted with the general public, including but not limited to tours or staged entertainment, shall require a conditional use permit.
4. Development Standards:
 - a) All temporary structures shall be a minimum of one hundred feet from any property line.
 - b) Maximum Building Height: Thirty-five feet.
 - c) Other restrictions: As Required by Article 11 (Parking Standards).



- d) No animal corrals within one-hundred feet of the property line.
- e) Building permits shall be obtained for all structures.
- f) Shall conform to the lighting ordinance of Santa Cruz County.

G. Private Roping Arenas.

Other Restrictions:

- 1. For use only by the occupants of the private residence.
- 2. Renting of the roping area is prohibited.
- 3. Night lighting permitted upon appeal to the Board of Adjustment.
- 4. No display of stock in trade on the premises.
- 5. No barn/stable/corral/arena fencing or accessory building shall be located within 75 feet of any property line.

H. Guest House and/or Cottage. (non-rental residential unit only).

- 1. Minimum Lot Area: Thirty-six (36) acres.
- 2. Minimum Lot Width: Three hundred and fifty (350) feet.
- 3. Minimum Front Yard Setback: Fifty (50) feet.
- 4. Minimum Side Yard Setback: Fifty (50) feet.
- 5. Minimum Rear Yard Setback: Fifty (50) feet.
- 6. Maximum Building Height: Thirty five (35) feet.
- 7. See Article 11 (Parking Standards).

I. Farm Winery, Craft Distillery and Microbrewery without Tasting Rooms .

- 1. Minimum Lot Area: Thirty-six (36) acres.
- 2. Minimum Lot Width: Three hundred fifty (350) feet .
- 3. Minimum Front Setback: Fifty (50) feet.
- 4. Minimum Side Setback Fifty (50) feet.
- 5. Minimum Rear Setback Fifty (50) feet.
- 6. Maximum Building Height: Thirty-five (35) feet.
- 7. Grapes used in wine production must be grown on-site or the operation must otherwise comply with State licensing requirements for a farm winery.

J. Farm Winery, Craft Distillery and Microbrewery with Tasting Rooms (limited).

- 1. Minimum Lot Area: Thirty-six (36) acres.
- 2. Minimum Lot Width: Three hundred fifty (350) feet.
- 3. Minimum Front Setback: Fifty (50) feet.
- 4. Minimum Side Setback Fifty (50) feet.
- 5. Minimum Rear Setback Fifty (50) feet.
- 6. Maximum Building Height: Thirty-five (35) feet.
- 7. Parking Standards: One parking space for each employee not living on-site and one space per 50 square feet of tasting room area. All driveways



accessing the property and parking spaces shall be either paved or otherwise treated with a dust-free material such as gravel, chip seal or other material as approved by the Director.

8. Retail and wholesale sales of wine, distilled liquor and beer are permitted in accordance with State licensing requirements.
9. Ancillary sales of non-wine, distilled liquor or beer related products may be sold, provided they do not make up more than 25% of retail sales receipts.
10. Grapes used in wine production must be grown on-site or the operation must otherwise comply with State licensing requirements for a farm winery.
11. Regularly scheduled bus tours are prohibited.
12. Food sales that require a Health Department F Series Permit are prohibited.
13. All signage must conform to Section 1712 of the Zoning and Development Code.

SEC. 903 CONDITIONAL USE PERMIT REQUIRED

A. Any use permitted on appeal in Article 10, Sec. 1003.

B. Animal Clinics, Hospitals and Kennels.

1. Minimum Lot Area: Thirty-six (36) acres.
2. Minimum Lot Width: Three hundred fifty (350) feet.
3. Minimum Front Yard Setback: Fifty (50) feet.
4. Minimum Side Yard Setback: Fifty (50) feet.
5. Minimum Rear Yard Setback: Fifty (50) feet.
6. Maximum Building Height: Thirty-five (35) feet.
7. Other Restrictions: As required by Article 11 (Parking Standards).

Noisy animals shall be confined to a sound proof building from sunset to sunrise.

C. Airports.

1. Restrictions: Subject to Federal Aviation Administration regulations.

D. Campgrounds, Public Race Tracks, Sport Stadiums.

1. Minimum Lot Area: As determined by the Planning & Zoning Commission.
2. Minimum Setbacks: As determined by the Planning & Zoning Commission.
3. Maximum Building Height: As determined by the Planning & Zoning Commission.
4. Other Restrictions: As determined by the Planning & Zoning Commission.

E. Egg Farm and Feed Lots.

1. Minimum Lot Area: As determined by the Planning & Zoning Commission.



2. Minimum Setbacks: As determined by the Planning & Zoning Commission.
3. Maximum Building Height: As determined by the Planning & Zoning Commission.
4. Other Restrictions: As determined by the Planning & Zoning Commission except mandatory 1/2 mile odor easement.

F. Guest Ranches, Lodges and Camps.

1. Minimum Lot Area: Thirty-six (36) acres
2. Minimum Lot Width: Three hundred fifty (350) feet
3. Minimum Front Setback: One hundred (100) feet.
4. Minimum Side Setback: One hundred (100) feet
5. Minimum Rear Setback: One hundred (100) feet.
5. Maximum Building Height: Thirty-five (35) feet
6. Other Restrictions: Parking as required by Article 11 (Parking Standards).

G. Marijuana Off-Site Cultivation Facilities, as defined in Article 2, Section 202, subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities*.

H. Public Roping Arenas, Rodeo Arenas.

1. Minimum Lot Area: Thirty-six (36) acres
2. Other Restrictions: Night lighting shall not be allowed after 10 p.m. The arena shall not be closer than one hundred (100) feet from any the property line.

SEC. 904 USES PROHIBITED

A. Any use not permitted or not permitted with a Conditional Use Permit is prohibited.



GR GENERAL RURAL

SEC. 905 PURPOSE AND INTENT

The purpose of the General Rural zoning district is to accommodate a residences-on one hundred eighty thousand (180,000) square feet. A lifestyle of a rural nature with accommodations for animals and agriculture is the intent of this district. GR has the following characteristics:

SEC. 906 PERMITTED USES

- A. Any accessory structure as permitted in Article 10, Sec. 1002.
- B. Single Family Dwellings.
 - 1. Lot Area: One hundred eighty thousand (180,000) square feet (minimum).
 - 2. Lot Width: One hundred fifty (150) feet (minimum).
 - 3. Front Yard: Thirty five (35) feet.
 - 4. Side Yards: Twenty-five (25) feet.
 - 5. Rear Yard: Fifty (50) feet.
 - 6. Maximum Building Height: Thirty five (35) feet.
 - 7. Other Requirements: As required by Article 11 (Parking Standards).

- C. Farm Animals.

Restrictions:

- 1. No barn, corral, or stable shall be closer to any lot line than Seventy five (75) feet.
- 2. A conforming 180,000 square foot GR (General Rural) parcel may contain a maximum of eight (8) farm animals on the property. For each additional 18,000 square feet of parcel area another farm animal will be permitted providing each farm animal has 400 square feet of stock-tight corral fencing with shelter in accordance with section 906(C)(1) above.

Example: A 180,000 square foot GR (General Rural) zoned parcel can support up to eight (8) farm animals (head) providing; a minimum of 3,200 sq. ft. of stock-tight fencing with shelter not closer than seventy five (75) feet from any property line.

- 3. The raising of small animals is permitted provided there are no more than ten (10) animals per acre.
- 4. The presence of offensive or noxious gases or odors is prohibited:

Every owner, tenant, or occupant of any premises within the GR (General Rural) Zoning District, in or upon which are kept any horses, mules, cattle, sheep, goats, ostriches, emus, or other livestock shall, at all times, keep and maintain such premises so covered, enclosed, protected, cleaned, drained, and disinfected that no



offensive or noxious gases or odors may or shall arise therefrom. Any such premises which are not at all times kept and maintained so covered, closed, protected, cleaned, drained, and disinfected as to prevent any and all offensive noxious gases and odors arising therefrom or which are allowed or suffered to become a breeding place for flies and insects or to become offensive or noxious to the residents in the neighborhood are hereby declared to be a nuisance.

D. Riding Stables and Equestrian Schools.

1. Lot Area: Three hundred sixty thousand (360,000) square feet.
2. Lot Width: Two hundred and fifty (250) feet, minimum.
3. Front Yard: Fifty (50) feet.
4. Side Yards: Fifty (50) feet.
5. Rear Yard: Fifty (50) feet.
6. Maximum Building Height: Thirty-five (35) feet.
7. Other Restrictions: No barn, corral or stable shall be closer to any lot line than seventy five (75) feet.

E. Nurseries and Greenhouses (wholesale).

1. Lot Area: Three hundred sixty thousand (360,000) square feet.
2. Lot Width: Two hundred and fifty (250) feet.
3. Front Yard: Fifty (50) feet.
4. Side Yards: Fifty (50) feet.
5. Rear Yard: Fifty (50) feet.
6. Maximum Building Height: Thirty-five (35) feet.
7. Other Restrictions: As Required by Article 11 (Parking Standards).

F. Motion Picture Production Site.

1. Minimum Site Area: Forty (40) acres; permanent structures shall be located in the center of the forty acres, so as to buffer neighboring properties from noise.
2. Required Consent: The applicant shall present the Planning and Zoning Department with written consent from at least 75% of the property owners (by area and number) within one thousand (1,000) feet of the site boundaries.
3. The motion picture production site shall be closed to the public. Any business conducted with the general public, including but not limited to tours or staged entertainment, shall require a conditional use permit.
4. Development Standards:
 - a) All structures shall be a minimum of one hundred feet from any property line.
 - b) Maximum Building Height: Thirty-five feet.
 - c) Other restrictions: As Required by Article 11 (Parking Standards).
 - d) No animal corrals within one-hundred feet of the property line.
 - e) Building permits shall be obtained for all structures.



f) Shall conform to the lighting ordinance of Santa Cruz County.

G. Private Roping Arenas.

Other Restrictions:

1. For use only by the occupants of the private residence.
2. Renting of the roping area is prohibited.
3. Night lighting permitted upon appeal to the Board of Adjustment.
4. No display of stock in trade on the premises.
5. No barn/stable/corral/arena fencing or accessory building shall be located within 75' feet of any property line.

H. Guest House and/or Cottage. (non-rental residential unit only).

1. Lot Area: One hundred and eighty thousand (180,000) square feet.
2. Lot Width: One hundred and fifty (150) feet.
3. Front Yard: Fifty (50) feet.
4. Side Yard: Fifty (50) feet.
5. Rear Yard: Fifty (50) feet.
6. Maximum Building Height: Thirty five (35) feet.
7. See Article 11 (Parking Standards).

I. Farm Winery, Craft Distillery and Microbrewery without Tasting Rooms.

1. Minimum Lot Area: 180,000 square feet.
2. Minimum Lot Width: One hundred fifty (150) feet.
3. Minimum Front Setback: Thirty-five (35) feet.
4. Minimum Side Setback Twenty-five (25) feet.
5. Maximum Building Height: Thirty-five (35) feet.
6. Grapes used in wine production must be grown on-site or the operation must otherwise comply with State licensing requirements for a domestic farm winery.

J. Farm Winery, Craft Distillery and Microbrewery with Tasting Rooms (limited).

1. Minimum Lot Area: Ten (10) acres.
2. Minimum Lot Width: Two hundred fifty (250) feet.
3. Minimum Front Setback: Fifty (50) feet.
4. Minimum Side Setback Fifty (50) feet.
5. Minimum Rear Setback Fifty (50) feet.
6. Maximum Building Height: Thirty-five (35) feet.
7. Parking Standards: One parking space for each employee not living on-site and one space per 50 square feet of tasting room area. All driveways accessing the property and parking spaces shall be either paved or otherwise treated with a



dust-free material such as gravel, chip seal or other material as approved by the Director.

8. Retail and wholesale sales of wine, distilled liquor and beer are permitted in accordance with State licensing requirements.
9. Ancillary sales of non-wine, distilled liquor and beer related products may be sold, provided they do not make up more than 25% of retail sales receipts.
10. Grapes used in wine production must be grown on-site or the operation must otherwise comply with State licensing requirements for a farm winery.
11. Regularly scheduled bus tours are prohibited.
12. Food sales that require a Health Department F Series Permit are prohibited.
13. All signage must conform to Section 1712 of the Zoning and Development Code.

SEC. 907 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted on appeal in Article 10, Sec. 1003.
- B. Animal Clinics, Hospitals and Kennels.
 1. Lot Area: One hundred eighty thousand (180,000) square feet.
 2. Lot Width: One hundred (100) feet.
 3. Front Yard: Fifty (50) feet.
 4. Side Yards: Fifty (50) feet.
 5. Rear Yard: Fifty (50) feet.
 6. Maximum Building Height: Thirty five (35) feet.
 7. Other Restrictions: As required by Article 11 (Parking Standards). Noisy animals shall be confined to a sound proof building from sunset to sunrise.
- C. Airports.
 1. Restrictions: Subject to Federal Aviation Administration regulations.
- D. Campgrounds, Public Race Tracks, Sport Stadiums.
 1. Lot Area: As determined by the Planning and Zoning Commission.
 2. Yard Sizes: As determined by the Planning and Zoning Commission.
 3. Maximum Building Height: As determined by the Planning and Zoning Commission.
 4. Other Restrictions: As determined by the Planning and Zoning Commission.
- E. Egg Farm and Feed Lots.
 1. Lot Area: As determined by the Planning and Zoning Commission.
 2. Yard Sizes: As determined by the Planning and Zoning Commission.
 3. Maximum Building Height: As determined by the Planning and Zoning Commission.



4. Other Restrictions: As determined by the Planning and Zoning Commission, except mandatory 1/2 mile odor easement.

F. Guest Ranches, Lodges and Camps.

1. Lot Area: Seven hundred and twenty thousand (720,000) square feet.
2. Lot Width: Five hundred (500) feet.
3. Front Yard: One hundred (100) feet.
4. Side Yards: One hundred (100) feet.
5. Rear Yard: One hundred (100) feet.
6. Maximum Building Height: Thirty five (35) feet.
7. Other Restrictions: Parking as required by Article 11 (Parking Standards).

G. Marijuana Off-Site Cultivation Facilities, as defined in Article 2, Section 202, subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities.*

H. Public Roping Arenas, Rodeo Arenas.

1. Lot Area: Seven hundred twenty thousand (720,000) square feet.
2. Other Restrictions: Night Lighting shall not be later than ten (10:00 P.M.). The arena shall not be closer than one hundred (100) feet from any the property line.

SEC. 908 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



SR SUBURBAN RANCH

SEC. 911 PURPOSE AND INTENT

The SR (Suburban Ranch) district is designated to accommodate a single-family residences on a 72,000 square foot lot. SR zoning has the following characteristics:

SEC. 912 USES PERMITTED

- A. Any Accessory structure as permitted in Article 10, Sec. 1002.
- B. Single Family Dwellings.
 - 1. Lot Area: Seventy two thousand (72,000) square feet.
 - 2. Lot Width: One hundred fifty (150) feet.
 - 3. Front Yard: Thirty five (35) feet.
 - 4. Side Yard: Twenty (20) feet.
 - 5. Rear Yard: Thirty five (35) feet.
 - 6. Maximum Building Height: Thirty five (35) feet.
 - 7. Other Requirements: As required by Article 11 (Parking Standards).
- C. Farm Animals:
 - 1. Each 72,000 square foot SR parcel may contain three farm animals providing:
 - a) No barn, corral or stable may be located in the required front yard.
 - b) No barn, corral or stable shall be located closer to the required side or rear lot lines than seventy five (75) feet.
 - c) Each farm animal shall have four hundred (400) square feet of stock-tight corral fencing with shelter in accordance with C(1)(a) and C(1)(b) above.
 - Example:

A 72,000 square foot SR zoned parcel can support up to three (3) farm animals providing; a minimum of 800 square feet of stock-tight corral fencing with shelter not closer than seventy five (75) feet from the side and rear property lines.
 - 2. For each additional 36,000 square feet of parcel area an additional farm animal will be permitted.
 - 3. The raising of small animals, excluding turkeys, is permitted provided there are no more than ten (10) animals per parcel.
 - 4. The presence of offensive or noxious gases or odors is prohibited.



Every owner, tenant, or occupant of any premises within the SR Zoning District in, or upon which, animals other than household pets, are kept and maintained for family food and/or recreation, including, but not limited to: dairy animals, cattle, sheep, llamas, horses, mules, goats, ostriches, emus and turkeys shall at all times keep and maintain such premises so covered, enclosed, protected, cleaned, drained, and disinfected that no offensive or noxious gases, odors, or noises may or shall arise therefrom. Any such premises which are not at all times kept and maintained so covered, closed, protected, cleaned, drained, and disinfected as to prevent any and all offensive noxious gases, and odors arising therefrom or which are allowed or suffered to become a breeding place for flies and insects or to become offensive or noxious to the residents in the immediate neighborhood are hereby declared to be a nuisance.

SEC. 913 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.
- B. Pigs and Goats on a minimum lot of 130,680 square feet (3 acres). No barn corral or stable used to house pigs or goats shall be closer to any lot line than one hundred (100) feet.
- C. Guesthouses and cottages (non-rental residential units).
 - 1. Restrictions: Structure shall not be closer than thirty-five (35) feet from any lot line.

SEC. 914 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



R-1 RESIDENTIAL

SEC. 921 PURPOSE AND INTENT

The R-1 district is designed to accommodate a single-family residences on a minimum lot size of thirty six thousand (36,000) square feet. R-1 Districts have the following characteristics:

SEC. 922 USES PERMITTED:

- A. Any accessory structure as permitted in Article 10, Sec. 1002.
- B. Single Family Dwellings.
 - 1. Lot Area: Thirty-six thousand (36,000) square feet.
 - 2. Lot Width: One hundred fifty (150) feet.
 - 3. Front Yard: Twenty-five (25) feet; except on the bulb part of a cul-de-sac, the front yard may be reduced by five (5) feet.
 - 4. Side Yard: Fifteen (15) feet each.
 - 5. Rear Yard: Twenty-five (25) feet.
 - 6. Maximum Building Height: Thirty five (35) feet.
 - 7. Other Requirements: As required by Article 11 (Parking Standards).

SEC. 923 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.
- B. Farm Animals:
 - 1. Each 130,680 (3 acre) square foot R-1 parcel may contain two farm animals providing:
 - a) No barn, corral or stable may be located in the required front yard.
 - b) No barn, corral or stable shall be located closer to the required side or rear lot lines than one hundred (100) feet.
 - c) Pigs and/or goats are not permitted.
 - d) Each farm animal shall have four hundred (400) square feet of stock-tight corral fencing with shelter in accordance with B(1)(a) and B(1)(b) above.
Example:

A 130,680 square foot R-1 zoned parcel can support up to two (2) farm animals providing: a minimum of 800 square feet of stock-tight corral fencing with shelter exists not closer than one hundred (100) feet from the side and rear property lines.
 - 2. For each additional 36,000 square feet of parcel area an additional farm animal will be permitted.



3. The presence of offensive or noxious gases or odors prohibited.

Every owner, tenant, or occupant of any premises within the R-1 (Residential) Zoning District, in or upon which animals other than household pets are kept and maintained for family food and/or recreation, including, but not limited to: dairy animals, small poultry, cattle, sheep, llamas, horses, mules, goats, ostriches, emus and turkeys, shall at all times keep and maintain such premises so covered, enclosed, protected, cleaned, drained, and disinfected that no offensive or noxious gases or odors or noises may or shall arise therefrom. Any such premises which are not at all times kept and maintained so covered, closed, protected, cleaned, drained, and disinfected as to prevent any and all offensive noxious gases and odors arising therefrom, or which are allowed or suffered to become a breeding place for flies and insects or to become offensive or noxious to the residents in the immediate neighborhood are hereby declared to be a nuisance.

- C. Guesthouses and Cottages (non-rental, residential units only):

1. Minimum lot area: thirty six thousand (36,000) sq. ft.
2. Lot width: one hundred and fifty (150) feet.
3. Front yard: not permitted.
4. Side yard: fifteen (15) feet.
5. Rear yard: twenty five (25) feet.
6. Maximum building height: twenty (20) feet.

SEC. 924 USES PROHIBITED.

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



R-2 RESIDENTIAL

SEC. 931 PURPOSE AND INTENT

The R-2 district is designed to accommodate a single-family residence on a minimum lot size of eighteen thousand (18,000) square foot lots. R-2 Districts have the following characteristics:

SEC. 932 USES PERMITTED

- A. Any accessory structure as permitted in Article 10, Sec. 1002.
- B. Single Family Dwellings.
 - 1. Lot Area: Eighteen thousand (18,000) square feet.
 - 2. Lot Width: Seventy five (75) feet.
 - 3. Front Yard: Twenty-five (25) feet except on the bulb part of a cul-de-sac, the front yard may be reduced by five (5) feet.
 - 4. Side Yards: Fifteen (15) feet each.
 - 5. Rear Yard: Twenty-five (25) feet.
 - 6. Maximum Building Height: Thirty five (35) feet.
 - 7. Other Requirements: As required by Article 11(Parking Standards).

SEC. 933 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.
- B. Farm Animals:
 - 1. Each 130,680 (3 acres) square foot R-2 parcel may contain two farm animals providing:
 - a) No barn, corral or stable may be located in the required front yard.
 - b) No barn, corral or stable shall be located closer to the required side or rear lot lines than one hundred (100) feet.
 - c) Pigs and/or goats are not permitted.
 - d) Each farm animal shall have four hundred (400) square feet of stock-tight corral fencing with shelter in accordance with B(1)(a) and B(1)(b) above.

Example:

An 130,680 square foot R-2 zoned parcel can support up to two (2) farm animals providing; a minimum of 800 square feet of stock-tight corral fencing with shelter



not closer than one hundred (100) feet from the side and rear property lines.

2. For each additional 36,000 square feet of parcel area an additional farm animal will be permitted.
3. The presence of offensive or noxious gases or odors prohibited.

Every owner, tenant, or occupant of any premises within the R-2 (Residential) Zoning District, in or upon which animals other than household pets are kept and maintained for family food and/or recreation, including, but not limited to, dairy animals, small poultry, cattle, sheep, llamas, horses, mules, ostriches, emus and turkeys shall at all times keep and maintain such premises covered, enclosed, protected, cleaned, drained, and disinfected that no offensive or noxious gases, odors or noises may or shall arise therefrom. Any such premises which are not at all times kept and maintained so covered, closed, protected, cleaned, drained, and disinfected as to prevent any and all offensive noxious gases and odors arising therefrom, or which are allowed or suffered to become a breeding place for flies and insects or to become offensive or noxious to the residents in the immediate neighborhood are hereby declared to be a nuisance.

C. Guesthouses and Cottages (non-rental, residential units only):

1. Minimum lot area: thirty six thousand (36,000) sq. ft.
2. Lot width: seventy five (75) feet.
3. Front yard: not permitted.
4. Side yard: fifteen (15) feet.
5. Rear yard: twenty five (25) feet.
6. Maximum building height: twenty (20) feet.

SEC. 934 USES PROHIBITED

- A. Any use not permitted or not permitted with a Conditional Use Permit is prohibited.



R-3 RESIDENTIAL

SEC. 941 PURPOSE AND INTENT

The R-3 district is designed primarily to accommodate a single-family dwellings located on lots ten thousand (10,000) square feet. R-3 Districts have the following characteristics:

SEC. 942 PERMITTED USES

- A. Any accessory structure as permitted in Article 10, Sec. 1002.
- B. Single family Dwellings
 - 1. Lot Area: Ten thousand (10,000) square feet.
 - 2. Lot Width: Seventy (70) feet.
 - 3. Front Yard: Twenty-five (25) feet; except on the bulb part of a cul-de-sac, the front yard may be reduced by five (5) feet.
 - 4. Side Yards: Ten (10) feet each.
 - 5. Rear Yard: Twenty-five (25) feet.
 - 6. Building Height: Two and one half (2 1/2) stories or thirty-five (35) feet, maximum.
 - 7. Other Restrictions: Off-street parking provisions for two (2) cars.

SEC. 943 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.

SEC. 944 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



R-4 RESIDENTIAL

SEC. 951 PURPOSE AND INTENT

R-4 districts are designated primarily to accommodate a single-family dwellings located on lots of a minimum size of seven thousand five hundred (7,500) square feet. R-4 Districts have the following characteristics:

SEC. 952 PERMITTED USES

- A. Any accessory structure as permitted in Article 10, Sec. 1002.
- B. Single family Dwellings:
 - 1. Lot Area: Seven thousand five hundred (7,500) square feet.
 - 2. Lot Width: Sixty (60) feet.
 - 3. Front Yard: Twenty (20) feet; except on the bulb part of a cul-de-sac, the front yard may be reduced by five (5) feet.
 - 4. Side Yards: Seven (7) feet each.
 - 5. Rear Yard: Twenty (20) feet.
 - 6. Building Height: Two and one half (2 1/2) stories or thirty-five (35) feet, maximum.
 - 7. Other Restrictions: Off-street parking provisions for two (2) cars.

SEC. 953 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.

SEC. 954 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



R-5 RESIDENTIAL

SEC. 961 PURPOSE AND INTENT

R-5 districts are designated primarily to accommodate a single-family dwellings located on lots six thousand (6,000) square feet, R-5 Districts have the following characteristics:

SEC. 962 USES PERMITTED

A. Single family Dwellings

1. Lot Area: Six thousand (6,000) square feet.
2. Lot Width: Fifty (50) feet.
3. Front Yard: Twenty (20) feet; except on the bulb part of a cul-de-sac, the front yard may be reduced by five (5) feet.
4. Side Yards: Seven (7) feet each.
5. Rear Yard: Twenty (20) feet.
6. Building Height: Two and one half (2 1/2) stories or thirty-five (35) feet, maximum.
7. Other Restrictions: Off-street parking provisions for two (2) cars.

SEC. 963 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.

SEC. 964 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



MF MULTI-FAMILY RESIDENTIAL ZONE

SEC. 971 PURPOSE AND INTENT

MF (Multi-Family Residential) districts are designed to accommodate both single and multi-family dwellings. MF districts have the following characteristics:

SEC. 972 PERMITTED USES

- A. Any accessory structure as permitted in Article 10, Sec. 1002.
- B. Single-family dwellings:
 - 1. Minimum Lot Area: Five thousand (5,000) square feet.
 - 2. Minimum Lot Width: Fifty (50) feet.
 - 3. Minimum Front Yard: Twenty (20) feet; except on the bulb part of a cul-de-sac, the front yard may be reduced by five (5) feet.
 - 4. Minimum Side Yards: Seven (7) feet each.
 - 5. Minimum Rear Yard: Twenty (20) feet.
 - 6. Maximum Building Height: Two and one-half stories or thirty-five (35) feet.
- C. Multi-family (attached dwelling units):
 - 1. Minimum Site Area: Eight thousand (8,000) square feet.
 - 2. Minimum Lot Size: Five thousand (5,000) square feet.
 - 3. Minimum Land Area per Dwelling Unit: Four thousand (4,000) square feet.
 - 4. Minimum Site Setbacks:
 - a) Front yard (and any street frontage): Twenty-five (25) feet.
 - b) Side Yard: Total for both sides shall be a minimum of thirty (30) feet; a minimum of ten (10) feet on any side is required.
 - c) Rear Yard: Twenty (20) feet.
 - 5. Maximum Building Height: Thirty five (35) feet.
- D. Minimum distance between multi-family buildings on the same lot: Fifteen (15) feet.
- E. Minimum off-street parking requirements: Two spaces per dwelling unit. On-site parking areas shall consist of parking stalls of no less than 180 square feet each and aisles at least twelve (12) feet wide for maneuvering. The public right-of-way shall not be included in the maneuvering area.

SEC. 973 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.



SEC. 974 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



MH MOBILE HOME, RESIDENTIAL

SEC. 981 PURPOSE AND INTENT

MH (Mobile Home) districts are designed to accommodate single family manufactured housing and mobile homes in a compatible living environment. MH Districts have the following characteristics.

SEC. 982 PERMITTED USES

A. Mobile Homes and or Manufactured Housing.

1. Lot Area: Five thousand (5,000) square feet for any mobile home and manufactured housing unit.
2. Lot Width: Fifty (50) feet.
3. Front Yard: Fifteen (15) feet.
4. Side Yards: Seven (7) feet, two (2) feet only permitted on open carport side provided the use is for car storage only.
5. Rear Yard: Fifteen (15) feet.
6. Building Height: Shall not be greater than fifteen (15) feet above the graded building pad.
7. Other Restrictions: Off-street parking shall be provided for two (2) vehicles for each residence. County Health Department approval is required for each unit, prior to building permit being issued. A building permit must be obtained prior to the location of a mobile home and or manufactured housing unit in the County.

SEC. 983 CONDITIONAL USE PERMIT REQUIRED

A. Any use as permitted with a Conditional Use Permit in Article 10, Sec. 1003.

SEC. 984 USES PROHIBITED

A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



P PRESERVATION AREA

SEC. 991 PURPOSE AND INTENT

The purpose of this zone is to provide for permanent public open space, historical sites, museums, research and study areas, and in general, natural areas to be preserved in their present or scientifically managed state.

SEC. 992 PERMITTED USES

A. Museums, historical sites, nature study areas, research areas, agricultural research or educational areas, zoos, preservation areas.

1. Lot Area: As determined by the Planning and Zoning Commission.
2. Lot Width: As determined by the Planning and Zoning Commission.
3. Yard Sizes: As determined by the Planning and Zoning Commission.

SEC. 993 CONDITIONAL USE PERMIT REQUIRED

A. Appropriate accessory uses are permitted in connection with the basic use, such as but not limited to, residences, shops, in conjunction with the primary use of the land except that no use shall be established or maintained which exploits the property or which may classified as commercial use not specifically in conjunction with the primary use.

SEC. 994 USES PROHIBITED

A. All commercial business or manufacturing not specifically described above.



MFR RESIDENTIAL

SEC. 9010 PURPOSE AND INTENT

MFR (Manufactured Housing) districts are designed to accommodate single family manufactured housing, as defined by Article 18 Mobile Home and Manufactured Housing in the Santa Cruz County Development Code, in a compatible living environment. MFR Districts have the following characteristics:

SEC. 9020 PERMITTED USES

A. Manufactured Homes.

1. Lot Area: Six thousand (6,000) square feet.
2. Lot Width: Fifty (50) feet.
3. Front Yard: Twenty (20) feet.
4. Side Yards: Seven (7) feet each.
5. Rear Yard: Twenty (20) feet.
6. Building Height: Two and one half (2 1/2) stories or thirty-five (35) feet, maximum.
7. Other Restrictions: A building permit must be obtained prior to the installation of a manufactured housing unit in Santa Cruz County; off-street parking provisions for two (2) cars.

SEC. 9030 CONDITIONAL USE PERMIT REQUIRED

- A. Any use permitted with a Conditional Use Permit in Article 10, Sec. 1003.

SEC. 9040 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



COMMERCIAL DISTRICTS

B-1 NEIGHBORHOOD BUSINESS

SEC. 9110 PURPOSE AND INTENT

The B-1 (Neighborhood Business) district is designed to accommodate less intensive commercial development through setback, height, and minimum lot size requirements. The B-1 zone may provide a transition in some areas between a B-2 zone and a residential zone or may provide for a small scale shopping center that primarily serves one neighborhood or community of the county. The dimensional restrictions in the zone are also designed in appropriate areas to encourage the renovation for commercial purposes of buildings that were formerly single-family residences.

SEC. 9120 PERMITTED USES

NOTE: Some uses in B-1 may require additional County, State and/or Federal certifications.

- A. Neighborhood retail stores and services including the following or similar uses.
1. Art gallery.
 2. Bakery.
 3. Bank (Branch office), not exceeding ten (10) parking spaces.
 4. Barber shop and/or beauty salon.
 5. Boutique.
 6. Convenience Store (without gasoline service).
 7. Copying, newspaper sales and distribution.
 8. Dry cleaning and/or laundry pick-up station.
 9. Dwelling units - for use only in connection with operations of the neighborhood business by owner, lessee, security, and/or care taker.
 10. Florist.
 11. Fruit and vegetable and/or health food store.
 12. Hardware / Feed Store.
 13. Inn, Small.



14. Jewelry sales, repair shop.
15. Launderette-limited to machines having no more than twenty-five (25) pounds capacity, according to manufacturer's rating.
16. Park and/or garden.
17. Pet shop /grooming.
18. Photographer and/or Artist studio.
19. Professional Office.
20. Radio and television sales and service.
21. Records/video sales/video rental store.
22. Restaurant.
23. Shoe repair store.
24. Sporting goods store.
25. Stamp and Coins, other collection and hobby shop.
26. Stationery store.
27. Farm Winery, Craft Distillery and Microbrewery with or without a Tasting Rooms.
 - a. Parking Standards: One parking space for each employee and one space per 50 square feet of tasting room area.
 - b. Retail and wholesale sales of wine, distilled liquor and beer are permitted in accordance with State licensing requirements.
 - c. The operation must comply with State farm winery, craft distillery or microbrewery licensing requirements.

B. Dimensional Requirements:

1. Minimum Lot Area: Six thousand (6,000) square feet.
2. Minimum Lot Width: Fifty (50') feet.
3. Front Yard: Twenty (20') feet.
4. Side Yard: None (0), except for a twenty (20') foot side setback when the lot abuts vehicular access way.
5. Rear Yard: Fifteen (15') feet.



6. Building Height: Thirty-five (35') feet.
7. Other restrictions: Off-street parking as determined by Article 11 (Parking Standards).

SEC. 9130 CONDITIONAL USE PERMIT REQUIRED

- A. Accessory structure.
- B. Churches or similar places of worship.
- C. Convenience store (with gasoline service).
- D. Libraries and/or museum.
- E. Marijuana Establishment - Single Retail Location as defined in A.R.S. §36-2850(18)(a), subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities*.
- F. Nonprofit Medical Marijuana Dispensaries as defined in A.R.S. §36-2801(12), subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities*.
- G. Public Utility Substation, Commercial/Private Communication (excluding private residential television receiving systems and amateur receiving and transmitting systems, ham radios) and Utility Tower/Antenna greater than thirty-five (35') feet in height.
- H. Quasi-public building.

SEC. 9140 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



B-2 GENERAL BUSINESS

SEC. 9210 PURPOSE AND INTENT

The B-2 Business district allows for the commercial activity permitted within B-1 zone, as well as more intensive commercial activities.

SEC. 9220 PERMITTED USES

NOTE: Some uses in B-2 may require additional County, State, and/or Federal Certification.

- A. Any use regulated in the “B-1” district, designated as permitted or permitted with a Conditional Use Permit. except: public utility substations, commercial/Private Communication (excluding private residential television receiving system and amateur receiving and transmitting system, ham radio) and Utility Tower/Antenna greater than thirty-five (35’) feet in height.
- B. Retail and/or wholesale business and/or services, including the following or similar uses:
 - 1. Automobile Agency.
 - 2. Cafe and/or Restaurant.
 - 3. Car Wash.
 - 4. Church.
 - 5. Commercial Rental Facility (heavy commercial equipment permitted with a Conditional Use Permit. Full enclosure of all vehicles and equipment is required.
 - 6. Club and similar social/recreational organization.
 - 7. Day Care Center.
 - 8. Gasoline service station.
 - 9. Golf Course subject to the following:
 - a) Golf course shall be a target course as defined in Section 1202(N) of this Code.
 - b) Golf course development shall be subject to the Special Requirements listed in Section 1205(E) of this Code.
 - 10. Grocery store /Supermarket.
 - 11. Hotel - minimum site shall be one (1) acre.



12. Motel - minimum site shall be one (1) acre.
13. Marijuana Establishment - Single Retail Location as defined in A.R.S. §36-2850(18)(a), subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities*.
14. Nonprofit Medical Marijuana Dispensaries as defined in A.R.S. §36-2801(12), subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities*.
15. Package liquor for off-site consumption only.
16. Public Auditorium.
17. Retail Nursery and/or greenhouse.
18. Shopping Mall.
19. Theater - one (1) parking space for each three (3) seats.

C. Dimensional Requirements for the above uses:

1. Minimum Lot Area: Ten thousand (10,000') square feet.
2. Minimum Lot Width: Eighty five (85') feet.
3. Front Yard: Thirty (30') feet.
4. Side Yard: None (0), except for a twenty (20') foot side setback when the lot abuts a vehicular access way.
5. Rear Yard: Fifteen (15') feet.
6. Building Height: Thirty-five (35') feet.
7. Other Restrictions: Off street parking as determined by Article 11 Parking Standards.

SEC. 9230 CONDITIONAL USE PERMIT REQUIRED

A. CONDITIONAL USE PERMIT REQUIRED

1. Adult Entertainment Center.
2. Auction (other than livestock).
3. Bowling alley.
4. Clinic/Sanitarium (for human use).
5. Cocktail lounge and/or bar.



6. Commercial Parking Lots.
7. Indoor/outdoor swap meet.
8. Animal Clinic, hospital or kennel.
9. Lithographers.
10. Lumber Yard.
11. Manufacturing incidental to a retail business where articles are sold for retail on the premises.
12. Mortuary.
13. Paint and Body Shop.
14. Place of Amusement.
15. Public Utility Substation, Commercial/Private Communication (excluding private residential television receiving system and amateur receiving and transmitting system, ham radio) and Utility Tower/Antenna greater than thirty-five (35') feet in height.
16. RV Park.
17. Storage Facility.
18. Truck Stop.
19. Contractor's Material Yard, provided storage area and equipment are screened, typically with a minimum six foot high solid wall of a design approved by the Board of Adjustment and landscaping as deemed appropriate to surroundings.

SEC. 9240 USES PROHIBITED

- A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



M-1 LIGHT INDUSTRY

SEC. 9310 PURPOSE AND INTENT

The M-1 Light Industry district is designed to accommodate enterprises in manufacturing or light industry operations and any commercial activities allowed in B-1 and B-2. The M-1 district has the following characteristics:

SEC. 9320 USES PERMITTED

A. Permitted uses in the M-1 include light industrial operations which are not hazardous, noxious, offensive or detrimental to neighboring property due to emission of dust, cinders, gases, fumes, smoke, noises, vibrations, odors, refuse matter or water carried waste. The following types of industrial uses are permitted:

1. Cold storage plants.
2. Ice plants.
3. Baking plants.
4. Ice cream plants and creameries.
5. Dry cleaners and laundries (processing).
6. Warehouses and processing plants.
7. Musical instrument plants.
8. Contractor's material yards.
9. Accessory structures.
10. Public utility systems.
11. Egg farms.
12. Animal clinics, hospitals, and kennels.
13. Sport stadiums.
14. Race tracks.
15. Airports.



16. Parking lots.
17. Auto/Machinery Repair Shops.
18. Warehouses.
19. Marijuana Establishment - Single Retail Location as defined in A.R.S. §36-2850(18)(a), subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities.*
20. Marijuana Off-Site Cultivation Facilities, including but not limited to Marijuana Establishment – Single Off-Site Cultivation Locations as defined by A.R.S. §36-2850(18)(b), subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities.*
21. Marijuana Off-Site Manufacturing Facilities, as defined in Article 2, Section 202, subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities.*
22. Nonprofit Medical Marijuana Dispensaries, as defined in A.R.S. §36-2801(12), , as defined in Article 2, Section 202, subject to the restrictions and limitations outlined in Article 30, *Medical Marijuana Dispensaries, Marijuana Establishments, Dual Licensee Establishments and Off-Site Cultivation and Manufacturing Facilities.*

B. Dimensional requirements for the above uses are:

1. Lot Area: Lots of sufficient size, as determined by the Planning Director, shall be provided to provide adequate off-street parking, loading and unloading space in addition to the space required for the other normal operations of the enterprise.
2. Front Yard: Forty (40') feet.
3. Side Yards: Exterior (street frontage) forty (40') feet; interior, fifteen (15') feet.
4. Rear Yard: Exterior (street frontage) forty (40') feet; interior, fifteen (15') feet.
5. Building Height: Thirty-five (35') feet or two and a half (2 1/2) stories.
6. Other Restrictions: It is required that there shall be necessary off-street parking space not only to accommodate the cars of all employees, but in addition, to provide storage for all vehicles incidental to the operation or the particular use. If the use is open to public additional space shall be required by the Planning Director, to accommodate satisfactorily such increase demand. It is required that adequate space shall be provided at all time for loading and/or unloading all vehicles or trucks incidental to the operation of the use, exclusive of off-street parking space.



B-1 and B-2 Commercial Uses shall comply with M-1 setback requirements.

SEC. 9339 CONDITIONAL USE PERMIT REQUIRED

A. Any Industrial or business use not specifically permitted are subject to such conditions and safeguards as the Planning and Zoning Commission may require to preserve and protect any portions of the County which otherwise could be adversely affected, including but not limited to:

1. Auto wrecking.
2. Junk Yards and or Salvage Yards.
3. Slaughter houses.
4. Stockyards, feed lots and auction sites.
5. Bulk storage of flammable substances above ground.
6. Correctional Facilities.
7. Sand and Gravel Pits.
8. Public Utility Substations, Commercial/Private Communication (excluding private residential television receiving systems and amateur receiving and transmitting systems, ham radios) and Utility Towers/Antenna greater than thirty-five (35') feet in height.

SEC. 9340 USE PROHIBITED

A. Any use not permitted, or not permitted with a Conditional Use Permit is prohibited.



SEC. 9610 ZONING MAPS

- A. The map known and designated as the Official Zoning Maps, shall show the boundaries of all zoning districts within the county's planning jurisdiction. These maps shall be drawn on Mylar or other durable material from which prints can be made, shall be dated, and shall be kept in the Office of Planning and Zoning.
- B. The Official Zoning Maps adopted in 1961, are incorporated herein by reference. Amendments to these maps shall be made and posted in accordance with the appropriate Arizona Revised Statutes.
- C. Should the an Official Zoning Map be lost, destroyed, or damaged, the Planning Director shall have a new map drawn on Mylar or other durable material from which prints can be made.

SEC. 9620 AMENDMENTS TO OFFICIAL ZONING MAPS

- A. Amendments to the Official Zoning Maps are accomplished only upon approval of the Board of Supervisors, after a public hearing is held as required by A.R.S.
- B. The Planning Director shall update the Official Zoning Map as soon as possible after amendments to it are adopted by the Board of Supervisors. Upon entering any such amendment on the map, the Planning Director shall change the date of the map to indicate its latest revision. New prints of the updated map may then be issued.
- C. No unauthorized person may alter or modify the Official Zoning Map.
- D. The Planning Department shall keep copies of superseded prints of the zoning map for historical reference.

SEC. 9630 RESERVED



ARTICLE 10 – COMMON REGULATIONS FOR ALL RESIDENTIAL DISTRICTS

- 1001--- PURPOSE**
- 1002--- PERMITTED USES**
- 1003--- CONDITIONAL USE PERMIT REQUIRED**
- 1004--- USE REGULATIONS**
- 1005--- USES PROHIBITED**

SEC. 1001 PURPOSES

The purpose of this article is to identify uses permitted and or permitted with a Conditional Use Permit in all residential zones in Santa Cruz County. Residential zones include GR-40, GR, SR, R-1, R-2, R-3, R-4, R-5, MF, MH, and MFR.

SEC. 1002 PERMITTED USES

The following uses shall be permitted in all Residential Districts:

- A. All accessory structures in residential districts and on any lot used primarily for residential purposes shall conform to the following regulations:
 - 1. An accessory structure shall only be used for storage of materials. Human occupancy or the housing of animals in an accessory structure is prohibited.
 - 2. No accessory structure in a residential district shall be used in the conduct of a business or other activity for profit unless specifically permitted by the Planning and Zoning Commission.
 - 3. No accessory structure shall be erected in any required front yard. An accessory structure shall not exceed two (2) stories or thirty (30) feet in height, and shall not cover more than twenty-five (25%) percent of any required rear yard.
 - 4. In the case of a corner lot, no part of an accessory structure shall be located closer to the abutting streets than the minimum front yard setback of either adjoining lot.
 - 5. Accessory structures are not permitted in the required front yard nor shall accessory structures be closer to any property line than the following:

GR-40 (General Rural)	25 feet.
GR (General Rural)	25 feet.
SR (Suburban Ranch)	20 feet.
R-1 and R-2 (Residential)	15 feet.
R-3 (Residential)	10 feet.
R-4, R-5, MH, MF and MFR	7 feet.



B. Public utility substations

1. Nothing in this code shall prevent the location, erection, alteration or maintenance of pipes, poles, wires and similar installations necessary to distribute public facilities;
2. Water pumping and storage facilities, telephone, and power substations operated as part of a system servicing the public shall be subject to:
 - a) Screening and buffering must be implemented by the construction of a CMU (concrete masonry unit) or other opaque wall system approved by the Planning and Zoning Department. Such wall system shall be of an earth tone color shall measure seven (7) feet above finished grade level and utilize barbed wire or razor wire for security purposes as per regulations.
 - b) Public Utility Facilities as determined in (2) above shall be painted to blend with the surrounding natural environment.
 - c) Minimum front, side, and rear yard setbacks for the respective zoning district must be observed. The yard and setback requirements of this code shall not apply to perimeter walls.
 - d) In addition to 2(1) above, Vegetative landscaping shall be required in order to camouflage the public facility and preserve a sense of aesthetic appeal, an integrated and substantial landscaping system shall include a monitored irrigation system and must be approved by the Planning and Zoning Department.

SEC. 1003 CONDITIONAL USE PERMIT REQUIRED

Adequate off-street parking for the following uses shall be determined by the Planning and Zoning Commission, as part of an application for a Conditional Use Permit.

The Planning and Zoning Commission shall determine the minimum lot, the minimum lot width, the maximum height, the number, type and size of yards and the number of off-street parking spaces whenever there is no provision in this Article, or when the zoning district regulations specify that the Commission make a determination.

A. Churches or Similar Places of Worship and Related Facilities.

1. The maximum building height shall be fifty (50) feet (excluding steeple or bell tower).
2. The site shall have a minimum size as determined by the Planning and Zoning Commission.
3. The Planning and Zoning Commission in making its decision whether to grant the Conditional Use Permit, shall ensure compliance with the Religious Land Use and Institutionalized Persons Act (RLUIPA), 42 United States Code §2000cc et seq. and shall ensure compliance with Arizona Revised Statutes §41-1493.03



- a) Its decision does not substantially burden religious exercise without compelling justification pursued through the least restrictive means.
 - b) Its decision does not treat religious uses less favorably than nonreligious assemblies and institutions.
 - c) Its decision does not discriminate based on religion or religious denomination.
 - d) Its decision does not totally or unreasonably restrict religious uses.
4. The Board of Adjustment in making its decision whether to grant the Conditional Use Permit shall also ensure compliance with Arizona Revised Statutes §41-1493.03 by requiring that:
- a) Its decision shall not impose or implement a land use regulation in a manner that imposes an unreasonable burden on a person's exercise of religion, regardless of a compelling governmental interest, unless the government demonstrates one of the following:
 - i. That the person's exercise of religion at a particular location violates religion-neutral zoning standards enacted into the government's laws at the time of the person's application for a permit.
 - ii. That the person's exercise of religion at a particular location would be hazardous due to toxic uses in adjacent properties.
 - iii. The existence of a suitable alternate property the person could use for the exercise of religion.
 - b) Its decision shall not impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution, regardless of a compelling governmental interest.
 - c) Its decision shall not impose or implement a land use regulation in a manner that discriminates against an assembly or institution on the basis of religion, regardless of a compelling governmental interest.
 - d) Its decision shall not impose or implement a land use regulation in a manner that completely excludes a religious assembly or institution from a jurisdiction or unreasonably limits religious assemblies, institutions or structures within a jurisdiction, regardless of a compelling governmental interest.

B. Public or Private Grade Schools

- 1. The maximum building height shall be fifty (50) feet.
- 2. The minimum lot size shall be five (5) acres plus one (1) additional acre for each one hundred (100) pupils (or fraction thereof) or as determined otherwise by the Board of Adjustment.

C. Public or Private High School



1. The maximum building height shall be fifty (50) feet.
2. The minimum lot size shall be ten (10) acres plus one (1) additional acre for each one hundred (100) pupils or fraction thereof.

D. Communication Towers

1. Co-location or the grouping of wireless communication facilities and preservation of aesthetics is the primary objective.
2. Maximum height as determined by the Planning and Zoning Commission.
3. Setbacks from all property lines shall be 110% of the height of the tower. Exceptions as permitted by the Planning and Zoning Commission for self-collapsing towers.
4. Towers shall be camouflaged to blend with surrounding terrain. Landscaping shall be in accordance with Article 19 of the Santa Cruz County Zoning and Development Code.
5. Wireless communication facilities must be in compliance with all Federal Communication Commission and Federal Aviation Administration regulations. Evidence of FCC and FAA compliance including all applications and associated documentation must accompany a tower application.
6. A written statement from the administrator of the Nogales International Airport must accompany any tower application.
7. If the wireless communication facility is abandoned the applicant shall restore the property.

E. Hospitals, Sanatoriums, and Clinics.

1. The maximum building height shall be fifty (50) feet.
2. The minimum lot size shall be ten (10) acres, or as determined by the Planning and Zoning Commission.

F. Clinics - (out patient only)

1. The maximum building height shall be thirty five (35) feet.
2. The minimum lot size shall be five (5) acres or as determined by the Planning and Zoning Commission.



G. Cemeteries

1. The minimum size shall be ten (10) acres or as determined by the Planning and Zoning Commission.

H. Clubs and Similar Social and Recreational Facilities.

1. The maximum building height shall be thirty five (35) feet.

I. Home Occupation

A home occupation is an activity carried on by the occupant of a dwelling as a secondary use, including professional and semi-professional offices, when conducted and entered from within the dwelling. The home occupation shall meet the following criteria:

1. No home occupations operated in any residential district may employ more than one (1) person not a member of the family residing in the dwelling.
2. A person operating a home occupation may display on his residence one (1) non-illuminated nameplate not exceeding three (3) square feet in area.
3. There may be no public display of stock-in-trade upon the premises.
4. Not more than one-fourth of the floor area of one story of the main building may be used for such home occupation.
5. The residential character of the dwelling may not be changed by said use.
6. Such occupation may not cause any sustained, unpleasant, or unusual noises or vibrations, noxious fumes or odors, or cause any parking or traffic congestion in the immediate neighborhood.

J. Bed and Breakfast and Boarding Homes.

1. The maximum building height shall be (35) thirty-five feet.

K. Day Care Centers or Adult Care Facilities

1. The maximum building height shall be thirty five (35) feet.
2. Adequate provisions for: parking, fences, and security must be provided.
3. Copies of all required State licensing information shall be provided to the Planning and Zoning Department.

L. Community Swimming Pool

1. The minimum lot size shall be one acre.



SEC. 1004 USE REGULATIONS

A. Farm tractors, truck tractors, trailers, semi-trailers and commercial vehicles shall not be stored, parked, or otherwise occupy space in a residential neighborhood or streets serving such neighborhood except for the purpose of making pick-ups, deliveries and/or for performing a service for the residents or property owners within the following zoning districts: R-1, R-2, R-3, R-4, R-5, MF, MH, and MFR.

In the case of an owner-operated truck tractor or commercial vehicle, the owner-operator may apply for a Conditional Use Permit in accordance with the procedures specified in this Code requesting permission to park no more than one such working vehicle on property residentially occupied by the owner-operator, provided the vehicle is fully enclosed in a garage or completely screened, as defined in Article 2, from all public view, except when in use. The garage or screening shall be approved by the County Department of Community Development, and the Building Department. In the case of rental property, the property owner must make the request on behalf of the owner-operator occupying the property. The Planning and Zoning Commission shall have the ability to place conditions, such as type of screening, idling restrictions, allowable repair/maintenance activities, hours of operation etc. on the Conditional Use Permit as deemed necessary.

A maximum of one (1) historic, inoperable or unregistered vehicle per parcel shall be permitted in R-1, R-2, R-3, R-4, R-5, MF, MH, and MFR zoning districts. Any additional historic, inoperable or unregistered vehicles must be enclosed in a garage or screened from all public view except when in use. Home/garden equipment such as riding lawn mowers and similarly sized equipment shall be excluded.

B. A maximum of four (4) farm tractors or truck tractors, trailers or semi-trailers or commercial vehicles or historic vehicles or inoperable or unregistered vehicles are permitted per parcel within the GR-40 and GR zoning district and a maximum of two (2) such vehicles are permitted within the SR zoning district provided the vehicles are enclosed in a garage or completely screened, as defined in Article 2, from all public view except when in use. The required garage shall entirely enclose any of the aforementioned vehicles and be approved by the County Department of Community Development and Building Department. A maximum of two (2) unscreened farm tractors or pole trailers shall be permitted per parcel within a GR zoning district, and one (1) shall be permitted per parcel within a SR zoning district. Agricultural equipment or vehicles shall not be restricted and shall not require screening. Partial enclosures and/or additional vehicles may be permitted as approved by the Board of Adjustment. Home garden equipment such as riding lawn mowers and similarly sized equipment shall be excluded.

SEC. 1005 USES PROHIBITED

- A. No mobile home or manufactured house shall be permanently located, stored, or otherwise occupy land, in any zoning district except as provided in Article 9, Sec. 982 and Article 18.
- B. Junk yards are prohibited in any residential district.
- C. Metal prefabricated buildings, Quonset huts and butler type buildings are prohibited for residential purposes.
- D. Overnight camping is prohibited without first obtaining the required permits as described within this code.



ARTICLE 11 – PARKING STANDARDS

--- 1101--- SCHEDULE OF REQUIRED OFF STREET PARKING

--- 1102--- RESTRICTIONS AS TO LOCATION AND PLACEMENT OF PARKING AREAS ON A SITE.

--- 1103 --- PARKING AREA DESIGN STANDARDS

--- 1104 --- ENFORCEMENT

SEC. 1101 SCHEDULE OF REQUIRED OFF STREET PARKING

The minimum number of off-street parking spaces required for buildings, structures, and uses shall be determined according to the following schedule. For a use not specifically listed, requirements shall be the same as those for the most similar use.

RESIDENTIAL

- A. Attached dwellings.
 - 1. 2.0 spaces per dwelling unit.
- B. Mobile home and recreational vehicle parks.
 - 1. 1.0 spaces per dwelling unit.
- C. Single-Family Residences, including mobile homes, and manufactured homes.
 - 1. 2.0 spaces per dwelling unit.

COMMERCIAL

- A. Animal Hospital, or Kennel.
 - 1. 1.0 spaces per 300 square feet of gross floor area.
- B. Automobile service stations.
 - 1. 2.0 spaces per service bay.
- C. Day care center.
 - 1. 1.0 spaces per 400 square feet of gross floor area.
- D. Furniture store, plant nurseries and swap meets.
 - 1. 1.0 spaces per 1,000 square feet of gross sales area.



- E. Gas Station/Convenience Store.
 - 1. 4.0 spaces minimum plus 1.0 space per service bay.
- F. Government services.
 - 1. 1.0 spaces per 500 square feet of gross floor area.
- G. Hospital, residential care institution.
 - 1. 2.0 spaces per patient bed.
- A. Hotel/Motel/Inn/Bed & Breakfast/Guest Ranch/Group Camp (without independent restaurant facilities).
 - 1. 1 space per guest room plus 1 per every 20 guest rooms.
- I. Medical Marijuana Dispensary.
 - 1. 1.0 space per 250 square feet of interior public area and 1.0 space per 1.5 employees assigned to the largest work shift.
- J. Medical Marijuana Dispensary Off-Site Cultivation Site.
 - 1. 1.0 space per 1.5 employees assigned to the largest work shift.
- K. Junkyard.
 - 1. 1.0 space per each 10,000 square feet of parcel area.
- L. Mini-Storage.
 - 1. 1.0 spaces per 400 square feet of business office area.
- M. Professional Office.
 - 1. 1.0 spaces per 300 square feet of gross floor area.
- N. Retail Shop.
 - 1. 1 space per 250 square feet of display area.
- O. Restaurants, bars, taverns, nightclubs.



1. 1.0 spaces per 50 square feet of floor area, excluding areas designed for restroom, storage, service or other non-public purposes.
- P. Shopping Centers/Supermarkets.
1. 1.0 spaces per 250 square feet.
- Q. Resorts with conference and destination restaurant facilities
1. 1.5 spaces per guest room or guest suite.
- R. Truck Stop.
1. As determined by Planning and Zoning Director.
- S. Vehicle/Mobile home sales lot.
1. 1.0 spaces per 200 square feet of enclosed customer circulation area plus 1.0 space per each service stall.

INDUSTRIAL/OTHER

- A. Bus, motor freight, taxi, rail and air terminals.
1. 1.0 spaces per 4 seats for waiting passengers.
- B. Contract construction services.
1. 1.0 spaces per 1,000 square feet of floor area or display area.
- C. Manufacturing of durable and non-durable goods, fabrication and assembly of products, and services processing and compounding of materials, distribution of goods and merchandise.
1. 1.0 spaces per 750 feet of gross floor.
- D. Wholesaling, warehousing, distribution and storage of durable and non-durable goods.
1. 1.0 spaces per 1,000 square feet of gross floor area.

EDUCATION/PUBLIC ASSEMBLY.

- A. Bowling.
1. 4.0 spaces per lane.



- B. Cemeteries.
 - 1. 1.0 spaces per employee (minimum 6).

- C. Educational services:
 - 1. Grades 1-8 = 1.5 spaces per classroom.
 - 2. Grades 9-12 = 4.5 spaces per classroom.
 - 3. College and Vocational Schools = 12.0 spaces per classroom.
 - 4. Other (Nursery School, etc.) = 1.0 per spaces 400 square feet of gross floor area.

- D. Fairgrounds, amusement park.
 - 1. 1.0 spaces per 1,000 square feet of site area.

- E. Golf course.
 - 1. 3.0 spaces per golf hole.

- F. Jail, prison, offender rehabilitation facilities.
 - 1. 1.0 spaces per each 25 inmates of design capacity.

- G. Public assembly for cultural, historic and nature exhibits.
 - 1. 1.0 spaces per 500 square feet of gross floor area and exterior exhibit area.

- H. Public assembly for entertainment, sports or recreational activities.
 - 1. 1.0 spaces per five (5) fixed seats or 1.0 space per 75 square feet of public assembly area, if seating is unfixed.

- I. Public assembly for religious activities.
 - 1. 1.0 spaces per four (4) seats capacity in the sanctuary area.

- J. Shooting range, golf driving range.
 - 1. 1.5 spaces per station.

- K. Skating rink, health center.
 - 1. 1.0 spaces per 300 square feet of gross floor area.



L. Tennis, racquetball, handball.

1. 2.0 spaces per court.

M. Theater.

1. 1.0 spaces per three (3) seats of spectator seating.

N. Welfare and charitable services, civic, social, fraternal and business associations.

1. 1.0 spaces per 500 square feet of gross floor area.

SEC. 1102 RESTRICTIONS AS TO LOCATION AND PLACEMENT OF PARKING AREAS ON A SITE.

A. Required off-street parking areas shall be located on the site within three hundred (300) feet of the building or use it is intended to serve, the distance being measured from the nearest point of the building or use.

B. Irrespective of the district in which it is located, every part of a parking area shall be set back from every site boundary a sufficient distance to ensure that no part of any parked vehicle will project over any site boundary.

C. Any parking area may use an abutting alley for direct access to parking spaces. Developer may be required to improve the alley as approved by the Public Works Department and/or Board of Supervisors.

DRIVEWAYS

A. Access to a parking area from a street shall be limited to definable entry and exit driveways. There shall be no direct access to any off-street parking space from a street.

B. No driveway entrance or exit to a parking area shall be located closer than fifteen (15) feet to an adjacent residential district or conforming residential site.

C. No driveway entrance or exit to a parking area shall be located closer than fifty (50) feet to any street intersection.

SEC. 1103 PARKING AREA DESIGN STANDARDS

Except as otherwise specified herein, every required off-street parking space shall have a minimum width of nine (9) feet and a minimum length of twenty (20) feet, exclusive of driveways and aisles. Each loading space shall be a minimum of twelve (12) feet wide and fifty (50) feet in length. The minimum allowable parking for any use is four (4) spaces. The parking stall length may include allowance for vehicle overhang of a curb or planter area up to a maximum of three



(3) feet provided that the vehicle may not encroach upon a street, sidewalk or another parking space, driveway or parcel.

- A. Curbing: Curbing or wheel stops shall be installed as necessary at a minimum distance of three (3) feet to protect walls, fences, buildings or other structures from collision damage.
- B. First parking space for angle parking: Ten (10) feet minimum distance from property line to the beginning of the stall.
- C. Striping: Minimum requirements for marking parking spaces shall be single-line striping four (4) inches in width.
- D. Parking for the handicapped shall be provided in accordance with the requirements of Americans with Disabilities Act.

SEC. 1104 ENFORCEMENT

The Planning Director is charged with the enforcement of this code. Any use not specifically stated shall conform to the most similar use described or as determined by the Planning and Zoning Director.



ARTICLE 12 – PLANNED AREA DEVELOPMENT

---1201--- INTRODUCTION

---1202--- DEFINITIONS

---1203--- GOALS AND OBJECTIVES

---1204--- GENERAL PROVISION

---1205--- REQUIREMENTS

---1206--- DENSITY CALCULATION AND BONUS

---1207--- OWNERSHIP AND MANAGEMENT OF OPEN SPACE

---1208--- PROCEDURES FOR REVIEW AND APPROVAL

---1209--- ADDITIONAL PROVISIONS

SEC. 1201 INTRODUCTION

The Planned Area Development (PAD) is intended to encourage development that will provide public benefits through economical and efficient land use, preservation of open space and natural and cultural features, diversity in land uses, and flexibility in site design. The PAD is an overlay that shall be used in conjunction with the underlying zoning districts described in this Code. The uses should be compatible with adjacent parcels and with the intent of the zoning in which the project is located, as well as with the Goals, Objectives, and Policies of the County Comprehensive Plan. The intent of PAD is to produce a design that is superior to that provided by a conventional subdivision.

SEC. 1202 DEFINITIONS

- A. **Buffer Area** – An area of land left in its natural state between development and a river or stream bank, Lake shoreline or wetlands to protect water quality or an area providing natural protection from adjacent rights of way or property lines. Development is prohibited in a buffer area.
- B. **Bosque** - A mature woodland dominated by large trees forming a mostly closed forest canopy with a dense, diverse mid-story layer and a thick, diverse under-story layer. Commonly occurs in riparian areas.
- C. **Community Stewardship Organization** – A non-profit independent entity formed to institutionalize a long term conservation and community commitment in a land development, funded in perpetuity by market based mechanisms in the development process.
- D. **Conformance** - The act or state of agreeing or conforming; being so like something else so as to be virtually the same.
- E. **Cultural Resources** – Any material remains of past human life or activities which are at least fifty (50) years old and of historic or prehistoric significance, including but not limited to archaeological sites, historic sites and buildings, traditional cultural places, historic landscape features, and materials and artifacts associated with any aspect of past human life.
- F. **Land Trust** – A nonprofit organization (with IRS designation) that, as all or part of its mission, actively works to conserve land by undertaking or assisting in land or conservation easement acquisition or by its stewardship of such land or easements.



- G. **Land Use Conservation Tools**
1. **Conservation Easement** – A non-possessory interest of a holder in real property imposing limitations or affirmative obligations for conservation purposes or to preserve the historical, architectural, archaeological or cultural aspects of real property (see A.R.S. §33-271 et seq.).
 2. **Deed Restriction** – A restriction contained in a property deed generally inserted at the time of transfer which limits future uses of the property and may be enforced only by the individuals who imposed the restriction, or if pertaining to other land, by all future owners of the land, unless previously terminated by mutual written agreement of all owners.
 3. **Restrictive Covenant** – A recorded document that limits permissible uses of land. A restrictive covenant can be used for conservation purposes, including protecting the natural, scenic, or open-space value of land. Persons or entities may be designated as beneficiaries to the restrictive covenant. Beneficiaries have authority to enforce the covenant and their consent may be required to modify or terminate the covenant. A restrictive covenant "runs with the land," which means the restrictions pass with the transfer of the land and are binding on all persons or entities with an interest in the property on which the covenant is recorded, their successors and assigns.
- H. **LEED** - Leadership in Energy and Environmental Design (LEED) A green building rating system developed by the U.S. Green Building Council that encourages sustainable green building and development practices (www.usgbc.org/LEED/).
- I. **Low Impact Development (LID)** – An approach to site development that uses various land planning practices and technologies for managing storm water to help conserve and protect natural resource systems; LID also helps to reduce infrastructure costs (www.epa.gov).
- J. **Natural Resources** – Natural resources include but are not limited to surface features such as mountain peaks, prominent ridges and geological formations, riparian areas, wildlife corridors and significant plant habitats.
- K. **Open Space**
1. **Functional Open Space** – means land that includes, but is not limited to, road rights of way (excluding paved areas intended for use by motor vehicles), golf courses, parks, ball fields, play grounds, tennis courts, and equestrian centers. Functional open space also includes land that is under cultivation for food, feed or fiber crops with or without irrigation.
 2. **Natural Open Space** – means any area of land essentially unimproved and undisturbed, but which may include old farm, ranch, and mining structures, and dirt roads set aside, dedicated or reserved for public or private enjoyment as a preservation or conservation area, including fallowed land no longer under cultivation, where no further disturbance is allowed, floodway fringe areas and floodways.
- L. **Riparian area** - Vegetation, habitat, or ecosystems that are associated with bodies of water (streams, rivers or lakes) or are dependent on the existence of perennial or ephemeral surface or subsurface water drainage.
- M. **Sustainable** - Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainability pertains to a balanced interaction between a population and the environment such that the population develops to express its full



potential without adversely and irreversibly affecting the carrying capacity of the environment upon which it depends.

- N. **Target Golf Course** – A golf course with turf grass only in the greens, tee boxes, and limited areas of the fairways not to exceed 70 irrigated acres in all. New golf courses may be allowed if approved as part of a PAD and shall be subject to the Special Requirements contained in Section 1205(E).
- O. **Utility Lot** – A lot that is dedicated to common utility structures, equipment and other apparatus designed to serve the development.

SEC. 1203 GOALS AND OBJECTIVES

- A. To ensure that the PAD conforms with the County Comprehensive Plan as applicable¹.
- B. To provide for flexibility in the location and design of structures, while preserving as much of the existing natural terrain as possible.
- C. To provide for sustainable use of land by designing efficiency into land uses, structures, transportation and utility systems.
- D. To maintain the continuity of natural features and wildlife corridors.
- E. To encourage the use of innovative construction methods and high efficiency energy standards such as the Low Impact Development (LID) technologies, LEED certification, the ENERGY STAR programs and other widely-accepted standards and methodologies.
- F. To preserve natural and cultural resources.
- G. To ensure that water resources are managed, developed, protected, conserved and used in ways which are consistent with or conducive to the fundamental principles of sustainability, the SCAMA Water Management Plan as amended and the Comprehensive Plan.

SEC. 1204 GENERAL PROVISIONS

- A. The uses, densities, and intensities permitted in a PAD are the same as the underlying zoning which shall remain unless a rezoning has been granted.
- B. A PAD must be on contiguous parcels of land.
- C. Modifications in lot size, building set-backs, street widths and other approved variations to the standards and requirements of this Code that are consistent with the intent of this Article are permitted within the PAD.
- D. Combinations of residential, recreational, commercial and industrial uses may be allowed based on the existing zoning.
- E. There is no minimum parcel size.

SEC. 1205 REQUIREMENTS

- A. A minimum of 50% open space is required of which at least half shall be natural open space, except that a PAD consisting of five or fewer acres has no minimum open space requirement.

¹ Conformance with the Land Use Designation Map (Figure 2) is not applicable if no rezoning is required. Compliance with the Goals, Objectives and Policies shall be evaluated on a project-specific basis. Not all Goals, Objectives or Policies are relevant in all cases.



- B. Connectivity between elements within a PAD and with neighboring developments, parks and trails for pedestrian, bicycle and/or equestrian (where appropriate) uses is required where feasible based on topography, natural and man-made barriers and land ownership patterns.
- C. Access to and within the PAD including number and type of access points, design for emergency access and capacity requirements shall be approved in concept by all applicable public safety agencies and the County Engineer prior to the Conceptual Plan submittal.
- D. Bosques shall be protected and any alteration or removal shall be minimized.
- E. Any proposed golf course shall be a target golf course and shall be subject to the following Special Requirements:
 - 1. The course shall be designed to utilize wastewater effluent for turf irrigation if associated with a residential development;
 - 2. The course shall be designed with sustainable maintenance in mind. The design shall incorporate resource conservation strategies that are environmentally responsible, efficient and cost effective;
 - 3. The developer shall demonstrate prior to Final Plan approval that the proposed residential development will be of an appropriate size and scale and reasonable or appropriate for a given area to generate sufficient effluent or re-use water at build-out to meet the entire irrigation needs of the golf course or demonstrate that an alternative supply of effluent or other source of water will be available;
 - 4. The developer shall demonstrate prior to Final Plan approval that the proposed project meets the standards set by the Arizona Department of Water Resources for golf courses within the Santa Cruz Active Management Areas;
 - 5. The best scientific data shall be used to demonstrate that wildlife migration corridors and habitats will be functionally sustainable within one year of the completion of golf course grading activities;
 - 6. The course development shall not degrade ecological functions and values present at the site of the proposed golf course or on adjacent parcels of land;
 - 7. The location and general layout of the golf course, including the placement of associated buildings and residences, preserve significant open vistas and create deep setbacks as viewed from the public travel corridors;
 - 8. Maintenance and storage buildings shall be located on the property that have low visibility from public view corridors and adjoining residential areas, or shall be designed to look like farm or ranch buildings, or shall be effectively screened from view using native vegetation;
 - 9. The course and any associated residential development will not have an adverse impact on the existing or proposed roadway system;
 - 10. The proposed golf course is located and the layout is configured to minimize land clearing, tree cutting and grading;
 - 11. There shall be no lighting of any practice facility including the driving range and practice greens.



SEC. 1206 DENSITY CALCULATION and BONUS

A. Residential Development Density Calculation

1. To determine the maximum residential density of a PAD, the acreage of existing and/or proposed street rights of way and utility lots must first be subtracted from the gross site acreage.
2. The remainder shall be divided by the minimum lot size of the underlying zoning district per Article 9 of this Code (see Table 1). If multiple zoning districts apply, the proportionate amount of land within each zoning district (minus street rights of way and utility lots) shall be divided by the minimum lot size of the applicable zoning district. The allowable residential density shall be this whole number.

Zoning District	Minimum Lot Size
GR-40	36 acres
GR	180,000 square feet
SR	72,000 square feet
R-1	36,000 square feet
R-2	18,000 square feet
R-3	10,000 square feet
R-4	7,500 Square feet
R-5	6,000 square feet
MF	5,000 square feet for single family detached 4,000 square feet for attached
MH	5,000 square feet
MFR	6,000 square feet
Table 1:	Minimum Lot Size by Zoning District

B. Residential Development Bonus

1. A ten percent (10%) density bonus shall be allotted for residential PADs which meet the requirements of Section 1205, except that this density bonus shall not be available for a PAD that includes a golf course.
2. An additional bonus of up to ten percent (10%) shall be allotted for residential PADs whose developers commit to building all homes and community buildings to meet the LEED for Homes or LEED for New Construction Silver certification, or industry-accepted equivalent, or above. For this bonus, the applicant must prove that there is the capacity and project control required to meet this commitment and achieve certification. Notice of the LEED-building requirement shall be noted on the face of any Final Plat associated with the PAD and shall appear in any Subdivision Public Report issued by the Arizona Department of Real Estate. This density bonus is available for PADs that include a golf course.
3. Density bonuses shall be calculated to the nearest whole number with 0.6 and above to be rounded up.



- C. Non-Residential Development – There is no bonus for non-residential development within a PAD. Non-residential development shall meet all of the requirements of Article 15 of this Code as may be modified by an approved PAD.

SEC. 1207 OWNERSHIP AND MANAGEMENT OF OPEN SPACE

- A. Natural Open Space shall be rezoned to Preservation and shall be managed and maintained utilizing one or more of the following methods:
 - 1. Placement of a conservation easement held by a nonprofit land trust or other conservation organization.
 - 2. Management by an independent, nonprofit community stewardship organization.
 - 3. Placement of deed restrictions or restrictive covenants by the developer or homeowners association.
- B. Functional Open Space excluding public rights-of-way shall be owned and managed by a homeowners association or similar private entity.
- C. The County shall not be made responsible for the management or maintenance of any natural or functional open space without its express consent.

SEC. 1208 PROCEDURES FOR REVIEW AND APPROVAL

- A. CONCEPTUAL PLAN
 - 1. Required Steps
 - a) Staff level meeting with representatives from:
 - 1) Building Department;
 - 2) Community Development Department;
 - 3) Flood Control District;
 - 4) Health Department; and
 - 5) Public Works Department.
 - b) Commission study session.
 - c) Separate Commission field trip study session, if requested.
 - 2. Submittal Requirements
 - a) Conceptual Site Plan depicting:
 - 1) Development Areas by type (i.e., residential, commercial etc.)
 - 2) Open Space Areas - Functional and Natural with acreage and percentages. Specifically identify proposed buffer areas as defined herein.
 - 3) Roadways.
 - 4) Zoning District Boundaries.
 - 5) Identification of existing bosque areas.
 - 6) General utility interconnection locations.
 - b) Plan Narrative in the following format:
 - 1) Introduction – Maximum of two paragraphs describing the project including location, acreage, number of units, access location(s).



- 2) Purpose and Need – Maximum of three paragraphs describing the need for the project and how it will benefit the community.
- 3) Impacts – Maximum of six paragraphs addressing the following:
 - a. Water and wastewater infrastructure plans – source(s) of water, types of treatment and disposal.
 - b. Transportation infrastructure plans and traffic impacts locally and in a regional context.
 - c. Zoning changes, if required.
 - d. Impact on schools.
 - e. Open space impacts including management plans.
 - f. Stormwater drainage management.
- 4) Density and Bonus Calculation – Maximum one paragraph with a diagram showing lot layout with rights-of-way and utility lots and respective areas for each. Applicant must fully demonstrate compliance with the methodology for density and bonus calculations as per Section 1206.
- 5) Open Space Ownership and Management Plan – Maximum one paragraph describing how open space will be set-aside and managed.
- 6) Comprehensive Plan – Discuss consistencies between the Comprehensive Plan goals and the proposed project highlighting those goals related to the Character Area in which the project is situated.
- 7) Sustainability – Maximum of two paragraphs discussing those elements of the PAD that utilize sustainable practices and technologies.
- 8) Public Participation Plan – Maximum of two paragraphs describing a public participation plan for the project. The plan shall include steps to involve the general public, community and civic groups, homeowners associations, agencies, organizations and government entities.
- 9) Appendices – legal description; title report; waiver form; proposed road sections by functional classification.

B. INTERMEDIATE PLAN

1. General Provisions
 - a) Applicant shall utilize the input from the Conceptual Plan phase in preparing the Intermediate Plan submittal.
 - b) If rezoning is requested, it shall be processed in advance of or concurrent with the Intermediate Plan. The rezoning request shall be noticed in compliance with State law.
2. Required Steps and Notice Requirements
 - a) Public Hearing before the Commission – At least fifteen (15) days prior to the public hearing on the Intermediate Plan, adjacent property owners within 300 feet of the proposed PAD shall be notified of the hearing by first class mail. If rezoning is also requested, that statutory notice may be included with this mailing. Notice of the hearing shall also appear in the official County newspaper at least fifteen (15) days prior to the date of the hearing.
 - b) The Commission shall make a recommendation to the Board of Supervisors after the noticed public hearing. If a rezoning is also being



considered, the Commission will also make a recommendation on the rezoning case to the Board of Supervisors.

- c) Public Hearing before the Board of Supervisors – The Board of Supervisors shall hold a public hearing prior to a final decision. That hearing is subject to the same notice requirements for the Commission hearing. A rezoning request associated with the PAD shall be considered by the Board as required by State law and this Code.

3. Submittal Requirements

- a) Application form and fees.
- b) Planning Narrative (ref. Section 1208(A)(2)(b) without limitation on number of paragraphs) as revised based on input received during the Conceptual Plan process. Public participation section shall document the developer’s public input process, i.e. number of public meetings held, number of attendees, substantive concerns raised by the public and substantiation of ways the developer has addressed those concerns.
- c) Statement of the zoning changes, if any, required to support the uses in the proposed PAD.
- d) Site map(s) of the development, at an appropriate scale, showing the following:
 - 1) Title of the proposed PAD.
 - 2) Scale, north arrow, and date of preparation.
 - 3) Total number, type and density per type of dwelling units per development area.
 - 4) Open space areas, classified as natural or functional, with acreage and percentages shown.
 - 5) Commercial development areas including:
 - a. Approximate square footage of building coverage and percentage of lot covered by same.
 - b. Approximate square footage of driveway and parking and percentage covered by same.
 - 6) Topographic contours for whole development at a minimum of two foot intervals.
 - 7) Watercourses, drainage ways and water bodies.
 - 8) Floodplain limits and floodway limits.
 - 9) Unique natural features.
 - 10) Location of all existing improvements.
 - 11) Approximate location of all public and private non-residential uses, including public parks, recreation areas, school sites etc.
 - 12) Location of existing and proposed vehicular circulation system of arterial, collector, local streets, and common access ways.
 - 13) Location of existing and proposed pedestrian circulation systems, including their connectivity with the vehicular circulation system.
 - 14) Location of ingress and egress points.



- 15) Proposed treatment of the PAD perimeter including materials and techniques used, such as screens, fences, walls and other landscaping.
 - 16) Area extending 500 hundred feet beyond the PAD boundary including all public rights of way, zoning and land uses.
 - 17) Vicinity map of the area surrounding the site within a one mile radius showing zoning, governmental boundaries, transportation facilities, public facilities, open space and wildlife corridors.
- e) Drainage Statement including the following:
- 1) Existing floodplain mapping affecting the proposed development.
 - 2) Indication of the extent of proposed changes to existing floodplains and floodplain mapping on the subject property.
 - 3) Site plan(s) and calculations, and supporting documentation, showing the drainage area(s) and estimated run-off of the area being served by any drainage facility within the proposed development.
 - 4) Indication of the undeveloped peak discharge of surface water currently entering and leaving the subject property due to the 100 year event, adjusted to the subject drainage basin.
 - 5) Indication of developed peak discharge of run-off which will be granted due to the design storm within the subject property.
 - 6) Low Impact Development (LID) practices to be utilized.
- f) Preliminary Traffic Analysis including the following:
- 1) Trip generation projections, roadway typical sections, and functional classification of new roads
 - 2) Functional classification, current Level of Service and projected Level of Service for impacted off-site roads and intersections.
 - 3) Proposed improvements to mitigate impacts to on-site and off-site roadway system.
- g) Resource Statement including the following:
- 1) Cultural resource records check.
 - 2) Environmental resource report to include the following:
 - a. Brief project description.
 - b. Surface water resource description.
 - c. Ground water resource description.
 - d. Soil conditions.
 - e. Plant and animal resources including wildlife corridor identification, riparian resource maps, if applicable, and a written statement from the regional office of the Arizona Game and Fish Department regarding any impacts to fish and wildlife.
 - f. Plan for protection of bosque areas that are not included as part of open space.
- h) Open Space Management Plan.



C. FINAL PLAN

1. General Provisions

- a) Applicant shall utilize input from the Intermediate Plan phase to prepare the Final Plan submittal.
- b) Any conditions placed on the Intermediate Plan shall be met, to the extent possible, prior to submittal of the Final Plan.
- c) The Final Plan shall be in conformance with the Intermediate Plan approved by the Board of Supervisors.

2. Required Steps and Notice Requirements – The public hearing and notice requirements for the Final Plan shall be the same as for the Intermediate Plan.

3. Submittal Requirements

- a) Application form and fees.
- b) All requirements of the Intermediate Plan revised in accordance with the input from and conditions, as appropriate, of the Intermediate Plan process and approval.

SEC. 1209 ADDITIONAL PROVISIONS

- A. Approval of the Final Plan by the Board of Supervisors provides the applicant with the ability to submit tentative and final plat or development plan documents consistent with Article 15 of this Code and as modified by the approved Final Plan.
- B. The Final Plan shall be recorded in the office of the County Recorder.
- C. Unless otherwise specified, the Final Plan shall remain in effect for a period of five years or until any portion of the project has received final plat or development plan approval at which time the Final Plan shall be fully vested. This period may be extended for an additional five years by the Board of Supervisors upon submittal of a letter of request and payment of any fees established by the Board for this purpose.
- D. Final Plan revisions or amendments that do not result in a change in the general use or character of the approved Final Plan shall be processed in accordance with the initial Final Plan submittal.



ARTICLE 15 – SUBDIVISION REGULATIONS

---1501--- SCOPE AND PURPOSE

---1502--- DEFINITIONS

---1503--- STREET CLASSIFICATION

---1504--- GENERAL REGULATIONS FOR SUBDIVISIONS

---1505--- FILING OF DEVELOPMENT PLANS

---1506--- REVERSION TO ACREAGE

---1507--- LAND DIVISIONS

SECTION 1501 - SCOPE AND PURPOSE

In order to preserve, protect and promote the public health, safety, convenience, peace, comfort and general welfare it is hereby adopted and established, as provided herein, the Subdivision and Development Ordinance for Santa Cruz County, Arizona, as amended, as provided for by A.R.S. §11-806.1. More specifically, these regulations are adopted to achieve the following objectives:

- A. To implement the Santa Cruz County Comprehensive Plan and Zoning Ordinance.
- B. To provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used.
- C. To provide streets of adequate capacity for the anticipated traffic that would utilize them and to ensure that they are designed to promote a safe traffic circulation system.
- D. To accommodate new development in a manner which will preserve and enhance the County's environment and create innovation through skilled subdivision designs.
- E. To provide for water supply, sewage disposal, storm drainage and other utilities and facilities which are required by conditions of an urban environment.
- F. To ensure that the costs of providing rights-of-way, street improvements, utilities and public areas and facilities needed to serve new developments are borne fairly and equitably by the subdivider rather than by property owners of the County at large.
- G. To protect and enhance real property values.
- H. To coordinate subdivision policies and regulations with those of the municipalities in order to facilitate transition from county to municipal jurisdiction on land which is first developed in unincorporated territory and is subsequently annexed, and to ensure unimpeded development of such new urban expansion that is logical, desirable and in accordance with goals, objectives and policies of the County Comprehensive Plan.



- I. To facilitate the transfer of lands having accurate legal descriptions and to establish and ensure the rights, duties and responsibilities of subdividers and developers with respect to land development.

Section 1501.1 - Short Title

These regulations shall be known as the Santa Cruz County Subdivision and Development Ordinance.

Section 1501.2- Authority and Applicability

These regulations shall be governed by Arizona State Laws governing the division and platting of land pursuant thereto. The Santa Cruz County Subdivision and Development Ordinance is a necessary and integral set of procedures and requirements developed in conjunction with the Zoning Ordinance, and necessary for the implementation of the County Comprehensive Plan. These three instruments of County policy constitute the regulations necessary to implement the intent and meaning of A.R.S. §11-821: County Plan.

These standards are set forth for the purpose of establishing guidelines for the design and development of subdivisions and development in the most appropriate, orderly and harmonious manner for the overall benefit of the people of Santa Cruz County. They are adopted to protect and provide for the public health, safety and general welfare of the County as well as to guide the future growth and development of the County.

These regulations shall govern the development of land in Santa Cruz County outside the corporate limits of any city or town. All subdivisions, development plans and parcel divisions shall be processed according to these regulations.

This subsection shall not apply to:

- A. Division of land located in Santa Cruz County into lots or parcels all of which are thirty six (36) acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel.
- B. Leasing of agricultural lands, or of apartments, offices, hotels, motels, or similar space within an apartment building or commercial building.
- C. Subdivision into or development into parcels, plots or fractional portions within the original boundaries of a cemetery which has been formed and approved pursuant to these regulations, if such subdivision or development is not inconsistent with the original notice filed pursuant to A.R.S. §32-2181, and the original report prepared pursuant to A.R.S. §32-2183.

SECTION 1502 DEFINITIONS

For the purpose of this section certain words and phrases shall have meaning as defined herein.



- A. Access, All Weather: Maximum of six (6) inches flow over roadway during a one hour 100-year storm event.
- B. Acre: A land area of 43,560 sq. ft.
- C. Amendment: A change in the wording, context, or substance of Tentative and Final plats filed with the County Planning and Zoning Commission.
- D. Approval, conditional: An affirmative action by the Planning & Zoning Commission or the Board of Supervisors indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.
- E. Approval, final: Unconditional or conditional approval of the Final Plat by the Board as evidenced by certification on the plat by the Clerk of the Board, and constitutes authorization to record a plat.
- F. Assurances: A commitment in the form prescribed by these regulations guaranteeing the construction and installation of all approved subdivision improvements.
- G. Board: Santa Cruz County Board of Supervisors.
- H. Certification: A formal written statement intended as an authentication of the fact asserted and set forth under seal of notary or registered professional.
- I. Commission: The Santa Cruz County Planning and Zoning Commission.
- J. County Plan: A comprehensive plan for development of the County prepared and recommended by the Planning and Zoning Commission and adopted by the Board of Supervisors, and any amendment thereof.
- K. Department: Department shall mean the Santa Cruz County Community Development Department.
- L. Developer: A subdivider or a person who undertakes a development that is subject to these regulations.
- M. Development Plan: A drawing of a project site that provides detailed information showing how a proposed project will be developed in compliance with County regulations.
- N. Director: The Santa Cruz County Community Development Director or designee.
- O. Double Frontage Lot: A lot other than a corner lot with frontage on more than one street other than an alley.
- P. Engineer of record: a professional engineer, registered in the State of Arizona and employed by the owner or developer to design and certify engineering drawings, etc.



- Q. Final Plat: The map of record of all or part of a subdivision conforming substantially to an approved Preliminary Plat and prepared in accordance with these regulations depicting the actual legal boundaries of the subdivided lands.
- R. Hillside subdivision means any subdivision or that portion of a subdivision located in terrain having a general cross-slope exceeding fifteen percent.
- S. Improvement plans: The map or drawing showing the specific location and design of all on and off-site improvements to be installed in accordance with these regulations. Improvements as related to subdivisions and developments may include:
1. Paved legal access to each individual lot, in conformance with Santa Cruz County Road Improvement Standards;
 2. Electric service to the lot line of each individual lot;
 3. Water service to the lot line of each individual lot;
 4. Sewer service to the lot line of each individual lot, unless the subdivision is declared and approved for individual lot septic and/or private sewer systems;
 5. Lighting: Lighting for subdivision streets if required;
 6. Drainage and flood control facilities depicted on the approved subdivision improvement plans and/or as required by ordinance or law; and
 7. Any other construction, structure specified on the plat or the improvement plans deemed necessary for the developability of the lots.
- T. Lot - A unit of land that is created by a subdivision or partition of land.
- U. Lot, corner: A lot other than a double frontage lot that is located at the intersection of two or more streets with an interior angle of less than one hundred thirty-five (135°) degrees.
- V. Lot, flag: A lot which takes access on a street, and has the main body of the lot away from the street, and which has less than 100 feet of street frontage, and of which the base of the flag is primarily for access purposes.
- W. Lot, reversed frontage - A lot on which the frontage is at right angles or approximate right angles (interior angle less than 135 degrees) to the general street pattern in the area. A reversed frontage lot may also be a corner lot, an interior lot or a double frontage lot.
- X. Rural: Any area of sparse development outside an incorporated municipality, city, or town.
- Y. Subdivider. Any person who offers for sale or lease six or more lots, parcels or fractional interests in a subdivision or who causes land to be subdivided into a subdivision, or who undertakes to develop a subdivision.
- Z. "Subdivision" or "subdivided lands" means improved or unimproved land or lands divided or



proposed to be divided for the purpose of sale or lease, whether immediate or future, into six or more lots, parcels or fractional interests. Subdivision or subdivided lands include a stock cooperative and include lands divided or proposed to be divided as part of a common promotional plan. This paragraph shall not apply to leasehold offerings of one year or less or to the division or proposed division of land located in the state of Arizona into lots or parcels each of which is, or will be, thirty-six acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel and provided further that this definition shall not be deemed to include the leasing of agricultural lands, or of apartments, offices, stores, hotels, motels, pads or similar space within an apartment building, industrial building, rental recreational vehicle community, rental manufactured home community, rental mobile home park or commercial building, except that residential condominiums as defined in Arizona Revised Statutes title 33, chapter 9 shall be included in this definition, nor shall this definition include the subdivision into or development of parcels, plots or fractional portions within the boundaries of a cemetery that has been formed and approved pursuant to State law.

AA. Tentative Plat: A subdivision map prepared in accordance with these regulations and subsequently presented to the Planning Commission for approval.

BB. Urban: Any area with developed infrastructure, inside or outside an incorporated city or town.

SECTION 1503 STREET CLASSIFICATION

Streets classification: The classifications listed here correspond to those detailed in the Santa Cruz County Roadway Design Manual:

A. Rural System:

1. Principal Arterial Road: four (4) thru lanes, 2-way divided roadway ADT range 10,000-40,000, minimum right of way 130'
2. Minor Arterial Road: four (4) thru lanes, 2-way ADT range 6,000-36,000, minimum right of way 110'
3. Major Collector Road: two (2) thru lanes, 2-way ADT range 1,000-8,000, minimum right of way 80'
4. Minor Collector Road: two (2) thru lanes, 2-way ADT range 800-6,000, minimum right of way 60'
5. Local Road (Residential): two (2) thru lanes, 2-way ADT range 50-1,000, minimum right of way 50'

B. Urban System:

1. Principal Arterial Road: six (6) thru lanes, 2-way divided roadway ADT range 18,000-45,000, minimum right of way 130'
2. Minor Arterial Road: four (4) thru lanes, 2-way ADT range 6,000-22,000, minimum right of way 110'
3. Major Collector Road: two (2) thru lanes, 2-way ADT range 600-7,000, minimum right of way 80'
4. Minor Collector Road: two (2) thru lanes, 2-way ADT range 500-5,000, minimum right of way 60'
5. Local Road (Residential): two (2) thru lanes, 2-way ADT range 50-700, minimum right of way 50'
6. Frontage Road: a road generally parallel to and adjoining arterial streets that have controlled



access

7. Cul-de-sac: a road with only one outlet and a turnaround at one end with 50' radius right of way, no more than 660 feet in length and serving 20 or less lots
8. Parkways: may be any of the above roads intensively landscaped or in a park-like area
9. Alley: a secondary point of access to property and which serves primarily as access for utilities and sanitary services

SECTION 1504 - GENERAL REGULATIONS FOR SUBDIVISIONS

These subdivision regulations shall apply and govern the subdivision of all land within the area of jurisdiction. The provisions herein shall be held to be minimum requirements. All proposed subdivisions shall be designed to meet the requirements for the zoning district within which it is located.

Section 1504.1 Approval Process for a Subdivision:

- A. Until a Tentative Plat and a Final Plat of a subdivision have been approved in accordance with this chapter no person proposing a subdivision within Santa Cruz County outside a city or town shall subdivide or file a record of survey, map or plat for recording; or sell any part of said subdivision.
- B. A preliminary informational meeting is required with the developer and the Director. The developer shall complete An Intent to Subdivide Form in order to begin the process and before the application will be processed. The intent to subdivide form shall be completed in its entirety to include:
 1. Date of submittal
 2. The name and address of each person or entity having an interest in the proposed subdivision.
 3. The legal description and general location of the proposed subdivision.
 4. The legal name of the proposed subdivision.
 5. A statement of the total acres and the number of proposed lots.
 6. A statement of whether any portion of the proposed subdivision has ever been subdivided and, if so, any recording information.
 7. A statement of the present condition of public access, availability of water, public sewer, and all utilities.
 8. The estimated dates of start and completion.
 9. A statement of the present zoning and whether it is to be changed.
 10. A statement that the proposed subdivision will meet the minimum design standards of these regulations.
 11. A preliminary statement on the effects the development will have on mapped floodplains and whether a Conditional Letter of Map Revision (CLOMR) will be required as per Section 5.5.B.2 and 3 of the Santa Cruz County Floodplain and Erosion Hazard Management Ordinance No. 2001-03 (hereinafter referred to as the FEHM Ordinance) as may be subsequently amended. NOTE: FEMA approval of a CLOMR, if required, must be submitted to the Santa Cruz County Flood Control District prior to approval of the Final Plat.
 12. If the developer is also the builder, a supplemental form addressing Green Building considerations.



- C. If the Director deems the proposed subdivision can proceed, a Case number for tracking purposes will be assigned. The developer will be advised to proceed with preparing the Tentative Plat and related materials.
- D. Tentative Plat. The Tentative Plat submittals shall be reviewed by the County as described in Section 1504.2. When all submittals are in compliance with these regulations and all other applicable codes and regulations, a public hearing will be scheduled before the Planning Commission. Notice of such public hearing will be by publication in the official County newspaper.

The developer or his representative shall attend this hearing. After the public hearing, and if the Tentative Plat meets the minimum requirements, the Commission shall approve it. The Commission may attach conditions to its approval. The Commission may not reject a Tentative Plat that meets all applicable requirements. Upon approval by the Planning Commission and notification by the Community Development Director, the developer may proceed with preparing Improvement Plans and the Final Plat.

- E. Determination of Exactions. Based on the conditions of Tentative Plat approval and the staff findings on off-site impacts, the developer will be informed of any off-site improvements that will be required by the County. Upon final negotiation of off-site improvements, the developer will proceed with preparing construction plans for said improvements.
- F. Final Plat. The Final Plat submittals to include all final reports, improvement plans, assurance agreements and Final Plat map shall be reviewed by the SDRC. When all submittals are in compliance with these regulations and all other applicable federal, state and local codes and regulations, a public hearing will be scheduled before the Board of Supervisors. Notice of such public hearing will be by publication in the official County newspaper.

The developer or his representative shall attend this hearing. After the public hearing, and if the Final Plat is substantially consistent with the approved Tentative Plat, the Board shall approve it and any other agreements. The Board may attach conditions to its approval, but may not reject a Final Plat that meets all applicable requirements.

Section 1504.2 Subdivision/Development Review Committee

The Subdivision Development Review Committee (SDRC) is hereby formed and shall consist of the following members or their designated representative:

- ✓ Director of Community Development Department (Chairman)
- ✓ Director of Public Works Department
- ✓ Director of Health Department
- ✓ County Engineer
- ✓ Deputy County Attorney
- ✓ Chief Building Official



- ✓ Floodplain Administrator
- ✓ District Fire Chief

It shall be the duty of the SDRC to examine all plat maps and supporting technical data for their compliance with these regulations and other applicable ordinances and regulations and to make their report through the Chairman of the Subdivision Development Review Committee. The TAC/SDRC may as appropriate and from time to time request input from other services and agencies such as, but not limited to, Public Safety Officials, other Fire Safety Officials, the Arizona Department of Transportation, School Superintendents, water system operators/owners, solid waste management providers and wastewater system providers.

Section 1504.3 Tentative Plat Requirements

- A. The Tentative Plat shall show the boundary lines of the subject parcel with a complete legal description. The parcel shall be located by at least two ties by bearing and dimension to section or quarter section corners. It shall be prepared at a scale compatible with the parcel size, which will clearly show all necessary details, preferably to 1"= 40' and presented in a 24"x 36" format for final approval.
- B. Lot lines and streets shall be located with approximate dimensions. Existing easements shall be noted with recording and purposes information. Adjacent property use or conditions such as adjoining subdivisions, all existing roads or streets and their names, new easements for utilities, types of utilities, proposed street names shall appear on the Tentative Plat. Using the anticipated growth in the County as determined by the Southeast Arizona Governments Organization (SEAGO) and the Arizona Department of Economic Security Population Technical Advisory Committee (POPTAC), the Engineer will make the determination of the classification of roads in the proposed subdivision.
- C. If the project is going to be phased through a series of two or more Final Plats, the Tentative Plat shall clearly show phase lines and indicate the succession of the phases and how each phase can stand alone should subsequent phases fail to be developed.
- D. Corner lots are required to have two front yard setbacks, one on each street frontage. Other property line setbacks on such lots shall be equivalent to the side yard setback required for the Zoning District.
- E. Topographic contours shall be shown on the Tentative Plat using the same scale. Other items that shall appear on the plat are:
 - 1. Name of the subdivision
 - 2. Ownership of parcel
 - 3. Name of subdivider or developer
 - 4. Name of civil engineer or land surveyor (may require both if design is involved)
 - 5. Key map showing location of parcel
 - 6. Date of plat
 - 7. Scale and north arrow
 - 8. Reserved sites, if any and for what purpose
 - 9. Zoning declaration



10. Area to be subdivided
11. Floodplain boundaries and erosion hazard setback lines, per Section 5.5.C. of the FEHM Ordinance, for all channels with a Q100 of 50 cubic feet per second (cfs) or greater.
12. Water surface elevations, direction of flow and drainage area, per Section 5.5.C. of the FEHM Ordinance.
13. Typical street improvement cross-sections.

F. The submittal of the Tentative Plat shall include:

1. Two copies of a preliminary title report, current within 60 days, with copies of all referenced documents.
2. A copy of BOS meeting minutes if part of a rezoning action
3. A preliminary copy of deed restrictions if applicable.
4. Two copies of the Hydrology & Hydraulics Report
5. Two copies of the Soils Report (subject to need as determined by County Engineer)
6. Two copies of either a Traffic Impact Statement or Traffic Analysis Report as directed by the Department.
7. Eight 24" by 36" copies of the Plat.

G. The Chairman of the SDRC will distribute the Tentative Plat to the appropriate review agencies. Comments with redlines will be returned to the developer. If requested a conference can be scheduled to discuss the comments. When approved by the SDRC, a letter of approval will be issued to the developer. The developer will then submit fifteen 11" by 17" copies of the revised Tentative Plat for transmittal to the Planning Commission.

H. If the project is located within 3 miles of the limits of any city or town, comments may be received from that governmental agency.

I. After approval of the Tentative Plat and related submittals, the developer shall submit three (3) hard copies of the approved Hydrology & Hydraulics Report to the Flood Control District and a copy of the report in an electronic format as determined by the Flood Control District.

J. After approval of the Tentative Plat and if there are further revisions, the developer shall submit two 24" by 36" copies of the Plat and a copy of the Plat in an electronic format as determined by the Department.

K. Tentative Plat approval is valid for twenty-four months. If no Final Plat is submitted at the end of the twenty-four month period, the Tentative Plat approval shall expire by operation of this regulation. If an extension is required, a letter of request must be submitted to the Department prior to the expiration of the plan.

Section 1504.4 Final Plat Requirements

Section 1504.4.1 – Final Plat General Requirements



- A. The Final Plat shall substantially conform to the approved Tentative Plat. The engineer must inform the Community Development Director of any items on the Final Plat which differ from the Tentative Plat. The plat shall be presented on a right reading 4 mil double matte mylar for recording. The sheet size shall be 24" x 36" with 1/2" margins and a 2" left margin.
- B. A. A 100-year assured water supply is required for subdivisions in the Santa Cruz Active Management Area (SCAMA). A "written commitment of service" letter from a water company designated as having an assured water supply by the Arizona Department of Water Resources (ADWR) will suffice, providing the letter states the subdivision lies within the boundaries of their assured water supply designation service area. Otherwise, a certificate of assured water supply must be obtained from ADWR. For subdivisions outside of the SCAMA, a water adequacy report issued by ADWR will be required prior to plat approval.
- C. When required per Section 5.5.B.2 and 3 of the FEHM Ordinance, the developer or project engineer shall provide proof that FEMA has approved the CLOMR.
- D. Provide a legend on the title sheet that describes all symbols used.
- E. Provide "*Reception Number* _____," at the upper and lower right corner of each sheet. No other information should appear outside the border lines.
- F. Note number of sheets, "Sheet _____ of _____".
- G. The plat shall be drawn to a scale that adequately shows all details. The scale shall not exceed 1: 100, but 1:40 scale is preferred.
- H. The County Case number shall appear at the bottom right corner near the title block of each sheet.
- I. Provide a location map at the upper right corner of the plat which includes:
 - 1. The subject property centered and identified within a square mile area.
 - 2. The adjacent conditions, subdivisions, and unsubdivided lands.
 - 3. Major streets, National Forests, railroads, etc.
 - 4. The Section, Township and Range of the plat, label the Section corners.
 - 5. A north arrow oriented to top of sheet, and a scale of 3" = 1 mile.
 - 6. The City or Town or jurisdictional limits where applicable.
- J. Identify and label buildable areas on all lots. Identify limits of surface disturbance if applicable.
- K. When two or more sheets are used, a composite detail on the cover sheet depicting the sub area shown on each sheet must be included.
- L. Provide the area of each lot, tract and common area in square feet.



- M. The subdivision boundary, lot lines, common areas, and rights of way shall be drawn with a solid line. Easement lines and existing lot lines (if a resubdivision) shall be drawn with a dashed line. The exterior subdivision boundary shall be the boldest (heaviest) line.
- N. Ghost in the name, book, page and lot lines of adjacent subdivisions.
- O. The plat and all lettering shall be oriented to the top or to the right of each sheet and shall include a north arrow over the scale of the plat on each sheet.
- P. Show and label all existing rights of way, easements and alleys with dimensions, bearings, purpose and recording information. All new easements shall also have dimensions, bearings and purpose and shall be labeled public, private, or specify ownership.
- Q. Provide the name and width of each street or right of way, and indicate public or private ownership.
- R. The 100-year floodplain boundary and erosion hazard setback limits shall be shown in dashed and in a surveyable manner. Water surface elevations of the 100-year flood shall be shown on the plat, and shall be referenced to benchmarks placed within the subdivision, with a minimum of one benchmark and additional benchmarks as necessary. All discharges, drainage areas, directions of flow for off-site drainage entering the project, and for areas where discharge changes occur, shall be shown on the plat.
- S. Show and label all drainage easements and drainageways with appropriate dimensions and bearings, width, purpose and recording information.
- T. Furnish an engineer's certified estimate of costs of all on- and off-site improvements.
- U. Digital Submission of Final Plat
 - 1. In addition to the hard copy Final Plat submitted for recordation, applicants are required to submit a digital copy of the subdivision plat.
 - 2. In addition to the hard copy submission requirements, the following are required:
 - a) Digital files should be submitted in AutoCAD or other approved computer aided drafting (CAD) software format with a digital survey plan submission form.
 - b) The digital files should be named according to naming conventions as may be adopted by the County.
 - c) There shall be an indication of whether the submission is tied to control and to which control.
 - d) If projected, the projection parameters should be provided with the file.

Section 1504.4.2 – Specific Approvals, Dedications, and Certification Requirements

- A. All signatures shall be original and in black ink.



B. The dedication shall show names and addresses of beneficiaries, not trust numbers.

C. All dedications must contain the following:

1. ***(I, We), the undersigned, hereby warrant that (I am, We are) all and the only (party, parties) having any title interest in the land shown on the plat, and (I, We) consent to the subdivision of said land in the manner shown hereon.***
2. ***(I, We), the undersigned do hereby hold harmless Santa Cruz County and Santa Cruz County Flood Control District, its successors, assigns, their employees, officers, and agents from any and all claims for damages related to the use of the property depicted on this plat now and in the future by reasons of flooding, flowage, erosion or damage caused by water, whether surface, flood or rainfall.***
3. If applicable, the dedication should state as follows:

(I, We) hereby dedicate and convey to Santa Cruz County all rights of way as shown here on, including all streets, roads, parks, detention basins, easements, alleys and drainageways. (I, We) do hereby convey to Santa Cruz County Flood Control District all drainageways, natural channels detention basins and drainage facilities as shown here on for the purpose of maintenance and flood control. – and -

(I, We) hereby convey to Santa Cruz County and all utility companies all easements as shown hereon for the purpose of access for installation and maintenance of (sewers) and utilities and other uses as designated by this plat.

D. The following clause, modified as appropriate, must be added in subdivisions with private streets:

1. ***(Private streets), (roads), (drainageways) and common areas, as shown here on are reserved for the private use and convenience of all owners of property within this subdivision and are granted as easements to Santa Cruz County and all utility companies for the installation and maintenance of utilities and sewers.***
2. ***Title to the land of all (private streets), (roads), (drainageways), and (common areas) shall be vested in an association of individual lot owners as established by Covenants, Conditions, & Restrictions recorded in Reception Number _____ in the Santa Cruz County Recorder's office. This association will accept the responsibility for control, maintenance, ad valorem taxes, and liability for the (private streets), (roads), (drainageways), (private sewers) and (common areas) within the subdivision.***

E. The party or parties shown as having vested title per current title report must sign the dedication block. That signature must be notarized.

F. In accordance with ARS §45-576, one of the following notes shall be on the plat:
For lands inside the Santa Cruz Active Management Area:



1. ***A certificate of assured water supply (# _____) for this subdivision has been issued by the Director of the Arizona Department of Water Resources.***

-OR-

This subdivision shall be served by the (name of water company) which is the assured water supply designee for this area. This designation was issued to the (name of water provider) by the Arizona Department of Water Resources on _____.

For lands outside the Santa Cruz Active Management Area:

The Arizona Department of Water Resources has issued Water Adequacy report # _____ which finds the water supply for this subdivision to be (adequate) (inadequate).

-OR-

This subdivision will be served by the (name of water company) which is the adequate water supply designee for this area. This designation was issued to the (name of water provider) by the Arizona Department of Water Resources on _____.

- G. A Certification of survey with seal, signature, printed name and registration number of a Registered Land Surveyor in the following form:

"I hereby certify that this plat represents a survey made by me or under my supervision and that all boundary monuments indicated hereon actually exist, and their location, size and material are correctly shown."

Seal & Signature

Surveyor

R.L.S. Number

- H. An imprint of the seal shall appear on each original sheet of the Final Plat.
- I. A registered Civil Engineer must seal the plat if a regulatory floodplain or erosion hazard setback is delineated on the plat.
- J. All final plats shall include the following information on the cover sheet:

(a) APPROVALS

I, _____, Clerk of the Board of Supervisors, hereby certify that this plat was approved by the Board of Supervisors of Santa Cruz County, Arizona, on this the _____ day of _____, 20____.



Clerk, Board of Supervisors

Date: _____

Community Development Director

Date: _____

County Engineer

Date: _____

RECORDING

State of Arizona)
County of Santa Cruz)

This instrument was filed for recording at the request of _____ on this _____ day of _____, 20____, in Reception Number _____, thereof at Santa Cruz County., Arizona.

K. The following Assurance Blocks shall appear on the Final Plat:

Assurance in the form of a Third Party Trust Agreement, Trust No. _____ from _____ recorded in Reception Number _____ has been provided to guarantee improvements in this subdivision.

By: _____ **Date:** _____
Chairman, Board of Supervisors, Santa Cruz County, Arizona

L. Required Notes and Information

1. **The gross area of this subdivision is _____ acres.**
2. **Existing zoning is _____ and will remain.** If more than one zone is involved, provide the number of acres within each zone, and identify the lots within each zone.
3. **The basis of bearing for this subdivision is _____.**
4. **Total miles of new public streets are _____.**
OR
Total miles of new private streets are _____. (Provide mileage to the nearest tenth.)
5. **Any relocation or modification of existing utilities and/or public improvements required by this development will be at no expense to the public.**
6. **Materials within sight visibility triangles shall be placed so as not to interfere with a visibility plane described by two horizontal lines located 30 inches and 72 inches above finished grade of the roadway surface.**
7. When offsite improvements are being constructed in conjunction with the project, and when this statement is not in conflict with the provisions of the Land Development Agreement, add the following note:

Final Assurances are not to be released until improvements to _____ have been



completed and accepted by Santa Cruz County Department of Public Works and Flood Control District.

8. Provide a note stating the number of square feet (or acres) of parks, recreation areas, drainageways, open space and all other proposed non-residential uses.
9. ***The total number of lots is _____.***
10. ***Minimum lot size is _____.***
11. ***No further subdividing, lot splitting, lot line adjustments or other changes to this plat shall be permitted without the approval of the Board of Supervisors.***
12. ***Approval of this plat does not certify the existence or compliance with any private deed restrictions.***
13. An engineer shall provide certification that all street, utility and flood control facilities installed by virtue of rezoning, subdivision or other development activities have been installed according to the accepted plans and certify as to the line, grade and substantial conformance to approved plans of all public and private roadways and drainage structures. The certification must contain the seal of a registered engineer responsible for project design or his/her successor. Final subdivision release of assurances may not be executed prior to receipt of this certification. A note must appear on the plat indicating that this certification will be provided.
14. ***The water company that will service this subdivision is _____.***
15. No lot or subdivision perimeter fencing or walls shall be constructed in such a manner as to divert, obstruct or retard the natural flow of flood waters.

M. Special/Optional Notes

1. *This plat is subject to the Board of Supervisors Rezoning Conditions found in case number __ as approved on _____ (and amended on _____)*
2. List all of the Board of Supervisors special rezoning conditions.
3. If any Board of Supervisors, Board of Adjustment or Planning Commission variance, waiver, or amendment is granted, add a note stating who approved it, what was approved, and when it was approved. Provide a copy of the minutes of the official actions with the appropriate reference numbers.
4. ***Every new structure, building, fill, excavation, or development located within the regulatory floodplain or erosion hazard area on lots _____, shall require a floodplain use permit prior to the issuance of any permits by the Building Official.***
5. ***The area within the 100-year floodprone limits represents an area that is subject to flooding from the regulatory flood event. All land within this delineated floodprone area shall be restricted to uses that are compatible with the current Floodplain and Erosion Hazard Management Ordinance.***
6. ***All drainageways, drainage easements and drainage structures shown and labeled as such upon this plat that are to be constructed in conjunction with the development of this project shall entirely contain their respective 100-year flood limits upon completion of construction.***

N. Instructions

1. Acceptable interior street names must be shown.
2. Condominium units having more than one story require a symbol that designates unit vertical levels.



Do not use circles.

3. All boundary monumentation must be labeled as "found" or "set".
4. Show the distance and bearing between all monuments used.
5. Standard Survey Monuments must be set on the street centerline at all intersections, point of curvature, point of tangency, point of reverse curvature, stub street termini, and at centers of cul-de-sacs and turnarounds.
6. Property pins or other appropriate monuments are to be set and described for all new internal property corners.
7. Where sight visibility triangles affect lots or common area outside the street right-of-way, the sight line shall be shown and dimensioned.
8. Show drainageways in heavy solid lines except at street crossings.
9. Constructed drainage facilities or areas reserved for drainage which are located within common areas must have private drainage easements provided or be classified as a separate type of common area reserved for drainage.
10. All areas subject to sheet flooding at a depth of six inches or greater, for flows of 50 cfs or greater during the 100-year event, shall be shown as floodprone and identified as subject to sheet flooding.
11. In compliance with the FEHM Ordinance, drainageways with access easements may need to be dedicated to Santa Cruz County by means other than by plat. Dedication may be by separate instrument prior to recording the plat if approved in advance by the Flood Control District.
12. Improvement plans must be approved prior to scheduling approval of the Final Plat.
13. Label common areas separately and alphabetically within the notes and list the square footage and/or acreage of each.
14. If right-of-way dedication or granting of easements is to be done by separate instruments, supply this office with each legal description and a location map. Prior to the approval of the Final Plat, all County required easements and dedications must be signed, notarized and in the possession of the County, or so dedicated by the plat.
15. It is the responsibility of the owner/developer or his representative to keep this office advised of any changes in title or interest of the subject property from time of submittal of the title report and prior to recordation of the Final Plat.
16. Delinquent property taxes must be paid in full prior to scheduling approval of the Final Plat.
17. It is the responsibility of the owner/developer or his representative to supply all information to satisfy all requirements necessary for any release or exchange of easements, roads, etc. or any abandonments brought about by the Final Plat. Those abandonments, etc. must be completed prior to or concurrent with approval of the Final Plat.
18. Show and label any required offsite public sewer easements not located within a public right-of-way.
19. Developer is responsible for all utility service provider coordination and shall ensure that the Final Plat includes all required utility easements. Improvement plans shall include all utility-related construction information.
20. In the event construction or slope easements are dedicated along the front lot lines of the proposed project, the following should be shown:
 - a) In the case of construction of slope easements on front lot lines, all transformer and pedestal easements will retain the same dimensions and configuration behind the construction or slope easements.



- b) A ten foot utility easement, five feet lying on each side of a projected center line of the pedestal and/or transformer easement shall extend across and under the construction or slope easement to the public right-of-way.
21. If there is a Homeowner's Association for the project, a copy of the portion of the CC & Rs that affect utility easements shall be submitted to the appropriate utility company.

Section 1504.5 **Minimum Subdivision Standards**

A. Lots

1. Lot dimensions shall comply with the minimum standards of the Zoning and Development Code. Lot size, width, shape and orientation shall be appropriate for the location of the subdivision, for the types of uses permitted, and for the Zoning District. Lot dimensions shall not include part of existing or proposed streets. All lots shall be buildable, except a public utility lot. Depth, width and area of utility lots shall be adequate to meet required setbacks for structures, including erosion hazard setbacks, and to furnish off-street parking facilities required by the kind of use contemplated. In no other case shall the depth, width or area be less than that prescribed for the Zoning District in which the lot is proposed. All utility lots shall be labeled as such on the Tentative and Final Plats.
2. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning and Development Code, Health Code and applicable Building Codes and in providing safe driveway access to and from such lots from an approved street.
3. Driveways for each corner subdivision lot must be clearly shown on improvement plans and the Final Plat and are subject to approval of the County Engineer. Site plans submitted to the County must show the location of the driveway as shown on the approved improvement plans and Final Plat. Driveway location and construction must be in accordance with County Standards. Driveways on corner lots must be at least twenty (20) feet from the roadway point of curvature.
4. In general, side lot lines should be at right angles to street lines (or radial to curving street lines) unless a variation from this guideline will give a better street or lot plan. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning and Development Code.
5. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.
6. Lots shall not, in general, derive access exclusively from a major collector road or greater. Where driveway access from any minor collector is necessary, the County may require that adjoining lots be served by a combined access drive in order to limit possible traffic hazard on such street.
7. Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation.
8. Flag lots are prohibited.



B. Streets and Roadways

1. No subdivision shall be recorded unless permanent public access is provided from the subdivision boundaries to a City, County, State or other publicly-maintained road. Public access means a dedication to the County or a permanent written public easement. Roads dedicated to the County for the purpose of providing access shall be approved by the County Engineer prior to recording.
2. All subdivisions shall have two separate permanent, improved all-weather points of ingress-egress to the nearest adjacent roadway with method of vehicle circulation shown.
3. All roads shall be built in accordance with County Standards.
4. Curbs and gutters shall be required in all Zoning Districts except GR (General Rural) and SR (Suburban Ranch) unless a variance is granted by the Planning Commission during the Tentative Plat process.

C. Flood Control Facilities

1. The minimum facilities for the control of flood waters crossing, flowing into, or falling upon a subdivision shall be designed on the basis of a 100 year storm of one (1), six (6) or 24 hour duration, based on watershed size.
2. The Flood Control District shall approve flood control facilities design.
3. Streets and highways shall not be used as flood channels.

D. Public Service/Utility Installations

1. Public service/utility lines, to include water, electrical, telephone and cable TV facilities, shall be located in alleys, rights-of-way, or easements provided for that purpose.
2. Easements shall be set at a width as negotiated with utility companies serving the property.
3. All utilities shall be underground. Utilities brought to the subdivision shall be underground unless a variance is granted by the Planning Commission during the Tentative Plat process.
4. Water shall be provided to every lot either through provision of a new water utility, service by an existing water provider or through shared or individual wells which shall be developed prior to sale of the lot(s).
5. Shared well systems shall be designed by, and the installation inspected and approved by an Arizona Registered Engineer.

- E. Fire Protection - Fire hydrants and a fire distribution system shall be provided in accordance with the recommendations or requirements of the water company and the fire district having jurisdiction, or as deemed necessary by the SDRC.

F. Sewage Disposal

1. Provision shall be made for the treatment and disposal of sewage in accordance with the Best Available Demonstrated Control Technology, and standards and requirements of the County Health Department and Arizona Department of Environmental Quality.
2. A sanitary sewer connection shall be provided to each lot when a central collection system is



available, unless other options are approved by the County Health Department.

G. Sidewalks

1. Minimum four foot wide sidewalks with two feet between curb and sidewalk edge shall be required in the R-1, R-2, R-3, R-4, R-5, MF, MFR & MH Zoning Districts.
2. Minimum six foot wide sidewalks shall be required in all commercial and industrial zoning districts.

H. Street Lighting

1. All street lighting shall be in conformance with the County Light Pollution Code.
2. Street lighting shall be provided as required by the Public Works Director in the R-1, R-2, R-3, R-4, R-5, MF, MFR & MH Zoning Districts.
3. Provision for continued maintenance shall be provided by formation of a street lighting improvement district at the time of final platting.

I. Additional Requirements - The following additional requirements or standards may also be appropriate and/or necessary:

1. National Fire Protection Standards.
2. Building Code Standards.
3. OSHA Standards.
4. ASTM standards.
5. AASHTO Standards.
6. ADOT Standards or Requirements.
7. Federal Clean Water Act (U.S. Army Corps of Engineers).
8. Federal Safe Drinking Water Act
9. National Stormwater Pollution Prevention laws
10. State environmental laws and regulations (Arizona Department of Environmental Quality, Arizona Department of Agriculture et al.)
11. State water resources laws and regulations
12. Any other regulatory agencies' Standards or Requirements.
13. Current County codes and ordinances, including current adopted road standards and specifications.
14. Americans with Disabilities Act Guidelines.

J. Hillside Subdivisions

1. Planning, platting, and development of hillside subdivisions involve special problems and require careful consideration to preserve scenic views and provide for safe construction of improvements related to sewage disposal, water supply, storm drainage and foundation bearing.
2. Lot width and area shall be closely related to the terrain, drainage, percolation factors or construction of sanitary sewers, with emphasis placed on selection of building sites and location of access thereto.



3. Street grades shall not exceed twelve (12) percent.
4. Street grades of ten (10) percent or more shall have a maximum length of six hundred (600) feet.
5. Minimum street width shall be forty (40) feet, to be allowed only when justified by extreme cross slope or similar conditions.
6. "T" or "Y" type turning and backing areas may be substituted for circular turnarounds.
7. At the discretion of the County Engineer, topography by suitable contour interval showing location of all major and minor water courses, street profiles and cross-sections, percolation tests and test boring logs may be required in addition to that normally required with the submittal of the Tentative Plat.

K. Landscape and Plant Salvage Plans

1. For all subdivisions in the R-1, R-2, R-3, R-4, R-5, MF, MFR, MH, B-1, B-2, and M-1 Zoning Districts, a Landscape Plan and Plant Salvage Plan shall be required as part of the Improvement Plans. Salvage Plans shall indicate compliance with A.R.S. §3-904 as regards the destruction of protected plants.
2. Landscape Plans shall include size, plant species, spacing proposed, planters, islands and irrigation systems (or alternate water harvesting system with dry weather back-up) in accordance with Article 19 of the Zoning and Development Code for all common areas and a typical detail for the lots.

L. Initiation of Subdivision Grading and Improvements. Upon approval of the Tentative Plat, the developer may proceed with grading and street and utility improvements in accordance with such approval of the Tentative Plat and approved plans for the grading or improvements. A subdivision grading permit application and plan shall be submitted and reviewed prior to the issuance of subdivision grading permits by the Department of Community Development.

M. Maintenance. The developer shall be responsible for keeping and maintaining the project area in a clean and sanitary condition to include the removal from the premises of all debris, rubbish, weeds and dust-producing materials.

N. Warranty. All improvements shall be guaranteed to meet the required standards for a period of one (1) year after conditional acceptance by the County. Upon successful completion of the one (1) year warranty period, the County will accept public improvements. The County shall not bear any responsibility for maintenance of private improvements.

SECTION 1505 FILING OF DEVELOPMENT PLANS

A. Submittals will be made through the Community Development Department and will be prepared in accordance with these requirements for Development Plans. Incomplete or incorrect submittals will not be processed.

B. Development Plans are required for the following types of development:

1. All industrial (M1) and commercial (B1/B2) development projects
2. All Residential Zones - Any type of residential development containing five (5) units or more.



C. Submittals must include:

1. Application form.
2. Six (6) full size copies of the development plan and improvement plans. Plan sets shall be folded to the size of 8 1/2 x 11 with the title block showing.
3. Two (2) copies of the Hydraulic and Hydrologic report. Note that three (3) copies of the final approved Hydrology and Hydraulics Report shall be required.
4. An up-to-date title report and two (2) copies of all documents referenced within the title report.
5. Appropriate fee.
6. One copy of the Board of Supervisors minutes if the development has a rezoning case number.

D. Process

1. The Community Development Director will distribute the development plan and related submittals to the appropriate review agencies.
2. The review agencies will determine if the plans submitted are satisfactory and complete. If incomplete, the project engineer and developer will be contacted and notified of the deficiencies. If the submittal is satisfactory and complete, the agencies will review the development plan and return their comments to the Community Development Director.
3. If the project is located within 3 miles of the limits of any City or Town, comments may be received from that City or Town.
4. The development plan will be revised in accordance with the comments received and resubmitted through the Community Development Director. The Director's office will notify the engineer and developer that the comments are ready for pick up. This procedure continues until all of the requirements of the agencies have been met.
5. Improvement plans and landscape plans, in accordance with Article 19, are required for the project; the plans must be approved prior to approval of the development plan. When all requirements have been satisfied, an approval letter will be forwarded by the Community Development Department to the developer. The developer shall submit a double matte reverse reading photographic mylar and the two final copies.
6. Development plan approval is effective for twelve months. If an extension is required, a letter of request must be submitted to the Department prior to the expiration of the plan.

Section 1505.1 General Requirements

A. The following information must appear on the development plan.

1. Description of the use and projection of daily water usage.
2. Provide a legend that describes all symbols used.
3. The North arrow should be oriented toward the top of the sheet. The scale and contour interval must be located directly below the north arrow. All drawings, letterings, etc. should be oriented with the north arrow.
4. Show and label the conditions and zoning on and adjacent to the site. Identify uses of all areas and



- type of existing and/or proposed development.
5. Label unsubdivided areas, plats, city limits, wellsites and vacant areas. Show design aspects of proposed or existing improvements to roadways.
 6. Show and label the square footage of buildings and building heights.
 7. If more than one Zoning District applies, show each District line on the plan. Zoning boundaries must conform to lot or block lines or shall be delineated with bearings and distance.
 8. Lots backing or siding on streets shall require bufferyards in accordance with Article 9 of the Zoning and Development Code. Walls should be placed so as not to create an obstacle for access to utilities, sight visibility, nor should they be located to create an easement or safety code violation.
 9. Show and label all building setback lines.
 10. The County tracking number should be shown at the bottom right corner, near the title block. The number should be shown on each sheet.
 11. Provide a location map at the upper right corner of the plan consisting of:
 - a) The subject property, centered and identified within a one square mile area.
 - b) The adjacent conditions, subdivisions, unsubdivided land and schools.
 - c) The major streets, rivers, drainageways, national forests, railroads and school sites.
 - d) The section, township and range of the subject development.
 - e) Label the section corners.
 - f) A north arrow, oriented with the north toward the top of the sheet, and a scale of 3" = 1 mile.
 - g) The city, town, or other jurisdictional limits where applicable.
 - h) Show the access to the subject development.
 12. If the plan has more than one sheet, include a composite detail on the cover sheet indicating the area covered by each sheet.
 13. Include a signature block as follows:

APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR:

Director

Date

14. The notes should be divided into two sections. The "general notes" should include all informational and standard notes. The "restrictive notes" should include all notes affecting the issuance of any permits.
15. Any buildings or pads shown as "future" must be noted as "not part of this project" on the plans. Such "future" construction will not be reviewed and will require separate development plans prior to the issuance of any permits.
16. Prior to the approval of the Development Plan, an approved Landscape Plan is required in accordance with Article 19 of the Zoning and Development Code.
17. Provide an address block in the lower right corner of the plan, adjacent to the title block. The minimum size should be 3"x5".
18. The optimum plan sheet size is a minimum 24"x36" sheets.
19. Label all streets and drives with appropriate names.
20. The topography shall consist of frequently labeled contour lines of the existing ground surface at two (2) foot intervals. One foot intervals may be used providing the plan is clearly legible.



21. The plan must be drawn to scale that is adequate to show all necessary details clearly. A range of from 1:40 to 1:100 is recommended.
22. Show boundary and lot lines with bearings and distances.
23. Show streets and driveways on and adjacent to the site, names, right-of-way width, whether public or private, radii, and existing improvements.
24. Common areas must be shown. Provide all dimensions, widths, and radii, as needed.
25. All streets and drives must accommodate emergency and service vehicles.
26. Show survey tie points to existing monumentation (1/4 corner, section corner, or monumentation of parcel if within a recorded subdivision plat).
27. The plan must be signed and sealed by a registered professional civil engineer, land surveyor, or architect. Where improvement plans and grading plans are incorporated onto the development plan, a registered professional civil engineer's stamp is required.
28. Show all conditions including topography within 100 feet' of the site.
29. Label all drainageways, drainage easements, and detention and or retention facilities as public or private.
30. 100-year floodplain and erosion hazard limits should be shown as dashed lines in a surveyable manner.
31. If any property is proposed to be dedicated to Santa Cruz County, a 30 to 50 year chain of title shall be submitted.
32. Show all existing and proposed easements with their dimensions, purposes, as public, private or specify grantee, and any pertinent recording information.
33. Show utilities on the site and within the adjacent right-of-way or easements. Label them as public, private, or specific. Show any pertinent recording information.
34. Provide a Title Block at the lower right corner of each sheet, consisting of:
 - a) Name of development.
 - b) Lot number and Common Areas, if applicable.
 - c) A brief legal description of the property, including the section, township and range reference.
 - d) Date (for revised development plans, show the date of all revisions, and graphically highlight all revisions).
 - e) Label the plan as "Development Plan".
35. State the owner's name, address, and zip code and telephone number. If owner and developer are different parties, list both.
36. State the name, address, zip code and telephone number of the firm or person preparing the plan.

B. Required Notes (*italics indicate required language*)

1. *Existing zoning is _____ and will remain.*

OR

Existing Zoning is _____; conditionally approved zoning is _____.

NOTE: If more than one zone is involved, provide the number of gross acres of each zone and identify which lots are within each zone.



2. *Gross area of development is _____ acres.*
3. *Basis of Bearings is _____.*
4. *Basis of Elevation is _____.*
5. *.Any relocation or modification of existing utilities and/or public improvements required by this development will be at no expense to the public.*
6. *Prior to the issuance of any Building permit for any expansion of this project the owners shall provide revised development plans for review and approval by Santa Cruz County.*
7. Provide parking calculations that verify that this project meets the requirements of Article 11 of the Zoning and Development Code. Delineate a typical parking space with dimensions. Specify the uses, calculations, number provided, loading zones, bicycle parking, etc.
8. *All required parking shall be off-street, on site.*
9. *Approval of this plan does not affirm, certify, or approve any land division that may be contrary to state law, nor does it certify the existence or compliance with any private deed restrictions.*
10. *Prior to the issuance of the certificate of completion by the Planning Division, an engineer must certify as to the completion and substantial conformance to approved plans of all public and private roadways, drainage structures, and appurtenances as shown on the development plan.*

NOTE: Where improvement plans have been required, this note shall include said plans by reference.

11. When applicable: Covenants, Conditions and Restriction for this development are recorded in Reception Number _____.

C. Special/Optional Notes (*italics indicate required language*)

1. If any Board of Supervisors, Board of Adjustment or Planning Commission approval, variance, waiver or amendment is involved, add a note stating who approved it, what was approved, and when it was approved. Provide the appropriate reference numbers. NOTE: Provide a copy each official action with the initial submittal.
2. *Materials within sight visibility triangles shall be placed so as not to interfere with a visibility plane described by two horizontal lines located 30 inches and 72 inches above finished grade of the roadway surface.*
3. When offsite improvements are being constructed in conjunction with the project, add the following note:

A Certificate of Completion shall not be issued until improvements to _____ have been completed, and accepted by Department of Public Works and Flood Control District.

4. List all special rezoning conditions.
5. For building sites which will be located within the 100 year floodprone area after development, add the following note:



A Floodplain Use Permit will be required for (pads or lots) _____ prior to the issuance of any permits by the Building Department.

6. All drainageways, drainage easements, and drainage structures shown and labeled as such upon this plan, which are to be constructed in conjunction with the development of this project, shall entirely contain their respective 100-year flood limits upon completion of construction unless clearly labeled otherwise.

D. Minimum Standards and Requirements

1. A copy of the minutes of any official County action that be provided with the initial submittal.
2. All proposed signs must be shown and labeled. All signs require separate review, approval and permits in accordance with Article 17.
3. Legal access must be provided of sufficient width to serve all proposed development, and must be paved to minimum Santa Cruz County Standards.
4. The Arizona Department of Transportation will review all proposals involving State rights-of-way. A copy of the Arizona Department of Transportation Permit, if required, shall be submitted to the Community Development Director prior to the approval of the development plan.
5. All proposed access points for future developments shall be shown.
6. A one-foot no access easement shall be placed on the development plan along all frontage where access is to be restricted.
7. Grading and improvement plans are required prior to final approval of the development plan in some cases, which provide more detail, construction notes, etc.
8. Sight visibility triangles with appropriate dimensions shall be shown at all street intersections.
9. A complete Hydraulic and Hydrologic Report (Drainage Report), prepared by a professional civil engineer, must be submitted unless an alternate arrangement has been made with the County Engineer and the Flood Control District. The Drainage Report shall contain a statement regarding the applicability of Section 404 of the federal Clean Water Act.
10. For drainage carried in streets or parking area access lanes, provide flow arrows sufficient to define the drainage pattern, and 100-year peak discharge and contributing drainage areas at flow concentration points. Discharge conveyed in streets shall not exceed the numeric value of 18 as calculated in the formula $dv^2 = 18$, where d is flow depth in feet and v is velocity in feet per second.
11. All required landscape bufferyards shall be delineated and labeled by letter designation, on the development plan and in accordance with Article 19. These bufferyards shall be identical to those shown on the approved landscape plan.
12. In cases where zoning has been conditionally approved, all conditions shall be met prior to the issuance of any building permit.
13. Provide interior street names if applicable.
14. Indicate the number of floors for each commercial building.
15. Building footprints shall be free of contour lines.
16. For apartment complexes, label buildings by numbers and provide the unit numbering scheme on the development plan.
17. For commercial or industrial developments, identify the primary exterior entrances to the building,



- or the interior space layouts for each floor, if known.
18. Show names, phone numbers and addresses of the party or parties having vested title of the subject property.
 19. A title report (no more than 60 days old) will be submitted with development plans. The title report will provide a legal description of only the property to be developed. Copies of the referenced documents will be attached, including the vesting deed.
 20. All traffic, parking and vehicle circulations areas shall be paved unless specifically exempted elsewhere in this Code.
 21. Sidewalks shall be provided as required by the County Engineer after evaluating the site, surrounding roadways and adjacent land uses. The County Engineer shall determine minimum width and acceptable pavement materials if sidewalks are required.
 22. Outdoor lighting and signage plans shall be provided.
 23. A traffic statement or traffic study shall be required as determined by the County Engineer.

SECTION 1506 REVERSION TO ACREAGE

Section 1506.1 Reversion to Acreage

Any subdivided lands may revert to acreage upon approval of such reversion by the Board pursuant to this Section.

In order to initiate a Reversion to Acreage proceeding before the Board, an application for reversion must be filed with the Director. An application fee of an amount established by Resolution of the Board shall be paid at the time of filing. The County may act as applicant for Reversion to Acreage if no lots within a subdivision have been sold and no substantial progress on completion of required improvements has been made within three (3) years from the date of recordation of the Final Plat. Upon receipt of an application for Reversion to Acreage, the Director shall conduct an investigation and prepare a report for presentation before the Commission and the Board of Supervisors at a duly noticed public hearing. Publication in the official County newspaper shall constitute adequate notice.

Section 1506.2 Action by the Commission

The procedure for action by the Commission for a Reversion to Acreage application shall be the same as that for Tentative Plat Subdivision approvals, except that the required findings shall be as follows:

- A. That the subdivided lands to revert to acreage are under one contiguous ownership.
- B. That no immediate use of such subdivided lands as they were intended appears imminent.
- C. That such Reversion to Acreage will not be detrimental to the general welfare of Santa Cruz County.

Section 1506.3 Action by the Board

The procedure for action by the Board for a Reversion to Acreage application shall be the same as that for Final Plat Subdivision approvals, except that the required findings shall be those set forth under Section 1506.2.

Section 1506.4 Recordation of Survey



The applicant shall record with the County Recorder a survey of all lands approved for Reversion to Acreage. Said survey shall be prepared by a registered professional land surveyor.

SECTION 1507 LAND DIVISIONS

Section 1507.1 Purpose

In order to ensure that the division of land complies with applicable zoning regulations and does not constitute a subdivision, it is necessary to establish a administrative review of all land divisions. In no way is it intended by this Section to prohibit, or prevent the division of land as authorized and permitted by Arizona Revised Statutes and Santa Cruz County Zoning and Development Code.

Section 1507.2 Applicability

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

Section 1507.3 Permit Required

No parcel of land may be divided into five or fewer separate parcels of land, any of which is ten acres or less, either by recordation of a contract of sale or deed of conveyance or by requesting a split of a tax assessor parcel unless a Land Division Permit, approved by the Director or designee, has first been issued.

Section 1507.4 Filing of Application

Any applicant proposing a land division as described in Section 1507.3 shall file a Land Division Permit application with the Director. Said application shall include a legal description of the existing parcel and legal descriptions of proposed parcels including access and utility easements. The application shall include a survey map with dimensions showing existing and future parcel lines and all easements. The map shall be of a size and format acceptable to the County Recorder; i.e., 8-1/2 x 11, 8-1/2 x 14, or 18 x 24. The legal descriptions and the map shall be prepared by a registered professional land surveyor. This requirement may be waived by the Director in areas where aliquot parts are used and are deemed adequate.

Section 1507.5 Action of the Director

Upon receipt of a complete application, the Director shall approve or deny the Land Division Permit within 30 days. Approval shall be based on meeting all of the following findings:

- A. The lots, parcels or fractional interests each meet the minimum applicable county zoning requirements of the applicable zoning designation.
- B. The applicant provides a standard preliminary title report or other acceptable document that



demonstrates legal access to the lots, parcels or fractional interests.

- C. The applicant provides a statement from a licensed surveyor or engineer, or other evidence acceptable to the county, stating whether each lot, parcel or fractional interest has physical access that is traversable by a two-wheel drive passenger motor vehicle.
- D. The applicant reserves the necessary and appropriate utility easements to serve each lot, parcel or fractional interest created by the land division.
- E. The land division would not result in a subdivision as defined in State Statute and these regulations.

An application to split a parcel of land that does not comply with one or more these items shall still be approved if the applicant provides an acknowledgment that is signed by the applicant and that confirms that no building or use permit will be issued by the County until the lot, parcel or fractional interest has met these requirements.

Land divisions may be accomplished where the resulting parcels do not meet minimum county zoning requirements, where there is no legal access, or where the legal access does not allow access by emergency vehicles; however, such deficiencies are required to be noted in the deed(s). The County may not require a public hearing on a Land Division Permit application. The County may not deny a Land Division Permit application that meets the requirements of this Section or where the deficiencies are noticed in the deed(s). If review of the request is not completed within 30 days of receipt of a complete application, the land division shall be deemed approved.

Section 1507.6 Recordation of Land Division Permit

After approval of a Land Division Permit, it shall be recorded at the County Recorder’s Office along with any attached supplementary information. Recordation must occur within six months of approval by the Community Development Department, or approval shall lapse and become void. Digital submission of land division survey maps is required, if the maps are prepared by a surveyor.

Section 1507.7 Noticing of Access or Zoning Deficiencies

When there are legal access or minimum County zoning requirement deficiencies that must be noticed in the deed(s), said noticing shall consist of a detailed description of the deficiency. For zoning deficiencies, the applicable Zoning and Development Code section(s) and the nature of the deficiencies shall be included.

Section 1507.8 Removal of Deficiencies from the Deed

If zoning or access deficiencies are corrected, for example through a zoning change or a variance, or through acquisition of access, it shall be the responsibility of the property owner to remove the deficiencies, subject to review and approval by the Director prior to recordation.

Section 1507.9 Acting in Concert



It shall be unlawful for a person or group of persons acting in concert to attempt to avoid the provisions of this ordinance or subdivision laws of the State of Arizona by acting in concert to divide a parcel of land into six or more lots or sell or lease six or more lots by using a series of owners or conveyances. This prohibition may be enforced by the County Attorney's Office or the Arizona Department of Real Estate, or both, pursuant to A.R.S. Title 32, Chapter 20.



ARTICLE 16 – SWIMMING POOL SAFETY

---1600---SWIMMING POOL SAFETY; requirements, exceptions, enforcement.

- A. A swimming pool, hot tub, whirl-pool or other contained body of water that is capable of containing water eighteen (18) inches or more in depth at any point, and is intended for swimming, bathing, or other water related activities, shall be protected by an enclosed barrier surrounding the area as provided in this section.

A pool, spa, hot tub, or other contained body of water which is more than (18) inches in depth at any point shall be similarly enclosed or provided with a safety cover which complies with ASTM F-1346.

1. The requirements of ASTM F-1346 include, but are not limited to:
 - a) Capable of withstanding of weight of at least 275 pounds.
 - b) Marked with the proper warning labels.
 - c) No openings greater than four (4) inches.
 - d) Equipped with a locking/latching device or require a minimum force of 40 pounds to open.

- B. A contained body of water required to be enclosed by subsection (1), whether located above or below ground, shall meet the following requirements.
 1. Shall be entirely enclosed by at least five (5) foot wall, fence, or other barrier as measured on the exterior side of the wall, fence, or barrier.
 2. Shall have no openings in the wall, fence, or barrier through which a spherical object four inches (4) in diameter can pass. 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 pool side of a wall, fence or barrier, which shall not have any opening greater than one and three-quarter inches measured horizontally, Wire mesh or chain link fences shall have a maximum mesh size of one and three-quarter inches measured horizontally.
 - a) Perimeter property fences which comply with the above requirements may constitute a portion of the pool enclosure.
 3. The following will be considered to provide sufficient durability and prevent easy access to the pool area;
 - a) Wire-woven mesh, chain link, etc., of No. 11 gauge minimum, and maximum opening size of one and three-quarter inches. No barbed wire is permitted.
 - b) Masonry - any masonry construction which complies with building department standards or approved engineering design which is not climbable.



- c) Wood - wood post placed in the ground or into concrete or masonry foundation, with horizontal runners carrying plywood panels, solid boards, pickets or stakes, or any other arrangement of durable material this is not climbable, arranged such that a four inch sphere cannot pass through with horizontals not less than forty five (45") inches apart.
 - d) Safety glazing (glass or plastic) - in accordance with Chapter 52 or 54 of the Uniform Building Code.
 - e) Wrought Iron - fencing having intermediate rails or ornamental pattern such that a four (4) inch diameter sphere cannot pass through and arranged such that it is not climbable with horizontals not less than forty five (45") inches apart.
 - f) Unacceptable - stacked rocks, natural hedgerow (no exceptions), reedy, cocoa mat, woven bamboo, wooden lattice, fish netting, etc.
4. Gates for the enclosure shall:
- a) Be self-closing and self-locking with latch located at least 54 inches from the bottom of the gate.
 - b) Open outward from the pool.
5. 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.
6. The wall, fence or barrier shall at least be 20 inches from the water's edge.
- C. If a residence or living area constitutes part of the enclosure required by subsection 2 for a contained body of water, there shall be:
- 1. A barrier at least four (4) feet high between the home and the pool which otherwise meets all of the requirements for a barrier set forth above.
 - 2. A motorized, safety pool cover which does not require manual operation other than the use of a key switch which meets the American Society of Testing and Materials (ASTM) emergency standards 13-89 (now ASTM #F 1346-91).
 - 3. Self-latching devices on all doors with direct access to the pool. Such latches shall meet the requirements for latches on self-closing gates set forth above.
 - 4. Emergency escape or rescue windows from sleeping rooms with access to the pool shall be equipped with a latching device not less than fifty four (54") inches above the floor. All other openable 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 four (4") inches, or a latching device located not less than forty five (45") inches above the floor.
 - 5. Exemption from other requirements of the zoning ordinance or adopted building codes shall not eliminate requirements for pool fencing as required by this section.



- 6 Indoor swimming pools - doors with direct access to an indoor swimming pool shall comply with sections C(1-4) and/or A(1).
- 7 Indoor spas, hot tubs, and whirl-pools - access to indoor spas, hot tubs, whirl-pools, and similar recreational water facilities shall comply with section A or section C(1) and C(2).

EXCEPTION: When approved by the Building Official, one of the following may be used.

- (a) Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of fifty four (54") inches above the threshold of the door.
- (b) An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of thirty (30) seconds immediately after the door and its screen, if present, are opened and be capable of providing a sound pressure level of not less than 85 dBA when measured indoors at ten (10) feet. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds. The deactivation switch shall be located at least fifty four (54") inches above the threshold of the door.

D. This section does 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.
3. Public or semi-public swimming pools.
4. Ornamental water fixtures not intended for swimming, recreational bathing, or other water related activities.
5. A contained body of water or barrier constructed prior to the effective date of this section.

E. A person on entering into an agreement to build a swimming pool or contained body of water, or sell, rent, or lease a dwelling with a swimming pool or contained body of water shall give the buyer, lessee or renter a notice explaining safety education and responsibilities of pool ownership.

F. The site of the contained body of water and all accessory equipment shall be subject to this section and shall be located in the side and/or rear yard only.

The following setbacks apply:



R-1, R-2, R-3, R-4, R-5, MF, MH, and MFR: - Seven and one half (7.5) feet, side and rear only.
GR-40, GR, SR, B-1, B-2, and M-1: - Fifteen (15) feet, side and rear only.

The site of the contained body of water may be located in the front yard upon the review and approval of the appropriate Board of Adjustment. Minimum Front Yard setbacks apply.

- G. The enclosure requirements contained herein shall be in place and approved prior to admitting water into the swimming pool, hot tub, whirl-pool, or other regulated water container.
- H. The intent of these enclosure provisions is to restrict uncontrolled access and promote safety. The wall of a house with openings to the contained body of water will not be considered as meeting the requirements of this section.
- I. This amendment, adopted after the effective date of A.R.S. §36-1681 is certified as being equal to or more stringent than the provisions thereof.
- J. This amendment shall be effective and be in force on March 21, 1997. All contained bodies of water constructed, installed, erected or assembled subsequent to this date shall be subject to the provisions contained herein.



ARTICLE 17 – SIGN REGULATIONS

- 1701---- PURPOSE**
- 1702---- PERMIT REQUIRED**
- 1703---- APPLICATION FOR PERMITS**
- 1704---- ISSUANCE OF PERMITS**
- 1705---- PERMIT REVOCABLE**
- 1706---- LIABILITY ASSOCIATED WITH PERMIT ISSUANCE**
- 1707---- PERMIT EXEMPTIONS**
- 1708---- GENERAL REGULATIONS**
- 1709---- MEASUREMENTS OF SIGNS**
- 1710---- PROHIBITED SIGNS**
- 1711---- PERMITTED SIGNS, RESIDENTIAL DISTRICTS**
- 1712---- PERMITTED SIGNS, COMMERCIAL DISTRICTS**
- 1713---- PERMITTED SIGNS, INDUSTRIAL DISTRICTS**
- 1714---- OFF SITE SIGNS**
- 1715---- NON CONFORMING SIGNS**
- 1716---- SPECIAL USE PERMIT**
- 1717---- MAINTENANCE**
- 1718---- ENFORCEMENT**
- 1719---- STREET ADDRESS IN SIGNS**
- 1720---- STREET NAMING AND PROPERTY NUMBERING**
- 1721---- RESERVED**

SEC. 1701 PURPOSE

Signs are herein regulated in the interest of promoting traffic safety, safeguarding public health and comfort, facilitating police and fire protection and preventing adverse community appearance. Regulations are designed to permit maximum legibility and effectiveness of signs, and to prevent their over-concentration, improper placement, and excessive height, bulk and area.

SEC. 1702 PERMIT REQUIRED

It shall be unlawful for any person, firm or corporation to erect, structurally repair, relocate or alter the size of any sign within Santa Cruz County as defined in this Ordinance, except as hereinafter provided, without first obtaining a Building Permit from the Building Inspector.

A building permit is not required for the repainting of or minor repair to the sign surface only. All illuminated signs shall, in addition, be subject to all provisions of the Electrical Code. See Section 1707. Permit Exemptions, for signs not requiring permits.

SEC. 1703 APPLICATION FOR PERMIT

In addition to information otherwise required for issuance of a Building Permit, application for Building Permits for signs shall include:



- A. Position of sign in relation to nearby buildings or structures.
- B. Two blueprints of plans and specifications, including method of construction and attachment to the building or ground;
- C. Structural calculations proving that the sign is designed for wind pressures in accordance with requirements of this Code.
- D. Name of person, firm, or corporation erecting structure.
- E. Written consent of the owner of the building, structure, or premises on which the sign is to be erected.
- F. Approval of all proposed wiring and connections of illuminated signs in compliance with the Electrical Code.

SEC. 1704 ISSUANCE OF PERMITS

If, upon examination of plan specifications and the premises on which erection of the sign is proposed, the Building Inspector finds that the proposed sign complies with all provisions of this Code and with all other ordinances of the County, he shall issue a Building Permit. If the work so authorized has not been completed within six (6) months thereafter, said permit shall become null and void.

SEC. 1705 PERMIT REVOCABLE

All rights and privileges acquired under a Building Permit are more licenses revocable at any time by the Building Inspector, and all such permits shall so state.

SEC. 1706 LIABILITY ASSOCIATED WITH PERMIT ISSUANCE

The granting of a Building Permit shall not be deemed to be a permit for or approval of any violation of this Ordinance. The provisions of this Ordinance shall not be construed as relieving or limiting in any way the responsibility or liability of any person, firm or corporation, erecting or owning any sign, or resulting from the negligence or willful acts of such person, firm or corporation, has or its agents, employees or workmen, in the construction maintenance, repair or removal of any sign erected in accordance with a permit issued here under. Nor shall issuance of such permit be construed as imposing upon Santa Cruz County or its officers or employees, any responsibility or liability by reasons of the approval of any signs, material or devices under the provision of this Ordinance.

SEC. 1707 PERMIT EXEMPTIONS

The following signs shall conform to all other applicable provisions of this Code and shall be permitted in all districts in which the use identified or advertised is permitted.



- A. Signs not exceeding one (1) square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification.
- B. Professional name plates not exceeding two (2) square feet in area.
- C. Signs directing and guiding traffic and parking on private property in all distances but bearing no advertising matter, not to exceed three (3) square feet in area.
- D. Traffic or other county signs, directional signs for schools, airports, hospitals or emergency services, governmental agencies, legal notices, crossing signs and danger signals.
- E. Memorial signs or tablets, names of buildings, and dates of erection when cut into any masonry surface or when constructed of bronze or other non-combustible material not to exceed eight (8) square feet in area.
- F. Real estate signs in residential districts not exceeding four (4) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are located. Real estate signs in commercial and industrial districts not exceeding twelve (12) square feet in area which advertise the sale, rental or lease of the premises upon which said signs are located.
- G. Signs for the purpose of directing the public to “open house” events, providing for sale, rental, or lease of premises other than upon which the sign is located provided said signs do not exceed three (3) in number and may remain for the life of the active development but in no instance for longer than two (2) years after the issuance of the building permits for the project being advertised. Said signs shall not be located in such a manner to cause a public safety hazard or nuisance and further said signs may not exceed an area of six (6) square feet of display surface on each sign. Such signs shall not be located in the public right-of-way. Sign location on private property shall have the written approval of the property owner.
- H. One (1) temporary, non-illuminated sign for a major project under construction not exceeding thirty-six (36) square feet in area. Message limited to identification of architect, engineers, contractors, and other individuals or firms involved with the construction and the name of building, purpose for which intended and expected completion date. It shall be removed prior to the issuance of the certificate of occupancy.
- I. Temporary political signs not exceeding thirty six (36) square feet advertising candidates or issues may be erected during the campaign for a period of forty-five (45) days prior to the election in which such candidates or issues are to be voted upon. Such signs shall be removed no later than 15 days following the final election for that candidate or issue. Successful primary candidates will not be required to remove temporary political signs between the primary and general elections. Unrecognized party candidates and issues appearing on the general election ballot may place temporary political signs in accordance with this Article upon announcement of the unofficial results of the primary election.
- J. One (1) non-illuminated name plate for a home occupation sign not exceeding three (3) square feet.



- K. Temporary signs which are intended for use at grand openings of new businesses only and limited to a maximum period of fourteen (14) calendar days. Size of this sign shall not exceed thirty-six (36) square feet. This includes banners, pennants, A-frame signs and inflated objects, portable signs and or signs painted on vehicles
- L. One (1) temporary sign per subdivision not exceeding thirty-six (36) square feet in area, message limited to identification of the subdivision and its sales agent. Two (2) such signs are permitted if the subdivision is five (5) acres or larger or if the subdivision has more than one (1) street frontage. Such sign or signs may remain for the life of the active development, but in no instance for longer than two (2) years from the date the subdivision was approved by the Board of Supervisors.
- M. Garage sale type signs located with the permission of the owners of the premises upon which the sign is located. Such signs, not to exceed a total area of four (4) square feet shall be removed within five (5) days after erecting, and shall not be to placed in public right-of-way nor on utility poles or structures.
- N. One (1) temporary, non-illuminated sign per residential lot, not exceeding three (3) square feet in area per contractor or subcontractor working on the lot, not to exceed six (6) square feet in total area. Each such sign shall be removed from the premises within twenty (20) days after completion of such construction or repairs.
- O. Holiday lighting.

SEC. 1708 GENERAL REGULATIONS

The following general regulations regarding signs shall pertain to all zoning districts in Santa Cruz County.

- A. Every sign and its supporting structure shall be designed and constructed to withstand a wind load of not less than forty (40) pounds per square foot of area.
- B. Every sign and all parts of its supporting structure which are not constructed of galvanized or other rustproof metal shall be properly painted at least once every two years.
- C. No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape, nor shall any sign be attached to a standpipe or fire escape.
- D. No sign or any portion of any sign shall be located on or be projected over any portion of the street, sidewalk, or other public right-of-way.
- E. No sign shall be erected or maintained at or near any intersection of streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of its position, shape, color, or illumination, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device , or with any device mounted on police or fire protection vehicle; or which makes use of the words, "STOP", "LOOK", "DANGER", or any other word, phrase, symbol or character in such manner as to interfere with, mislead or confuse traffic.



- F. Signs shall be illuminated only during the hours of the business.

SEC. 1709 MEASUREMENT OF SIGNS

The following standards shall be utilized in measuring the area of signs:

- A. The area of signs composed of individual fabricated or painted letters mounted directly on a building facade without painted or other defined background shall be computed by measuring the sum of the squared-off area of the letters.
- B. For all other types of signs, the area shall include the entire area within a single continuous perimeter enclosing the extreme limits of the sign provided; however, that such perimeter shall not include any structural elements located outside the limits of the sign and not forming an integral part of the display
- C. The total square footage of all face surfaces of the spherical, double-faced, or multi-faced signs shall not exceed twice the allowable square footage of a single faced sign.

SEC. 1710 PROHIBITED SIGNS

It shall be unlawful for any person to erect, display or maintain a sign or advertising structure falling within any of the following descriptions.

- A. Off-Site signs.
- B. Moving signs or flashing signs or any signs or advertising structures which have any visible moving part of visible mechanical movement of any description or other apparent visible movement by any means, including intermittent electrical pulsations.
- C. Signs which are hazardous to traffic, imitative of official government signs; (i.e., Stop, Danger, Caution, etc.) or obstructive to visibility so as to create a hazard to the public.
- D. Windblown signs, such as posters, pennants, streamers, balloons or other inflated objects, except as provided for in Section 1707.
- E. Temporary signs except as permitted in Section 1707 (Permit Exemptions).
- F. Greeter boards, except a) one (1) sign on the premises of each person, firm or corporation selling or offering to the public at retail, fuel for use by internal combustion engines in motor vehicles. Such sign shall inform the public, subject to all regulations herein, in clear and legible numbers of uniform size, selling price or prices per gallon of such fuel sold or offered for sale on the premises; b) under marquee signs, except that (1) such sign may be used in connection with a theater; such advertising copy be restricted to attractions which the theater is currently offering or will be offering, and (2) no marquee sign shall be used for general advertising purposes and no



wooden, paper, cloth or other temporary signs shall be hung or attached to a marquee.

- G. No sign shall be erected in a residential zoning district containing information other than property numbers, street names, post box numbers, names of occupants or premises, home occupations, or as hereinafter permitted in Section 1711.
- H. Roof signs or signs mounted above the parapet wall.
- I. No sign shall be located less than six (6) feet horizontally or twelve (12) feet vertically from overhead electrical conductors which are energized in excess of 440 volts.
- J. Inflated signs, portable signs or signs attached to or painted on vehicles stationary for more than fourteen (14) calendar days. (See Section 1707(K)).

SEC. 1711 PERMITTED SIGNS, RESIDENTIAL DISTRICTS

Signs as hereinafter provided may be erected in any GR, SR, R1-R5, MFR and MH districts. Such signs shall conform as provided by this article.

- A. **Permanent subdivision signs.** Message limited to name of subdivision only.
 - 1. Area. The total surface of permanent subdivision signs shall have a maximum area of thirty-six (36) square feet for each sign.
 - 2. Maximum Height. The maximum height of the permanent subdivision sign shall be ten (10) feet, if not in conflict with any required clear vision area, above grade.
 - 3. Number. Permanent subdivisions are limited to either two (2) wall signs or one (1) freestanding sign at each entrance, the total area not exceeding thirty six (36) square feet.
 - 4. Prior to issuance of the Building Permit, the Building Inspector shall have on file a copy of an acceptable finding and agreement describing the maintenance responsibility for the subdivision sign.
- B. **Permanent Multi-Dwelling Structures Signs.** Message limited to name of complex. Either one (1) free standing or one (1) wall sign.
 - 1. **Free Standing Sign.**
 - a) Area. A free standing, permanent, sign is limited to two (2) square feet per dwelling unit or a maximum area of thirty-six (36) square feet. Eighteen (18) square feet per display surface if the sign has two display surfaces.
 - b) Maximum Height. A free standing sign is limited to a maximum height of ten (10) feet above grade.



2. **Wall Signs.**
 - a) Area. A permanent wall sign is limited to two (2) square feet per dwelling unit up to a maximum of thirty-six (36) square feet.
 - b) Height and/or Clearance. No wall sign shall extend above the roof line at the wall or the top of a parapet wall, whichever is higher.
 3. Prior to the issuance of the Building Permit, the Building Inspector shall have on file a copy of an acceptable agreement describing the maintenance responsibility for the multi-dwelling structures sign.
- C. **Sign Illumination.** Signs in residential zoning districts may have external illumination of the display surface if properly shielded from direct glare onto streets and adjacent properties. The source of sign illumination shall not be visible from any adjacent property.
- D. **Permitted Conditional Uses.** Signs for conditional uses permitted and approved under the provisions of the Code shall not exceed thirty-six (36) square feet in area and be located not closer than ten (10) feet to any adjoining lot.

SEC. 1712 COMMERCIAL DISTRICTS

- A. **Signs Permitted.** No sign shall be erected or maintained in commercial zoning districts, except as allowed under Permit exemptions or as otherwise noted in this section. These provisions shall be applicable to all commercial developments (B-1 and B-2).
- B. **Free Standing Sign.**
1. Area. The maximum permitted area of a free standing sign shall be thirty-six (36) square feet per sign face. Double faced or multi-faced signs shall not exceed twice the allowable square footage of a single faced sign. (Sec. 1709 C).
 2. Maximum Height. The maximum height of any portion of the sign or sign structure shall not be greater than ten (10) feet above site grade.
 3. Number. One (1) multi-faced standing sign identifying the businesses, designating the principal goods, products, facilities, or services available on the premises, shall be permitted.
- C. **Wall Sign.**
1. Area. The maximum permitted area of a wall sign or signs shall not exceed one (1) square foot for each one (1) linear foot primary building frontage or one (1) square foot for each one (1) foot of primary lot frontage; with the total area of any wall signs plus any free



standing sign not to exceed one hundred and twenty-five (125) square feet.

2. Maximum Height. No wall sign shall extend above the roof at the wall or at the top of a parapet wall whichever is higher.

D. Maximum Square Footage by Multiple Frontage.

On buildings having more than one street frontage, the maximum allowable number of square footage on on-site signs is permitted for each building frontage or occupancy. Said maximum allowance, however, is not transferable either in whole or in part from one building frontage to another, nor from one occupancy to another occupancy.

SEC. 1713 INDUSTRIAL ZONING DISTRICTS

- A. **Signs Permitted.** No signs shall be erected or maintained in Industrial Districts (M-1) except as allowed under permit Exemptions or as otherwise noted in this Section.

B. Free Standing Signs

1. Area. The maximum permitted area of a free standing sign shall be thirty-six (36) square feet per sign face or side. Double faced or multi-faced signs shall not exceed twice the allowable square footage of a single faced sign. (Sec. 1709 (C)).
2. Maximum Height. The maximum height of any portion of a sign or sign structure shall be ten (10) feet above grade.
3. Location. No free standing sign or any portion of any free standing sign shall be located on or projected over any portion of the street, sidewalk or other public right-of-way property, or clear sight area.
4. Number. One (1) multi-faced free standing directional sign identifying the businesses, or facilities on the premises shall be permitted.

C. Wall Sign

1. Area. The maximum permitted area of a wall sign or wall signs shall not exceed one (1) square foot for each one (1) linear foot of primary building frontage or one (1) square foot for each one (1) foot of primary lot frontage; with the total area of any wall signs not to exceed one hundred twenty-five (125) square feet.
2. Height and/or Clearance. No wall sign shall extend above the roof line at the wall or the top of the parapet wall, whichever is higher.
3. Number. Wall Signs are permitted in addition to one (1) free standing signs.



D. Maximum Square Footage by Multiple Frontage.

On buildings having more than one street frontage, the maximum allowable number of square footage of on-site signs is permitted for each building frontage or occupancy. Said maximum allowance, however, is not transferable either in whole or in part from one building frontage to another, nor from one occupancy to another occupancy.

SEC. 1714 OFF SITE SIGNS

Off Site signs are prohibited under Section 1710. Off Site Signs are defined as signs, billboards and other outdoor advertising structures that do not advertise a business or activity located on the property where the sign is erected.

SEC. 1715 NON-CONFORMING SIGNS

Any on site roof, wall, projecting, free standing or ground sign, which lawfully existed at the effective date of this Code, and which does not conform to all requirements of this Code for the district in which it is located, shall be considered legally non-conforming and may be continued and maintained; provided, however, that such signs shall not be enlarged, increased in area or height, relocated or abandoned except in conformity with this code. A change in the type of business will require all signs on

the site to be brought into conformance with this code. A Building Permit, for any new sign, shall not be issued until all non-conforming signs, owned by the business, are brought into compliance with this code.

Any off site signs, which lawfully existed at the effective date of this Code, and which does not conform to all the requirements of this Code, and which does not conform to all the requirements of this Code for the district in which it is located, shall be considered legally non-conforming and may be continued and maintained: provided, however, that such signs shall not be enlarged, increased in area or height, relocate or abandoned, except in conformity with this code. If a change in the use of the property occurs, the offsite signs shall be removed.

SEC. 1716 SPECIAL USE PERMITS

In order to encourage and promote a harmonious relationship between buildings and signs, the Board of Adjustment shall have the authority to issue a Special Use Permit for signs which are designed to and are a part of an integrated architectural feature of a building or project where the provisions of the code would otherwise prohibit such signs.

- A. A Comprehensive Sign Plan may be submitted by the developers of a proposed commercial, industrial, residential, or mixed use development which shall include the location, size, height, lighting, and orientation of all proposed signs, in addition to any other information deemed necessary. This sign plan may be submitted in conjunction with the required Preliminary Site Plan for the development.



If the comprehensive sign plan is found to be acceptable exception to the provisions of this Code may be granted, if the sign areas and densities shown on the plan are in conformity with the intent of this Code and if such exceptions result in an improved relationship between the various parts of the plan.

Example: An Industrial Park with 10 parcels each with one hundred and twenty five feet of street frontage. The developer wants to place two large directory signs at two entrance points to the park and a free standing sign and wall mounted sign on each parcel:

Multiply 10 X 125' (lot frontage)	=	1,250 sq. ft.
add: 10 X 36' (free standing signs)	=	360 sq. ft.
a sum of: total aggregate sign area for the entire site	=	1,610 sq. ft.
subtract: 2 X 200 sq. ft. (entrance signs)		400 sq. ft.
for a remainder of:	=	1,200sq. ft.
divide by 10 for the sign area per lot	=	121 sq. ft.
subtract 36 sq. ft. (free standing sign)	=	36 sq. ft.
for a remainder of: (wall mounted sign)	=	85 sq. ft.

- B. Sign District: The owners of sixty percent (60%) or more of the street frontage, in feet, or properties on both sides of the street in any defined area may petition the Planning and Zoning Commission for the creation of a special sign theme in the area. The Planning and Zoning Commission shall hold a public hearing on such a request after posting the property in question at least fifteen days prior to the hearing, the Planning and Zoning Commission shall make its recommendation to the Board of Supervisors.
- C. A Community Sign Plan Permit may be applied for by a service and/or non-profit organization. A proposed sign plan showing the locations, height and size of the proposed signs shall be submitted to the Planning and Zoning Director and processed within five (5) working days. The permit shall not exceed thirty (30) calendar days from the date of issuance. All signs shall be removed within ten (10) calendar days after the event.

SEC. 1717 SIGN MAINTENANCE

The County Zoning Inspector is charged with the enforcement of this Code. He shall appoint, according to law, all subordinate officials and assistants necessary to the enforcement of this code as outlined in Article 9, Section 907 and Section 908 of the Santa Cruz County Zoning Ordinance of 1973.



SEC. 1718 ENFORCEMENT.

The County Zoning Inspector is charged with the enforcement of this code. He shall appoint, according to law, all subordinate officials and assistants necessary to the enforcement of this code as outlined in Article 9, Section 907 and Section 908 of the Santa Cruz County Zoning Ordinance of 1973.

SEC. 1719 STREET ADDRESS IN SIGNS.

All free standing signs in commercial or industrial districts shall contain the numbers of the street address in a size clearly legible from the street.

SEC. 1720 STREET NAMING AND PROPERTY NUMBERING.

All signs relating to street names and numbers shall comply with the “Santa Cruz County Street Naming and Property Address Numbering Ordinance”. Ordinance No. 89-1, referred to as the “Street Naming and Property Numbering Regulations”.

SEC. 1721 RESERVED



ARTICLE 18 – MOBILE HOMES AND MANUFACTURED HOUSING

- 1801---- INTENT AND PURPOSE
- 1802---- DEFINITIONS
- 1803---- PERMITTED LOCATIONS FOR MANUFACTURED HOMES
- 1804---- EFFECT OF APPROVAL OF A MANUFACTURED HOME
- 1805---- APPEARANCE STANDARDS OF MANUFACTURED HOMES
- 1806---- APPLICATION PROCESS FOR A MANUFACTURED HOME DETERMINATION
- 1807---- STANDARDS FOR DETERMINATION OF ACCEPTABLE EXTERIOR APPEARANCE FOR A MANUFACTURED HOME
- 1808---- PERMITTED LOCATIONS FOR RECREATION VEHICLES
- 1809---- EFFECT OF APPROVAL OF A MOBILE HOME
- 1810---- PERMITTED LOCATIONS FOR RECREATION VEHICLES
- 1811---- TEMPORARY RESIDENTIAL USE PERMITS FOR MOBILE HOMES/RECREATIONAL VEHICLES
- 1812---- TEMPORARY COMMERCIAL USE PERMITS FOR MOBILE HOMES AND RECREATION VEHICLES ON COMMERCIAL CONSTRUCTION SITES
- 1813---- STORAGE OF RECREATION VEHICLES IN RESIDENTIAL DISTRICTS
- 1814---- REVIEW AND APPROVAL PROCESS FOR A MANUFACTURED HOUSING SUBDIVISION
- 1815---- REVIEW AND APPROVAL PROCESS FOR A MOBILE HOME PARK
- 1816---- REVIEW AND APPROVAL PROCESS FOR A RECREATION VEHICLE PARK
- 1817---- ENFORCEMENT

SEC. 1801 INTENT AND PURPOSE

It is the intent of this ordinance to regulate the use, and provide locations for manufactured housing, mobile homes and recreational vehicles, as defined herein, in Santa Cruz County. Furthermore, it is the intent of these regulations to permit the use of a Mobile Home, for temporary residential use, only in areas zoned GR-40, GR and SR, during the period of construction of a permanent residential structure.

The purpose of this ordinance is to differentiate between manufactured housing, mobile homes and recreation vehicles and to establish regulations for their permanent and temporary residential and commercial uses.

Guidelines for the establishment of mobile home parks, manufactured housing subdivisions and recreation vehicle parks are outlined herein.

A manufactured home which has been placed on a permanent foundation, pursuant to these following regulations shall be subject to county property taxes.

SEC. 1802 DEFINITIONS

Manufactured House - A multi-sectional factory built home not exceeding two (2) stories in height and manufactured after June 15, 1976, that when joined, forms a residence for human occupancy that measures twenty (20) feet by forty (40) feet or larger and is designed to be installed on a permanent



foundation. A manufactured house shall have a roof with a pitch of not less than two (2") inches vertical rise for each twelve (12") inches of horizontal run, and eaves that shall overhang all sides of the house twelve (12") inches or more. A manufactured home shall be HUD approved and shall be eligible for a thirty year mortgage.

Mobile Home - A movable or portable unit, other than a building, over thirty three (33) feet in length or ten (10) feet or more in width, designed and constructed for conveyance on streets and highways on its own chassis or on a flatbed or other trailers, and designed and constructed to be installed with or without a permanent foundation for human occupancy as a residence which may include one (1) or more components that can be retracted for towing or transporting purposes and subsequently expanded for additional capacity, or two or more such units separately towable or transportable but designed to be joined into one (1) integral unit, except that it does not include manufactured homes or recreation vehicles as defined by this ordinance.

Recreation Vehicle - A vehicular or portable unit mounted on a chassis and wheels, designed and constructed for temporary human occupancy as a residence, not more than eight (8') feet in width and no more than forty (40) feet in length and containing no more than three hundred twenty (320) square feet in total floor area. For purposes of measuring length, the recreation vehicle hitch and/or tongue shall be excluded. The term recreation vehicle shall include travel trailers, camping trailers, truck campers, boats, self-contained vehicles, and commercially built motor homes.

Recreation Vehicles (Overnight) - A recreation vehicle which is not designed for or to be used for permanent residential use in a travel trailer/recreation vehicle park or at other approved locations.

Recreation Vehicle / Park Model (Destination) - A recreation vehicle which is designed for and is used for permanent residential use in a travel trailer/recreation vehicle park. It is not self-contained.

SEC. 1803 PERMITTED LOCATIONS FOR MANUFACTURED HOMES

Manufactured Homes shall only be permitted in the MFR Zone for permanent residential purposes.

SEC. 1804 EFFECT OF APPROVAL OF A MANUFACTURED HOME

A manufactured home, either individually or by specific mode, shall be permitted only in a MFR (Manufactured Home) district as a permanent residential structure. It shall be subject to the requirements and limitations applying generally to such residential use in the district, including but not limited to "Common Regulations for all Residential Districts" (Article 10), minimum lot, yard, and building-space dimensions, transitional provisions at district boundaries, and off-street parking requirements, and subject to the following additional requirements and limitations.



SEC. 1804-1 BUILDING PERMIT REQUIREMENTS

A building permit shall be required for the installation of a mobile home or a manufactured house in Santa Cruz County. The items inspected shall include but be limited to the foundation, electrical hookup, plumbing hookup, HVAC and the component assembly.

SEC. 1804-2 FOUNDATION REQUIREMENTS

No manufactured home shall be placed or occupied for residential use in a MFR or MH district without a permanent masonry foundation and installed according to the manufacture’s specifications and/or the State of Arizona Office of Manufactured Housing specifications. A masonry skirt with adequate ventilation shall be required.

SEC. 1805 APPEARANCE STANDARDS OF A MANUFACTURED HOME

A manufactured home shall have roofing and siding material similar in appearance and kind to those used in conventional homes

SEC. 1806 APPLICATION PROCESS FOR A MANUFACTURED HOME DETERMINATION.

Applications for approval of a manufactured home, authorized for location in MFR residential district, shall be filed with the Planning and Zoning Department in such form as may reasonably be required to make determinations and when completed presented to the Building Inspector. In addition to such information as is generally required for the permits and is necessary for administrative purposes, such applicants shall include all information necessary to make a determination as to conformity with Section 1807, Standards for Determinations of Acceptable Exterior Appearance, color photographs of all sides of the manufactured home, exterior dimensions, roof slopes, exterior finish, and the like.

Supporting material shall also include a site plan with yard setbacks, septic and drain field areas, landscaping, parking, pier locations and information as to the visible foundation in sufficient detail as to make possible determinations on its appearance and durability.

Upon receipt of an application with all required supporting materials, a copy shall be transmitted to the Planning Director, with an advisory report from the Building Inspector.

Upon receipt of such report or within 10 days of the date the completed application was filed, the Planning Director shall make a determination of acceptable exterior appearance.

SEC. 1807 STANDARDS FOR DETERMINATION OF ACCEPTABLE EXTERIOR APPEARANCE OF A MANUFACTURED HOME

The following standards shall be used for determinations of acceptable appearance of manufactured homes. These standards shall be used by the Building Inspector in evaluating single applications and by



the Planning Staff in evaluating a request for a reclassification of zoning. In addition to meeting the following specific standard, no manufactured home to be approved shall have windows or features, or use colors or color combinations that would be incompatible in a general residential neighborhood.

SEC. 1807.1 MINIMUM WIDTH OF THE MAIN BODY

Minimum width of the main body of the manufactured home as assembled on the site shall not be less than 20 feet, as measured across the narrowest portion.

SEC. 1807.2 MINIMUM ROOF PITCH; MINIMUM DISTANCE, EAVES TO RIDGE; ROOFING MATERIALS

The pitch of the main roof shall be not less than two (2") inches of rise for each twelve (12") inches of horizontal run. Minimum distance from eaves to ridge shall be 12 feet. Eaves shall overhang the structure a minimum of twelve (12") inches on all sides. Santa Cruz County encourages the use of eighteen (18") overhangs. In general, any roofing material may be used that is generally acceptable for housing built on the site, if applied in such a manner as to be similar in appearance, provided, however, that the following shall not be considered acceptable for manufactured homes: (See Sec. 1807-3 below). An exception to the above roof requirements may be allowed by the Board of Adjustments.

SEC. 1807.3 EXTERIOR FINISH; LIGHT REFLECTION

Any materials that are generally acceptable for housing built on the site may be used for exterior finish if applied in such a manner as to be similar in appearance, provided however, that reflection from such exterior shall not be greater than from siding coated with clean, white, semi flat, exterior enamel.

SEC. 1807.4 ORIENTATION OF A MANUFACTURED HOME TO THE PRINCIPAL STREET FRONTAGE

While orientation of manufactured homes perpendicular to the road is common practice, homes angled or parallel to the street are visually preferable. Santa Cruz County encourages Manufactured Homes, of the same model or similar in appearance, located on adjacent lots, to be orientated differently.

SEC. 1808 PERMITTED LOCATIONS FOR MOBILE HOMES

Mobile Homes shall only be permitted within approved mobile home parks and mobile home subdivisions (MH Zone) for permanent residential purposes.

SEC. 1809 EFFECT OF APPROVAL OF A MOBILE HOME

A mobile home, either individually or by specific model, shall be permitted only in a MH (Mobile Home) district as a permanent residential structure. Both shall be subject to requirements and limitations applying generally to such residential use in the district, including but not limited to "Common Regulations for all Residential Districts" (Article 10), minimum lot, yard, and building-space dimensions, transitional provisions at district boundaries, and off-street parking requirements, and subject to the following additional requirements and limitations:



SEC. 1809.1 BUILDING PERMIT REQUIREMENTS

A building permit shall be required for the installation of a mobile home in Santa Cruz County. The items inspected shall include but not be limited to the foundation, electrical hookup, plumbing hookup, HVAC (heating, ventilation and cooling) and the component assembly.

SEC. 1809.2 FOUNDATION REQUIREMENTS

No mobile home shall be placed or occupied for residential use in a MH district without appropriate securing mechanisms installed according to the manufacturer's specifications and/or the State of Arizona Office of Manufactured Housing specifications. A skirt with adequate ventilation shall be required.

SEC. 1810 PERMITTED LOCATIONS FOR RECREATION VEHICLES

Recreational Vehicles shall only be permitted in designated RV or mobile home parks for temporary residential purposes. Recreation vehicles located in mobile home parks shall be located in a separate area and not intermingled with mobile homes.

SEC. 1811 TEMPORARY RESIDENTIAL USE OF MOBILE HOMES AND RECREATION VEHICLES

Mobile Homes and Recreation Vehicles are permitted on a temporary basis for residential purposes in GR-40, GR and SR zoning districts only, for a period of up to six (6) months with the issuance of a temporary use permit. A temporary use permit shall not be issued for a mobile home/RV unless a building permit has been issued for the construction of a permanent residence on the same property and the sanitary waste disposal system has been reviewed and approved by the Santa Cruz County Environmental Health Department. The temporary use permit shall be issued by the Building Inspector concurrently with the issuance of the building permit.

The permit may be extended for six (6) months concurrently with a six (6) months building permit extension. If an additional extension is required, after the first twelve month period expires, an appeal to the Board of Adjustments shall be made by the applicant. The mobile home shall be removed from the property after the expiration of the temporary use permit or prior to the issuance of the Certificate of occupancy.

A temporary use permit, not to exceed thirty (30) days, may be issued by the Zoning Inspector for the RV in any residential area of Santa Cruz County for temporary residential use, not related to the construction of a new home.

SEC. 1812 TEMPORARY COMMERCIAL USE PERMITS FOR MOBILE HOMES, RECREATION VEHICLES, AND MOBILE STORAGE UNITS ON NON RESIDENTIAL SITES

Mobile Homes, mobile storage units and or recreation vehicles are permitted on a temporary basis on construction sites for non-residential purposes only for the duration of construction. A temporary use permit shall not be issued unless a building permit has been issued for the project's



construction and a sanitary waste disposal system, if necessary, has been reviewed and approved by the Santa Cruz County Environmental Health Department. The Mobile Home/RV shall be removed within thirty (30) days of the issuance of the Certificate of Occupancy.

A “Special Events” temporary use permit, not to exceed thirty (30) calendar days, may be issued by the Zoning Inspector for an RV for commercial and related residential use.

SEC. 1813 STORAGE OF RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS

No more than two (2) recreation vehicles, provided one (1) is screened from public view may be stored on a residential lot in the rear and or side yards only. The vehicle shall not extend beyond the front facade of the residence. Minimum side or rear yard setbacks shall be maintained. An RV shall not be used for permanent residential purposes; however, it may be used for temporary residential purposes for a period not to exceed thirty (30) days with the issuance of a temporary use permit.

SEC. 1814 REVIEW AND APPROVAL PROCESS FOR A MANUFACTURED HOUSING DIVISION

A preliminary development conference is required with the planning staff to discuss the County’s requirements as they pertain to Manufactured Housing Subdivisions.

Minimum lot sizes, setback requirements and off street parking provisions shall be required as outlined in Article 9 of the Santa Cruz County Development Code. Other topics of discussion include landscaping, screening and buffering, off street parking, open space, sidewalks, curb and gutter requirements, paving and roadway widths and other related utilities. In addition, the County shall require a recreation facility for the project such as a clubhouse, playground facility or a neighborhood park.

SEC. 1814.1 MINIMUM PARCEL SIZE

A minimum parcel size of ten (10) acres (435,600 sq. ft.) shall be required for a manufactured housing subdivision.

SEC. 1815 REVIEW AND APPROVAL PROCESS FOR A MOBILE HOME PARK

A preliminary development conference is required with the planning staff to discuss the County’s requirements as they pertain to Mobile Home Parks. Minimum lot sizes, setback requirements and off street parking provisions shall be required as outlined in Section 982 of the Santa Cruz County Development Code. Other topics of discussion include landscaping, screening and buffering, off street parking, open space, sidewalks, curb and gutter requirements, paving and roadway widths. In addition, the county shall require a recreation facility for the project such as a clubhouse, playground facility or a neighborhood park.

SEC. 1815.1 MINIMUM PARCEL SIZE

A minimum parcel size of ten acres (435,600 sq. ft.) shall be required for a mobile home park.



SEC. 1816 REVIEW AND APPROVAL PROCESS FOR A RECREATION VEHICLE PARK

Recreation Vehicle Parks are allowed in B-2 zones upon the review and approval of the appropriate Board of Adjustment, M-1 zones and in MH (Mobile Home) zones if operated in conjunction with a mobile home park. A preliminary development conference is required with the planning staff to discuss the County's requirements as they pertain to a Recreation Vehicle Park. Landscaping, screening and buffering requirements shall be the same as those for a mobile home park. Off street parking, recreation facilities, sanitary waste disposal, showers, bathroom and laundry facilities will be reviewed by the planning staff at this meeting. After the preliminary development conference, staff shall prepare a report for the appropriate Board of Adjustment. It shall be the responsibility of the applicant to apply for a conditional use permit to the Board of Adjustment and represent himself at the hearing.

SEC. 1816.1 MINIMUM PARCEL SIZE

A minimum parcel size of 2 acres (87,120 sq. ft.) shall be required for a recreation vehicle park.

SEC. 1817 ENFORCEMENT

The Planning Director is charged with the enforcement of this code. He shall appoint, according to law, all subordinate officials and assistants necessary to the enforcement of this code as outlined in Article 9, Section 907 and Section 908 of the Santa Cruz County Zoning Ordinance of 1973.



ARTICLE 19 – LANDSCAPING, SCREENING AND BUFFERING

- 1901--- PURPOSE AND INTENT**
- 1902--- LANDSCAPE PLAN REQUIREMENTS**
- 1903--- ADDITIONAL LANDSCAPE REQUIREMENTS**
- 1904--- COMPONENTS OF THE LANDSCAPE PLAN**
- 1905--- PERFORMANCE STANDARDS**
- 1906--- DESIGN STANDARDS**
- 1907--- SALVAGE PLAN**
- 1908--- PARKING AREAS**
- 1909--- BUFFER AND SCREENING REQUIREMENTS**
- 1910--- MAINTENANCE**
- 1911--- ENFORCEMENT**
- 1912--- DEFINITIONS**
- 1913--- APPENDICES**

SEC. 1901 PURPOSE AND INTENT

The purpose of this article is to promote the health, safety and general welfare of the county by creating a healthy living environment through the preservation of the county's various plant communities, conservation of groundwater, reduction of soil erosion, and air pollution.

The intent of this article is to reduce adverse impacts upon the environment and between potentially incompatible uses and zones by requiring a minimum level of natural landscape preservation, site revegetation, and buffering.

SEC. 1902 LANDSCAPE PLAN REQUIREMENTS

A Landscape Plan shall be required by the Planning and Zoning Department for all developments within the County in all zoning districts. Every development is required to submit a landscape plan in accordance with this article. A certificate of occupancy shall not be issued until the required landscaping has been installed.

SEC. 1903 ADDITIONAL LANDSCAPE PLAN REQUIREMENTS

A registered landscape architect may be required to stamp all landscape plans for the following types of developments:

- A. Any Commercial (B-1/B-2), Industrial (M1) development to be constructed on a parcel of land greater than 5 acres.
- B. All Subdivisions; if the Subdivider is both lot sales and homebuilder.
- C. Any recreation/activity site plan.



- D. Any plan or plat for apartments (5 units or more).
- E. Any plat within a Historic or Preservation zone.

SEC. 1904 COMPONENTS OF THE LANDSCAPE PLAN

The landscape plan should include the following components:

- A. The landscape plan shall be drawn on a sheet no larger than 24" X 36" .A north arrow, scale, project name, owner’s name, address, phone, and landscape architect’s name (if applicable), address, and phone.
- B. The Plan shall show all existing and proposed buildings, parking areas, roadways, walkways, locations, and types of landscaped areas, materials, walls, screening, and storm water harvesting devices.
- C. The Plan shall denote all existing, preserved, relocated, and introduced plant materials, both graphically and written along with specified sizes and quantities.

SEC. 1905 PERFORMANCE STANDARDS

- A. An Approved Plant List: of plant materials suitable for planting in Santa Cruz County has been developed and is available at the Planning and Zoning Department. The majority of plant material used in site revegetation shall be from the approved list. All plants not on the list must be approved by the Director of Planning and Zoning.
- B. Newly Planted Trees and Shrubs:
 - 1. Trees shall be at least (15) gallons in size.
 - 2. Trees and shrubs shall be planted so that at maturity they do not interfere with service lines, traffic sight lines and the property right of adjacent property owners.
 - 3. All trees shall be double staked at the time of planting.
- C. Newly Planted Groundcovers:
 - 1. Turf applications, such as required for parks, golf courses, school grounds, cemeteries or common areas of housing developments, are regulated by the Arizona Department of Water Resources in accordance with those provisions of the Santa Cruz Active Management Area (SCAMA) Management Plan in those areas of the county that are within the SCAMA.



D. Irrigation and Water Features:

1. Landscape / Irrigation Plans shall be integrated with site grading plans whenever possible to make maximum use of site storm water harvesting for irrigation purposes.
2. Water features, such as ponds or lakes shall not be allowed, unless they are a component of effluent treatment.
3. Fountains shall only be allowed on a small scale.

E. Tree Spacing: All tree spacing shall be made subject to the following provisions.

1. Trees shall not be planted closer than (20) feet from any intersection, and not closer than (5) feet from any property line.
2. Trees shall not be planted closer than (20) feet from any light standard.

SEC. 1906 DESIGN STANDARDS

A. All residential developments within the County must comply with the following minimum standards:

1. Any part of the total lot area disturbed during the construction process not designated for building, structures, vehicular access ways, streets or parking areas shall be revegetated.

The following minimum plantings are required based on zoning classification:

GR-40	Three (15) gallon trees.
GR	Three (15) gallon trees.
SR/R1/R2	Two (15) gallon trees.
R2/R3/R4/R5	One (15) gallon tree.
MFR/MF/MH	One (15) gallon tree per unit.

B. All commercial (B-1/B-2) and industrial (M-1) zoning districts must comply with the following minimum standards.

1. One (15) gallon tree for each (50) feet of frontage.
2. 2.5% of the total land area in the required front and/or side yard must be covered by landscaping.

C. All new subdivisions must comply with the following minimum standards:



1. Any slope greater than 3 to 1 must be hydro seeded or some other approved form of effective revegetation and/or abatement of slope erosion must be installed.
2. Landscaping with a Subdivision.
 - a) Add the total lineal footage on both sides of the street.
 - b) Divide by the number of trees required per applicable zoning classification.
3. Example: 8,090 feet of street frontage within a SR zoning district would require 81 trees to be distributed evenly throughout the subdivision.

GR-40/GR/SR/R1 One (15) gallon tree must be salvaged or planted within the required front or side yard for every (100) feet of street frontage within the development.

R2/R3/R4/R5 One (15) gallon tree must be salvaged or planted within the required front or side yard for every (50) feet of street frontage plus (250) square feet of landscaping.

MF/MH/MFR One (15) gallon tree plus (200) square feet of landscaping per unit.

SEC. 1907 SALVAGE PLAN

Santa Cruz County encourages the preservation and/or transplanting of native, on-site vegetation as the primary objective of site landscaping. All developments within any zoning district may submit a landscape salvage plan, in lieu of planting trees to satisfy the particular requirements of that zoning district or sub-classification. Salvageable tree(s) must meet the following criteria:

- A. 3 inch (DBH) diameter at breast height or greater.
- B. The tree(s) must be located in the front or side yard of the property to receive credit.
- C. The tree(s) must be tagged with highly visible tape so the building inspector may easily identify the tree(s).
- D. It must be noted on the landscape plan those tree(s) to be salvaged and approved by the Planning and Zoning Director, prior to having the application accepted by the Building Department.

SEC. 1908 PARKING AREAS

A minimum of:

- A. Ten percent of the interior surface area of all parking lots shall be landscaped.
- B. Wheel stops are required.



C. Compliance with the American's with Disabilities Act is required.

SEC. 1909 BUFFER AND SCREENING REQUIREMENTS

A. A Buffers purpose is to reduce the impacts of adjacent land uses upon each other and/or the surrounding community. Buffers shall be located on the outer perimeter of a lot or parcel.

B. If a discrepancy occurs between the yard setback and the required buffer, whichever distance is greater shall be utilized.

C. No main and/or accessory structure shall occupy any portion of a buffer area.

D. To determine the type of buffer required between two adjacent parcels, the following procedure shall be followed:

1. Identify the zone category of the first adjacent land use on the table below. (Top Row)
2. Identify the zone category of the second adjacent land use on the table below. (Left Column)
3. To determine the buffer area required refer to the numerical measurement in feet on the table below.

ZONE CATEGORIES		FIRST				
		GR-40/GR/SR	R1/R2/R3	R4/R5/MFRMH/MF	B1/B2	M1/M2
SECOND	GR/SR	0	20	40	50	70
	R1/R2/R3	0	0	20	50	70
	R4/R5/MFR MH/MF	0	0	0	50	70
	B1/B2	0	0	0	0	50
	M1/M2	0	0	0	0	0



E. Responsibility for establishing buffer areas shall be as follows:

1. Intensity of land use determines which use is required to establish the buffer. That land use which is of higher intensity must establish the buffer. The following criteria applies:
 - a) Most intensive (M1/M2)
 - b) Intensive (B1/B2)
 - c) Least intensive (All residential)
2. Upon approval of the Planning and Zoning Director, buffering requirements may be reduced up to a maximum of 50% if a wall system is constructed to satisfy the spirit of the buffering and screening requirements.

F. Buffer areas may be used for the following:

1. A buffer area may be used for passive recreation. Such as pedestrian, bike or equestrian trails.
2. In a buffer area of (40) feet or greater, 70% seventy percent of the buffer area may be used for parking and or utilities.

G. Walls and Screening Devices

1. All industrial and commercial lots abutting non-industrial or non-commercial land uses shall be screened by the use of a wall system. Responsibility for the screening falls upon the owner of the industrial or commercial lot.
2. Exterior boundaries of manufactured, mobile home, and recreational vehicle parks shall be screened by the use of a wall system.

SEC. 1910 MAINTENANCE

- A. Dust and Debris shall be controlled during the excavation and construction process.
- B. All required landscaping shall be properly maintained.

SEC. 1911 ENFORCEMENT

The Planning Director in conjunction with the Director of the Building Department are charged with the enforcement of this code. They shall appoint all officials and assistants necessary for the enforcement of this code. They may modify the regulations contained within this article as needed to promote public health, safety, and general welfare.



SEC. 1912 DEFINITIONS

- A. Buffer: A zone to lessen the impact of high intensity use on a less intensive use.
- B. DBH (Diameter at Breast Height): the diameter of a tree trunk measured at approximately four and a half (4 1/2) feet or fifty four (54) inches above the ground level.
- C. Deciduous: Plants that are naturally without foliage for a portion of the year.
- D. Development: Any construction totaling more than (500) square feet of living area.
- E. Effluent: Reclaimed wastewater.
- F. Excavate: The removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface whether exposed or submerged.
- G. Grade: A slope or gradual inclination.
- H. Grading: To change the natural contours of the land.
- I. Grasses: Monocotyledonous herbaceous plants native to the Southwestern United States not requiring supplemental irrigation.
- J. Grey Water: Domestic water from a shower, bath or sink.
- K. Groundcover (inorganic): Non-living material generally consisting of rocks, pebbles or stones utilized to reduce soil erosion.
- L. Groundcover (organic): Low growing living plants (up to 24 inches at mature height) that reduce soil erosion.
- M. Hydro seed: The process of applying seed by a machine through a slurry mixture of seed, mulch, fertilizer, water and a tacking agent (binder) to the ground surface.
- N. Landscaping: Organic or inorganic materials.
- O. Lot: A piece of land having fixed boundaries.
- P. Maintenance: The act of sustaining and preserving the health and life of landscaping.
- Q. Preservation: To keep safe or guard from harm, injury, or destruction.



- R. Screening Device: Any structure used to conceal or reduce the negative visual and audible impacts of certain land uses or activities from streets or adjacent development.
- S. Site: Any lot or parcel of land or combination of continuous lots or parcels of land.
- T. Site Coverage: The portion of a parcel of land required for landscaping.
- U. Specimen Plant: A tree, cactus, or shrub of particular interest shape or form.
- V. Transplant: To relocate a living plant which naturally established itself upon a site.
- W. Undisturbed: For the purposes of this ordinance, the naturally occurring contours and indigenous vegetation of a site that has not been subject to any human alteration or modification.
- X. Unit: A single self-contained dwelling unit.
- Y. Walls or Fences: Any structure intended for confinement, prevention of intrusion, boundary identification, or screening of an activity or land use.
- Z. Wheel-stops: A horizontal beam, post, or curb laid across the end of a parking space.

SEC. 1913 APPENDICES

GUIDELINES FOR WATER CONSERVING FOUNTAIN DESIGN

- A. Fountains should be designed with re-circulating pumps.
- B. Pumps should be wired to a switch or easily unplugged.
- C. A timer should be installed on the pumps.
- D. Pools should be large enough to catch the fountain's splash.
- E. A rubber or PVC liner should be used under a concrete pond to prevent water seepage.



ARTICLE 20 – RIO RICO COMMUNITY DISTRICT

---2001--- PURPOSE AND INTENT

---2002--- ESTATES

---2003--- URBAN UNITS

---2004--- RANCHETTES

---2005--- VILLAS

SEC. 2001 PURPOSE AND INTENT

The purpose of the Rio Rico Community District is to require minimum lot sizes and floor areas in Rio Rico Villas, Ranchettes, Estates, and Urban Units for all residential construction.

The intent of this district is to maintain harmonious and compatible neighborhoods within the Rio Rico community with lots and homes of a similar size and area.

The minimum lot and floor areas required in this district are the same as those required in the deed restrictions originally prepared, recorded and placed into effect for the Rio Rico subdivision in 1967.

SEC. 2002 ESTATES

- A. The minimum lot size for a single-family dwelling unit shall be 18,000 square feet.
- B. The minimum size of all single family dwellings (exclusive of carports, breezeways and open patios and porches) and including any garages, utility rooms, and roofed, screened patios of a maximum of 200 square feet shall be 1,200 square feet.

SEC. 2003 URBAN UNITS

- A. The minimum size of all single-family dwellings (exclusive of carports, breezeways and open patios and porches) and including garages, utility rooms, and roofed, screened patios of a maximum of 200 square feet, shall be as follows:
 - 1. A minimum floor area of 900 square feet shall be required for single-family dwelling units constructed on a lot less than 7,500 square feet.
 - 2. A minimum floor area of 1,100 square feet shall be required for a single-family dwelling unit constructed on lot 7,500 to 10,000 square feet.
 - 3. A minimum floor area of 1,200 square feet shall be required for a single-family dwelling unit constructed on a lot greater than 10,000 square feet.



SEC. 2004 RANCHETTES

- A. The minimum lot size for a single-family dwelling unit shall be 18,000 square feet.
- B. The minimum size of all single-family dwellings (exclusive of carports, breezeways, and open patios and porches) and including garages, utility rooms, and roofed, screened patios of a maximum of 200 square feet, shall be 1,200 square feet.

SEC. 2005 VILLAS

- A. The minimum lot size of all single-family dwellings (exclusive of carports, breezeways, open patios, and porches) and including garages, utility rooms and roofed, screened patios of a maximum of 200 square feet shall be as follows:
 - 1. A minimum floor area of 900 square feet shall be required for a single-family dwelling unit constructed on a lot less than 7,500 square feet.
 - 2. A minimum floor area of 1,100 square feet shall be required for a single-family dwelling unit constructed on a lot 7,500 to 10,000 square feet.
 - 3. A minimum floor area of 1,200 square feet shall be required for a single-family dwelling unit constructed on a lot greater than 10,000 square feet.



ARTICLE 21 – HISTORIC ZONE

- 2101--- PURPOSE AND INTENT
- 2102--- DEFINITIONS
- 2103--- HISTORIC SITE OR HISTORIC STRUCTURE
- 2104--- CRITERIA FOR ESTABLISHING HISTORIC ZONES
- 2105--- ESTABLISHMENT OF HISTORIC ZONES AND DESIGNATION OF HISTORIC SITES
- 2106--- HISTORIC ZONE ADVISORY BOARD
- 2107--- ZONING DISTRICT PREFACE H
- 2108--- SIGNS WITHIN HISTORIC ZONES
- 2109--- HISTORIC ZONING DEVELOPMENT REVIEW
- 2110--- APPROVAL BY DIRECTOR
- 2111--- APPLICATION
- 2112--- DEVELOPMENT AND DESIGN PLAN REQUIREMENTS
- 2113--- DEVELOPMENT PLAN FILING
- 2114--- REVIEW BY HISTORIC ZONE ADVISORY BOARD
- 2115--- DECISION BY DIRECTOR
- 2116--- APPEALS PROCEDURES
- 2117--- PROVISIONS AND CRITERIA FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE REDESIGNING, REMODELING OR MODIFICATION OF STRUCTURES AND USE OF VACANT PARCELS WITHIN HISTORIC ZONES
- 2118--- DEMOLITION OF HISTORIC STRUCTURES
- 2119--- TEMPORARY USES WITHIN HISTORIC ZONES
- 2120--- TEMPORARY USES REQUIRING PERMITS
- 2121--- TIME REQUIREMENTS
- 2122--- APPLICATION FOR PERMIT
- 2123--- BONDS AND INSURANCE
- 2124--- ISSUANCE OF PERMIT
- 2125--- DENIAL OR REVOCATION OF PERMIT
- 2126--- MODIFICATION OF LIMITATIONS
- 2127--- CONDITION OF SITE FOLLOWING TEMPORARY USE
- 2128--- COST RECOVERY FEE
- 2129--- EXEMPTIONS
- 2130--- ENFORCEMENT
- 2131--- PENALTY

SEC. 2101 PURPOSE AND INTENT

The purpose and intent of this zone is to promote the health, education, culture, history, and the economic and general welfare of the County and to insure the harmonious growth and development of the County by encouraging the preservation of the historic sites and structures located within historic zones. The historic zone is to be superimposed over existing zones where there is a group of surviving



related buildings in their original setting which give an historic imension to the County. It is not intended to modify the uses permitted in the underlying zones, but to encourage the retention of early structures, keep them in active use, and in their original appearance, setting and placement. It is also intended that new or remodeled structures, located within historic zones, be designed and constructed to harmonize with the structures located within its immediate vicinity, in order to preserve property values, provide for future development and to promote an awareness of the heritage of Santa Cruz County among both residents and visitors to the County.

SEC. 2102 DEFINITIONS

- A. Historic Zone means the designated area which falls within the boundaries of a Historic Zone established under this Article.
- B. Board means the Board of Supervisors of Santa Cruz County.
- C. Planning Commission means the Santa Cruz County Planning and Zoning Commission.
- D. Director means the Director of the Santa Cruz County Community Development Department.
- E. Advisory Board means the Historic Zone Advisory Board appointed by the Board of Supervisors.

SEC. 2103 HISTORIC SITE OR HISTORIC STRUCTURE

Historic Site or Historic Structure means a site or structure meeting one or more of the following six criteria:

- A. Be authenticated as dating from a particular significant period in the history of Santa Cruz County;
or
- B. Be associated with the lives of outstanding historical personages; or
- C. Be associated with significant historic events or occurrences; or
- D. Be a good example of the architectural period in which it was built and have distinguishing characteristics of an architectural style, method of construction, or be the notable work of a master builder, designer or architect whose individual genius influences his age; or
- E. Contribute information of archaeological, historical, cultural or social importance relating to the heritage of the community; or
- F. Be at least 50 years old and relate to events, personages or architectural styles of significance to the community, provided, however, that outstanding examples less than 50 years old should be evaluated on their own merits.



SEC. 2104 CRITERIA FOR ESTABLISHING HISTORIC ZONES

In determining if an area, neighborhood, or district shall be established as an historic zone the following criteria shall be examined. Not all of the criteria need be present; however, a sufficient number of the criteria should be satisfied to comply with the purpose and intent of this Article.

- A. An historic zone should include historic sites or structures.
- B. An historic zone should include a group of related sites, buildings, and structures in their original setting which contribute to an understanding of the heritage of the community.
- C. The group of structures, buildings or sites should provide the area with a sense of uniqueness, and it should be readily distinguishable from other areas of the community.
- D. There should be a sufficient number of structures of related or similar characteristics to make a recognizable entity.

SEC. 2105 ESTABLISHMENT OF HISTORIC ZONES AND DESIGNATION OF HISTORIC SITES

- A. An historic zone may be established upon petition to the Board by the owners of not less than 65% percent of the privately-owned area of the proposed zone or upon petition by the Planning Commission.
- B. Upon receipt of a petition to establish an historic zone, the Board and Planning Commission shall proceed in the manner as provided for amendments as set out in Article 22 of the Santa Cruz County Zoning Ordinance.
- C. In considering a petition to establish an historic zone, the Planning Commission and the Board may seek and accept the advice, assistance and participation of any Historic Zone Advisory Board, if one has been established pursuant to this Article, and other associations, organizations or individuals qualified by interest, training or experience.
- D. At any public hearing before the Planning Commission or the Board for the establishment of an historic zone, the residents and property owners of the subject area as well as interested citizens and organizations shall be heard.
- E. At any such hearing, the Planning Commission and Board shall designate the boundaries of the Historic Zone and which sites and structures are historic.
- F. No site or structure shall be designated historic without notice to the owner and occupant of the premises who shall have an opportunity to be heard at such meetings.



- G. Within 30 days after the close of the public hearing on the petition, the Planning Commission shall make its recommendation to the Board.
- H. Within 30 days after the close of the public hearing before the Board on the petition, the Board shall render its decision concerning the establishment of an historic zone.

SEC. 2106 HISTORIC ZONE ADVISORY BOARD

- A. Composition of the Board: The Board of Supervisors shall establish an historic zone advisory board for each designated historic zone and appoint at least five members thereto at their discretion. The Board of Supervisors should select advisory board members who either live within or near the historic zone and/or possess special knowledge of building design, construction or the history of the area. Appointments shall be for two-year terms, except that upon initial establishment, half of the members shall be appointed for an initial term of one year. The members shall receive no compensation and may adopt rules and regulations for carrying on their assigned duties.
- B. Duties: Pursuant to Sec. 2114, the advisory board shall review development and design plans involving the erection or construction of new buildings, structures or signs or the modification, addition, alteration, moving or demolition of existing structures or signs located within that historic zone. All meetings of the advisory board shall be public, notice of which shall be provided according to law.

SEC. 2107 ZONING DISTRICT PREFACE H

Any use permitted by the existing zones over which the historic zone is superimposed shall be allowed. Properties in an historic zone will be designated on County zoning district maps by its underlying zone name plus the preface H.

SEC. 2108 SIGNS WITHIN HISTORIC ZONES

An historic zone plan shall require that the appearance, color, size, position, method of attachment, texture of materials, and design of such signs are in keeping with the collective characteristics of the structures located within the appropriate historic zone. The signs allowed in the historic zone shall be further limited as follows:

- A. Off-site signs shall not be permitted.
- B. Business signs shall be limited to one sign only for each street frontage per premises. Businesses having frontage on more than two streets will be allowed a total of three signs. Post or ground signs shall be limited to one sign per premises.
- C. Maximum area of any sign shall be eight square feet.



- D. No sign may extend above the top of the nearest parapet, lowest eave, or firewall of a building or structure.
- E. No sign that flashes, blinks, revolves, or is otherwise in motion shall be permitted. No visible bulbs, neon tubing, luminous paints, or plastics will be permitted as part of any sign.
- F. Buildings and signs within the historic zone may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties.
- G. Exceptions: The Director may approve exceptions to these requirements where it can be shown that the proposed sign is consistent with the purpose and intent of the historic zone and historically authentic.

SEC. 2109 HISTORIC DISTRICT DEVELOPMENT REVIEW

The County Building Official shall not issue a building permit for: The erection or construction of a new building or structure; the modification, addition, alteration, moving or demolition of existing structures which would affect the exterior appearance of any existing building or structures; or the installation of a sign within an historic zone without written authorization from the Director.

SEC. 2110 APPROVAL BY DIRECTOR

The Director shall authorize the issuance of a building permit only upon approval of a development plan in accordance with the following procedures. Prior to the submittal of a development plan, the applicant may consult with the staff of the Planning Commission concerning submission requirements. It is also recommended that the applicant review his proposed development with the relevant Historic Zone Advisory Board.

SEC. 2111 APPLICATION

Application for historic district development review shall be made on forms provided by the Director and shall be accompanied by two copies of a development plan.

SEC. 2112 DEVELOPMENT AND DESIGN PLAN REQUIREMENTS

The development plan shall be drawn to scale and shall provide the following information where applicable.

- A. The proposed layout of all structures and other improvements including, where appropriate, driveways, pedestrian ways, existing significant landscaped features and proposed landscaped areas, fences, walls, off-street parking and loading areas. The development plan shall indicate the location of property lines and public rights-of-way entrances and exits and the direction of traffic flow in and out of off-street parking and loading areas, the location of each parking space and each loading berth and areas for turning and maneuvering vehicles.



- B. Architectural drawings or sketches, drawn to scale, including typical floor plans, in sufficient detail to permit computation of yard requirements and showing all exterior elevations of the proposed structures or other improvements as they will appear on completion of construction.
- C. Specification as to type, color and texture of exterior surfaces of proposed structures.
- D. A sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs.
- E. Any additional information deemed necessary by the Director to properly review the development plan.

SEC. 2113 DEVELOPMENT PLAN FILING

For each development proposed within an historic zone, the Director shall review the development plan for compliance with established application requirements and shall formally accept or reject the application. This section shall control over any other provision of this Article or any other Ordinance in the event of conflict.

SEC. 2114 REVIEW BY HISTORIC ZONE ADVISORY BOARD

The Director shall as soon as possible transmit one copy of the accepted development plan to the appropriate Historic Zone Advisory Board for its review and recommendation. The Historic Zone Advisory Board shall hold at least one public meeting within fourteen days of receipt of the development plan to consider it and make its recommendations to the Director.

SEC. 2115 DECISION BY DIRECTOR

- A. The Director shall review the proposed development plan for its compliance with the purpose and intent of the Historic Zone and applicable standards and criteria and shall approve, subject to conditions, or disapprove the development plan within 20 working days of the filing of an acceptable application. In no event shall the Director act on the proposed development prior to the expiration of 19 working days without having considered the recommendations of the applicable Historic Zone Advisory Board. If the Director does not make a recommendation within 20 working days, the application is deemed approved.
- B. The Director shall provide the applicant, the appropriate Historic Zone Advisory Board, and any other interested persons with a written statement setting forth the reasons supporting the decision.



SEC. 2116 APPEALS PROCEDURES

- A. The decision of the Director may be appealed to the appropriate Board of Adjustment as provided in Article 6 of the Santa Cruz County Zoning Ordinance.
- B. Appeals may be made by any of the following:
 - 1. The applicant or any other person aggrieved by the decision; or
 - 2. A member of the applicable Historic Zone Advisory Board; or
 - 3. Any real Property owner of the applicable Historic Zone; or
 - 4. Any resident of the applicable historic zone.

SEC. 2117 PROVISIONS AND CRITERIA FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE REDESIGNING, REMODELING OR MODIFICATION OF STRUCTURES AND USE OF VACANT PARCELS WITHIN HISTORIC ZONES

The erection or construction of a new building or structure, or the modification, addition, alteration, moving or demolition of existing structures in historic zones shall comply with the following provisions;

- A. The historical and architectural characteristics of an historic structure which make it unique shall be properly preserved and any changes shall generally conform to the character of the structures located within its historic zone.
- B. No specific architectural style shall be required for the design of a new building or other structures that have not been designated as historic; however, such buildings and structures are subject to the following:
 - 1. The design of the structure shall generally conform to the character of the buildings and structures located within its historic zone.
 - 2. If demolished and the area left vacant, the area shall be maintained in a clean and inoffensive manner.
 - 3. If demolished and the area converted to another use not requiring building (such as a parking lot), the area shall be buffered by landscaping or have walls or fences that generally conform to the character of the other buildings and structures located within its historic zone.
 - 4. If demolished and new structures erected, they shall generally conform to the character of the buildings located within its historic zone.



- C. The following criteria shall be used as a guide in approving a building permit and determining if the design of a proposed structure is compatible with the collective characteristics of the buildings or structures located within its historic zone. Other pertinent factors generally affecting the appearance, harmony and efficient functioning of the historic zone district may also be used.
1. Height. New structures may be constructed no higher than the tallest building located within its historic zone district at the time of the establishment of the historic zone.
 2. Setbacks. New structures must maintain the prevailing setback existing within its historic zone district at the time of the establishment of the historic zone.
 3. Proportion. The relationship between the height and width of the front elevation of the building must comport with the character of the historic buildings in the district. Proportional characteristics include size, scale and massing.
 4. Recurrent alteration of solids to voids in the front facade. These shall be consistent with the character of the buildings in the district.
 5. Roof types. New structures shall be constructed with roof types that are characteristic of the historic buildings in the district.
 6. Surface texture of buildings. Materials and textures of new construction shall match the predominant material and texture in the district.
 7. Color of buildings, trim, roof, fascia etc. Colors should be consistent with colors used originally for the historic buildings in the district.
 8. Site Utilization. The proportion of the depth of new structures should be proportional to the width and height of existing structures. Side yards should reflect the side yard of other structures in the district.
 9. Projections and Recessions. Architectural projections should be appropriate to the scale, style and character of other structures in the district.
 10. Architectural Details. The use of historically appropriate architectural details in existing buildings shall be encouraged. In new construction, cornices, lintels, arches, grill work, shutters, overhangs and other architectural details should respect the scale, massing and the horizontal and vertical line of other structures in the district.
- D. The design criteria set forth in the TUBAC, ARIZONA HISTORIC ZONE DESIGN CRITERIA booklet prepared by Janus Associates, Inc., dated December 1990, three copies of which are on file with the Director, is incorporated by reference here, as modified by the additions and deletions set forth below, and shall be used by the Tubac Historic Zone Advisory Board, the Director, and other



individuals and entities in reviewing building and development and design plans under this Article for development within the Tubac Historic Zone.

Page 8: BUILDING SETBACK

(2.3) The building setback shall comply with Santa Cruz County Zoning. It may be desirable however, to offset a new addition in certain instances. Even if the facade of the addition is flush with an existing structure it may be desirable to vary the parapet height to differentiate the addition from the original structure.

Page 11: ROOF TYPE

(5.6) Wood shingles shall not be allowed on structures in the Historic Zone. Clay tile (i.e. flat tile or barrel tile) are not recommended, but may be approved to match an existing installation. New roofing materials may be considered and approved.

Page 12: COLOR

(7.1) Soft earth tones, including pastels are the preferred colors. Other color schemes may be considered and approved.

Pages 14, 15: ARCHITECTURAL DETAILS

(9.2) Wood windows are preferred, but technology has created many materials that can be permitted.

(9.5) The color of metal and framing materials may be considered and approved.

(9.7) Bay windows may be allowed, if they are positioned so as not to be seen from the front or street.

Page 17: SITE UTILIZATION

(10.2) Off street parking on any developed lot or parcel shall be determined by the most current Article 11 of the Santa Cruz County Zoning Code.

Pages 17, 18: SIGNS

(11.1) All applicants should note that approval and a permit from the County is required for all new or modified or otherwise changed signs. Sandwich signs are not allowed.

(11.7) Swinging signs may be approved, but are not recommended.

Page 18: SPECIAL USE AND VARIANCE

(11.10) Murals and painted decorations applied directly to an exterior wall or fence are not allowed.

SEC. 2118 DEMOLITION OF HISTORIC STRUCTURES

- A. No permit shall be issued by the Building Official for demolition of all or any significant part of a structure or building which has been designated as historic before approval by the Advisory Board. In making its decision, the Advisory Board shall determine if the applicant has shown that the preservation of the structure is physically and/or economically feasible.



- B. If preservation is found to be physically and/or economically infeasible, the Advisory Board shall notify the Building Official that the issuance of the demolition permit is approved. The site may be left vacant or a new building constructed in accordance with the provisions set forth in this Article.
- C. If the preservation of the structure is found to be feasible, the Advisory Board shall notify persons or groups interested in historic preservation who may either attempt to convince the owner to preserve the building or structure for at least five years, or if he does not so agree, to attempt to have the property purchased by someone who will agree to preserve the building or structure for at least five years in accordance with the provisions of this Article.
- D. If the owner is not convinced to retain the building or structure and does not make an agreement to that effect and no one has agreed to purchase it from him within 180 days after public notification of his application for a demolition permit, the Advisory Board shall notify the Building Official that the issuance of a permit to demolish the building or structure is approved.

SEC. 2119 TEMPORARY USES WITHIN HISTORIC ZONES

It is unlawful for any person to hold, participate in, conduct, operate or maintain a temporary use in an established historic zone or within 30 feet of an established historic zone without having first obtained a permit from the Director pursuant to the procedures and requirements set forth in this Article unless such temporary use is encompassed within the scope of a permit obtained by another person or entity. All permits issued by the Director, or the Board of Adjustment in the case of an appeal, shall set forth the scope of the activity permitted, to include hours of operation, participating persons, location of temporary structures, and any other limitations and conditions such as parking, sanitation and emergency services plans deemed necessary by the Director to reduce detrimental effects to surrounding uses and to protect the public health, safety and welfare shall be so indicated.

SEC. 2120 TEMPORARY USES REQUIRING PERMITS

Temporary uses requiring a permit are those uses that are not allowed as a matter of right and that have or are likely to have substantial and sustained impacts in the historic zone either due to attracting substantially increased pedestrian and vehicular traffic to the historic zone or because the event is to occur in multiple locations throughout the historic zone over an extended period. In addition, any event that involves extensive exclusive use of County right of way within an historic zone requires a permit. Such temporary uses include, but are not limited to, the following activities:

- A. Transient amusement activities likely to cause sustained disruption of traffic within the historic zone (such as carnivals and circuses).
- B. Any event involving the placement of one or more temporary booths for any length of time by vendors that conduct sales independently from businesses permanently located within the historic zone.



- C. Parking lot sales events.
- D. Outdoor art and crafts shows, exhibits, fairs if they involve additional uses not allowed as a matter of right and are likely to impact the normal traffic flow of a public right of way
- E. Vehicle shows (such as car, RV, boat).
- F. Fireworks displays, or events where fireworks are used.
- G. Concerts, dances or other events held out of doors for which admission is charged or alcohol is served.

SEC. 2121. TIME REQUIREMENTS

- A. A temporary use permit shall be issued for a maximum of ten (10) consecutive calendar days.
- B. Only one temporary use permit is to be issued for a parcel, County right-of-way or other public or private property at any one time and only one event may be permitted in the Historic Zone or within 30 feet of the boundaries of the Historic Zone at any one time.
- C. Permits shall not have overlapping time frames.
- D. Consecutive temporary use permits shall not be issued. Any public or private property or portion of public or private property which is subject to a temporary use permit shall not be subject to a subsequent temporary use permit until the previous temporary use permit has expired for a period of three (3) consecutive calendar days.
- E. Applications for a temporary use permit or a provisional temporary use permit pursuant to subsection F below shall be applied for no sooner than 365 days before the event, with a complete application submitted no later than 30 days before the event is to take place. If a conflict exists among applicants for a permit for the same event or date, the Director may give preference to the applicant that has a history of successfully conducting the event.
- F. A person or entity may apply for a provisional temporary use permit for a series of one or more signature events, which may include events not required to be permitted pursuant to the provisions of this Article. If the Director receives conflicting applications to any event or date, he/she may give preferential consideration to the applicant that has a history of previously successfully conducting the event. The Director may issue a provisional temporary use permit, which shall have the effect of reserving that date and event for the applicant, subject to the applicant's completion of an event-specific application for each event at least thirty days in advance of the event. If an applicant that has received a provisional permit for an event fails to timely complete an application or fails to conduct the event, then that applicant shall be barred from obtaining a provisional temporary use permit for that event the



following year, but may nevertheless apply for a permit if the application in all other respects conforms to the requirements of this Article.

SEC. 2122. APPLICATION FOR PERMIT

Subject to Sec. 2121(F), before the Director may issue any permit hereunder, the person or organization seeking such permit shall file a completed application setting forth the following:

- A. The name, address and telephone number of the person filing the application.
- B. The name address and telephone number of the headquarters of an organization, if an organization is involved and of the person(s) who will oversee the use requested.
- C. The exact use for which the permit is requested.
- D. The parcel, right-of-way, park or other public or private property or structure requested for such use.
- E. The exact dates and if applicable, the hours for which the use is requested.
- F. The number of persons expected.
- G. If applicable, the number and types of vehicles expected, including the number and types of any recreational vehicles and the estimated time of arrival of the vehicles.
- H. Written authorization of the property owner(s) on which the temporary use is proposed. Said authorization shall include reference to the requested use and acknowledgement of the proposed time frame for operation of said use.
- I. Traffic Control Plan
- J. Crowd Control Plan
- K. Sanitation Plan - All requirements of the County Health Department or other regulatory health or sanitation authorities shall be met. Provisions for disposal of solid waste shall be required for all uses.
- L. Parking Plan and Dust Abatement Plan
- M. Lighting Plan except that the operation of search lights or similar lighting sources is prohibited.
- N. Signage Plan
- O. Security Plan



- P. Any other information deemed necessary by the Director to aid in the decision to issue or deny a temporary use permit.
- Q. Compliance with permitting requirements of any other governmental entity which may be applicable.

SEC. 2123. BONDS AND INSURANCE

If the Director determines that the use requested is different from the regular and normal use of such property, and that to grant the use requested would effect a greater hazard to persons or property than such regular and normal use, the Director shall require as a condition of granting such use the providing of the surety bond and liability insurance specified herein. In making this determination, the nature of the proposed use, the nature of the subject property and the reasonable adaptability of the same to such use, the number of persons expected to use such property under such permit, the past experience the County and other governmental subdivisions have had with this type of use, the effect such use would be likely to have on the neighborhood adjacent to the property, and the nature of the organization or group that would be using such property under such permit shall be considered. The Director shall not discriminate against any person because of race, color, religion, sex, or national origin in making such determination. In no case shall a permit be granted, or a permit be extended, for a use of property under the provisions of this section if it reasonably appears that such use would effect, or is effecting, to a substantial extent, either at the location of the subject property or in the neighborhood adjacent to such property, an interference with the safe and orderly movement of vehicular or pedestrian traffic, an interference with fire or police protection, physical damage to persons or property, a disturbance of the peace, or a health hazard.

- A. The surety bond to be furnished to the County if required hereunder shall be in a reasonable sum as established by the Director, and conditioned on:
 - 1. The person or organization to whom such permit is issued, and heirs or successors and assigns, indemnifying the County against any and all loss or damage to County property;
 - 2. Full and complete protection of the County against any and all litigation growing out of the granting of such use or anything done under such permit;
 - 3. Return of the property to the same condition and degree of cleanliness that it was in prior to commencement of the use by the person or organization, and removal of any item of property left or placed in or on the property by such person or organization or any member thereof;
 - 4. Faithful performance and observance of all the terms and conditions of the permit; and
 - 5. Prompt and full payment of all compensation required by the County as a condition of such use of property, if any such compensation is required.
- B. The bond shall not cover personal injury or property damage resulting to persons or organizations other than Santa Cruz County. The bond shall be executed by a bonding company or Surety



Company authorized to do business in the State of Arizona, and shall be approved by the County before the commencement of such use.

- C. The liability insurance that shall be furnished to the County as required hereunder shall provide liability insurance coverage for the operations under such permit of the person or organization, including its members, to whom the permit is issued. Such insurance coverage shall be in the minimum amounts of One Million Dollars (\$1,000,000.00) for the injury or death of any one person in any one accident or occurrence, One Million Dollars (\$1,000,000.00) for the injury or death of any number of persons in any one accident or occurrence, and Two Hundred Fifty Thousand Dollars (\$250,000.00) for property damage in any one accident or occurrence; and both the person or organization and the County shall be named insureds thereunder. The County, in its sole discretion, may require such additional insurance coverage as it deems necessary of the temporary use. Separate policies or certificates of insurance showing the person or organization to be covered under one policy and the County to be covered under another policy may be filed in lieu of a single policy or certificate, at the option of the person or organization. All such policies and certificates of insurance shall be issued by companies authorized to do business in the State of Arizona and shall be approved by the County before the commencement of such use.

SEC. 2124. ISSUANCE OF PERMIT

Upon issuance of a permit for a specific event, the applicant and all other persons or entities encompassed within the scope of the permit shall be authorized to conduct the uses proposed in the application on those private parcels and in the County right of way described in the application for the period of time indicated in the application, regardless of whether such temporary uses are normally prohibited from occurring within the zoning districts indicated.

SEC. 2125. DENIAL OR REVOCATION OF PERMIT

- A. If a permit is denied by the Director, the applicant may appeal the Director's Decision within 10 days to the Board of Adjustment. The appeal shall be in writing, specifying the grounds for the appeal and shall be filed with the Secretary of the Board of Adjustment. The appeal shall be heard by the Board of Adjustment. The decision of the Board of Adjustment shall be final. Judicial review of the decision of the Board of Adjustment shall be pursuant to A.R.S. Title 12, Chapter 7, Article 6.
- B. Upon a finding by the Director that a properly permitted temporary use has become detrimental to the public health safety or welfare, the Director may revoke a temporary use permit. The decision of the Director shall be deemed final. Judicial review of the revocation of the temporary use permit by the Director shall be pursuant to A.R.S. Title 12, Chapter 7, Article 6.

SEC. 2126. MODIFICATION OF LIMITATIONS

Upon written application the Board of Adjustment may modify the conditions upon which a temporary use may be operated or may be conducted if the Board determines that such



modification is in the best interest of the County taking into consideration factors including, but not limited to the following:

- A. The event is consistent with or compatible with the zoning district within which it is held.
- B. The modification of conduct of the event does not require the diversion of so great number of County staff as to prevent normal service to the County or law enforcement officers of the County to prevent normal police protection in the County.
- C. The nature, location, scope and conduct of the event are not reasonably likely to cause injury to persons or property or create a hazard to the health, safety and welfare of the public and the surrounding properties or land uses.

SEC. 2127. CONDITION OF SITE FOLLOWING TEMPORARY USE

Each site occupied by a temporary use shall be left free of debris, litter or any other evidence of the temporary use, including signs, upon completion of the use and shall thereafter be used only in accord with the provisions of the Santa Cruz County Zoning and Development Code.

SEC. 2128. COST RECOVERY FEE

- A. Temporary use cost recovery fees shall be imposed for obtaining a temporary use permit. Fees for the recovery of costs incurred by the County in issuing temporary use permits shall be adopted by Resolution of the Board of Supervisors. Actual costs for services provided by the County during such events including, but not limited to, costs of law enforcement, traffic control, and cleanup services shall be charged to the applicant. Failure to make payment to the County for services shall be deemed a violation of this Article.
- B. Upon application to the Board of Supervisors, the cost recovery fee and other service fees may be waived by the Board of Supervisors if:
 - 1. Applicant is a non-profit organization operated and maintained within the boundaries of the County for the benefit of the public which has and maintains its federal tax-exempt status and its status as a corporation to which donations are deductible for the purpose of computing federal income tax.
 - 2. Net proceeds of the event go to the tax-exempt nonprofit organization described above.

SEC. 2129. EXEMPTIONS

The provisions of Section 2129 through 2131 of this Article shall not be construed to apply to:

- A. Activities conducted by a County Fair and Rodeo Association at the County Fair Grounds.



- B. A fund raising event held by a tax-exempt organization as defined by Section 2128(B) (1) of this Article which meets the following criteria:
1. The fund-raising event shall be carried on wholly within a religious related building, a public building, a commercial structure or wholly upon a clearly defined/designated contiguous private parcels;
 2. Net proceeds derived from the event shall go to the tax-exempt nonprofit organization;
 3. There shall be no offensive noises, vibration, smoke, dust, odors, heat or glare produced by the event.
 4. If the fund-raising event involves outside activity, the operating hours shall be limited to the hours between 8:00 a.m. and 8:00 p.m., a maximum of three (3) consecutive days per event and limited to six (6) outside events per year per organization.
 5. Adequate parking must be available for the fund-raising event. This exemption applies to outdoor events that occupy no more than twenty-five (25) percent of the area normally used for parking and do not create the need for off-site parking or the possibility of traffic or safety hazards.
 6. No additional public services are required of the County as a result of the event.
- C. A governmental entity located in an historic zone or within 30 feet of the boundary of an historic zone, provided that the use does not include substantial impacts in the public right of way.
- D. Temporary displays, within a required set-back, of the establishment's customary merchandise provided that point of sale is made within the established business, which remains responsible for sales taxes on the merchandise sold.

SEC. 2130. ENFORCEMENT

- A. The provisions herein shall be enforced and administered by the Community Development Department and appropriate local law enforcement.
- B. The Zoning Inspector or appropriate local law enforcement officer shall use a uniform traffic ticket and complaint for civil traffic cases pursuant to the rules of procedure in traffic cases adopted by the Supreme Court, modified as applicable in citing persons for violation of this Article.



SEC. 2131. PENALTY

- A. A violation of Article 21, Section 2119 through 2130, is a civil infraction and will be adjudicated by the Justice of the Peace utilizing the Rules of Procedures in Civil Traffic Violation Cases adopted by the Supreme Court.
- B. Each day's continuance of a violation of Section 2119 through Section 2130 of this Article shall be deemed a separate offense.
- C. A civil penalty of up to Seven Hundred Fifty Dollars (\$750.00) for a person and up to Five Thousand Dollars (\$5,000.00) for an enterprise as defined by A.R.S. §13-105(12), may be imposed for the violation.
- D. The imposition of civil penalties for violation of Section 2119 through 2130 of this Article does not preclude the County from pursuing the remedies as provided for in subsection E of this Section.
- E. If any temporary use is planned, held, operated, conducted, participated in, or maintained in violation of this Article or any regulation or provision enacted or adopted by the Board of Supervisors under the authority granted by this Article, the Board of Supervisors, the County Attorney, the Director or any adjacent property owner who is specially damaged by the violation, in addition to the other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the unlawful temporary use.



ARTICLE 22 – AMENDMENTS

--- 2201 --- AUTHORITY

--- 2202 --- AMENDMENTS INITIATED BY PROPERTY OWNER(S)

--- 2203 --- AMENDMENTS INITIATED BY THE COMMISSION

--- 2204 --- AMENDMENTS APPROVED BY THE BOARD

--- 2205 --- CONDITIONAL ZONING

--- 2206 --- RECONSIDERATION OF DENIED PETITIONS

SEC. 2201 AUTHORITY

The Board of Supervisors may from time to time, after receiving report and recommendation thereupon by the Commission and after public hearings required by law, amend zoning district boundaries or the regulations herein or subsequently established. Amendment may be initiated either by the property owner or by the Commission on its own motion.

SEC. 2202 AMENDMENTS INITIATED BY PROPERTY OWNER(S)

- A. Any property owner or authorized agent of a property owner desiring an amendment or change in the Zoning Ordinance changing the zoning district boundaries within an area previously zoned shall file an application for the amendment or change with the Santa Cruz County Planning and Zoning Department; who shall receive the application on behalf of the Santa Cruz County Board of Supervisors.
- B. Upon receipt of the application, the Santa Cruz County Planning and Zoning Department shall submit it to the Commission for report and recommendation. Prior to presenting its report and recommendation to said Board, the Commission shall hold a public hearing thereon after giving at least 15 days notice thereof by publication once in a newspaper of general circulation in the seat of Santa Cruz County and by Posting of the area included in the proposed change. The posting shall be in no less than two places so that the notices are visible from the public right-of-way.
- C. The Santa Cruz County Planning and Zoning Department shall also send notice by first class mail to each real property owner as shown on the last assessment of the property within three hundred feet of the proposed amendment or change and each county or municipality which is contiguous to the area of the amendment or change. The notice sent by mail shall include, at a minimum the date, time and place of the hearing on the proposed amendment or change including a general explanation of the matter to be considered; a general description of the area of the proposed amendment or change; how to file protest and approvals, and notification that if twenty percent of the property owners by area and number within the zoning area file protests, an affirmative vote of three-fourths of all members of the Board will be required to approve the rezoning.



- D. If the Planning Commission has held a public hearing, the Board may adopt the recommendations of the Planning Commission through use of a consent calendar without holding a second public hearing if there is no objection, request for public hearing or other protest. If there is a written objection on file with the Planning and Zoning Department, a request for public hearing or a protest, the Board of Supervisors shall hold public hearing on such petitions giving at least 15 days notice thereof by publication once in a newspaper of general circulation in the seat of Santa Cruz County and be adequate posting of the area of concern in said petition at least 15 days in advance of the public hearing. After holding the public hearing, the Board of Supervisors may adopt the petitioner's proposed change provided that if 20% of the owners by number and by area, of all property within 300 feet of the proposed change, file a protest, such a change shall not be made except by a three-fourths vote of all members of the Board of Supervisors. However, except that the required number of votes shall in no event be less than a majority of the full members of the Board.
- E. In calculating the owners by area for a protest, only that portion of a lot or parcel of record situated within three hundred feet of the property to be rezoned shall be included. In calculating the owner by number or area, County property and public rights-of-way shall not be included.

SEC. 2203 AMENDMENTS INITIATED BY THE COMMISSION

- A. Amendments initiated by the Commission are subject to the same public hearing requirements set forth herein Section 2202 (Amendments initiated by property owners).
- B. Notice by first class mail of proceedings that are not initiated by the property owner involving rezoning of land shall be sent to each real property owner, as shown on the last assessment of the property, of the area to be rezoned and all property owners, as shown on the last assessment of the property, within 300 feet of property to be rezoned.

SEC. 2204 AMENDMENTS APPROVED BY THE BOARD

A decision by the Board of Supervisors involving rezoning of land which changes the zoning classification of such land or amends Zoning Ordinance standards or uses shall not be effective until the dedication of required right-of-way but not prior to 31 days after final approval of the change in classification, standard or use by the Board. Unless a resident files a written objection with the Board of Supervisors, the rezoning may be enacted as an emergency measure that becomes effective immediately by a two-thirds majority vote of the board.

SEC. 2205 CONDITIONAL ZONING

- A. The Board of Supervisors may approve a change of zone conditioned on a schedule for development of the specific use or uses for which rezoning is requested. When the Board of Supervisors adopts the zoning amendment, it may impose a schedule of development including but not limited to, a date by which construction shall commence or dates by which phases of



development of the property for the use approved shall be substantially completed.

- B. The owner or developer of property which was rezoned conditioned on compliance with a schedule of development shall submit to the Department a certified statement of compliance prior to the expiration of any time limits imposed by the Board. If the certified statement of compliance is not filed or the Department independently determines that the property has not been improved for the use for which it was conditionally approved, a public hearing shall be set before the Board of Supervisors for public hearing to determine compliance with the schedule of development, grant an extension, or cause the property to revert to its former classification. Notification by registered mail of the hearing before the Board shall be sent to the owner and applicant who requested the rezoning.
Notice of public hearing shall be as set forth in Section 2202 herein.

SEC. 2206 RECONSIDERATION OF DENIED PETITIONS

If a petition for amendment is withdrawn by the applicant or denied by the Board of Supervisors, that petition shall not be re-filed nor shall there be filed with the Board of Supervisors any other petition for the same amendment within a period of one (1) year unless in the opinion of the Commission there is a change of circumstances warranting such filing.



ARTICLE 24 – AIRPORT DISTRICT OVERLAY ZONE

--- 2401 --- PURPOSE

--- 2402 --- GENERAL

--- 2403 --- APPLICABILITY

--- 2404 --- SURFACES AND ZONES, ESTABLISHMENT AND DEFINITIONS

--- 2405 --- SURFACES AND ZONES, HEIGHT AND USE REGULATIONS

--- 2406 --- CLEAR ZONE, APZ AND NOISE ZONE USE REGULATIONS

--- 2407 --- ADMINISTRATION AND ENFORCEMENT

--- 2408 --- AMENDMENTS

--- 2409 --- NONCONFORMING RESIDENTIAL SUBDIVISIONS

SEC. 2401 PURPOSE

The purpose of the establishment of the Airport District Overlay Zone (ADOZ) is the encouragement of compatible land uses in the vicinity of airports and the promotion of public health and safety of the general public and the welfare and safety of airport users as provided in A.R.S. 28-8462.

SEC. 2402 GENERAL

- A. The provisions and regulations of the Airport District Overlay Zone (ADOZ) if more restrictive shall prevail over existing zoning districts or rezoned district over which the Airport District is superimposed.
- B. Procedures and requirements of other Articles within these regulations shall apply to the establishment of authorized land uses within the Airport District.
- C. Refer to the specific Airport Environs Plan Area Map.

SEC. 2403 APPLICABILITY

Nothing contained herein shall require any change or alteration in a lawfully established, erected or relocated building or land in existence at the time of adoption or amendment of these regulations.

SEC. 2404 SURFACES AND ZONES, ESTABLISHMENT AND DEFINITIONS

A. AIRPORT DISTRICT OVERLAY ZONE

An overlay extending 5,280 feet by 5,280 feet from the centerline of the primary surface as measured from the respective side and ends of the primary surface. See Attachment A (Airport Environs Plan Area Map).



B. PRIMARY SURFACE

The Primary Surface is the Airport runway length plus a two hundred foot (200') runway overrun beyond each end of surfaced runways. The width of the Primary Surface is the width of the approach surface at the end of the Primary Surface.

See Attachment A (Airport Environs Plan Area Map).

C. APPROACH SURFACE

Approach Surfaces are established longitudinally beyond the end of each runway, centered on an extension of the runway centerline extending uniformly upward and outward from a specified width at the end of the primary surface. Approach surface criteria for specific runway categories and uses are established as shown in Table 24-1.

D. TRANSITIONAL SURFACES

Transitional Surfaces extend upward and outward perpendicular to the runway centerline at a slope of one foot (1') in seven feet (7') from the sides of the Primary Surface and the sides of the Approach Surfaces.

E. INNER HORIZONTAL SURFACE

The Inner Horizontal Surface is an oval shaped plane one hundred fifty feet (150') above the established airfield elevation consisting of arcs of seventy five thousand (75,000) foot radius centered on the end of each runway with tangential interconnections.

F. CONICAL SURFACE

The Conical Surface extends from the periphery of the Inner Horizontal Surface upward and outward at a slope of one foot (1') in twenty (20') to a height of five hundred feet (500') above the established airfield elevation.

G. OUTER HORIZONTAL SURFACE

The Outer Horizontal Surface is a plane five hundred feet (500') above the established airfield elevation extending outward from the periphery of the Conical Surface for a horizontal distance of thirty thousand (30,000) feet.

H. CLEAR ZONES

Clear Zones, having the greatest aircraft accident and crash potential are established off the end of each primary surface centered on the extension of the runway centerline and having the same surface dimensions as the Approach Surface, extending for a distance of one thousand (1,000) feet for visual and non-precision approach instrument runways and a



distance of three thousand (3,000) feet for military and precision approach instrument runways. See Attachment A (Airport Environs Plan Area Map).

I. ACCIDENT POTENTIAL ZONE (APZ)

Accident Potential Zone (APZ) means the area within the Airport District Overlay Zone (ADOZ). See Attachment A (Airport Environs Plan Area Map).

J. GREATER THAN 75 Db NOISE ZONE

The Greater Than 75 dB Noise Zone is the area between the area inside the seventy-five (75) Ldn contour line as developed and delineated on the Santa Cruz County Airport District Noise Overlay Map by the application of the day-night average sound level methodology of sound measurements. See Attachment B (Airport Environs Plan Area Map with Noise Zone Illustrations).

K. 70 TO 75 Db NOISE ZONE

The 70 to 75 dB Noise Zone is the area between the Ldn 70 contour line and the Ldn 75 contour line delineated on the Santa Cruz County Airport District Noise Overlay Map as developed by the Ldn Methodology. See Attachment B (Airport Environs Plan Area Map with Noise Zone Illustrations).

L. 65 TO 70 Db NOISE ZONE

The 65 to 70 dB Noise Zone is the area between the Ldn 65 contour line and Ldn 70 contour line delineated on the Santa Cruz County Airport District Noise Overlay Map as developed by the Ldn Methodology. See Attachment B (Airport Environs Plan Area Map with Noise Zone Illustrations).

M. Where the Accident Potential Zone and Ldn area co-exist on the same ground area, the most restrictive limitation shall apply.

N. When, at the time of the adoption of this regulation a noise contour line divides or traverses an individually designated or identified parcel or lot consisting of forty (40) acres or less, the parcel or lot, at the election of the owner, shall be treated as lying within the noise zone in which fifty one percent (51%) of the property is situated. The burden of proof of the acreage percentage shall be upon the property owner/applicant.

O. Whenever the Airport Layout Plan is amended, the Airport Environs Plan Area Map which illustrated the physical boundaries of the airport shall also be deemed amended to conform to the amended Airport Layout Plan.



SEC. 2405 SURFACES AND ZONES - HEIGHT AND USE REGULATIONS

- A. No use shall be made of land underlying any surface boundaries created by the Article in such a manner as to create electrical interference with radio communications between the airport tower and aircraft, or make it difficult for airport users to distinguish between airport light and vicinity light, result in a glare or impair visibility in the vicinity of the airport, cause the gathering of large quantities of birds or otherwise endanger the landing, take off or maneuvering of the aircraft.
- B. No structure, building, or trees shall be erected, altered, monitored, or allowed to grow in any primary approach, transitional, horizontal or conical surface established by this article to a height in excess of the applicable height limit herein established as surface boundaries.
- C. The following land uses are prohibited within the Airport District Overlay Zone.
 - 1. High Hazard Occupancies
 - 2. Institutional and Educational Occupancies
 - a) Exception; aviation schools.
 - 3. Medium and High Density Residential Development
- D. High Hazard Occupancies, Institutional Occupancies and Medium and High Density Residential Developments are identified in Table 24-2.
- E. HAZARD MARKING AND LIGHTING

When in the opinion of the Airport Technical Advisor the erection or existence of any pole, tower, tank or other structure shall constitute a hazard to operation of aircraft in the vicinity of the airport, the owner of the structure or plant material shall at his own expense, install, operate and maintain such markers and lights as may be necessary to indicate to aircraft operators the presence of an airport hazard, as provided in FAA Advisory Circular 70/7460-ID.

SEC. 2406 CLEAR ZONES, APZ AND NOISE ZONE USE REGULATIONS

- A. The provisions, regulations and building codes of the Airport District Overlay Zone, if more restrictive, shall prevail over those of the zoning districts upon which Clear Zones, Accident Potential Zones, and Noise Zone Use Regulations are superimposed.
- B. CLEAR ZONE

No new construction or parking is allowed in the Clear Zone as identified in the Airport Environs Plan Area Map.



C. ACCIDENT POTENTIAL ZONE

The Accident Potential Zone is the zone which, based on national averages have significant aircraft crash and accident potentials. Permitted land uses and population densities within the APZ are shown in Table 24-3 (2).

D. NOISE ZONES

Noise Zones are delineated on the Airport Environs Plan Area Map as the areas bounded by the noise contours. Noise contours are delineated in terms of Ldn values established through the analysis of sound measurements of composite aircraft operations on and in the vicinity of the airport. The construction of habitable structures shall be regulated to assure suitable noise attenuation characteristics based on location within a particular noise zone. Regulation of sound attenuation or Noise Level Reductions (NLR) characteristics will be accomplished through the application of appropriate zoning regulations and the enforcement of building codes acceptable to the Building Department in the addition to existing structures. Permitted land uses including the construction of habitable structures are regulated as shown in Table 24-3(1) and 24-3(2).

SEC. 2407 ADMINISTRATION AND ENFORCEMENT

- A. The Planning and Zoning Department, of Santa Cruz County is hereby designated the administrative agency charged with the duty of administering the regulations herein prescribed according to the provisions of A.R.S. Section 28-8469.
- B. The Board of Supervisors shall appoint a person qualified by training or experience in planning, zoning or code enforcement as Airport Zoning Inspector, who shall have all authority conferred by state law necessary to enforce the Airport district regulations. Until such appointment is made, or in the event of vacancy or disability therein, the duties of the Airport Zoning Inspector shall be vested in the Planning and Zoning Director.
- C. The Board of Supervisors shall appoint a person qualified by training or experience in land use, transportation engineering, and the management of public rights of way as Airport Facilities and Operations Advisor. Until such appointment is made or in the event of vacancy or disability therein the duties of the Airport Facilities and Operations Advisor shall be vested in the Public Works Director.
- D. The Board of Supervisors shall appoint a person qualified by training or experience in the management and administration of an International Airport as Airport Technical Advisor. The qualified person should be an experienced pilot familiar with aviation equipment and airport operations until such appointment is made or in the event of vacancy or disability therein the duties of the Airport Technical Advisor shall be vested in the Administrator/Manager of the Nogales International Airport.



E. APPLICATION PROCESS

Prior to proceeding with a request before the appropriate public body, a completed application must be submitted to the Planning and Zoning Department. The completed application shall include.

1. A written report from the Airport Facilities and Operations Advisor and a written report from the Airport Technical Advisor describing the effects the requested development would have on the airport and surrounding property owners.
2. The Airport Technical Advisor and Airport Facilities and Operations Advisor shall have twenty (20) days within which to complete the written report requested by an applicant. An applicant's request for the report must be made in writing.

F. PERMIT

1. A permit shall be obtained from the Planning and Zoning Department before a new structure or use may be constructed, established, substantially changed, altered, or repaired in the Airport District Overlay Zone.
2. Before a nonconforming structure or tree may be replaced, substantially altered, repaired, rebuilt, allowed to grow higher or replanted, a permit shall be obtained from the Planning and Zoning Department.
3. A permit shall not be granted that will allow the establishment or creation of an airport hazard or permit a nonconforming structure or tree or nonconforming use to be made or become higher or a greater hazard to air navigation than it was when the Airport District Overlay Zone regulation was adopted or than it is when an application for a permit is made.
4. Except as provided in this section, all applications for permits shall be granted.

G. VARIANCE

1. A person who wants to erect or increase the height of a structure, permit the growth of a tree or otherwise use the person's property in violation of an airport zoning regulation adopted under this article may apply to the Board of Adjustment for a variance from the airport zoning regulation in question.
2. A variance shall be allowed if a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest, would do substantial justice and would be in accordance with the spirit of the regulation and this article.



3. A variance may be allowed subject to any reasonable conditions the Board of Adjustment deems necessary to fulfill the purpose of this article.

H. PERMIT, VARIANCE; CONDITIONS HAZARD INDICATORS

In granting a permit or variance under Article 6, the Planning and Zoning Department or Board of Adjustment, if it deems the action advisable to fulfill the purposes of this article and reasonable in the circumstances, may place a condition on the permit or variance that requires the owner of the structure or tree in question to permit the political subdivision, at its own expense, to install, operate and maintain markers and lights on the structure or tree as necessary to indicate the presence of an airport hazard.

I. AIRPORT ZONING REGULATIONS; BOARD OF ADJUSTMENT; POWERS; COMPOSITION; PROCEEDINGS.

1. The Board of Adjustment shall exercise the following powers:

- a) Hear and decide appeals from an order, requirement, decision, or determination made by the Planning and Zoning Department in the enforcement of the airport zoning regulations as provided.
- b) Hear and decide special exceptions to the terms of the airport zoning regulations on which the Board may be required to pass under the regulations.
- c) Hear and decide specific variances under Section 707(F).

2. The Board of Adjustment for each supervisorial district which contains a portion of the ADOZ shall serve as the Board of Adjustment for Airport Zoning regulation issues arising in that supervisorial district.

3. The concurring vote of a majority of the members of the Board of Adjustment is sufficient to:

- a) Reverse an order, requirement, decision, or determination of the Planning and Zoning Department.
- b) Decide in favor of the applicant on any matter on which it is required to act under the airport zoning regulations.
- c) Make variations in the regulations.

4. The Board shall:

- a) Adopt regulations in accordance with provisions of the ordinance or resolution by which it is established.
- b) Hold meetings at the call of the chairman and at other times as the Board determines.
- c) Have the chairman, or in the chairman's absence, the acting chairman, administer oaths and compel the attendance of witnesses.



- d) Hold only public hearings.
- e) Keep minutes of its proceedings showing the vote of each member on each question, or if a member is absent or fails to vote, indicating that fact.
- f) Keep records of its examinations and other official actions as public records and file them in the office of the Board.

J. BOARD OF ADJUSTMENT;

1. A person who is aggrieved or a taxpayer who is affected by a decision of the Planning and Zoning Department made in the administration of airport zoning regulations adopted under this article, or a governing body of a political subdivision or a joint airport zoning board that is of the opinion that a decision of the Planning and Zoning Department is an improper application of airport zoning regulations, may appeal to the Board of Adjustment authorized to hear and decide appeals from the decisions of the Planning and Zoning Director.
2. An appeal taken under this section shall be taken within a reasonable time as provided by the rules of the Board and by filing a notice of appeal specifying the grounds of the appeal with the Planning and Zoning Department and with the Board. The Planning and Zoning Director shall immediately transmit to the Board all papers constituting the record on which the action appealed from was taken.
3. An appeal stays all proceedings unless the Planning and Zoning Director certifies to the Board, after the notice of appeal has been filled with it, that by reason of the facts stated in the certificate a stay would cause imminent peril to life or property. Proceedings shall not be stayed except by order of the Board on notice to the Planning and Zoning Director and for cause shown.
4. The Board shall:
 - a). Fix a reasonable time for hearing appeals.
 - b) Give public notice and notice to the parties in interest.
 - c) Render a decision within a reasonable time.
5. On the hearing, a party may appear in person or by an agent or attorney.
6. In conformity with this article, the Board may:
 - a) Reverse or affirm, wholly or partially, or modify the order, requirement, decision, or determination that is appealed.
 - b) Make an appropriate order, requirement, decision, or determination and for that purpose the Board has all of the powers of the Planning and Zoning Director.



K. APPEALS; SUPERIOR COURT

1. A person who is aggrieved or a taxpayer who is affected by a decision of a Board Adjustment, or a governing body of a political subdivision or a joint Airport Zoning Board that is of the opinion that a decision of a Board of Adjustment is invalid, may file a verified petition in the Superior Court setting forth that the decision is invalid, wholly or partially, and specifying the grounds. The petition shall be filed within thirty days (30) after the decision is filed in the office of the Board.
2. On presentation of the petition, the court may allow a writ of certiorari directed to the Board of Adjustment to review the decision of the Board. The allowance of the writ does not stay proceedings on the decision appealed from, but on application and on notice to the Board and on good cause shown, the court may grant injunctive relief.
3. The Board of Adjustment is not required to return the original record acted on. It is sufficient for the Board of Adjustment to return certified or sworn copies of the record or parts of the record as may be called for by the writ. The return shall concisely set forth other facts that are material to show the grounds of the decision appealed from and shall be verified.
4. The court has exclusive jurisdiction to:
 - a) Affirm, modify, or set aside the decision reviewed, wholly or partially.
 - b) If necessary, order further proceedings by the Board of Adjustment.
 - c) The court shall accept findings of fact by the Board as conclusive if they are supported by substantial evidence. The court shall not consider an objection to a decision of the Board unless the objection has been urged before the Board, or if it was not urged, unless there are reasonable grounds for failure to do so.
5. The court shall not allow costs against the Board of Adjustment unless it appears to the court that the Board of Adjustment acted with gross negligence, in bad faith or with malice in making the decision that is appealed.
6. In a case in which the court holds that airport zoning regulations adopted under this article, although generally reasonable, interfere with the use or enjoyment of particular structure or parcel of land to such an extent or are so onerous in their application to the structure or parcel of land as to constitute a taking of property in violation of the constitution.

L. VIOLATION; CLASSIFICATION.

A violation of this article or of a regulation, order, or ruling made pursuant to this article is a class 3 misdemeanor. Each day a violation continues is a separate offense.



M. REMEDIES.

1. The political subdivision or agency adopting airport regulations under this article may institute in a court of competent jurisdiction an action to restrain, correct, or abate a violation of this article, an airport zoning regulation adopted under this article or an order, or ruling made in connection with the administration or enforcement of this article or the regulations.
2. The court shall award relief in an action brought under this section by injunction or otherwise as is proper to fully effectuate the purposes of this article and the regulations, orders and rulings made pursuant to this article.

N) IMPLEMENTATION

The Airport Zoning Inspector may adopt such procedures as are consistent with the purpose and intent of these Regulations for the implementation thereof.

SEC. 2408 AMENDMENTS

- A. The permitted land uses within the Airport District Zones may be amended in accordance with the provisions of the Santa Cruz County Zoning and
- B. Development Code as necessary when in conformance with the purpose and intent of these Regulations whenever any of the following applies:
 1. Evidence shows that the operation of the Airport has or will change substantially and that such changes will be permanent.
 2. Additional information concerning the health hazards of high noise levels or accident potentials associated with aircraft operations becomes available.
 3. New evidence is provided which indicates that modifications to any portion of the Airport District is appropriate.
 4. When evidence shows that:
 - a) There are special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property in that district, and that
 - b) The strict application of the regulations would cause an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights, and that
 - c) The granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially



detrimental to the public welfare or injurious to property or improvements in the neighborhood.

- B. Any owner or owners of property underlying the Airport District may petition for amendment of Airport District Zone boundaries and shall present studies and analysis accomplished by a competent engineer, architect, or acoustical consultant which indicate that amendment to zone boundaries or building codes are appropriate.
- C. Complaints alleging non-compliance with the provisions of this Article may be resolved through the conduct of a field test accomplished by a competent engineer, architect, or acoustical consultant. When the field test confirms that non-compliance with the provisions of this article exists, the builder shall pay the cost of the field test and required structural modification. The complainant shall bear the costs of the test if the structure is in compliance.

SEC. 2409 NONCONFORMING RESIDENTIAL SUBDIVISIONS

- A. Residential Subdivisions, as defined by the Arizona Revised Statutes and the Santa Cruz County Subdivision Regulations, which have been previously zoned residential and the subdivision plat recorded with the Santa Cruz County Recorder prior to the effective date of these Airport District Regulation Amendments, shall be allowed to develop in accordance with those Airport Regulations in effect at the time the final plat was recorded.

**TABLE 24-1
RUNWAY APPROACH SURFACE CRITERIA**

Runway Category	Width at Surface	Primary	Slope	Width at 5,000 ft.	Width at 10,00 ft.
Visual	500 ft.		20 to 1	1,500 ft.	N/A
Non-Precision Instrument	3,000 ft.		34 to 1	2,000 ft.	4,000 ft.
Precision Instrument	1,500 ft.		50 to 1	3,000 ft.	4,000 ft.

Precision Instrument runway approach surfaces extend beyond 10,000 ft. at a slope of 1:40 to a distance of 50,000 ft. and a width of 16,000 ft.

**TABLE 24-2
HIGH HAZARD, INSTITUTIONAL AND EDUCATIONAL OCCUPANCY**

- A. High Hazard occupancy means that occupancy of land or premises, or the use of a building or structure, or of any portions thereof, that involves highly combustible, highly flammable, or explosive material, or which has inherent characteristics that constitute a special fire hazard, including among others:



1. Metal powder factories and warehouses
2. Cellulose, nitrate, plastic factories and warehouses
3. Cereal mills
4. Cotton gins
5. Distilleries
6. Explosive manufacture, sales and storage
7. Flour and Feed Mills
8. Gasoline bulk plants
9. Grain elevators
10. Lacquer factories
11. Liquefied petroleum gas charging or bulk storage plants
12. Mattress factories
13. Paint factories
14. Waste paper plants
15. Liquid fertilizer manufacture and storage

B. Institutional and Educational Occupancy means the occupancy or use of a building, or structure, or land, or any portion thereof for the purpose of receiving educational instruction, religious training or worship, or by persons harbored or detained to receive medical, charitable or other care or treatment, or by persons voluntarily or involuntary in group housing including among others:

1. Academies
2. Libraries
3. Schools
4. Colleges
5. Preschools
6. Universities
7. Asylums
8. Hospitals
9. Orphanages
10. Chapels
11. Houses of correction
12. Penal institutions



**TABLE 24-3(1)
RESIDENTIAL USE RESTRICTIONS AND NOISE REDUCTION (NLR) REQUIREMENTS**

Activities and Land Uses	65 to 70 dB	70 to 75 dB	75 + dB
Residential-Low Density not to exceed the residential density permitted under GR of Article 9, Section 901	NLR 25+ Footnote A and B	NLR 30+ Footnote A and B	N
Residential-Medium Density not to exceed the residential density permitted under R-2 of Article 9, Section 931	N	N	N
Residential-High Density not to exceed the residential density permitted under MF of Article 9, Section 971	N	N	N
Recreational Vehicles Parks	N	N	N
Mobile Homes Manufactured Homes	N	N	N

N - Land Use Not Permitted

NLR - Noise Level Reduction Decibel

*A. The property owner must record an aviation easement on the property.

*B. The property owner is required to give tenants written notification that they are going to be residing in the 65 to 70 db Airport Noise Zone.

1. A NLR of 25 dB must be incorporated into design and construction of the buildings or structures where the public is received, office areas are located, and where the normal interior noise level is low.

2. A NLR of 30 dB must be incorporated into the design and construction of those buildings or structures where public is received, office areas are located and where the normal nose level is low.



TABLE 24-3 (2)

COMMERCIAL/INDUSTRIAL USE RESTRICTIONS AND NOISE REDUCTION (NLR) REQUIREMENTS

Activities and Land Uses	65 to 70 dB	70 to 75 dB	75 + dB
Institutional Facilities	N	N	N
Commercial-Office, professional, business	P	NLR 30	N
Commercial-Restaurant, bar motel	P	NLR 30	N
Commercial-Retail, general merchandise	P	NLR 25	N
Indoor Auditorium-Assembly	P	NLR 30	N
Industrial	P	NLR 25 (1)	N

P-- Permitted with Conventional Construction

N – Land Use Not Permitted

NLR – Noise Level Reduction Decibel

- A. A NLR of 25 dB must be incorporated into design and construction of the buildings or structures where the public is received, office areas are located, and where the normal interior noise level is low.
- B. A NLR of 30 dB must be incorporated into the design and construction of those buildings or structures where public is received, office areas are located and where the normal interior noise level is low.



ARTICLE 28 – OUTDOOR LIGHTING REGULATIONS

- 2801—ADMINISTRATION
- 2802—DEFINITIONS
- 2803—GENERAL REQUIREMENTS
- 2804—PROHIBITIONS
- 2805—TEMPORARY EXEMPTIONS
- 2806—OTHER EXEMPTIONS
- 2807—OUTDOOR ADVERTISING SIGNS
- 2808—SPECIAL USES
- 2809—LAW GOVERNING CONFLICTS
- 2810— CONDITIONAL USE PERMIT
- 2811— ENFORCEMENT AND PENALTY

SEC. 2801 ADMINISTRATION

- A. Purpose and Intent
1. The purpose of this Article is to preserve the relationship of the residents of Santa Cruz County to their unique desert environment through protection of access to the dark night sky. Intended outcomes include continuing support of astronomical activity and minimizing wasted energy, while not compromising the safety, security, and well being of persons engaged in outdoor night time activities.
 2. It is the intent of this Article to control the obtrusive aspects of excessive and careless outdoor lighting usage while preserving, protecting, and enhancing the lawful nighttime use and enjoyment of any and all property. It is recognized that portions of properties may be required to be unlit, covered, or have reduced lighting levels in order to allow enough lumens in the lighted areas to achieve light levels in accordance with nationally recognized recommended practices.
- B. Applicability
1. New Uses, Buildings and Major Additions or Modifications.
 - a) This Article applies to any and all new and major additions to land uses, developments, buildings, or structures.
 - b) If a major addition occurs on a property, the entire property shall comply with this Article. For purposes of this section, the following are considered to be major additions:
 - 1) Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions subsequent to the effective date of this provision.
 - 2) Single or cumulative modification or replacement of outdoor lighting fixtures legally installed constituting 25 percent or more of the actual lumens for the property, no matter the actual amount of lighting already on a non-conforming site, constitutes a major addition for purposes of this Section.



Where existing outdoor lighting is modified or replaced and the resulting lighting fixture has less lumen capacity than the previously existing fixture, the lumen capacity of the modified or replaced fixture shall not be included in the lumen calculations for determining a major addition, but the total of non-conforming lighting shall not be increased.

2. Minor Additions. Additions or modifications greater than 10% but less than 25 percent to existing uses shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this Article with regard to shielding and lamp type; the total amount of lighting after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Article, whichever is larger.
 3. Change of Use. Whenever the use of a portion of any existing building or any building, structure, or premises is changed to a new use, all outdoor lighting related to the new use shall be reviewed and brought into compliance with this Article before the new use commences.
 4. Resumption of Use after Abandonment. If a property or use with non-conforming lighting is abandoned as defined in Section 2802.R, then all outdoor lighting shall be reviewed and brought into compliance with this Article before the use is resumed.
- C. Approved Materials and Methods of Construction or Installation. The provisions of this Article are not intended to prevent the use of any design, materials or method of installation or operation not specifically prescribed by this Article, provided any such alternate has been approved. The Director may approve any such proposed alternate provided he/she finds that it:
1. Provides at least approximate equivalence to the applicable specific requirements of this Article; and
 2. Is otherwise satisfactory or complies with the intent of this Article; and has been designed or approved by a registered lighting or electrical engineer and is supported by calculations showing that the design submitted meets that intent of the Article. This section shall not have the effect of waiving the lumen caps and shielding requirements of this Article.
- D. Appeals. Any person aggrieved by any decision of the Director made in administration of this Article has the right and responsibilities of appeal to the Board of Adjustment as per Sec. 606 and Sec.608 of this Code.

SEC. 2802 DEFINITIONS

Unless the context clearly indicates otherwise, certain words and phrases used in this Article mean the following:

- A. County Lighting Area. All of the unincorporated area of Santa Cruz County.
- B. Decorative Lighting. Any outdoor lighting used for decorative effects including, but not limited to, architectural illumination, flag and monument lighting, and illumination of landscaping.
- C. Development Project. Any residential, commercial, industrial or mixed use subdivision plan or development plan which is submitted for approval or for permit.



- D. Direct Illumination. Illumination resulting from light emitted directly from a lamp or luminaire, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.
- E. Director. The Director of Community Development or his/her designee.
- F. Display Lot or Area. Outdoor areas where active nighttime sales activity occurs and where accurate color perception by customers is required. To qualify as a display lot, one of the following specific uses must occur: automobile sales, assembly lots, swap meets, airport and automobile fueling areas. Uses not on this list must be approved as a display lot use.
- G. Fully Shielded. (FS) An opaque, permanent, nontransparent, shielding on all sides which extends below the light source and lens or diffusers. This luminaire shielding shall be permanently attached. [See Figure 1]
- H. Installed. The attachment, or assembly, fixed in place, whether or not connected to a power source, of any outdoor light fixture.
- I. Lumen. Unit of luminous flux; used to measure the amount of light emitted by lamps.
- J. Luminaire. The complete lighting assembly, less the support assembly. For purposes of determining total light output, luminaire lighting assemblies which include multiple unshielded or fully shielded lamps on a single pole or standard shall be considered as a single unit. Two or more units with lamps less than 3 feet apart shall be considered a single luminaire.
- K. Net Acreage. The remaining ground area after deleting all portions for proposed and existing public streets within a development, parcel, or subdivision. For commercial or industrial lots use the lot square footage to determine Net Acreage. This percentage shall be used to determine the total lumens from Table 2800-1. The net acre percentage does not apply for residential zoning caps for Table 2800-1.
- L. Opaque. Opaque means that the material shall not transmit visible light.
- M. Outdoor light fixture. An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed, or portable, used for illumination or advertisement. Such devices shall include, but are not limited to:
 - 1. Street lighting;
 - 2. Parking lot lighting;
 - 3. Building and structural lighting;
 - 4. Landscape lighting;
 - 5. Recreational lighting;
 - 6. Billboards and other signs (advertising or otherwise)
 - 7. Product display area lighting;
 - 8. Building overhangs and open canopies;
 - 9. Security lighting;
 - 10. Searchlights, spotlights, flood lights, and laser lights.
- N. Outdoor Light Output, Total. The total amount of light, measured in lumens, from all outdoor light fixture lamps, is calculated as follows:
 - 1. The initial lumen output, as defined by the lamp manufacturer, shall be the lumen value used.
 - 2. The total light output of each outdoor light fixture shall be based on the largest lamp that the outdoor light fixture is rated to accommodate. For the purpose of compliance with this section, the largest lamp rating for fluorescent and high intensity discharge fixtures shall be based on the installed ballast rating.



3. Using Table 2800-1, total lumens per acre for a Commercial or Industrial site, Options 1 & 2, shall be figured as a percentage of net acres. For example, a site with .5 net acres would have a lumen cap of 37,500 for Option 1 and a cap of 30,000 for Option 2. A site with 2 net acres would have a cap of 150,000 lumens for Option 1 and 120,000 for Option 2.
 4. The net acre percentage does not apply for residential zoning lumen caps for Table 2800-1.
- O. Outdoor Recreation Facility. An area designed for active recreation, whether publicly or privately owned, including, but not limited to baseball, soccer, football, golf, tennis, swimming pools, roping arenas and race tracks of any sort.
- P. Person. Any individual, tenant, lessee, owner, or any commercial entity including but not limited to a firm, business, partnership, joint venture or corporation.
- Q. Temporary Lighting. Lighting which does not conform to the provisions of this Article and which will not be used for more than one thirty (30) day period within a calendar year, with one thirty (30) day extension. Temporary lighting is intended for uses which by their nature are of limited duration; e.g. for example holiday decorations, civic events, or construction projects.
- R. Use, Abandonment of. The relinquishment of a property, or the cessation of a use or activity by the owner or tenant for a period of six months, excluding temporary or short term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility. A use shall be deemed abandoned when such use is suspended as evidenced by the cessation of activities or conditions which constitute the principal use of the property.

SEC. 2803 GENERAL REQUIREMENTS

- A. Applicability. The table in this Section gives requirements of the total light output permitted per acre excluding designated natural open space as defined in this Code for the different lighting options. These requirements shall be met for all lighting installations subject to this Article.
- B. Total Outdoor Light Output. Total outdoor light output shall not exceed the lumen limits given in Table 2800-1. In the table, Total means the sum of shielded and unshielded exterior lighting.



Table 2800-1: Maximum Total Outdoor Light Output Requirements Per Acre - Lumen Caps	
	Total Lumens Permitted Per Acre (excluding designated natural open space)
Option 1 - Commercial and Industrial - (1)(2)(5)(Mostly Low Pressure Sodium - LPS)	
Total (FS LPS, plus FS non-LPS, unshielded)	75,000
Limit on non-LPS FS	3,000
Limit on unshielded components, LPS or Non-LPS lighting	3,000
Option 2 - Commercial and Industrial - (1)(2)(5)	
Total lumens (FS, plus unshielded)	60,000
Limit on unshielded components	3,000
Option 3 - All Residential zoning (3)(4)	
Total (FS plus unshielded) Lots one acre or larger	20,000
Limit on unshielded component	3,000
Total (FS plus unshielded) Lots less than one acre	10,000
Limit on unshielded component	3,000
Notes to Table 2800-1	
1. Use either option 1 or 2 for the entire property.	
2. This applies to all land-use zoning classifications for multiple family triplexes and larger, commercial, and industrial sites.	
3. This applies to all residential land-use zoning, including all densities and types of housing, such as single family detached and duplexes.	
4. If LPS is used for residential lighting, then the total lumens in the table can be increased by 50 percent of FS plus unshielded lighting. For example, for lots one acre or larger, the total lumens could be 30000 of FS LPS including 3000 of non-LPS (which could include 3000 of non-FS). The grand total shall not exceed 30000 lumens.	
5. Lumens per Net Acre; Unshielded lumen caps shall not increase regardless of acreage.	

C. Lamp Type and Shielding Standards.

1. All Outdoor light fixtures shall be fully shielded (FS) except:
 - a) Residential flood or spot lamps shall be shielded and shall be aimed no higher than 45 degrees to the horizontal (half-way between straight down and horizontal) when the source is visible from any adjacent residential property in order to minimize light trespass.
 - b) Seasonal decorations using unshielded incandescent lamps shall be permitted from Thanksgiving to January 15th.
 - c) Neon lighting.
 - d) 3000 lumen exemption as per Table 2800-1
2. In the shielding requirements of this Article, all light fixtures on the residential side of commercial property adjacent to residential property shall be fully shielded and shall be a maximum of 5 feet above grade at the property line and no higher than a line rising 25 degrees above the 5 feet until 100 feet from the property line.



All outdoor lighting within one mounting height of residential areas shall have internal house-side shields. (See Figure 2.) Appendix A contains examples of acceptable and unacceptable lighting fixtures for use in complying with this Article.

- D. Conformance with Applicable Articles. All outdoor illuminating devices shall be installed in conformance with the provisions of this Article and any building or electrical Articles adopted by the County as applicable with appropriate permitting and inspections.
- E. Submission of Plans and Evidence of Compliance with Article.
1. Submission Contents. The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit (as part of the application for permit) evidence that the proposed work will comply with this Article. The submission shall contain but shall not necessarily be limited to the following, all or part of which may be part or in addition to the information required elsewhere in the laws of this jurisdiction upon application for the required permit:
 - a) Indicate the location of luminaries on the site plan; submit an electrical exterior lighting schedule showing the following:
 - 1) The type of illuminating device, LPS, HPS, Fluorescent, Incandescent, Metal Halide, Halogen, etc.
 - 2) Number of lamps
 - 3) Total lumens per type (refer to Table 2800-2 for standard values by type and wattage)
 - 4) Indicate if each device is fully shielded
 - 5) Show total exterior lumens planned for the site
 - 6) Show total net acreage of site
 - 7) Indicate the Option you are using from Table 2800-1 and total lumen cap allowed for your option in Table 2800-1.
 - b) Description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required);
 - c) Photometric data, such as that furnished by manufacturers, or similar showing the angle of cutoff of light emissions. Photometric data need not be submitted when the full cutoff performance of the fixture is obvious to the reviewing official.
 2. Additional Submission. The above required plans, descriptions and data shall be sufficiently complete to enable the plans examiner to readily determine whether compliance with the requirements of this Article will be achieved. If such plans, descriptions and data cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall additionally submit as evidence of compliance such certified reports of tests that will, provided that these tests shall have been performed and certified by a recognized testing laboratory.
 3. Subdivision Plat Certification. If any subdivision proposes to have installed street or other common or public area outdoor lighting, the final plat shall contain a statement certifying adherence to the applicable provisions of this Article.
 4. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the design professional and Director for his/her approval, together with adequate information to assure compliance with this Article, which must be received prior to substitution.



SEC. 2804 PROHIBITIONS

- A. Mercury Vapor Lamps Fixtures and Lamps. The installation, sale, offer for sale, lease or purchase of any mercury vapor lamp for use as outdoor lighting is prohibited.
- B. Laser Source Light. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal, is prohibited.
- C. Signs. Bottom or up-lighting of exterior signs is prohibited.
- D. Searchlights. The operation of searchlights for advertising purposes is prohibited.

SEC. 2805 TEMPORARY EXEMPTIONS

- A. Information Required. Any person may submit a written request to the Director for a temporary exemption of the requirements of this Article. A temporary exemption request shall contain the following information:
 - 1. Specific exemption or exemptions requested;
 - 2. Type and use of outdoor light fixture involved;
 - 3. Duration of time of the requested exemption;
 - 4. Type of lamp and lamp lumens;
 - 5. Total wattage of lamp or lamps and number of lamps to be used;
 - 6. Proposed location on premises of the outdoor light fixture(s);
 - 7. Previous temporary exemptions, if any, and addresses of premises there under;
 - 8. Physical size of outdoor light fixture(s) and type of shielding provided;
 - 9. Such other data and information as may be required by the Director.
- B. Approval; Duration. The County shall have ten business days from the date of submission of the request for temporary exemption to act, in writing, on the request. If approved, the exemption shall be valid for not more than thirty days from the date of issuance of the approval. The approval shall be renewable at the discretion of the Director upon a consideration of all the circumstances. Each such renewed exemption shall be valid for not more than thirty additional days.
- C. Disapproval; Appeal. If the request for temporary exemption is disapproved, the person making the request will have the appeal rights provided in Section 2801.D.

SEC. 2806 OTHER EXEMPTIONS

- A. Non-conformance. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance that codified in this Article are exempt from all requirements of this Article. There shall be no change in use or lamp type, or any replacement or structural alteration made, without conforming to all applicable requirements of this Article. Further, if the property is abandoned, or if there is a change in use of the property, the provisions of this Article will apply when the abandonment ceases or the new use commences.
- B. Neon lighting is exempt from the requirements of Sections 2803.A and B when used for sign lighting, but not for other uses. Natural gas lighting is exempt from all requirements of this Article.



- C. Federal and State Facilities. Those facilities and lands owned or operated by the U. S. Federal Government or the State of Arizona are exempted by law from all requirements of this Article. Voluntary compliance with the intent of this Article at those facilities is encouraged.

SEC. 2807 OUTDOOR ADVERTISING SIGNS

- A. External illumination for on-site signs shall conform to all provisions of this Article. In particular, such lighting shall conform to the lamp source, shielding restrictions, and lumen caps of Section 2803. All upward-directed, bottom-mounted, sign lighting is prohibited.
- B. Illumination of legal non-conforming off-site signs not illuminated at the effective date of this Article is prohibited.
- C. Outdoor internally-illuminated advertising signs shall not be counted towards the lumen cap and shielding requirements described in Table 2800-1. Outdoor internally illuminated advertising signs constructed with an opaque or colored background and translucent text and symbols are strongly preferred so as to reduce any potential detrimental effects due to such signs.
- D. Illumination for all advertising signs, both externally-illuminated and internally- illuminated, shall be turned off at close of business. No externally-illuminated signs shall be allowed in residential areas.

SEC. 2808 SPECIAL USES

- A. Recreational Facilities.
 - 1. All site lighting not directly associated with the athletic playing areas shall conform to the lighting standards described in this Article, including but not limited to the lamp type and shielding requirements of Section 2803 and the lumens per acre limits of Table 2800-1.
 - 2. Lighting for athletic fields, courts or tracks shall be exempt from the lumens per acre limits of Table 2800-1. All such lighting shall utilize fully shielded luminaires installed in a fashion that maintains the full cutoff characteristics unless certified by a registered engineer that such shielding is impractical. Every such lighting system design shall be certified by a registered engineer as conforming to all applicable restrictions of this Article. Where full cutoff fixtures are not utilized, acceptable luminaires shall include those which:
 - a. Are provided with internal and/or external glare control louvers and installed so as to limit direct up-lighting to less than 5 percent of the total lumens exiting from the installed fixtures and minimize offsite light trespass as required in 2 above, and;
 - b. Are installed with minimum aiming angles of 25 degrees downward from the horizontal. Said aiming angle shall be measured from the axis of the luminaire maximum beam candlepower as certified by an independent testing agency.
 - c. All events shall be scheduled so as to complete all activity by 11 p.m. Illumination of the playing field, court or track shall be permitted after the curfew only to conclude a scheduled event that was unable to conclude before the curfew due to unusual circumstances.
- B. Outdoor Display Lots
Lighting for display lots shall comply with the following standards and Table 2800-1.



1. All such lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the full cutoff characteristics. Every such lighting system design shall be certified by a registered lighting or electrical engineer as conforming to all applicable restrictions of this Article.
 2. All site lighting not directly associated with the display areas shall conform to the lighting standards described in this Article, including but not limited to the lamp type, shielding requirements, and the lumens per acre limits of Table 2800-1.
 3. Lot lighting shall be turned off at close of business.
- C. Service Station Under-Canopy Lighting
Lighting for service station canopies shall be turned off at the close of business.
1. Shielding: All luminaires are to be flush with, or recessed into the lower surface of service station canopies and shall be fully shielded and utilize flat lenses to minimize light trespass.
 2. Total Under-Canopy Output: The total light output used for illuminating service station canopies is defined as the sum of all under-canopy initial bare lamp outputs in lumens and shall not exceed 40 lumens per square foot of canopy. Twenty-five percent (25%) of the lumens from fully shielded outdoor lighting fixtures installed under canopies shall be counted toward the lumens caps.
 3. Illuminated canopy margins shall be considered in the total lumen count per acre.
- D. Wireless Communications Towers
If tower lighting is required, it shall be the least obtrusive that meets Federal Aviation Administration and County requirements.

SEC. 2809 LAW GOVERNING CONFLICTS

Where any provision of federal, state, or local statutes, Articles, or laws conflicts with any provision of this Article, the most restrictive shall govern unless otherwise regulated by law.

SEC. 2810 CONDITIONAL USE PERMIT

The lumen cap provisions of this Article, in Table 2800-1, may be altered, varied, or modified by the issuance of a Conditional Use Permit by the Planning and Zoning Commission, as per Article 6 of this Code, upon a finding by the Commission that such alteration, or modification is necessary for the proposed use of the subject property because of increased security requirements, public safety, or public need and that the purpose and intent of this Article are reasonably accommodated.

In addition to the applicable public hearing notice requirements of this Code, written notice of public hearings shall be given stating the time, date and purpose of the hearing to the F.L. Whipple Observatory or its successor or equivalent and to owners of property within one-thousand (1000) feet of the subject property.

SEC. 2811 ENFORCEMENT AND PENALTY

It shall be the duty of the Director to administer and enforce this Article. All other County law



enforcement officials and agencies shall, whenever requested by the Director, participate in and assist in the enforcement of this Article to the extent that they are lawfully authorized to do so. Any violation of this Article, or any portion of this Article, shall be considered a civil violation and is subject to penalties not to exceed the amount of the maximum fine for a class 2 misdemeanor in accordance with A.R.S. §11-808. Each day of continuance of the violation constitutes a separate violation. Maximum fines are \$750.00 for individuals and \$10,000.00 for corporations, associations, labor unions or other legal entities. Enforcement procedures shall be pursuant to those established by the Department of Community Development.



[Figure 1]

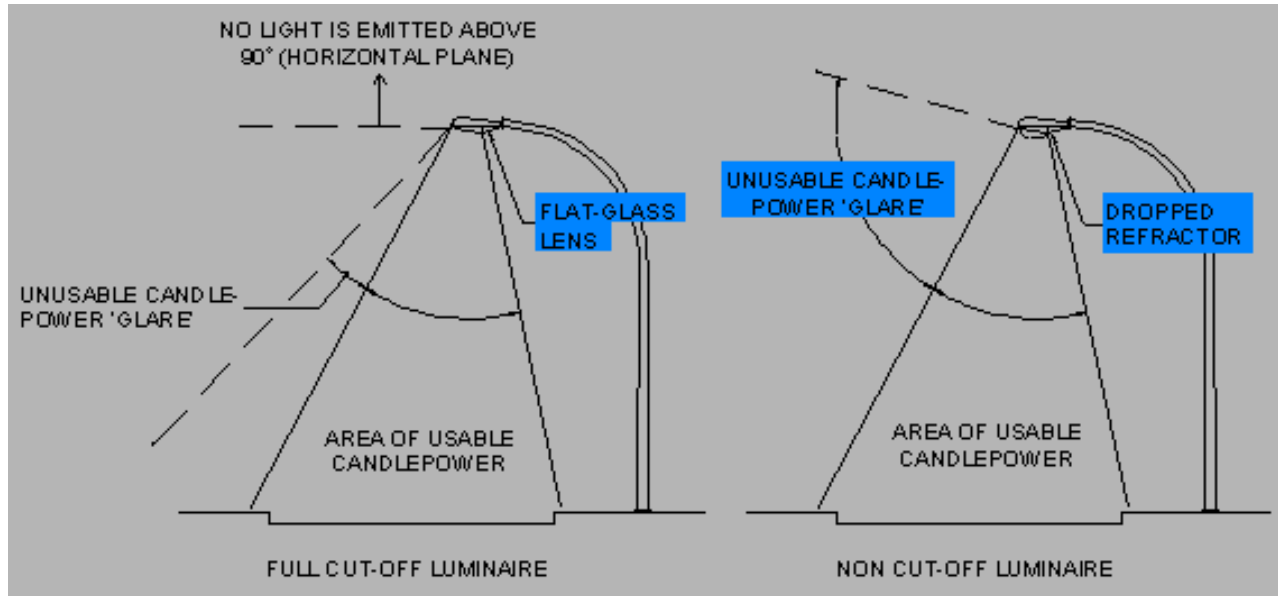
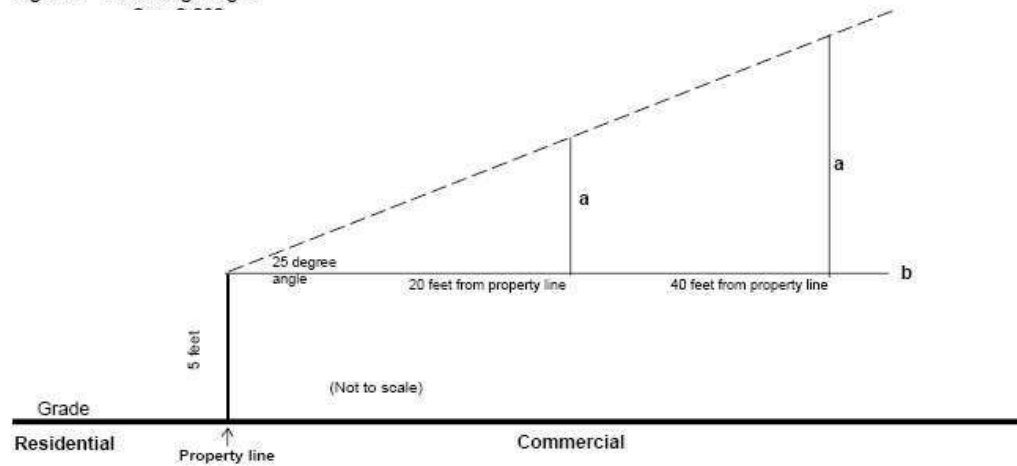


Figure 2 Mounting Height



To find the maximum allowable mounting height, take the distance (b) from the property line to the base of the fixture location and multiply it by .47. This will give you (a), the height above the 5 foot starting level. Add (a) to 5 feet to find the maximum allowable mounting height.

In the diagram, a fixture 20 feet (b) from the property line has a height maximum of 14.4 feet. $(20) \times (.47) = 9.4$
 $9.4 + 5 = 14.4$ feet;

a fixture 40 feet (b) from the property line has a height maximum of 23.8 feet. $(40) \times (.47) = 18.8$
 $18.8 + 5 = 23.8$ feet



TABLE 2800-2 – Standards values based on manufacturer’s data – to be used unless applicant submits other verified lumen values.

Type	Lamp Wattage	Initial Lumens
Incandescent	25 W	150
	40 W	460
	60 W	890
	75 W	1210
	100 W	1750
	150 W	2880
	300 W	6360
	1000 W	23800
Compact Florescent	5 W	250
	7 W	400
	13 W	900
	18 W	1200
	26 W	1800
	32 W	2900
Tungsten-Halogen	250 W	4700
	500 W	10700
	1000 W	19000
	1500 W	36000
Metal Halide	175 W	14000
	250 W	20000
	400 W	40000
	1000 W	115000
PAR (Parabolic Aluminized Floods & Spots)	150 W	1740
HPS (High Pressure Sodium)	50 W	3300
	70 W	5800
	100 W	9500
	150 W	16000
	200 W	22000
	250 W	30000
	310 W	37000
	400 W	50000
	1000 W	140000
LPS (Low Pressure Sodium)	18 W	1800
	35 W	4800
	55 W	8000
	90 W	13500
	135 W	22500
	180 W	33000
Fluorescent (Standard Cool White, 1.5-inch	21 W	1190
	30 W	2050
	36 W	2450
	39 W	3000
	50 W	3700
	52 W	3900
	55 W	4600
	70 W	5400
	75 W	6300



Appendix A

Examples of fixtures that are NOT Fully Shielded
 (Note: Some of these fixtures may be acceptable provided they don't exceed 1,000 lumens.)

Examples of fixtures that are Fully Shielded
 (Note: to be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal)

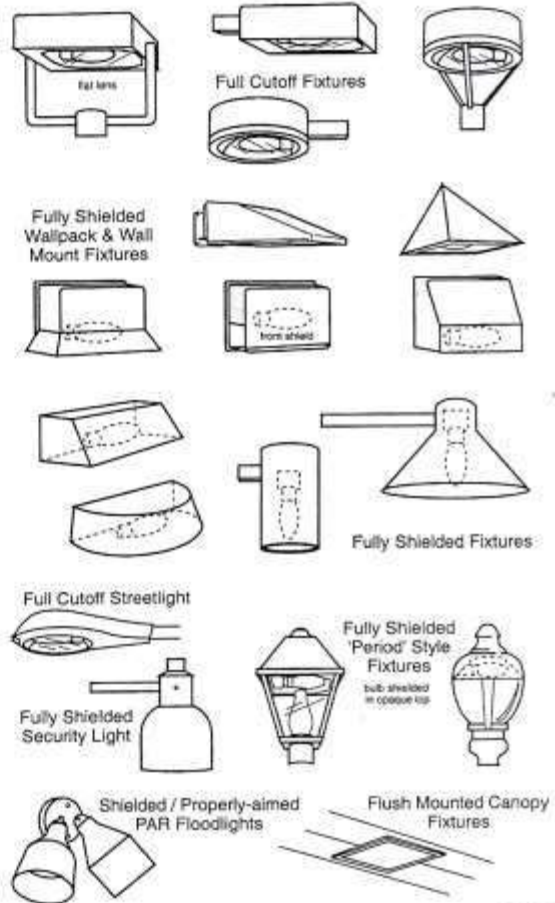
Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged
 Fixtures that produce glare and light trespass



Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



BC 10/02



ARTICLE 29 – LOW WATER USE/DROUGHT TOLERANT PLANT LIST

----2900----GENERAL

----2901----RECOMMENDED PLANT LIST

----2902----PROHIBITED PLANT LIST

SEC. 2900 GENERAL

The plants on this list should prosper in the Santa Cruz County area with moderate to no supplemental irrigation once they are established. Occasionally, for good appearance, supplemental irrigation may be applied. All the plants use less water than traditional high water use landscape plants, and this list provides a variety to accomplish any landscape design need.

Applications for additions, deletions, or exceptions to the list may be submitted to the Department of Community Development for consideration.

Santa Cruz County forbids the use of any non-native species known to be invasive. See accompanying list of prohibited invasive species.

Santa Cruz County strongly discourages the use of any species with know toxicity (*).

Highly flammable plants (D) must not be planted within 30 feet of any flammable structure. This distance must be increased enough to allow for the expected mature size of plant.

Plants known to produce pollen that is strongly or moderately allergenic (a,b) should be used sparingly, if at all.

Key to symbols:

- Irrigation needs:
- 1 = No supplemental irrigation once established.
 - 2 = Once a month in warm weather once established.
 - 3 = Twice a month in warm weather once established.
 - 4 = Once a week in warm weather once established.
 - h = Unlikely to survive because Santa Cruz County is more humid than the desert.
- Medical Alert:
- a Known or suspected to be strongly allergenic.
 - b Known or suspected to be moderately allergenic
 - c Known or suspected to be allergenic for some individuals or produces a wind=borne pollen of unknown allergenicity.
 - * May be harmful if eaten. For more information call Arizona Poison Control Center at (520) 626-6016 or toll-free at 1-800-362-0101
- Invasive:
- I May spread and intrude into natural areas



Life form: A Accent Plant
 C Cactus
 F Flower
 Gc Groundcover
 Gr Ornamental Grass
 S Shrub
 Sc Succulent (other than cacti)
 T Tree
 V Vine
 Aq Aquatic

Frost Tolerance: (sh) Semi-hardy--Some dieback in a hard frost.
 (t) Tender--unsuitable for climate

Fire Impact: D = extremely combustible, dangerous in landscape.
 R = flame resistant, good for fire protection



SEC. 2901 RECOMMENDED PLANT LIST

	BOTANICAL NAME	COMMON NAME
S c	Acacia angustissima 2 (sh) D	White ball acacia
T,S c	Acacia farnesiana 2 D Cassie, Huisache, Sponge tree	Southwestern sweet acacia, Sweet acacia, (Acacia samllii, Acacia minuta)
T c	Acacia schaffneri 1-2 D	Twisted acacia
A Sc	Agave americana 1-2 (t) R	Century plant
A Sc	Agave palmeri 1 R	Palmer’s agave
A, Sc	Agave parryi var. huachucensis 1 R (agave huachucensis)	Huachuca agave
A Sc	Agave victoriae-reginae 1-2 R	Victoria regina agave
A Sc	Agave vilmoriniana 1-2 (t) R	Octopus agave
A Sc	Aloe saponaria 2-3 (t)	Mediterranean aloe
A, Sc	Aloe vera 2-3 (t) (Aloe barbadensis)	Barbados aloe
S	Aloysia gratissimma 2	Fragrant bush, Bee brush
S	Aloysia wrightii 2	Wright’s oregano
S	Anisacanthus thruberi 2	Desert honeysuckle
V	Antigonon leptopus 2-3	Queen’s wreath
S	Asclepias linaria 2	Pine-leaf milkweed
A	Asclepias subulata 2 (t)	Desert milkweed
S a	Atriplex canescens 1 R	Four-wing saltbush
S a	Atriplex lentiformis var breweri 1-2(t)	Brewer saltbush
S	Berberis harrisoniana 3	Barberry
Gr	Bothriochloa barbinodis 3 (Andropogon barbinodis)	Cane beardgrass
Gr	Bouteloua chondrosioides 2	Sprucetop grama
Gr a	Bouteloua curtipendula 1	Side-oats grama
Gr	Bouteloua eriopoda 2	Black grama
Gr	Bouteloua filiformis 2	Slender grama
Gr	Bouteloua gracilis 1	Blue grama
Gr	Bouteloua hirsuita 1	Hairy grama
Gr	Bouteloua radicata 2	Purple grama
S	Bouvardia glabarrima 1	Smooth bouvardia
T c	Brahea armata (Erythea armata) 2-3	Mexican blue palm
S	Calliandra eriophylla 1 R	Fairy duster, False mesquite
T,S c	Callistemon citrinus 3 (sh)	Lemon bottlebrush
V	Campsis radicans 2-3 (Bignonia radicans)	Common trumpet creeper
C	Carnegiea gigantea 1 (t)	Saguaro
Gc Sc	Carpobrotus edulis 3 (t) (mesembryanthemum edulis)	Ice plant



	BOTANICAL NAME	COMMON NAME
S	Cassia artemisioides 2-3 (t)	Wormwood senna, Feathery cassia
S	Cassia nemophila (C. eremophila) 2 (t)	Green cassia
S	Cassia wislizenii 2	Cassia, shrubby senna
S b	Celtis pallida 1-2 Celtis Tala var pallida)	Spiny or Desert hackberry
S,T b	Celtis reticulata (C. douglassi) 2 R (c. laevigata var reticulata)	Netleaf or Western hackberry
S	Centaurea cineraria 3	Dusty miller
	Gc Cephalophyllum 'Red Spike' 2	Red spike ice plant
T	Cercidium floridum 2-3 (sh) (t)	Blue palo verde
T	Cercidium microphyllum 1-2 (sh) (t)	Littleleaf or Foot-Hill palo verde
T	Cercidium x sonorae 1-2 (sh) (t)	Sonoran palo verde
A C	Cereus peruvianus 'monstrosus' 1-2 (t)	Peruvian cereus
S,T	Chilopsis linearis 2-3 R	Desert willow
S	Condalia warnockii var. Kearneyana 1	Condalia
T,S	Cordia boissieri 2-3 (t)	Anachahuita, Texas olive
S	Cordia parvifolia 1-2 R	Littleleaf cordia
T a	Cupressus arizonica 2	Arizona cypress
T a	Cupressus glabra 2-3	Smooth bark cypress
S	Dalea bicolor var. argyrea 2-3	Silver dalea
S	Dalea frutescens 2-3	Black dalea
Gc	Dalea greggii 2-3	Trailing indigo bush
S	Dalea pulchra 2-3	Indigo Bush
S	Dalea versicolor var. sessilis 3	Inidgo bush, Dalea
A	Dasyilirion acrotriche 1	Green desert spoon
A	Dasyilirion wheeleri 1 D	Sotol, Desert Spoon
Gr	Digitaria californica 3 (Trachachne californica)	Arizona cottontop
Gc	Dyssodia pentachaeta 3-4	Dyssodia
A C	Echinocereus sp 1	Hedgehog, Strawberry, Rainbow cactus
A C	Echinopsis sp 1	Easter Lily, Sea urchin cactus
S c	Encelia californica 1-2 (t)	California brittlebrush
S c	Encelia farinosa 1-2 (t)	Brittlebrush
Gc, F	Epilobium canum 3	Hummingbird flower
GR a	Eragrostis intermedia 1	Plains lovegrass
F	Eschscholtzia californica 2-3	California poppy
F	Eschscholtzia mexicana 3	Mexican gold poppy
S,T	Feijoa sellowiana 3	Pineapple guava
Gr a	Festuca megalura 3	Zorro fescue
A	Fouquieria splendens 1	Ocotillo
F	Gaillardia pulchella 3 R	Fire wheel, Blanket flower



	BOTANICAL NAME	COMMON NAME
F	Gazania rigens 3-4	Treasure flower, gazania
F	Gazania rigens 'Copper King' 3-4	Cooper king gazania
S c	Haplopappus laricifolius 1 (Aplopappus laricifolius, Ericameria laricifolia)	Turpentine brush, Turpentine bush Larch-leaf goldenweed
A	Hesperaloe finifera 1-2	Giant hesperaloe
A	Hesperaloe paryiflora 1-2	Red yuca
T,S b	Juniperus chinensis 3 D	Juniper (many cultivars)
T a	Juniperus deppeana 3 D	Alligátor juniper, Alligator bark juniper
S b	Juniperus sabina "Arcadia" 3 D	Juniper, arcadia
S, A	Justicia californica 2-3 (t) (Beloperone californica)	Chuparosa, hummingbird bush, Dessert huneysuckle
S	Justicia candicans 3 (t) (Justicia ovata)	Jacobinia
Gr a	Leptochloa dubia 3	Green sprangletop
S, T	Leucaena retusa 1-2	Golden leadball
S	Lucophyllum candidum 2	Silver leaf rain sage
S	Leucophyllum frutescens 2	Texas ranger, Texas sage
S	Leucohyllum frutescens 'Compacta' 2	Ranger, Compact texas
S	Leucophyllum laevigatum 2	Chihuahuan rain sage
S	Leucophyllum zygophyllum 2	Blue ranger
F	Linum lewisii 3	Blue flax
F	Lupinus sparsiflorus 3	Desert lupine
F	Lupinus succulentus 3	Arroyo lupine
S	Lycium exsertum 2	Lycium
Gr	Lycurus setosus 3	Wolftail, Wolftail grass
T, S	Lysiloma thornberi 2-3 (t) (L. watsonii, L microphylla var thornberi)	Feather Bush, Fern-of-the-desert Desert fern
Gc Sc	Malephora crocea 2-3	Croceum, Ice plant
Gc, F	Melampodium leucanthum 2	Blackfoot daisy
V	Merremia aurea 2-3	Yellow merramia
S c	Mimosa dysocarpa 1-2	Velvetpod, Velvetpod mimosa
Gr a	Muhlenbergia dumosa 3-4	Bush muhley, Bush muhlenbergia
S	Myrtus communis 2-3	True myrtle, Roman myrtle
S	Myrtus communis 'Boetica' 2-3	Twisted myrtle
S	Myrtus communis 'compacta' 2-3	Dwarf myrtle
S	Nandina domestica 3	Heavenly bamboo
A	Nolina bigeovii 1-2 D	Beargrass
A	Nolina matapensis 1-2 D	Tree beargrass
A	Nolina microcarpa 1, 2 D	Beargrass
A	Nolina parryi 1-2 D	Parry's beargrass
Gc	Oenothera berlandieri 3 (O. speciosa)	Mexican evening primrose



	BOTANICAL NAME	COMMON NAME
F	Oenothera caespitosa 2-3	Tufted evening primrose
F	Oenothera stubbei 2-3	Chihuahuan primrose
T	Olea europa "Swan hill" 3 (t)	Swan Hill olive
C	Opuntia basilaris 1h	Beavertail cactus
C	Opuntia bigelovii 1h	Teddy bear cholla
C	Opuntia engelmannii 1	Engelmann prickly pear
C	Opuntia ficus-indica 1 (t)	Indian fig
C	Opuntia macrocentra 1	Prickly pear long-spine
C	Opuntia microdasys 1h	Rabbit ears
C	Opuntia phaeacantha 1	Prickly pear
C	Opuntia versicolor 1	Staghorn cactus
C	Opuntia 'Santa Rita' 1	Santa rita prickly pear
Gc c	Osteospermum fruticosum 3-4 (sh)	Trailing african daisy
Gr a	Panicum virgatum 3	Switch grass
T c	Parkinsonia aculeata 1-2 (t)	Mexican palo verde
V	Passiflora foetida 3 (t)	Passion flower
Grb	Pennisetum setaceum 'Cupreum' 1-2	Purple fountain grass
S	Penstemon baccharifolius 3 R	Cutleaf penstemon,
F	Penstemon barbatus 3 R	Beardtongue penstemon
F	Penstemon eatoni 3 R	Eaton's penstemon
F	Penstemon parryi 3 R	Parry penstemon
F	Penstemon pseudospectabilis 3 R	Mohave beardtongue
F	Penstemon superbus 3 R	Superb penstemon
Gc	Pentzia incana 1-2	Karoo bush
F	Phacelia campanularia 2-3	Desert canterbury bells
F	Phacelia tanacetifolia 2-3	Tansy Phacelia
Tc	Phoenix dactylifera 3-4 (t)	Date palm
T	Pinus edulis 2-3 D	Pinon nut pine
T	Pinus eldarica 2 D	Afghan pine
T	Pinus halepensis 2 (t) D	Aleppo pine
T	Pinus monophylla 2 D	Singleleaf pinon pine
T	Pistacia atlantica 2	Mount Atlas pistache
T c	Pistacia chinensis 3 R	Chinese pistache
T c	Pistacia vera 2-3	Pistachio
T c	Pithecellobium flexicaule 2 (sh)	Texas ebony
T b	Prosopis chilensis 1-2	Chilean mesquite
T b	Prosopis velutina 1-2	Velvet mesquite
F	Psilostrophe cooperi 2	Paper flower
T,S	Punica granatum 2-3	Pomegranate
S	Pyracantha (Red berried types) 3	Pyracantha (Many cultivars)
T b	Quercus arizonica 3	Arizona white oak
T b	Quercus emoryi 3	Ermory oak



	BOTANICAL NAME	COMMON NAME
T b	<i>Quercus ilex</i> 3	Holy oak
T b	<i>Quercus virginiana</i> "Heritage" 2-3	Heritage live oak
S	<i>Rhus microphylla</i> 2	Little leaf sumac
S	<i>Rhus ovata</i> 2	Sugar bush, Sugar sumac
S	<i>Rhus trilobata</i> 2	Lemonade bush
S	<i>Thus virens</i> 2 (<i>R. choriophylla</i>)	Evergreen sumac, Mearn's sumac
S	<i>Rosmarinus officinalis</i> 2-3	Bush Rosemary
Gc	<i>Rosmarinus officinalis</i> 'Prostratus' 2-3	Dwarf or Trailing rosemary
S	<i>Salvia chamaedryoides</i> 2-3 R	Blue gage
F	<i>Salvia columbariae</i> 3 R	Chia
S	<i>Salvia farinacea</i> 4 (sh) R	Mealy blue sage
S	<i>Salvia greggii</i> 2-3 R	Texas red salvia, Autumn sage
S	<i>Salvia mohavensis</i> 2 R	Mojave sage
T	<i>Sambucus mexicana</i> 2-3	Mexican elderberry
Gc, S	<i>Santolina chamaecyparissus</i> 2-3	Lavender cotton
Gc, S	<i>Santolina virens</i> 2,3	Green santolina
T b	<i>Schinus molle</i> 2-3 (t)	California pepper tree
Gr a	<i>Setaria leucopila</i> 3	Plains bristle grass
S b	<i>Simmondsia chinensis</i> 1-2 (t)	Jajoba, Goat nut
F	<i>Sphaeralcea</i> sp. 2	Globe mallow, Desert mallow
Gr a	<i>Sporobolus airoides</i> 3	Alkali sacaton
S, F	<i>Tagetes lemmonii</i> 3-4	Mountain marigold
S	<i>Tecoma stans</i> var. <i>angustata</i> 2-3 (t)	Trumpet-bush
Gc, S	<i>Teucrium chamaedrys</i> 2-3	Germander
S	<i>Teucrium fruticans</i> 3	Bush germander
T	<i>Ungnadia speciosa</i> 3	Mexican buckeye
T, S	<i>Vauquelinia californica</i> 2	Arizona rosewood
F	<i>Verbena gooddingii</i> 4	Gooding verbena
F	<i>Verbena peruviana</i> 4	Pruvian verbena
F	<i>Verbena tenuisecta</i> 3	Verbena
F	<i>Verbesina encelioides</i> 3	Crown beard
T, S	<i>Vitex agnus-castus</i> 2	Chaste tree, Monk's pepper
T c	<i>Washingtonia filifera</i> 2	California fan palm
T, S	<i>Xylosma congestum</i> 3 (t)	Xylosma
A	<i>Yucca aloifolia</i> 1 (t)	Yucca, Spanish bayonet
A	<i>Yucca baccata</i> 1	Banana yucca
T, A	<i>Yucca brevifolia</i> 1	Joshua tree yucca
A	<i>Yucca carnerosana</i> 1	Giant dagger yucca
A	<i>Yucca elata</i> 1	Soaptree yucca
A	<i>Yucca glauca</i> 1	Yucca, Small soapweed
A	<i>Yucca recurvifolia</i> (<i>Y. pendula</i>) 1	Pendulous yucca or Curveleaf yucca
A	<i>Yucca rigida</i> 1	Blue Dagger



	BOTANICAL NAME	COMMON NAME
A	Yucca schottii 1	Mountain yucca, Schott's yucca Spanish bayonet, Spanish dagger
A	Yucca treculeana 1	Tree yucca
A	Yucca whipplei 1	Yucca, Our Lord's candle
Gc, S	Zauschneria californica 3	Hummingbird trumpet
Gc, F	Zinnia acerosa 1	Desert zinnia
Gc, F	Zinnia grandiflora 2	Rocky mountain zinnia



SEC. 2902 Invasive plants prohibited from use in meeting landscaping requirements

	BOTANICAL NAME	COMMON NAME
T	<i>Ailanthus altissima</i> (t)	Tree of heaven
S a	<i>Atriplex semibaccata</i> (t)	Australian saltbush
F	<i>Cardaria draba</i>	Hoary cress, white top
Gr	<i>Cenchrus ciliaris</i> (<i>Pennisetum ciliaris</i> , <i>P. ciliare</i>)	Bufflegress, Buffel grass
F	<i>Centaurea solstitialls</i>	Yellow star thistle
V	<i>Cissus incise</i> (<i>cissus trifolieta</i>)	Desert grape ivy
Gr	<i>Cortadoria jubata</i> D	Jubatagrass, Andean pampasgrass
Gr	<i>Cortaderia selloana</i> D	Pampasgrass
Gc	<i>dimophothea sinuta</i> (t)	African daisy, cape marigold
Aq	<i>Eichhornia crassipes</i>	Water Hyacinth
Gr	<i>Eragrostis curvula</i> (<i>E. chloromelas</i>)	Boer lovegrass
Gr	<i>Eragrostis lehmanniana</i>	Lehmann lovegrass
Gr	<i>Eragrostis lehmanniana</i> (<i>E. atherstoni</i>)	Cochise lovegrass
T c	<i>Eucalyptus microtheca</i> D	Tiny capsule eucalyptus
T c	<i>Eucalyptus polyanthemos</i> D	Silver dollar gum
T c	<i>Eucalyptus rudis</i> D	Desert gum
T c	<i>Eucalyptus sp.</i> D	Eucalyptus species
Aq	<i>Hydrilla verticillata</i>	Hydrilla
S,F *	<i>Lantana camara</i> (t)	Bush lantana, many cultivars
Gc *	<i>Lantana montevidensis</i> (t)	Trailing lantana
F	<i>Linaria genistifolia</i> ssp. <i>Dalmatica</i>	Dalmation toadflax
F	<i>Lythrum salicaria</i>	Purple loosestrife
Aq	<i>Myriophyllum aquaticum</i>	Parrotfeather
S *	<i>Nerium oleander</i> (t)	Oleander (many cultivars, varieties)
Gr	<i>Pennisetum setaceum</i>	Fountain grass
S	<i>Rubus discolor</i> (<i>R. procerus</i>)	Blackberry, Himalayaberry
Aq	<i>Salvinia molesta</i>	Giant salvinia
Gr *	<i>Shrghum halepense</i> D	Johnson grass
T b	<i>Tamarix aphylla</i> (t) D	Athel tree tamarisk
T,S b	<i>Tamarix sp.</i> D	Salt cedars, all species
F	<i>Vinca major</i>	Periwinkle
S	<i>Zizphus jujuba</i>	Chinese jujube, common jujube



ARTICLE 30 - MEDICAL MARIJUANA DISPENSARIES, MARIJUANA ESTABLISHMENTS, DUAL LICENSEE ESTABLISHMENTS AND OFF-SITE CULTIVATION AND MANUFACTURING FACILITIES

- 3001--- PURPOSE**
- 3002--- DEFINITIONS**
- 3003--- APPLICABILITY**
- 3004--- DEVELOPMENT REVIEW REQUIRED**

SEC. 3001 PURPOSE

The purpose of this Section is to establish a process, rules, and standards for the construction, establishment, and operation of Nonprofit Medical Marijuana Dispensaries, pursuant to A.R.S. § 36-2806.01, Marijuana Establishments and Dual Licensee Establishments pursuant to § 36-2857.

SEC. 3002 DEFINITIONS

See definitions in Article 2, Section 202.

SEC. 3003 APPLICABILITY

1. GR-40 (General Rural 40) (36 acres) Zones

Marijuana Off-Site Cultivation Facilities, as defined in Article 2, Section 202, shall be considered a conditional use under Article 9, Section 903(G), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

2. GR (General Rural) (180,000 sq. feet) Zones

Marijuana Off-Site Cultivation Facilities, as defined in Article 2, Section 202, shall be considered a conditional use under Article 9, Section 907(G), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

3. B-1 (Neighborhood Business) Zones

Marijuana Establishment - Single Retail Location, as defined in A.R.S. §36-2850(18)(a), shall be considered a conditional use under Article 9, Section 9130(E), subject to the limitations



imposed by the performance standards and design requirements of Section 3004 and 3005 below.

Non-Profit Medical Marijuana Dispensaries, as defined in Article 2, Section 202, shall be considered a conditional use under Article 9, Section 9130(F), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

4. B-2 (General Business) Zones

Marijuana Establishment - Single Retail Location, as defined in A.R.S. §36-2850(18)(a), shall be considered a permitted use under Article 9, Section 9220(B)(13), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

Non-Profit Medical Marijuana Dispensaries, as defined in Article 2, Section 202, shall be considered a permitted use under Article 9, Section 9220(B)(14), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

5. M-1 (Light Industry) Zones

Marijuana Establishment - Single Retail Location, as defined in A.R.S. §36-2850(18)(a), shall be considered a permitted use under Article 9, Section 9320(A)(19), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

Marijuana Off-Site Cultivation Facilities, as defined in Article 2, Section 202, shall be considered a permitted use under Article 9, Section 9320(A)(20), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

Marijuana Off-Site Manufacturing Facilities, as defined in Article 2, Section 202, shall be considered a permitted use under Article 9, Section 9320(A)(21), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.



Non-Profit Medical Marijuana Dispensaries, as defined in Article 2, Section 202, shall be considered a permitted use under Article 9, Section 9320(A)(22), subject to the limitations imposed by the performance standards and design requirements of Section 3004 and 3005 below.

SEC. 3004 PERFORMANCE STANDARDS

1. Nonprofit Medical Marijuana Dispensaries, as defined in Article 2, Section 202, shall:
 - a. Be located in a permanent, site-built building;
 - b. Have a single secure entrance and shall implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana, pursuant to A.R.S. § 36-2806(C);
 - c. Be a maximum of 2,500 gross square feet, with no more than 25% of the gross floor area dedicated to cultivation, manufacture or processing;
 - d. Comply with zoning standards outlined in Article 9, *Zoning Districts and Zoning Maps*;
 - e. Comply with all Parking standards outlined in Article 11, *Parking Standards*.
2. Marijuana Establishment - Single Retail Locations, as defined in A.R.S. §36-2850(18)(a), and Dual Licensees, as defined in Article 2, Section 202, shall:
 - a. Be located in a permanent, site-built building;
 - b. Shall implement appropriate security measures to deter and prevent the theft of marijuana and to reasonably regulate customer access to the premises, subject to the approval of Community Development Director;
 - c. Be a maximum of 2,500 gross square feet, with, no more than 25% of the gross floor area dedicated to cultivation, manufacture or processing;
 - d. Comply with zoning standards outlined in Article 9, *Zoning Districts and Zoning Maps*;
 - e. Comply with all Parking standards outlined in Article 11, *Parking Standards*.
3. Any business operating pursuant to this Article shall not be located within 2,640 feet of another Nonprofit Medical Marijuana Dispensary, Marijuana Establishment (all categories), Marijuana Off-Site Cultivation Facility or Marijuana Off-site Manufacturing Facility, as defined by Article 2, Section 202. This distance shall be measured in a straight line between the exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted.
4. Any business operating pursuant to this Article shall not be located within 1,320 feet of a public or private school, place of worship, or public park existing before the date of application. This distance shall be measured in a straight line from the exterior walls of the building or portion thereof in which the business is conducted or proposed to be conducted to the property line of the protected use.



5. Any business operating pursuant to this Article that is lawfully operating shall not be rendered in violation of these provisions by the subsequent location of a public or private school, place of worship, or public park.
6. Marijuana may not be delivered, transferred, supplied, sold or dispensed to consumers, at Off-Site Cultivation and Off-Site Manufacturing Facilities, including but not limited to Marijuana Establishments as defined by A.R.S. §36-2850(18)(b)and(c), and Non-Profit Medical Marijuana Dispensaries and Dual Licensees, as defined in Article 2, Section 202.
7. The operating hours of any business operating pursuant to this Article shall be limited to 8:00 am through 8:00 pm.
8. Drive-through services are prohibited at any business operating pursuant to this Article.
9. There shall be no emission of dust, fumes, vapors, odors, or hazardous waste into the environment from any business operating pursuant to this Article.
10. Marijuana remnants and byproducts shall be secured and properly disposed of and shall not be placed within the facility's exterior refuse containers at any business operating pursuant to this Article.
11. Marijuana cultivation and processing may occur within a Nonprofit Medical Marijuana Dispensary or Marijuana Establishment - Single Retail Location as defined in A.R.S. §36-2850(18)(a), with the limitations and restrictions outlined in this Article. In addition, a Nonprofit Medical Marijuana Dispensary, Marijuana Establishment - Single Retail Location as defined in A.R.S. §36-2850(18)(a), or Dual Licensee, may have one additional off-site location where cultivation, and production of Marijuana and Marijuana products occurs pursuant at a location registered pursuant to A.R.S. § 36- 2804(B)(1)(b)(ii) and/or a location established pursuant to A.R.S. §36-2850(18)(b).
12. Marijuana Off-Site Cultivation Facilities, as defined in Article 2, Section 202, shall comply with the following:
 - a. Site identification signage is prohibited;
 - b. Shall meet minimum standards as outlined in GR-40 and GR zones for Nurseries and Greenhouses (Wholesale);
 - c. Shall implement appropriate security measures to deter and prevent the theft of marijuana and to reasonably regulate customer access to the premises, subject to the approval of Community Development Director;
 - d. Comply with all zoning standards as outlined in Article 9, *Zoning Districts and Zoning Maps*.
 - e. Comply Parking Standards as outlined in Article 11, *Parking Standards*.

SEC. 3005 DEVELOPMENT PLAN REVIEW REQUIRED

1. Establishment of Nonprofit Medical Marijuana Dispensaries, Marijuana Establishments, Marijuana Off-Site Cultivation Facilities and Marijuana Off-site Manufacturing Facilities, as



defined in Article 2, Section 202, shall require review and approval of a Development Plan in accordance with Article 15, Section 1505, *Filing of Development Plans*.

2. If a Conditional Use Permit is required for the establishment of a use in this article, the applicant shall first comply with the requirements of Article 7, *Conditional Use Permits and Modifications of Conditional Use Permits*.

3. All applicants shall provide a copy of Arizona State Licensing and Registration within three (3) business days of receipt to the Santa Cruz County Community Development Director.



REVISIONS:

ARTICLE 1: TITLE AND PURPOSE

Effective Date: October 5, 1973

October 30, 1997 – (Case #07-7) Amendment 1997-12

ARTICLE 2: RULES AND DEFINITIONS

Effective Date: October 5, 1973

Adopted: January 12, 1996 – Ordinance # 96-01

July 23, 1998 – (Case #98-5) Amendment 1998-03

January 10, 2003 Section 202 – (Case #02-13) Ordinance #2002-10

October 19, 2005 – (Case #05-11) Ordinance #2005-04

March 7, 2008 – (Case #PZ-07-21) Ordinance #2008-01

March 19, 2010 – (Case #PZ-09-08) Ordinance #2010-01

February 25, 2011 – (Case #PZ-10-06) Ordinance #2011-01

May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02

April 21, 2012 - (Case #PZ-11-03) Ordinance #2012-01

March 20, 2015 – (Case #PZ-15-01) Ordinance #2015-01

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

ARTICLE 3: ADMINISTRATIVE MECHANISMS

Effective Date: October 28, 1989 – Ordinance #89-3 (Resolution 1989-34)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

ARTICLE 4: REZONING PROCEDURES

Effective Date: September 15, 1995 - Amendment 1995-1

ARTICLE 5: ESTABLISHMENT OF ZONING DISTRICT AND BOUNDARIES

Effective Date: October 5, 1973

October 30, 1997 – (Case 97-7) Amendment 1997-13

December 14, 2005 Section 505 – (Case #PZ-05-13) Ordinance # 2005-07

June 9, 2017 Section 501 – (Case #PZ-17-02) Ordinance #2017-04

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

ARTICLE 6: VARIANCES, CONDITIONAL USE PERMITS, APPEALS AND INTERPRETATION

Effective Date: February 2, 1994 – Ordinance # 94-1 (Resolution 1993-47)

April 25, 2003 Section 603, Section 604, Section 605 and Section 606 – (Case #03-03) Ordinance #2003-03

February 25, 2011 Section 604 – (Case PZ-10-06) – Ordinance #2011-01

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05



ARTICLE 7: SEPARABILITY CLAUSES, REPEAL OF CONFLICTING ORDINANCES, EFFECTIVE DATE

Effective Date: October 5, 1973

October 30, 1997 – (Case #97-7) Amendment 1997-14

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

ARTICLE 8: ENFORCEMENT AND REVIEW

Effective Date: October 5, 1973

February 5, 1992 – Resolution #1992-01)

October 30, 1997 – (Case #97-7) – Amendment 1997-15

ARTICLE 9: ZONING DISTRICTS AND ZONING MAPS

Effective Date: October 5, 1973

February 22, 1990 – Ordinance #90-2 (Resolution 1990-4)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

GR-40 (GENERAL RURAL 40)

Adopted: December 14, 2005 (Case #PZ-05-12) Ordinance # 2005-06

May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02

April 21, 2012 - (Case #PZ-11-03) Ordinance #2012-01

September 20, 2014 (Case # PZ-14-03) Ordinance #2014-03

March 20, 2015 (Case #PZ-15-01) Ordinance # 2015-01

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

GR (GENERAL RURAL)

12/11/91 Section 905, Section 907(G)

6/2/94 Section 907(G) - Ordinance 94-2 (Resolution 1994-13) 9/15/95 Section 906) - Amendment 1995-4

8/29/97 – (Case #97-5) - Amendment 1997-

10 7/23/98 – (Case #98-5) - Amendment 1998-04

October 19, 2005 Section 902 (Case #PZ-05-11) Ordinance 2005-04

May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02

April 21, 2012 - (Case #PZ-11-03) Ordinance #2012-01

September 20, 2014 (Case # PZ-14-03) Ordinance #2014-03

March 20, 2015 (Case #PZ-15-01) Ordinance # 2015-01

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

SR (SUBURBAN RANCH)

6/2/94 Section 912 - Ordinance 94-2 (Resolution 1994-13)



8/29/97 – (Case #97-5) -Amendment 1997-10
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

R-1 (RESIDENTIAL)

8/29/97 (Case #97-5) – Amendment 1997-10
7/23/98 (Case #98-5) – Amendment 1998-05
November 17, 2017 – (Case #PZ-17-03)
Ordinance #2017-05

R-2 (RESIDENTIAL)

8/29/97 (Case #97-5) – Amendment 1997-10
7/23/98 (Case 98-5) – Amendment 1998-06
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

R-3 (RESIDENTIAL)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

R-4 (RESIDENTIAL)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

R-5 (RESIDENTIAL)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

MF (MULTI-FAMILY)

9/15/95 Section 972 – Amendment 1995-2
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

MH (MOBILE HOME)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

P (PRESERVATION)

November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

MFR (MANUFACTURED HOUSING)

12/11/91
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

B-1 (NEIGHBORHOOD BUSINESS)

6/2/94 – Ordinance #94-2 (Resolution 1994-13)
3/29/97 – (Case #97-2) – Amendment 1997-09A
1/10/03 Section 9120(y) - (Case #02-14) Ordinance #2002-11
9/13/06 Section 9120 (A)(26) – (Case #PZ-06-14) Ordinance #2006-04
3/7/08 Section 2120(A)(9-27) – (Case #PZ-07-21) Ordinance #2008-01
May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02
April 21, 2012 - (Case #PZ-11-03) Ordinance # 2012-01



March 20, 2015 - (Case #PZ-15-01) Ordinance # 2015-01
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05
March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

B-2 (GENERAL BUSINESS)

6/2/94 – Ordinance #94-2 (Resolution 1994-13)
3/29/97 – (Case #97-2) – Amendment 1997-09B
1/10/03 Section 9230(18) - (Case #02-13) Ordinance # 2002-10
2/24/10 Section 9220 – (Case #PZ-09-07) Ordinance #2010-02
2/25/11 Section 9220(B)(2) & 9230(A)(8) – (Case #PZ-10-06) Ordinance 22011-01
May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05
March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

M-1 (LIGHT INDUSTRY)

12/11/91
6/2/94 – Ordinance #94-2 (Resolution 1994-13)
May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05
March 2, 2021 – (Case #PZ-21-01) Ordinance #2021-03

HR (HIGH RISE)

June 9, 2017 – (Case # PZ-17-02) Ordinance #2017-04

M-2 (INDUSTRY)

June 9, 2017 – (Case # PZ-17-02) Ordinance #2017-04

ARTICLE 10: COMMON REGULATIONS FOR ALL RESIDENTIAL DISTRICTS

Effective Date: October 5, 1973
February 22, 1990 – Ordinance #90-3 (Resolution 1990-5)
June 2, 1994 Section 1003 – Ordinance #94-2) (Resolution 1994-13)
September 15, 1995 Sections 1001, 1002, 1003, and 1005 – Amendment 1995-3
July 23, 1998 – (Case #98-5) Amendment 1998-07
March 19, 2010 – (Case #PZ-09-08) Ordinance #2010-01
March 20, 2013 - (Case #PZ-12-04) Ordinance #2013-01
June 9, 2017 Section 1002 & 1004 – (Case #PZ-17-02) Ordinance #2017-04
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

ARTICLE 11: PARKING STANDARDS

Effective Date: March 29, 1997 – (Case #97-2) – Amendment 1997-08
February 25, 2011 – Sections 1101 & 1103.A – (Case #PZ10-06) – Ordinance #2011-01
May 20, 2011 - (Case #PZ-11-01) Ordinance #2011-02

ARTICLE 12: PLANNED AREA DEVELOPMENT



Effective Date: October 5, 1973
October 28, 1989 – Ordinance #89-2 (Resolution 1989-33)
February 24, 2010 – (Case #PZ-09-07) – Ordinance #2010-02

ARTICLE 13: GENERAL PROVISIONS

Effective Date: October 5, 1973

ARTICLE 14: NONCONFORMING USES

Effective Date: October 5, 1973

ARTICLE 15: SUBDIVISIONS REGULATIONS

Effective Date: October 5, 1973
March 23, 2005 – (Case #04-25) Ordinance #2005-02
February 25, 2011 – Sections 1505, 1505 (21), 1504.4.1 (E), 1504.2 (D)(2)&(J) &(K) & 1505.1(B)(11) –
(Case #PZ-10-06) Ordinance #2011-01
June 9, 2017 Section 1504.5 – (Case #PZ-17-02) Ordinance #2017-04

ARTICLE 16: SWIMMING POOL SAFETY

Effective Date: March 21, 1997 – (Case #97-2) Amendment 1997-07
February 25, 2011, Section 1600(J) – (Case PZ-10-06) Ordinance #2011-01
June 9, 2017 Section 1600 – (Case #PZ-17-02) Ordinance #2017-04

ARTICLE 17: SIGN REGULATIONS

Effective Date: October 5, 1973
August 30, 1989 – Ordinance #89A (Resolution 1989-29)
January 3, 2009 – (Case #PZ-08-08) Ordinance #2008-07

ARTICLE 18: MOBILE HOMES AND MANUFACTURED HOUSING

Effective Date: October 4, 1991 – Ordinance #91-2 (Resolution 1991-38)

ARTICLE 19: LANDSCAPING, SCREENING AND BUFFERING

Effective Date: February 28, 1990 – Ordinance #90-1 (Resolution 1990-2)
June 21, 1996 – Amendment 1996-1
June 9, 2017 Section 1903 &1906 – (Case #PZ-17-02) Ordinance #2017-04

ARTICLE 20: RIO RICO COMMUNITY DISTRICT

Effective Date: August 12, 1992 – (Resolution 1992-31)

ARTICLE 21: HISTORIC ZONE

Effective Date: May 15, 1982
July 5, 2001 – (Case #01-06) Ordinance #2001-07
June 20, 2003 – (Case #03-08) Ordinance #2003-02



December 30, 2004 – (Case #04-26) Ordinance 2004-05
August 18, 2018 – (Case #PZ-18-07) Ordinance 2018-01

ARTICLE 22: AMENDMENTS

Effective Date: October 5, 1973
October 30, 1997 – (Case #97-7) Amendment 1997-16

ARTICLE 23: (RESERVED)

ARTICLE 24: AIRPORT DISTRICT OVERLAY ZONE

Effective Date: August 7, 1998 – (Case ADOZ 98-1) Amendment 1998-09

ARTICLE 25: (RESERVED)

ARTICLE 26: (RESERVED)

ARTICLE 27: (RESERVED)

ARTICLE 28: (OUTDOOR LIGHTING REGULATIONS)

Effective Date: July 11, 2008 – (Case #PZ-08-04) (Ordinance#2008-04)
November 17, 2017 – (Case #PZ-17-03) Ordinance #2017-05

ARTICLE 29: LOW WATER USE/DROUGHT TOLERANT PLAN LIST

(Previous Appendices)
October 23, 2997 – Amendment 1997-17
May 31, 2006 – (Case # 06-09) Ordinance #2006-02

ARTICLE 30: PLANNING AND ZONING FEES

Effective Date: February 17, 1990 – Ordinance #1990-4 (Resolution 1990-6)
July 23, 2998 (Case #98-5) - Amendment 1998-08
Rescinded effective January 10, 2003 (Case #02-08)

**ARTICLE 30: MEDICAL MARIJUANA DISPENSARIES, MARIJUANA ESTABLISHMENTS, DUAL
LICENSEE ESTABLISHMENTS AND OFF-SITE CULTIVATION AND MANUFACTURING FACILITIES**

Effective Date: April 1, 2021–Ordinance #2021-03 (Case #PZ-21-01)
April 6, 2021 – (Case #PZ-21-01) Ordinance #2021-05

