



**Town of Wickenburg**

**DRAFT**  
**Zoning Ordinance**

Town of Wickenburg  
155 N Tegner Street, Suite A  
Wickenburg, AZ 85390



# **PUBLIC DRAFT**

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## ARTICLE 14-1 TITLE, PURPOSE AND GENERAL REGULATIONS

### Section 14-1-1 Title

This chapter relating to municipal planning and zoning, may be referred to as the Zoning Ordinance of the Town of Wickenburg. Within the ordinance text, it shall be cited as "this Ordinance", or "this Zoning Ordinance".

### Section 14-1-2 Authority

This chapter is adopted pursuant to the municipal planning, zoning and subdivision authority granted to municipalities in the Arizona Revised Statutes under Title 9, more specifically A.R.S. §9-462.01 et seq (Zoning Authority). and A.R.S. §9-463.01 et. seq (Subdivision Authority).

### Section 14-1-3 Purpose

The purpose of this chapter is to protect public health, safety, and general welfare by establishing guidelines to promote and maintain a coordinated and harmonious environment for future growth, and to implement the Town's General Plan. The provisions of this chapter, unless otherwise specified, shall be applied at a minimum to prevent public nuisances; assure public safety from fire and other dangers; provide continued access to adequate light and air; prevent overcrowding of land; prevent undue congestion; preserve community character; conserve existing landscape and native vegetation; and strive to maintain stable property values.

### Section 14-1-4 Relationship to the Town's General Plan

The Zoning Ordinance is a primary implementation tool for the goals and policies outlined in the general plan. It establishes specific land use regulations, development standards, and processes to ensure development aligns with the overarching vision and objectives articulated in the general plan.

### Section 14-1-5 Applicability and General Standards

The Zoning Ordinance shall apply to all buildings, structures, uses of land, appurtenant structures, subdivisions, and minor land divisions within the jurisdictional boundaries of the Town. All development activities, including new construction, redevelopment, renovations, changes of use, and site improvements, must conform to the requirements and standards established in this Ordinance.

- A. New Development.** All new, modified, changed, or expanded properties, structures, or uses shall be subject to all applicable regulations, exceptions, and procedures of this Zoning Ordinance. No building, structure, land, or appurtenant structure shall be used, constructed, located, moved, reconstructed, extended, enlarged, converted, or structurally altered except in full compliance with the provisions herein.
- B. New Lots.** No lot shall hereafter be created, whether by lot split, minor land division, record of survey, subdivision, or other mechanism that contains less than the minimum number of square feet or minimum lot dimensions established for the zoning district or density district in which it is located.
- C. Vested Development Rights.** Any amendments, modifications, supplements, repeals, or other changes in these regulations or the official zoning map shall not apply when a valid vested development right exists as described following:
  - 1.** A development application in the review process or under development is determined to be a vested development if they are subject to a protected development right plan as defined by A.R.S. §9-1201, or are approved by the Town, and/ or under construction, or an application and fee has been received and acknowledged to be complete by the Town prior to the adoption of these regulations or subsequent amendments.
  - 2.** Development applications are subject to the regulations in place at the time the application was accepted by the Town. The burden is on the property owner to prove a valid development right was established before a change in these regulations.

3. Existing approvals of protected development right plans, use, development, subdivision of land, approved phased developments, and Planned Area Developments granted prior to the adoption of this Ordinance shall be guided and controlled by the prior approval, plans, provisions, phasing, use, site plan, or subdivision conditions. Such lands shall become subject to the provisions of this Ordinance upon the expiration or modification of those prior approvals.

**D. Prohibited Uses.** Operating or establishing such an unlisted use shall constitute a violation of this Ordinance, unless otherwise explicitly stated herein or approved by the Zoning Administrator. The Zoning Administrator may approve an unlisted use if they determine that the use is substantially similar in character, impact, and compatibility to a use or uses permitted in the district, and that the unlisted use is consistent with the purpose and intent of the zoning district.

## **Section 14-1-6 Repeal of Existing Zoning Ordinance**

The Zoning Ordinance in effect at the time of the adoption of this document is repealed to the extent necessary to promulgate the full force and effect of this document. However, regulations necessary for prior developments applications remain applicable until the developments are complete, expired, rescinded, or withdrawn. Additionally, any development approval that has expired within one year prior to the adoption of this Ordinance shall be granted a one-year grace period from the date of this Ordinance's adoption to reactivate the approval under the regulations in effect at the time of the original approval.

## **Section 14-1-7 Severability**

- A. If any section, subsection, sentence, clause, phrase, or portion of this Zoning Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.
- B. If the application of any provision of this Zoning Ordinance to any particular parcel of land, building, structure, use, or activity is found to be invalid or unconstitutional by a court of competent jurisdiction, such finding shall not affect the application of said provision to any other parcel, building, structure, use, or activity not specifically included in that invalidation.

## **Section 14-1-8 Conflict with Other Regulations**

- A. This Zoning Ordinance is not intended to repeal, abrogate, annul, or interfere with any existing provisions of other laws or ordinances except those specifically repealed by the adopting ordinance. Nor is this Ordinance intended to impair or interfere with private restrictions placed upon property by covenant, deed, or other private agreements.
- B. The Town Council hereby declares that this Zoning Ordinance and each section, subsection, sentence, clause, and phrase thereof has been adopted or re-adopted irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared invalid or unconstitutional.

## **Section 14-1-9 Interpretation and Rules of Use**

### **A. Meaning and Intent**

1. Where interpretation of these regulations is required, such interpretation should be made in favor of the property owner's rights whenever possible.
2. These regulations must be read literally and are intended to be interpreted as no more or less strict than stated.
3. The provisions of these regulations are interrelated and cannot be interpreted in isolation. All provisions and regulations must be interpreted within the context and intent of the entire document.
4. Unless otherwise expressly indicated, lists of terms or examples that use "including," "such as," or similar terms provide examples only. They are not to be construed as exhaustive lists of all possibilities.



5. The words "shall," "will," and "must" are mandatory; the word "may" is permissive, except when the context of its particular use is negative (e.g., "may not").
6. The word "and" in a list indicates that all connected items apply. The word "or" in a list means that connected items may apply singularly or in combination. The phrase "and/or" means that one or a combination of two or more connected items are applicable.
7. If a conflict exists between the provisions of the text of these regulations and any table, illustration, graphic depiction, caption, or appendix, the provisions within the text shall prevail.
8. Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of these regulations. Should there be a difference of meaning or implication between the text of these zoning regulations and any heading, the text controls.

**B. Computation of Time**

1. References to "days" are to calendar days unless otherwise expressly stated.
2. Reference to "business days" are references to regular working days of the Town of Wickenburg, excluding weekends and holidays observed by the Town.
3. The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by the Town, that day is excluded.
4. A day concludes at the close of business and any materials received after that time will be deemed to have been received the following day.

**Section 14-1-10 Legal Nonconforming Uses, Lots, Structures, and Signs**

**A. Purpose and General Provisions.** This section establishes a clear and consistent method of addressing legal nonconforming lots, uses, structures, and signs resulting from an interpretation or amendment of these regulations or a property's zoning classification or reclassification (rezoning). The town intends to promote a gradual transition of all legal nonconforming uses, structures, signs, and lots into conformance with this Ordinance.

1. Nothing in this section shall be interpreted as an authorization for or approval of the continuance of any use of a building or premises that is not deemed legal nonconforming and is in violation of development regulations in effect at the time of the effective date of this Ordinance.
2. Lots, structures, or features made legally nonconforming solely due to a government entity acquiring land for roads, utilities, or other public infrastructure projects shall be declared legally nonconforming. They shall have all the rights and privileges afforded to other legally conforming lots, structures, or features.
3. The Town may acquire by purchase or condemnation of private property for the removal of nonconforming uses and structures. Eliminating such nonconforming uses and structures in a zoned district is for a public purpose. Nothing in an ordinance or regulation authorized by this chapter shall affect existing legally nonconforming property or the right to its continued legally nonconforming use for the purpose used at the time the ordinance or regulation takes effect, nor to any reasonable repairs or alterations in buildings or property used for such existing purposes.

**B. Nonconforming Uses**

1. The lawful use of land or structures existing at the time of the passage of the Ordinance, although such does not conform to the provisions hereof for said land or structure, is a legal nonconforming use and may be continued in perpetuity subject to the following:
  - a. The burden of establishing legal nonconforming status rests with the property owner.

- b. The use was established legally under rules in place as of the date of adoption of these regulations, as amended, and
- c. The use has operated or existed continuously and in accordance with the rules and requirements in place since that time with no more than one (1) year interruption.

2. A legally nonconforming use may not be expanded or intensified in any manner, including an extension of hours/days of operation, expansion of the use onto land outside of the structure designed for such use, or increase in the area of a lot used for outdoor storage or parking.
3. A legal nonconforming use may be expanded or updated, provided the expansion of the use and all associated structure and site elements of the expansion are in conformance, reviewed, and permitted in accordance with the current provisions of this Ordinance and it will therefore then be in conformance.

#### C. Nonconforming Lots

1. Legal nonconforming lots are those for which plats or deeds have been recorded in the office of the Maricopa or Yavapai County Recorder before the adoption of this Ordinance but which do not comply with the minimum dimensional, area, or other requirements of the zoning district in which they are located.
2. Vacant legal nonconforming lots may be used for any permitted or conditional uses in the zoning district applicable to the lot, provided that all development, use, design, and dimensional standards are met.
3. Vacant lots that are created or modified without review and approval of the Town after the adoption of this Ordinance are illegal and shall not be developed or used in any manner.

#### D. Nonconforming Structures

1. A structure that exists and was lawfully established before the passage of this Ordinance, as amended, is a legal nonconforming structure and may remain in perpetuity subject to the following:
  - a. The burden of establishing legal nonconforming status rests with the property owner.
  - b. The structure was established legally under rules in place as of the date of adoption of these regulations, as amended,
  - c. A nonconforming structure may be modified provided that all alterations, expansions, and modifications comply with the requirements of this Ordinance, as amended, and
  - d. Any use of the structure that is an existing legal nonconforming use or a use reviewed and permitted under the provisions of this Ordinance.
2. A structure established after the passage of these regulations that does not conform to these regulations shall be considered an illegal nonconforming structure.
3. Any legal nonconforming structure or one (1) or more of a group of nonconforming structures that is damaged less than 50% of the current replacement cost of the structure by fire, explosion, act of God, or act of the public enemy may be reconstructed and used as it was before such catastrophic event occurred. Reconstruction must begin within twelve (12) months from the date of the event which caused damage to the building(s) or structure(s). The restored building or structure shall cover no greater area, nor have greater cubic content and shall have equal or greater, front, side and rear yard setbacks to the original structure.

#### E. Nonconforming Signs

1. A legal nonconforming sign is a sign that exists and was lawfully established before the passage of this Ordinance and does not conform with this Ordinance, as amended, may remain in perpetuity subject to the following:
  - a. The burden of establishing legal nonconforming status rests with the property owner.



- b.** The sign was established legally under rules in place as of the date of adoption of these regulations, as amended, and
    - c.** The sign has been actively used by an onsite user in accordance with the rules in place when the sign was established, with no breaks for more than 180 days. Signs that do not meet this requirement are considered abandoned signs and shall be removed in accordance with the requirements of Sign Regulations.
  - 2.** The copy, content, or messaging of a legal nonconforming sign may be updated; however, no alteration or change to the physical sign shape, height, area, or location is permitted without compliance with the current Ordinance requirements.
  - 3.** A legally nonconforming sign shall not be reestablished after voluntary removal.
  - 4.** Signs damaged or destroyed greater than 50% of the current replacement cost of the sign shall not be re-established.

## ARTICLE 14-2 REVIEWING AUTHORITIES

### Section 14-2-1 Mayor and Common Council

The Mayor and Common Council (Council) is the governing body of the Town and shall hear, review, and consider recommendations from the Planning and Zoning Advisory Commission and act as the final decision-making body on all specified planning matters as outlined in this Zoning Ordinance or by state law, including but not limited to:

- A. Annexations
- B. Appeals from decisions of the Planning and Zoning Advisory Commission
- C. Appointments to the Board of Adjustment and Planning and Zoning Advisory Commission
- D. Final subdivision plans
- E. Amendments to the General Plan and Zoning Map
- F. Amendments to the Zoning Ordinance
- G. Planning matters referred by the Zoning Administrator or Planning and Zoning Advisory Commission.

### Section 14-2-2 Planning and Zoning Advisory Commission

The Planning and Zoning Advisory Commission (Commission) shall primarily serve as an advisory body to the Council to direct the growth and physical development of the Town in a sound and orderly manner for the prosperity, health, safety, and welfare of citizens. The Commission provides analysis and recommendations to the Council related to the Town's General Plan, Zoning Ordinance amendments, subdivisions, site plans, design review, and other matters affecting land use and development within the Town and other functions defined in Article 3-2 of the Town Code.

- A. **Membership and Organization.** The Commission shall be composed in accordance with Section 3-2-2 of the Town Code.
- B. **Appointment and Term.** The appointment terms for commission members, chairpersons, and vice-chairpersons are defined in Article 3-1 and Article 3-2 of the Town Code.
- C. **Rules.** The Commission shall adopt guidelines to establish rules and regulations for its governance consistent with the laws of this state, this Zoning Ordinance, and Town Code.
  - 1. The Commission meets at least once a month or as needed at such time and place as may be determined by the Commission.
  - 2. Commission members shall be subject to all applicable conflict of interest provisions of State law.
  - 3. A quorum consisting of four (4) members shall be present in order to conduct business. A concurring vote of the majority of the appointed members present shall be required to approve or deny a motion on any public hearing item.
- D. **Powers and Duties.** It shall be the duty of the Commission to hold public hearings when necessary and make recommendations to the Council on all matters concerning or related to the creation of zoning districts and boundaries, the rezoning of land and amendment to the Zoning Map, the amendment of the General Plan, and the amendment of this Ordinance; and act as the recommending or final reviewing body for any other matter within the scope of zoning power as defined in State law, this Ordinance, and Article 3-2 of Town Code.

### Section 14-2-3 Board of Adjustment

The Board of Adjustment (Board or BOA) is a quasi-judicial body created to hear requests for relief from the terms of this Ordinance and to hear and decide appeals from decisions of the Zoning Administrator or designee. It shall be established and conduct business as per Arizona Revised Statutes §9-462.06 and Article 3-3 of the Town Code.

- A. **Membership and Organization.** The Board of Adjustment shall be composed of at least five but no more than seven voting members who shall be residents of the Town.
- B. **Appointment and Term.** The appointment terms for board members, chairpersons, and vice-chairpersons are defined in Article 3-1 and Article 3-3 of the Town Code.

**C. Rules.** The Board may adopt guidelines to establish rules and regulations for its governance consistent with the laws of this state, this Zoning Ordinance, and Town Code.

1. Board members shall be subject to all applicable conflict of interest provisions of State law.
2. Any Board member who reviews written communications or engages in verbal communications that are not part of the Board of Adjustment record shall disclose such communication at the time of the public hearing.
3. A quorum consisting of four (4) members shall be present in order to conduct business. A concurring vote of the majority of the appointed members present shall be required to approve a motion on any variance request or to reverse any decision of the Zoning Administrator being appealed to this board.

**D. Powers and Duties.** The Board of Adjustment shall have all the powers which are now or may hereafter be given it by the general laws of the State and the ordinances of Town including, but not limited to:

1. Hearing and deciding appeals from any decision or interpretation made by the Zoning Administrator or designee, except as otherwise provided in the administration and enforcement of this Ordinance.
2. Interpreting on appeal or on its own motion, the location of any district boundary line shown on the official zoning map of the Town.
3. Hearing and deciding requests for variances from the terms of this Ordinance because of special circumstances applicable to a property, including its size, shape, topography, location, or surroundings, where the strict application of this Ordinance would deprive such property of privileges enjoyed by other properties in the same zoning district.
4. Prescribing any conditions or stipulations for any variance or appeal as it may deem necessary to carry out the provisions and intent of this Ordinance fully and which will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other similarly situated or zoned properties. Such conditions may include, but not be limited to, a period of time for the applicant to carry out the terms of a variance or appeal.

**E. Prohibited Actions.** The Board of Adjustment may not:

1. Make any changes in the uses permitted in any zoning classification or zoning district or make any changes in the terms of the Ordinance provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to State law or this Ordinance.
2. Grant a variance if the special circumstances applicable to the property are self-imposed by the property owner.

## Section 14-2-4      Zoning Administrator

The Community Development Director or their designee shall carry out the responsibilities of the Zoning Administrator as defined in State law and set forth in this Ordinance. These duties include, but are not limited to:

- A. Administration and interpretation of this Ordinance.
- B. Determine or verify the zoning designation and legal zoning status of a property.
- C. Clarification of the intent, review of land uses defined within a zoning district, and delegation of responsibilities for administering procedures and requirements of the Ordinance.
- D. Authorizing administrative relief.
- E. Enforcement of this Zoning Ordinance.
- F. Preparing application guidelines, forms, and administrative procedures.
- G. Conducting development reviews and coordinating reviews subject to this Ordinance with other Town departments.
- H. Leading the functions and duties of the Planning Agency.



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- I. Appeal of Zoning Administrator Determinations.** All decisions and interpretations by the Zoning Administrator or designee may be appealed to the Board of Adjustment in accordance with this Code and applicable state law.
- J. Prohibited Actions.** The Zoning Administrator may not:
  - 1. Refuse to issue a Building Permit or Zoning or Compliance Certificate when the applicant has complied with all provisions of this Ordinance, the Town Code, and other applicable ordinances and Codes.
  - 2. Consider the terms of private contracts, covenants, regulations, agreements, or noncompliance or violations thereof in rendering decisions.

### **Section 14-2-5 Planning Agency**

The Town has designated the Community Development & Neighborhood Services Department as the Planning Agency for the Town of Wickenburg and to carry out the functions and duties of the Planning Agency pursuant to A.R.S. §9-461-01. These duties include, but are not limited to:

- A.** Develop and maintain the Town's General Plan and provide annual reports to Council.
- B.** Develop specific plans, codes, and resolutions to implement the General Plan.
- C.** Implement the General Plan through the development and administration of a comprehensive Zoning Ordinance.
- D.** Perform planning functions as directed by the Town Manager, Mayor, and Town Council.

# PUBLIC DRAFT

## Chapter 14 Zoning Regulations



### ARTICLE 14-3 AUTHORITY AND ADMINISTRATION

#### Section 14-3-1 Purpose

This article describes the procedures for review and approval of applications for development. This article is intended to ensure consistency and efficiency in the administration of the Town's land use regulations. Detailed steps and additional application requirements are provided in separate process guides.

#### Section 14-3-2 Summary Tables

The summary tables provide a quick reference, generalized snapshot of the requirements and processes of the application and review procedures defined in this Code and do not include the explicit detail of each procedure's requirements. Refer to the specific section reference for each procedure for all details and requirements.

Table 14-3-2: A Procedures Summary Table

Procedure	Section Reference	Pre-Application Required	Zoning Administrator	Planning & Zoning Advisory Commission	Town Council	Board of Adjustment
Pre-Application	Section 14-3-6	-	R	-	-	-
General Plan Amendment	11	Yes	R	R-H	D-H	-
Amendment: Zoning Map [Rezoning]	Section 14-3-7	Yes	R	R-H	D-H	-
Amendment: Zoning Map [Planned Area Development (PAD)]	Section 14-3-8	Yes	R	R-H	D-H	-
Conditional Use Permit	Section 14-3-9	Yes	R	R-H	D-H	-
Administrative Use Permit	-	-	R	-	-	-
Temporary Use Permit	-	-	R	-	-	-
Development Review	-	-	R	D	A	-
Zoning Verification	-	-	R	-	-	-
Interpretation	-	-	R	-	-	A
Appeal of Decision	-	-	R	-	-	A
Variance	-	-	R	-	-	D
Text Amendment	-	-	R	H-D	D-H	-
Annexation	Section 14-3-10	-	R	-	D-H	-

Table 14-3-2:B Notice Summary Table

✓ = Notice Required						
Procedure	Section Reference	Citizen Participation Plan/Report	Mailed Notice	Published Notice	Posted Notice	Neighborhood Meeting
Pre-Application	Section 14-3-6	-	-	-	-	-
General Plan Adoption/Amendment	Section 14-3-7	✓	✓	✓	✓	✓
Amendment: Zoning Map [Rezoning]	Section 14-3-8	✓	✓	✓	✓	✓
Amendment: Zoning Map [Planned Area Development (PAD)]	Section 14-3-9	✓	✓ <sup>1</sup>	✓	✓	✓
Conditional Use Permit	Section 14-3-6	✓	✓	✓	✓	✓
Administrative Use Permit	-	-	-	-	-	-
Temporary Use Permit	-	-	-	-	-	-
Development Review	-	-	-	-	-	-
Home-Based Business Permit	-	-	-	-	-	-
Zoning Verification	-	-	-	-	-	-
Interpretation	-	-	-	-	-	-
Appeal of Decision	-	-	-	✓	-	-
Variance	-	-	✓	✓	✓	-
Text Amendment	-	-	✓ <sup>2</sup>	✓ <sup>2</sup>	-	-
Annexation	Section 14-3-10	-	✓ <sup>3</sup>	✓ <sup>3</sup>	✓ <sup>3</sup>	-

**Note:**

1. Required mailed notice to surrounding property owners within 300 feet of the subject property
2. Per A.R.S. § 9-462
3. Per A.R.S. §9-471

## Section 14-3-3 General Application Procedures

The general review and notification procedures apply unless there are exceptions or alternatives expressly identified in each procedure subsection that follows.

- A. Concurrent Review.** The Zoning Administrator may, at their discretion, permit the concurrent application and review of all procedures outlined in this subsection.
- B. Content.** The Zoning Administrator shall specify the form and content of applications. The Zoning Administrator may require additional supporting materials as part of the application, including but not limited to: legal descriptions, statements, photographs, plans, drawings, renderings, models, material samples and other items necessary to describe the existing situation and the proposed project. The applicant shall be responsible for the accuracy and completeness of all information submitted. The Zoning Administrator may waive the submission of specific material or information if they find it is not needed to reach a decision on the application.



- C. Waiver of Diminution of Value.** The owner of property that is the subject of an application for a change in Zoning Map, General Plan Land Use Designation, Use Permit, Variance, Modification or Annexation shall include as part of its application an agreement to Waive Claims for Diminution of Value in a form prescribed by the Town consistent with A.R.S. §12-1134. The Waiver shall be executed by all owners of the property.
- D. Application Submittal**  
All application review procedures shall comply with the following:
  - 1. Forms.** An application for review or permit shall be submitted in a form and number as required by the Zoning Administrator.
  - 2. Fees.** All applications required by the Zoning Ordinance shall be accompanied by the required fees set by resolution of the Council prior to any review.
  - 3. Administratively Complete.** Within thirty (30) calendar days of receipt of an application, the Zoning Administrator shall review the submitted application and verify that all required authorizations, signatures, plans, reports, materials, and other information as required by the application have been submitted and is complete. The Zoning Administrator shall notify the applicant by written or electronic notice of any missing, incomplete, or deficient application materials within this 30-day period.
  - 4. Revised Submittal Review.** Within fifteen (15) calendar days of receipt of the revised application, the Zoning Administrator shall review the submitted application and verify its completeness.
  - 5. Administrative Withdrawal.** The Town may declare an application administratively withdrawn if the applicant fails to provide a revised application within 30 days calendar of the request for the required plans, reports, materials, or other application information or the applicant does not provide an explanation of why the information cannot be provided in the required timeframe.

## **Section 14-3-4 General Notification Requirements**

- A. Notices - General**
  - 1. Conformance with State Law**  
All public hearing notices shall conform to this Code, A.R.S. §9-462.04, and A.R.S. §38-431.02.
  - 2. Constructive Notice**  
The failure of any person or entity to receive notice does not constitute grounds for any court to invalidate the actions for which the notice was given.
  - 3. Content of Notices**  
Notice of all public hearings required under this subsection shall, unless otherwise specified, (1) identify the date, time, and place of the public hearing; (2) if applicable, describe the property involved in the application by street address, or legal description, or a general description and nearest cross streets; (3) describe the nature, scope, and purpose of the proposed action; (4) indicate how interested parties may provide written comments and appear at the hearing to speak on the matter; and (5) indicate where additional information on the matter may be obtained.
- B. Mailed Notice**  
Mailed notice shall be made via first-class mail at least 15 calendar days prior to the scheduled date of the hearing. Written notice shall be provided to all persons listed on the records of the county assessor as owners of land subject to the application or as owners of the parcels within 300 feet of the outer boundary of the land subject to the application.. The applicant shall provide a written, notarized "Affidavit of Mailing" to the Zoning Administrator certifying that all required notices were mailed timely.
- C. Published Notice**  
Published notice shall be made at least 15 calendar days prior to the scheduled date of the hearing, in a newspaper of general circulation in the Town of Wickenburg.
- D. Posted Notice**

Posted notice shall be provided at least 15 calendar days prior to the scheduled date of the hearing. At least one sign shall be posted on the property. Posted sign(s) shall be at least 12 square feet in size and be placed in a way that is visible from the nearest public right-of-way. An additional sign shall be posted on each additional arterial or collector street on which the property abuts if it abuts more than one roadway. The sign(s) shall be posted in a prominent place, clearly visible from the abutting street(s), or clearly visible to the most heavily traveled street or public way if the property does not abut an arterial or collector street. All posted signs shall be removed no later than 10 calendar days after the final public hearing. The applicant shall maintain the sign in good condition throughout the required posting period. A photo with a date stamp shall accompany a signed and notarized affidavit of notification which affirms that the sign was posted within the 15-day requirement.

## **Section 14-3-5      Citizen Review Process**

The citizen review process is not intended to produce complete consensus on all applications, but to create an opportunity for neighborhood awareness, understanding, and informed decision making. When a citizen review process is required, it shall comply with the requirements of this subsection.

### **A. Purpose**

1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community.
2. Ensure that the citizens and property owners within the community have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process.
3. Facilitate ongoing communication between the applicant, interested citizens and property owners, Council, Commissioners and Town staff throughout the application review process.
4. Ensure that affected citizens of the Town have an opportunity to learn about and comment on proposed development requests subject to this Zoning Ordinance prior to formal public hearings.

### **B. When Required**

Unless specifically required by procedure types in this subsection, a citizen participation plan is not required. If required, citizen participation plans shall be provided with the application materials.

### **C. Plan Requirements.** A citizen participation plan shall include, at a minimum, the following:

1. A list and map of all properties within the notification buffer for the request. The list shall include the parcel number, parcel address, owner name, and owner address for all public and private properties according to the most recent tax assessment information from the Maricopa and/or Yavapai County Assessor's office. The map shall show the buffer and identify the affected properties.
2. A list of agencies, homeowner associations, or property owner associations affected by the request.
3. The list of all interested parties that have requested to be notified of application requests. This list will be provided by the Town of Wickenburg Zoning Administrator.
4. The proposed methods to notify and provide project updates to affected properties. The minimum notification method shall include direct first-class mailing to property owners within 300 feet of the subject property or greater as required by the Zoning Administrator.
5. The proposed methods to engage with the community to provide information and solicit comments, in addition to any required neighborhood meeting.
6. The proposed methods for updating affected or interested parties of any changes to the application.
7. The proposed methods for updating the Town on the status of the citizen participation plan effort.
8. The proposed schedule, locations, and methods for neighborhood meetings or online engagement.
9. Additional components may be required as determined by the Zoning Administrator at a Pre-Application Meeting.



#### **D. Neighborhood Meeting**

A neighborhood meeting is held by an applicant early in the application process and prior to the scheduling of any public hearing. It is designed to engage residents, property owners, homeowner's association and others who may be impacted by the proposal. The meeting provides an opportunity to inform attendees and obtain comments, concerns, and guidance in an effort to mitigate any real or perceived impacts of the proposal. Neighborhood meetings are to be noticed and held as defined in the citizen participation plan.

#### **E. Additional Neighborhood Meetings**

Extenuating circumstances may warrant additional meetings. As such, the Zoning Administrator has the authority to require the applicant to hold additional neighborhood meetings including, but not limited to:

1. Timeframe between the last meeting and the date of the submittal.
2. Any substantial changes that have occurred to the development proposal since the last citizen participation meeting was held

#### **F. Citizen Participation Report**

Following the completion of a citizen participation plan, a citizen participation report shall be submitted to the Zoning Administrator.

1. The report shall be submitted and reviewed by staff prior to scheduling a public hearing. The report will be required to be included in the Zoning Administrator's report to the board, commission, or council.
2. The report shall include the following:
  - a. Dates and locations of all meetings where citizens and property owners were invited to discuss the applicant's proposal.
  - b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications.
  - c. The number of people that participated in the process as well as any sign-in sheet
  - d. A summary of the concerns, issues, and problems identified during the process including how the concerns, issues, and problems were addressed or intend to be addressed and those comments, issues, and problems that will not be addressed and why.

### **Section 14-3-6 Pre-Application**

The purpose of a pre-application review is to provide an opportunity for an informal evaluation of the applicant's proposal and to familiarize the applicant with the applicable provisions of the Zoning Ordinance, the Town's General Plan, infrastructure requirements, and any other issues that may affect the applicant's proposal.

- A. A pre-application review is required for those procedures that explicitly require it; it is optional for all other procedures.
- B. A complete pre-application review application is required. The application shall include the completed application form, a narrative which described the surrounding area, project proposal and character, location, conformance to the General Plan and any other available supporting materials, such as maps, drawings, or models. It is the applicant's responsibility to provide sufficiently detailed plans and descriptions of the proposal for staff to make informal recommendations and comments.
- C. Any comments, discussion, issues identified, and recommendations provided in the pre-application review are non-binding and represent guidance that the applicant may need to address in preparation of a formal review application.
- D. A pre-application review is valid for one year and an associated formal application must be submitted within that period. If the formal application is not submitted within the period, a new pre-application review is required.
- E. The Zoning Administrator may waive the pre-application review requirement for applications if they find the projected size, complexity, anticipated impacts, or other factors with the proposal, in their opinion, clearly support such waiver.

## Section 14-3-7      Amendment: Zoning Map [Rezoning]

The boundaries of any zoning district may be changed or the zoning classification of any parcel of land may be changed pursuant to this section. The purpose is not to relieve hardships, nor to confer special privileges or rights on any person, but only to make adjustments to the Official Zoning Map that are necessary in light of changed conditions or changes in public policy, or that are necessary to advance the general welfare of the Town. All rezoning requests shall be consistent with the General Plan Future Land Use Map.

- A.** A complete Rezoning application is required.
- B.** A Citizen Review Process required.
- C.** Published, mailed, and posted notices are required.
  - 1.** In addition to standard mailed notice requirements, notice shall be mailed to schools located within one-thousand (1,000) feet of the subject property.
  - 2.** In proceedings involving rezoning of land that abuts other municipalities or unincorporated areas of the county or a combination of a municipality and an unincorporated area, copies of the notice of public hearing shall be transmitted to the planning agency of the governmental unit abutting such land.

### **D. Review Procedures**

#### **1. Decision Timeframe**

A final decision on rezoning applications shall be rendered within 180 days of when the application is determined administratively complete.

- a.** The decision time frame shall pause when the Zoning Administrator sends written or electronic comments and requested revisions to the applicant and shall resume upon receipt of the applicant's revised submission.
- b.** The decision timeframe may be extended due to extenuating circumstances or municipal or applicant request as per A.R.S. §9-462.10.B.
- c.** This decision timeframe does not apply to land that is designated as a district of historical significance pursuant to A.R.S. §9-462.01.A.10, or an area that is designated on the National Register of Historic Places, or Planned Area Developments.

#### **2. Staff Review**

The Zoning Administrator shall review and coordinate with the applicant to resolve any comments or revisions to the proposal. Following staff review, the Zoning Administrator shall prepare a report and package and recommendation for the Planning and Zoning Advisory Commission.

#### **3. Planning and Zoning Advisory Commission Action**

The Planning and Zoning Advisory Commission shall conduct a public hearing to review the proposal materials and staff report. The hearing may include a presentation from staff, the property owner, question and answer period, and public comment. The Commission shall vote to recommend the Town Council approve, approve with conditions, or deny the proposal. Alternatively, the Commission may continue the request to the next available meeting to resolve outstanding concerns or obtain additional public comment.

- a.** The Commission shall make findings and review the proposal based on the Town of Wickenburg General Plan, Zoning Ordinance, and other applicable Town codes, ordinances, policies, and sound land use planning principles.
- b.** Within 30 days after the close of the hearing, the Zoning Administrator shall forward the Commission's recommendation and findings to the Council.

#### **4. Town Council Action**

- a.** The Town Council shall conduct at least one public hearing to review the proposal materials, staff report and Commission recommendation. The hearing may include a presentation from staff, the property owner, question and answer period, and public comment. The Council shall vote to approve, approve with conditions, or deny the proposal. Alternatively, the Council may continue the request or defer the application to the Planning and Zoning Advisory Commission for additional review and discussion.



b. The Council shall make findings and review the proposal based on the Town of Wickenburg General Plan, Zoning Ordinance, other applicable Town codes, ordinances, policies, and sound land use planning principles.

#### E. Legal Protest

1. If the owners of 20 percent of the property by area and number of lots, tracts and condominium units within the Zoning Area of the affected property file, excluding government owned property, protest in writing against a proposed rezoning, it shall not become effective except by the favorable vote of three-fourths of all members of the Council.
2. If any members of the Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the Council, provided that such required number of votes shall in no event be less than a majority of the full membership of the Council.
3. For the purposes of this section, "Zoning Area" means both of the following: the area within 150 feet, including all rights-of-way, of the affected property subject to the proposed amendment or change, and the area of the proposed amendment or change.
4. The protest shall be filed in writing with the Town Clerk at least five (5) working days prior to the public hearing or any continued public hearing.

#### F. Lapse, Extensions, and Expiration

The Council may approve a rezoning conditioned upon a schedule for development of the specific use or uses for which rezoning is requested. If at the expiration of this period the property has not been improved for the use for which it was conditionally approved, the Council, after notification by certified mail to the owner and applicant who requested the rezoning, shall request an action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification upon the property owner's signed permission.

### Section 14-3-8 Amendment: Zoning Map [Planned Area Development (PAD)]

Planned Area Development (PAD) zoning districts are established by amending the Official Zoning Map. PADs permit and encourage innovative land development while maintaining appropriate limitations on the character and intensity of use and assuring compatibility with adjoining and nearby properties. PADs permit greater flexibility within the development to best utilize the physical features of the particular site in exchange for greater public benefits than would otherwise be achieved through development under this Code. PAD requests shall be generally consistent with the General Plan Future Land Use Map.

- A. Pre-application review is required.
- B. A complete PAD Rezoning application is required.
- C. A Citizen Review Process required.
- D. Published, mailed, and posted notices are required.
  1. In proceedings involving rezoning of land that abuts other municipalities or unincorporated areas of the county or a combination of a municipality and an unincorporated area, copies of the notice of public hearing shall be transmitted to the planning agency of the governmental unit abutting such land.
  2. In proceedings that are not initiated by the property owner involving rezoning of land that may change the zoning classification, notice by first class mail 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 three hundred feet (300') of the property to be rezoned.

#### E. Review Procedures

##### 1. Staff Review

The Zoning Administrator shall review and coordinate with the applicant to resolve any comments or revisions to the proposal. Following staff review, the Zoning Administrator shall prepare a report and package and recommendation for the Planning and Zoning Advisory Commission.

## 2. Planning and Zoning Advisory Commission Action

- a. The Planning and Zoning Advisory Commission shall conduct a public hearing to review the proposal materials and staff report. The hearing may include a presentation from staff, the property owner and their property, question and answer, and public comment. The Commission shall vote to recommend the Town Council approve, approve with conditions, or deny the proposal. Alternatively, the Commission may continue the request to the next available meeting to resolve outstanding concerns or obtain additional public comment.
- b. The Commission shall make findings and review the proposal based on the Town of Wickenburg General Plan, Zoning Ordinance, other applicable Town codes, ordinances, policies, and sound land use planning principles. The following may be considered when evaluating a PAD request:
  - i. The PAD addresses a unique situation, confers a substantial benefit to the Town, or incorporates creative site design and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or Development Standards.
  - ii. The increased or enhanced choice of living and housing options;
  - iii. The impact of the PAD on the existing and anticipated traffic and parking conditions;
  - iv. The adequacy of the PAD Plan and narrative report with respect to proposed land uses and development standards;
  - v. The enhancement of pedestrian, cycling, and vehicular circulation and connectivity,
  - vi. Design criteria;
  - vii. The enhancement of landscaping and environmental protection;
  - viii. The efficient provision of utilities and services;
  - ix. The efficient and contextually innovative provision of site drainage and grading;
  - x. The improvement in open space and/or public land dedications and access; and
  - xi. Any other items the Town deems necessary.

Within 30 days after the close of the hearing, the Zoning Administrator shall forward the Commission's recommendation and findings to the Council

## 3. Town Council Action

- a. The Town Council shall conduct at least one public hearing to review the proposal materials, staff report and Commission recommendation. The hearing may include a presentation from staff, the property owner and their property, question and answer, and public comment. The Council shall vote to approve, approve with conditions, or deny the proposal. Alternatively, the Council may continue the request or defer the application to the Planning and Zoning Advisory Commission for additional review and discussion.
- b. The Council shall make findings and review the proposal based on the Town of Wickenburg General Plan, Zoning Ordinance, other applicable Town codes, ordinances, policies, and sound land use planning principles. The following may be considered when evaluating a PAD request:
  - i. The PAD addresses a unique situation, confers a substantial benefit to the Town, or incorporates creative site design and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or Development Standards.
  - ii. The increased or enhanced choice of living and housing options;
  - iii. The impact of the PAD on the existing and anticipated traffic and parking conditions;
  - iv. The adequacy of the PAD Plan and narrative report with respect to proposed land uses and development standards;
  - v. The enhancement of pedestrian, cycling, and vehicular circulation and connectivity,



- vi. Design criteria;
- vii. The enhancement of landscaping and environmental protection;
- viii. The efficient provision of utilities and services;
- ix. The efficient and contextually innovative provision of site drainage and grading;
- x. The improvement in open space and/or public land dedications and access; and
- xi. Any other items the Town deems necessary.

#### **F. Legal Protest**

1. If the owners of 20 percent of the property by area and number of lots, tracts and condominium units, excluding government owned property, within the PAD Zoning Area of the affected property file a protest in writing against a proposed rezoning, it shall not become effective except by the favorable vote of three-fourths of all members of the Council.
2. If any members of the Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remaining membership of the Council, provided that such required number of votes shall in no event be less than a majority of the full membership of the Council.
3. For the purposes of this section, "PAD Zoning Area" means both of the following: the area within 150 feet, including all rights-of-way, of the affected property subject to the proposed amendment or change, and the area of the proposed amendment or change.
4. The protest shall be filed in writing with the Town Clerk at least one (1) working day prior to the public hearing or any continued public hearing.

#### **G. Amendments to Established PADs**

1. Major amendments to a PAD shall be reviewed and decided following the procedure for establishing a new PAD. Major amendments include:
  - a. Any increase in the total number of dwelling units;
  - b. Any increase in the non-residential square footage;
  - c. Any reduction in common open space; and
  - d. Any other change which could have a significant impact on areas adjoining the PAD, including a significant traffic impact on roadways adjacent or external to the PAD, as determined by the Town.
2. Minor amendments to a PAD are those not classified as major amendments. If a PAD amendment includes both minor and major changes, the entire amendment will be reviewed as a major amendment.

### **Section 14-3-9 Conditional Use Permit**

This subchapter provides a discretionary approval process for Conditional Use Permits for sites that have unique or widely varying operating characteristics or unusual site development features. Care should be taken to integrate conditional land uses with other uses in the area and to prevent adverse impacts on the community at-large.

- A.** Pre-application review is required.
- B.** A complete Conditional Use Permit application is required.
- C.** Published, mailed, and posted notices are required.
  1. In addition to standard mailed notice requirements, notice shall be mailed to schools located within one-thousand (1,000) feet of the subject property.
  2. In proceedings involving a conditional use permit for land that abuts other municipalities or unincorporated areas of the county or a combination of a municipality and an unincorporated area, copies of the notice of public hearing shall be transmitted to the planning agency of the governmental unit abutting such land.
- D. Review Procedures**
  - 1. Staff Review**

The Zoning Administrator shall review and coordinate with the applicant to resolve any comments or revisions to the proposal. Following staff review, the Zoning Administrator shall prepare a report and package and recommendation for the Planning and Zoning Advisory Commission.

## **2. Planning and Zoning Advisory Commission Action**

The Planning and Zoning Advisory Commission shall conduct a public hearing to review the proposal materials and staff report. The hearing may include a presentation from staff, the property owner and their property, question and answer, and public comment. The Commission shall vote to recommend the Town Council approve, approve with conditions, or deny the proposal. Alternatively, the Commission may continue the request to the next available meeting to resolve outstanding concerns or obtain additional public comment.

- a.** The Commission shall make findings and review the proposal based on the Town of Wickenburg General Plan, Zoning Ordinance, other applicable Town codes, ordinances, policies, and sound land use planning principles. Specific criteria include:
  - i.** The proposed use will be compatible with the surrounding area;
  - ii.** The proposed use will not adversely affect on-site and off-site access, traffic, and pedestrian, bicycle, and vehicular circulation;
  - iii.** The proposed use will not generate unmitigated noise, light, visual, litter and other pollutants;
  - iv.** The proposed use will not generate unmitigated water and air pollution, such as fill, excessive dust, and smoke;
  - v.** The proposed use will not adversely affect historical/archaeological sites;
  - vi.** All other factors associated with the proposed use will be compatible and not detrimental to the surrounding land uses.
- b.** The commission may include conditions of approval for a conditional use permit. The conditions may include, but are not limited to:
  - i.** Limitations on size, bulk and location of structures;
  - ii.** Requirements for additional landscaping, screening, or buffering;
  - iii.** Provisions for adequate circulation, stacking, ingress, and egress;
  - iv.** Duration of the permit;
  - v.** Hours of operation;
  - vi.** Mitigation of any adverse impacts; and
  - vii.** Any other condition that furthers the General Plan or policies adopted by the Council.

## **3. Town Council Action**

The Council may consider recommendations from the Commission without holding a public hearing if there is no objection, request for public hearing, or other protest. The Council shall vote to approve, approve with conditions, or deny the proposal.

- a.** The Council shall make findings and review the proposal based on the Town of Wickenburg General Plan, Zoning Ordinance, other applicable Town codes, ordinances, policies, and sound land use planning principles. Specific criteria include:
  - i.** The proposed use will be compatible with the surrounding area;
  - ii.** The proposed use will not adversely affect on-site and off-site access, traffic, and pedestrian, bicycle, and vehicular circulation;
  - iii.** The proposed use will not generate unmitigated noise, light, visual, litter and other pollutants;
  - iv.** The proposed use will not generate unmitigated water and air pollution, such as fill, dust, and smoke;
  - v.** The proposed use will not adversely affect historical/archaeological sites; and
  - vi.** All other factors associated with the proposed use will be compatible and not detrimental to the surrounding land uses.

- b.** The Council may include conditions of approval for a Conditional Use Permit. The conditions may include, but are not limited to:
  - i. Limitations on size, bulk and location of structures;
  - ii. Requirements for additional landscaping, screening, or buffering;
  - iii. Provisions for adequate circulation, stacking, ingress, and egress;
  - iv. Duration of the permit;
  - v. Hours of operation;
  - vi. Mitigation of any adverse impacts; and
  - vii. Any other condition that furthers the General Plan or policies adopted by the Council.

#### **E. Effect of Approval**

- 1. A Conditional Use Permit runs with the land. A change in ownership does not require a new Conditional Use Permit, provided the use continues to operate in strict accordance with the existing conditions and requirements.
- 2. Construction permits may be requested if site plan review and approval have been granted or if site plan review is not required for the conditional use.

#### **F. Amendments**

Amendments to a Conditional Use Permit require a public hearing with the Planning and Zoning Advisory Commission, following the same procedures as a new Conditional Use Permit request.

#### **G. Appeals**

Appeals of the Council's decision shall be considered by the superior court.

#### **H. Lapse, Extensions, and Expiration**

- 1. A Conditional Use Permit must be established within one year of approval. If the use is not established within this period, the permit will expire.
- 2. Upon the applicant's written request, the Town Council may hold a public hearing to consider a one-time, one-year extension of the permit prior to the use operating.
- 3. If there is a lapse in operation of the conditional use for two years, the Town Council may notify the applicant and hold a public hearing to consider the expiration of the permit.

### **Section 14-3-10 Annexation**

The following provisions shall apply to all applications to extend or increase the corporate limits of the Town of Wickenburg through the annexation of real property that is contiguous, as defined in A.R.S. §9-471, to the Town's boundaries. Compliance with the procedures of A.R.S. §9-471 is required.

- A.** Pre-application review is required.
- B.** A complete Annexation application is required.
- C.** If Arizona State Trust Land, other than state land utilized as state rights-of-way or land held by the state by tax deed, is included in the territory, written approval of the state land commissioner and the selection board established by A.R.S. §37-202 shall be included with the application and subsequently included with any annexation petition to be filed with the county.
- D.** A blank petition shall be filed with the county recorder as per A.R.S. §9-471 to initiate the annexation process. A waiting period of 30 days after filing of the blank petition applies before signed petitioners may be obtained.
- E.** A public hearing for annexation shall be held within the last 10 days of 30 days of the blank petition waiting period and noticed in accordance with the following:
  - 1. Published, written, and posted notices are required except as modified below.

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- 2. At least six (6) calendar days before the hearing and 15 days before the end of the 30-day waiting period, publication at least once in a newspaper of general circulation that is published or circulated in the Town and the territory proposed to be annexed.
- 3. At least six (6) calendar days before the public hearing, posted notice in at least three conspicuous public places in the territory proposed to be annexed.
- 4. At least six (6) calendar days before the hearing, notice by first-class mail shall be sent to the chairman of the board of supervisors of the county in which the territory proposed to be annexed is located.
- 5. At least six (6) calendar days before the hearing, notice by first-class mail shall be sent with an accurate map of the territory proposed to be annexed to each owner of real and personal property that would be subject to taxation by the Town in the event of annexation in the territory proposed to be annexed. This includes modular and manufactured homes and trailers only if the owner also owns the underlying real property.
- 6. The applicant shall provide a notarized affidavit of any required mailed, published, or posted notice to the Zoning Administrator prior to the public hearing date. Applicant's failure to submit such affidavit will result in the public hearing not being held and the process being restarted.

F. Within one year of the last day of the 30 day waiting period, signed petitions by the owners of one-half or more in value of the real and personal property and more than one-half of the persons owning real and personal property that would be subject to taxation by the town in the event of annexation, as shown by the last assessment of the property, may be circulated and filed in the office of the correct county recorder.

- 1. Following the filing of the signed petitions, the Town Council shall hold a public hearing to adopt an ordinance for the annexation. After adoption of the annexation ordinance, the clerk shall provide a copy of the adopted annexation ordinance to the clerk of the board of supervisors of each county that has jurisdiction over the annexed area within sixty (60) calendar days after the annexation becomes final.

# PUBLIC DRAFT

## Chapter 14 Zoning Regulations



### ARTICLE 14-4 ZONING DISTRICTS

#### Section 14-4-1 Purpose

This article establishes zoning districts to implement the Town of Wickenburg's General Plan, along with other relevant policies and development goals. It classifies, regulates, and restricts the location of land uses and structures while setting minimum standards for lot dimensions, lot area, intensity and density of use, and bulk development requirements for new development.

#### Section 14-4-2 Zoning Districts

The zoning districts in [Table 14-4-2-A Districts Established](#) are established. A district's standards are applicable in all circumstances unless explicitly modified by an overlay district or variance.

[Table 14-4-2-A Districts Established](#)

District Symbol	District Name	Legacy District
<b>Agricultural/Ranch</b>		
AR	Agricultural Ranch (5-acre min)	-
<b>Residential</b>		
R1	Large Lot Single-Family Residential (2-acre min)	R1-175, R1-87
R2	Moderate Lot Single-Family Residential (35,000 sf min)	R1-35
R3	Standard Lot Single-Family Residential (12,000 sf min)	R1-18, R1-12
R4	Small Lot Single-Family Residential (6,000 sf min)	R1-9, R1-6
R5	Heritage Neighborhood Residential (3,500 sf min)	-
RM1	Low-Density Multifamily Residential (10 du/ac)	RM-1
RM2	Heritage Core Multifamily Residential (15 du/ac)	RM-2
MHP	Manufactured Home Park	MHP/RVP
<b>Commercial</b>		
OC	Office Commercial	-
C1	Neighborhood Commercial	C-1
C2	Central Business District	C-2
C3	Highway/General Commercial	C-3
RR	Resort and Recreation	RR
<b>Industrial</b>		
I1	Industrial Business Park	I-1 (Planned Industrial)
I2	Light Industrial	I-2
I3	Heavy Industrial	I-3
<b>Special Districts</b>		
PAD	Planned Area Development (base district)	PSC, PAD (overlay), MUDD
HA	Heritage Area Overlay	-



## Section 14-4-3 Official Zoning Map

- A. Location and Boundaries of the Zoning Map.** The locations and boundaries of the various districts as defined herein shall be established by ordinance and shown and delineated on the Town's official zoning map, which the Planning and Zoning Advisory Commission shall maintain. It shall be displayed on a geographic coverage layer maintained as part of the Town's Geographic Information System (GIS). The Zoning District coverage layer constitutes the Official Zoning Map.
- B. Annexed Territory.** Any territory annexed into the Town will be assigned zoning classifications that do not allow higher densities, intensities, or uses than those allowed by the County zoning classification immediately before annexation.
- C. Vacated Rights-of-Way.** When the Council vacates a street, alley, or other public way, the zoning districts on either side will automatically extend to the center of the vacated area, making it subject to the zoning regulations of the adjoining districts.
- D. Rules for Interpretation of District Boundaries**
  - 1. District Boundaries of the Zoning Map.** Unless otherwise indicated in this Ordinance, district boundaries shall follow the lines and extensions of such lines, including but not limited to the following:
    - a. Town and County boundaries;
    - b. Centerlines of streets, highways, alleys, or other public rights-of-way;
    - c. Quarter section lines, section lines, and lot, parcel, and tract parcel lines;
    - d. Centerlines of streams, rivers, canals, lakes, and other bodies of water.
  - 2. Interpretation of the Zoning Map**
    - a. Where zoning district boundaries do not coincide with the identified lines or features or the location of a zoning district boundary is disputed, the Zoning Administrator shall interpret and determine the location of the district boundary.
    - b. Lots, tracts, and parcels shown within two zoning districts shall be subject to the district that composes the greater percentage of the lot, tract, or parcel.
    - c. Lots, tracts, and parcels intersected by three or more zoning districts require the Zoning Administrator to interpret and determine which district applies.

## Section 14-4-4 Legacy Districts

Legacy Districts are zoning districts adopted before the effective date of these regulations and are not being amended, superseded, or rescinded by these regulations. As of the effective date of these regulations, no new legacy district may be added to the Official Zoning Map, nor may any boundary of an existing legacy district be modified except to conform to a district as classified above. Development and use standards for legacy districts can be found in Appendix A.

## Section 14-4-5 General Lot Standards, All Districts

- A.** All new and modified primary and accessory structures are subject to the lot and dimensional standards set forth in the tables in this section. Other applicable sections of this Ordinance, building code, engineering design standards, and Town code may further limit or modify these general standards.
- B.** No lot area shall be reduced or further reduced beyond the minimum lot area required by the district regulations set forth in this Ordinance unless necessitated by government action, exactions, or dedications.
- C.** All lot elements, including, but not limited to, lot line, lot width, lot coverage, and lot area, are defined in this Ordinance's Article 14-8, Definitions.
- D. Units per Lot.** Only one main building or principal structure is allowed per residential lot when developed with a single-family dwelling. Attached residential dwelling units, such as duplexes, triplexes, or townhomes, may be constructed on one parcel or as attached units on separate parcels per the requirements of the zoning district.



**E. Unit Density.** Density is the number of dwelling units allowed per acre. All density calculations are based upon net acres after exactions, dedications, or other divisions of the development parcel.

**Density = Total # of units/ Net Acre**

**Net Acre = Gross Area – (ROW+Commercial+Industrial+Schools)**

**F.** This calculation and the "required lot area per dwelling unit" do not apply to accessory dwelling units (ADUs).

**G. Land Use Requirements.** Allowed principal and accessory uses and use development standards applicable to each district are defined in this Ordinance's Article 14-5, Uses and Use Standards.

**H. Development Requirements.** Site and building development standards including landscaping, buffering, walls, fences, parking, lighting, architecture and design are defined in Article 14-6, Development Requirements.

## Section 14-4-6 Agricultural/Ranch Districts

**A. Purpose.** Agricultural/Ranch Zoning Districts designate land suitable for rural, agricultural, and equestrian uses, large-lot residential estates, open space, and activities that support the integration of low-intensity, low-impact development with the natural desert landscape.

**B. Agricultural Ranch (AR)**

- The principal purpose of Agricultural Ranch Zoning Districts is to conserve and protect the rural and equestrian estate character of the Town's rural-focused large-lot residential areas.

Table 14-4-6-A: Agricultural/Ranch Lot Area and Dimensional Standards

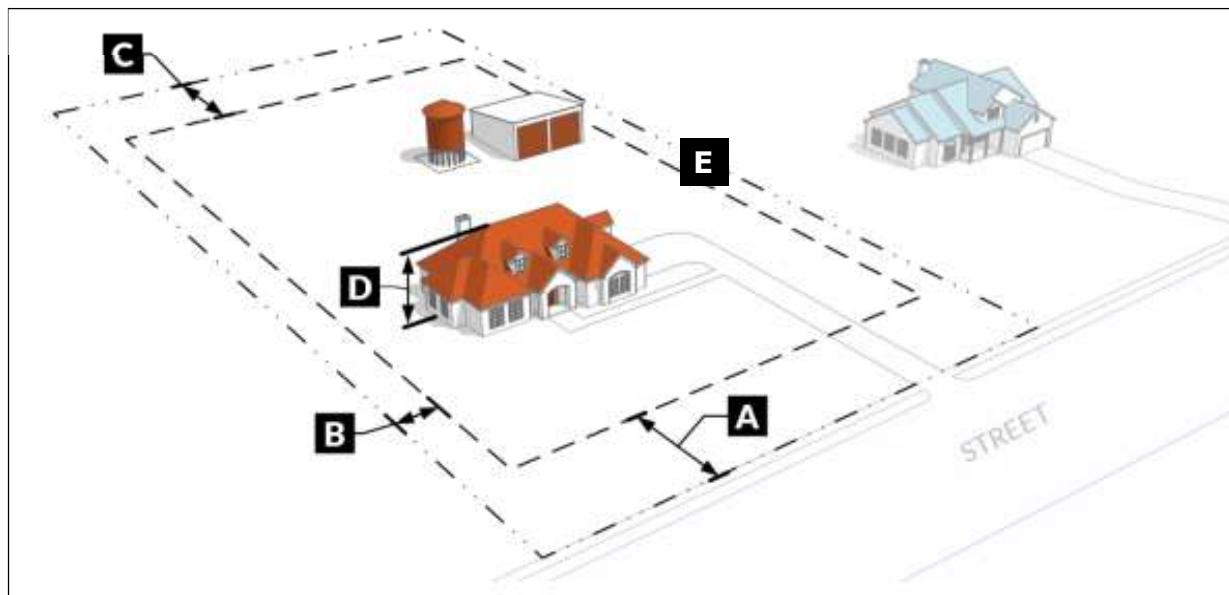
Agricultural Ranch (AR)		
Density (du/ac)		--
Lot Area (min. sq. ft.)		217,800
Lot Width (ft)		200
Lot Coverage, max.		25%
Primary Structure (min. ft.)		
Setbacks	[A] Front	50
	[E] Side, interior	50
	[B] Side, street	50
	[C] Rear	50
	[D] Height (ft)	40
Accessory Structure (min. ft.)		
Setbacks	[A] Front	50
	[E] Side, interior	10
	[B] Side, street	50
	[C] Rear	10
	Building Separation (ft.)	10
	Height (ft)	40
Notes:		
<i>No building or structure may be constructed within or extend into an easement without obtaining approval from the authorizing agency and may increase the setback from the property line.</i>		

2. The following figures, Figure 0-1: Agricultural/Ranch Building Height and Figure 0-2: Agricultural/Ranch Lot Standards depict the general components and terms used for lot standards.

Figure 0-1: Agricultural/Ranch Building Height



Figure 0-2: Agricultural/Ranch Lot Standards



## Section 14-4-7 Residential Districts

- A. Purpose.** Residential Zoning Districts are intended to provide areas for different residential housing types, accommodating a variety of lifestyles, densities, and housing options for the community. These districts are structured to promote neighborhood character, maintain suitable living environments, and encourage compatibility between different land uses and residential types.
- B. Single-Family Residential (R1, R2, R3, R4, R5)**  
The purpose of Single-Family Residential Zoning Districts (R1, R2, R3, R4, R5) is to provide a range of low and medium density residential environments, from large-lot rural residences to more compact neighborhood settings. These districts allow for detached single-family homes, and the lot sizes decrease in progression from R1 to R5, providing a range of housing options to meet community needs while maintaining the character of established neighborhoods.
- C. Multi-Family Residential (RM1, RM2)**  
The Multi-Family Residential Zoning Districts (RM1, RM2) aim to provide for a diversity of high-density residential housing, including duplexes, townhomes, apartments, and condominiums, to accommodate a wider range of housing needs, including more attainable and denser options in appropriate areas. These districts support a balance between residential density and quality of living, often located near services and amenities to foster a well-rounded community environment.
- D.** The following figures, [Figure 0-1: Residential Building Height](#) and [Figure 14-4-1-1: Residential Lot Standards](#) depict the general components and terms used for lot standards.

**Figure 14-4-7-1: Residential Building Height**



**Figure 14-4-7-1: Residential Lot Standards**

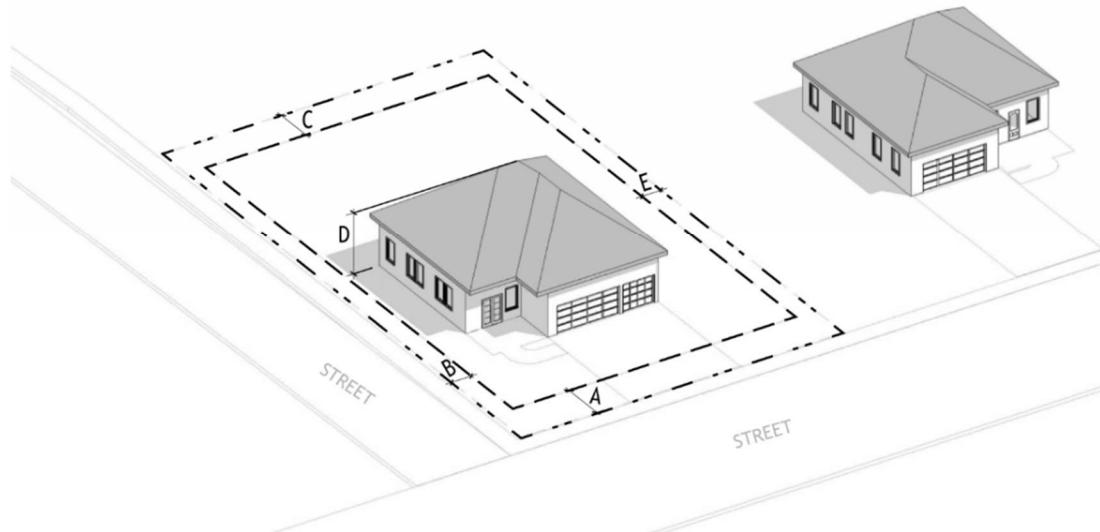


Table 14-4-7-A: Residential Lot Area and Dimensional Standards

	R1	R2	R3	R4	R5	RM1	RM2	MHP / RVP
Density (du/ac)	-	-	-	-	-	12.0	14.0	-
Lot Area per Dwelling unit (min. sq. ft.)	-	-	-	6,000	3,000	2,000	1,500	1,500
Lot Area (min. sq.ft.)	87,000	35,000	12,000	6,000	3,000	3,000	3,000	10 acres
Lot Width (ft)	175	120	90	55	30	-	-	250
Lot Coverage, max.	35%	40%	45%	45%	45%	65%	75%	75%
<b>Primary Structure (min. ft.)</b>								
Setbacks	[A1] Front, living area	50	40	30	20	10	20	10 <sup>1</sup>
	[A2] Front, garage	50	40	30	25	22	22	-
	[E] Side, interior	30	20	25	6 <sup>2</sup>	6 <sup>2,3</sup>	10 <sup>1,2,3</sup>	20 <sup>3</sup>
	[B] Side, street	50	40	20	20	10	15 <sup>1</sup>	10 <sup>1</sup>
	[C1] Rear	65	45	35	30	25	20 <sup>3</sup>	20 <sup>3</sup>
	[C2] Rear, Garage Alley Entry	15	15	10	10	10	10	15
	[D] Height (ft)	35	30	30	30	30	35 <sup>4</sup>	45 <sup>4</sup>
<b>Accessory Structure (min. ft.)</b>								
Setbacks	[A] Front	30	30	30	25	20	20	20
	[E] Side, interior	5	5	5	5	5	5	5
	[B] Side, street	30	30	20	20	10	5	5
	[C1] Rear	10	10	5	5	5	10	10
	[C2] Rear, Garage Alley Entry	15	15	10	10	10	5	5
	[F] Building Separation (ft.)	10	10	10	10	10	10	10
	[G] Height (ft)	25	20	18	18	18	20	20
<b>Notes:</b>								
1. Setbacks shall be 0 feet when abutting C2 district with an existing building or structure built with a 0-foot setback								
2. Setback shall be 0 feet on attached side								
3. Setback shall be 25 feet when abutting R1, R2, R3, R4, R5 Districts								
4. Structure height shall be limited to 30 feet when the structure is within 35 feet of AR, R1, R2, R3, R4, R5 Districts								
No building or structure may be constructed within or extend into an easement without obtaining approval from the authorizing agency and may increase the setback from the property line.								

## Section 14-4-8 Commercial Districts

**A. Purpose.** The purpose of the commercial zoning districts is to provide for the retail, office, and employment needs of the Town by providing a clear concise list of uses in a progression of intensities while providing development guidelines to help mold the character and aesthetics of the community.

**B. Office Commercial (OC)**

The purpose of the Office Commercial Zoning District is to accommodate a variety of personal and professional services, professional and medical office, and behavioral health uses, ranging from individual professional offices to integrated facilities or campuses. This district is intended to support professional employment opportunities, medical services, and specialized health services while ensuring compatibility with surrounding land uses.

**C. Neighborhood Commercial (C1)**

The purpose of the Neighborhood Commercial zoning district is to provide for shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods. Principal uses permitted in this zoning district include professional services, food markets, drugstores and personal service shops.

**D. Central Business District (C2)**

The purpose of the Central Business zoning district is to protect and conserve the character and pedestrian environment of the central business district, to encourage the provision of central public parking, and to provide for tourism-focused and community-serving business, mixed-uses, and other uses that enrich the entire community.

**E. Highway/General Commercial (C3)**

The purpose of the Highway/ General Commercial zoning district is to make provisions for commercial uses and services that are needed to serve the community, region, and people traveling through the community. Uses permitted in this district are located along major/arterial streets to provide convenient access. Permitted uses are required to provide off-street parking and loading and unloading facilities to facilitate efficient traffic movement on adjoining streets.

**F. Resort and Recreation (RR)**

The purpose of the Resort and Recreation District is to provide for the development and operation of temporary lodging, recreation opportunities, and associated specialized commercial guest facilities while protecting adjacent land uses from inappropriate and adverse impacts. The intent is to provide for the designation and regulations of certain land uses that are primarily intended for visitors to the Town.

**G.** The following figure, [Figure 14-4-1-1: Commercial Lot Standards Diagram](#) depicts the general components and terms used for lot standards.

Figure 14-4-8-1: Commercial Lot Standards Diagram

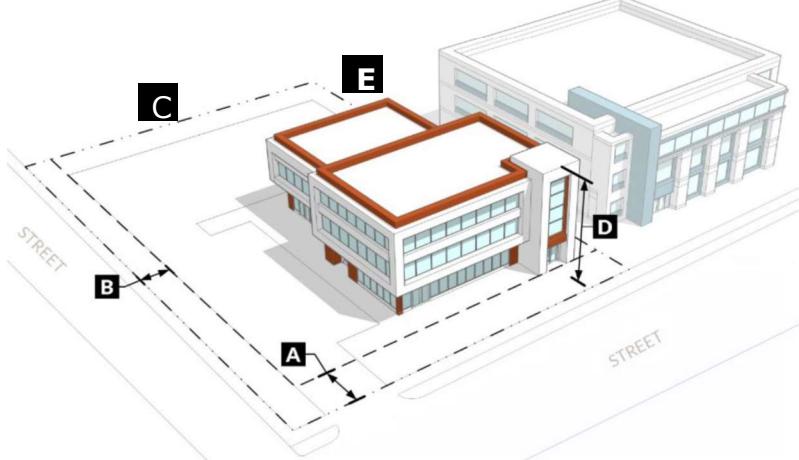


Table 0-A: Commercial Lot Standards Table

		OC	C1	C2	C3	RR
Lot Area (min. acres)		-	-	-	-	10
Lot Width (ft)		-	-	-	-	-
Lot Coverage, max.		-	-	-	-	-
<b>Primary Structures (min. ft.)</b>						
Setbacks (ft)	[A] Front	20	15	0 <sup>1</sup>	25	40
	[B] Side, street	20	0	0	20	25
	[E] Side, interior	10 <sup>2,4</sup>	10 <sup>2,3</sup>	10 <sup>2,3</sup>	10 <sup>4</sup>	20 <sup>4</sup>
	[C] Rear	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>
	Building Separation (between primary structures)	25	10	10	25	25
[D] Height (ft)		30	30	40	45 <sup>5</sup>	45 <sup>5</sup>
<b>Accessory Structure (min. ft.)</b>						
Setbacks (ft)	[A] Front	20	15	0 <sup>1</sup>	25	40
	[B] Side, street	20	0	0	20	25
	[E] Side, interior	10 <sup>2,4</sup>	10 <sup>2,3</sup>	10 <sup>2,3</sup>	10 <sup>4</sup>	20 <sup>4</sup>
	[C] Rear	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>
	Building Separation (between accessory structures or accessory and primary structures)	10	10	10	10	10
[D] Height (ft)		18	18	18	18	18

**Notes:**

1. Setback shall be 20 feet when the property side abuts R1, R2, R3, R4, R5 Districts
2. Setback shall be 0 feet on attached side
3. Setback shall be 15 feet when abutting or across an alley from R1, R2, R3, R4, R5 Districts
4. Setback shall be 25 feet when abutting or across an alley from R1, R2, R3, R4, R5 Districts
5. Height limited to 30 feet within 35 feet of R1, R2, R3, R4, R5 Districts

No building or structure may be constructed within or extend into an easement without obtaining approval from the authorizing agency and may increase the setback from the property line.

## Section 14-4-9 Industrial Districts

### A. Industrial Business Park (I1)

The purpose of the Industrial Business Park zoning district is to provide for master-planned and unified development of low impact industrial, business park, warehousing, and light assembly/manufacturing uses with appropriate operational use and impact standards proximate to less intense zoning districts and major transportation corridors.

### B. Light Industrial (I2)

The purpose of the Light Industrial zoning district is to provide for light industrial uses in locations which are suitable and appropriate taking into consideration the land uses on adjacent or nearby properties, access to a major street or highway, rail service or other means of transportation, and the availability of public utilities. Principal uses permitted in this zoning district include the manufacture, compounding, processing, packaging or treatment of materials which do not cause or produce objectionable effects that would impose hazard to adjacent or other properties by reason of smoke, soot, dust, radiation, odor, noises, vibrations, heat, glare, toxic fumes, or other conditions that would affect adversely the public health, safety and general welfare.



### C. Heavy Industrial (I3)

The purpose of the Heavy Industrial zoning district is to provide for heavy industrial uses in locations which are suitable and appropriate, taking into consideration land uses on adjacent or nearby properties, access to a major street or highway, rail service or other means of transportation and the availability of public utilities. Principal uses permitted in this zoning district include the industrial uses that are not permitted in any other zoning district due to their potential impacts on nearby properties and the public health, safety and general welfare despite mitigative measures.

Table 14-4-9-A: Industrial Lot Standards Table

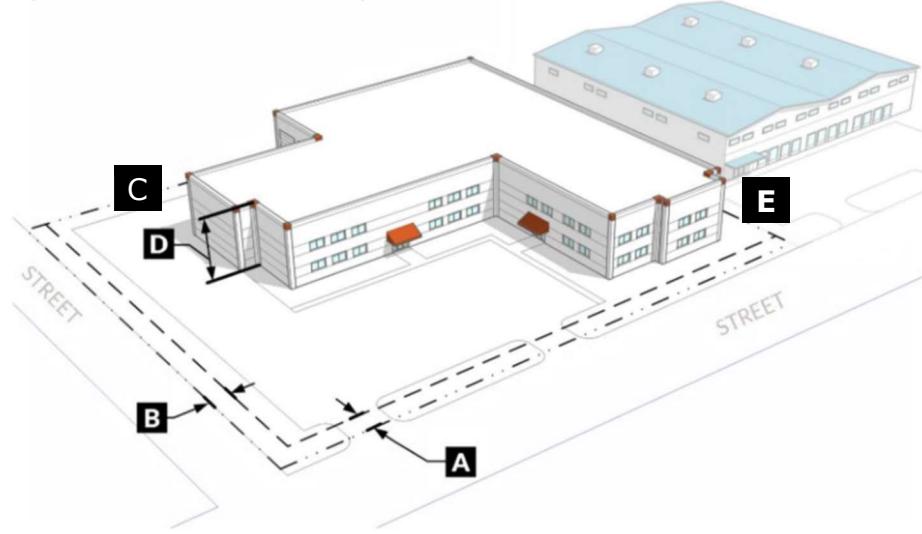
		I1	I2	I3
Lot Area (min)		35,000 sq. ft.	1 acre	5 acres
Lot Width (ft)		150	150	300
Lot Coverage, max.		-	-	-
Primary Structures (min. ft.)				
Setbacks	[A] Front	50	25 <sup>1</sup>	30 <sup>1</sup>
	[B] Side, street	50	25 <sup>1</sup>	30 <sup>1</sup>
	[E] Side, interior	25 <sup>2</sup>	20 <sup>1,2</sup>	25 <sup>1,2</sup>
	[C] Rear	50	25 <sup>1,2</sup>	30 <sup>1,3</sup>
	Building Separation (ft.) (between primary structures)	20	20	20
[D] Height (ft)		35	35	35
Accessory Structure (min. ft.)				
Setbacks	[A] Front	50	25 <sup>1</sup>	30 <sup>1</sup>
	[B] Side, street	50	25 <sup>1</sup>	30 <sup>1</sup>
	[E] Side, interior	25 <sup>2</sup>	20 <sup>1,2</sup>	25 <sup>1,2</sup>
	[C] Rear	50	25 <sup>1,2</sup>	30 <sup>1,3</sup>
	Building Separation (ft.) (between accessory structures)	10	10	10
	Building Separation (ft.) (between accessory structure and primary structure)	15	15	15
Height (ft)		25	25	25

**Notes:**

1. One (1) additional foot of setback is required for each foot of building/structure height exceeding 25 feet up to the district maximum height.
2. Setback shall be a minimum of 30 feet when abutting or across an alley from any Residential District. One (1) additional foot of setback is required for each foot of building/structure height exceeding 25 feet up to the district maximum height.
3. Setback shall be a minimum of 35 feet when abutting or across an alley from any Residential District. One (1) additional foot of setback is required for each foot of building/structure height exceeding 25 feet up to the district maximum height.

No building or structure may be constructed within or extend into an easement without obtaining approval from the authorizing agency and may increase the setback from the property line.

Figure 14-4-9-1: Industrial Lot Diagram



## Section 14-4-10 Special Districts and Overlays

### A. Planned Area Development (PAD)

The purpose of the Planned Area Development District (PAD) is to provide development opportunities which maximize flexibility while ensuring that the development meets or exceeds the minimum qualities and standards required by the zoning districts outlined previously within the ordinance. Modern land planning techniques must be provided by the development community to successfully implement the purpose of this zoning district by combining such essentials as useable open space, unique architecture and design principles, and pedestrian environments all with the purpose of increasing aesthetics and livability.

1. The Planned Area Development (PAD) zoning district is intended to provide an alternative to the conventional zoning and development processes in the Town in order to achieve the following purposes:
  - a. To ensure orderly planning and review procedures that will result in exemplary or superior land development design consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility;
  - b. To promote flexible, economical, innovative, and efficient land use and design to best utilize or preserve the physical features, natural environment, and infrastructure of a particular site by averaging project density over an entire parcel and allowing alternative lot size and dimensional standards. This includes cluster developments, traditional neighborhood designs, and other development types that achieve a public benefit or provide greater amenities and benefits than would otherwise be achieved under the base development standards of this Ordinance;
  - c. To promote integrated and unified land development design that encompasses a broad range of land uses including, but not limited to mixed use, single-family and multifamily residential, professional and administrative offices, retail, service, hotel and resort, light industrial or employment, recreational, and any public or semipublic use or combination of uses through the adoption of a PAD Plan which sets forth land-use relationships, development standards, and goals consistent with the Wickenburg General Plan;
  - d. To encourage a more creative approach to land utilization by creating efficient, aesthetic, and desirable developments, which may be characterized by incorporating special features of the geography, topography, size, uses, or shape of a particular property into its site planning;



- e. To permit flexibility in design standards so that a PAD produces a choice in the type of environment, living units, commercial installations, and other facilities available to the public while maximizing efficient, aesthetic, and desirable use of open space and physical features; and
- f. To promote a unique yet compatible development that is in harmony with the surrounding land uses and the goals of the Wickenburg General Plan

## 2. General Standards of a PAD

- a. A PAD is not an overlay district. It is a customized "base" zoning district. An approved PAD replaces the parcels' existing zoning district designation. This District can allow for integrated mixed use developments that facilitate compact pedestrian environments and activities and maintain a balance of residential and nonresidential land uses. Some of the aspects of the District include:
  - i. High-quality office, storefront retail, restaurant and entertainment to integrate with various residential components in order to create an urban center where people live, work, and entertain;
  - ii. Developments that create a compacted pedestrian environment and promote pedestrian activities that would balance day and night uses; and
  - iii. Innovative integration of compatible uses through the conversion of existing buildings and the development of new buildings in a manner that fosters sensitive and sustainable site design and architectural style.
- b. A PAD shall consist of at least five contiguous gross acres for any parcel or parcels of land.
- c. PADs are intended for larger, unusual, or exemplary projects. They should not be used to achieve minor changes from the Ordinance requirements that could be accomplished through other Ordinance processes, such as variances and text amendments.
- d. A PAD is discretionary; no implied right to intensity, density, design, or other project aspects is conferred.
- e. A development agreement supporting the PAD may be requested providing for the timing, sizing, and funding of phased infrastructure, exactions, dedications, public facilities, or other elements required for the PAD and acceptable to the Town.
- f. A PAD may be constructed in phases and the PAD narrative shall specify the phases of development, locations and timing of on-site and off-site improvements for each phase, as well as, an estimated range of time for beginning and completion of each phase. Each phase must comply with all provisions of this section or as otherwise approved in the phasing plan of the approved PAD Plan.
- g. PADs may prohibit or include specific uses and be mixed-use.
- h. PADs shall adhere to the requirements of this Ordinance and applicable zoning overlays unless the PAD plans explicitly define the modification.
- i. All PADs shall minimize adverse impacts on surrounding property.

## 3. Minimum Development Standards

The following development requirements are baseline standards and shall apply to all PADs. The standards are a minimum expectation of community benefit and should be described and illustrated in the PAD plans. Additional or alternative development requirements may be considered if they meet or exceed the purpose, standards, and intents of this Ordinance.

- a. **Undefined Standards.** If specific landscaping, setback, parking, sign, street, design, architectural, or other development standards are not defined in the PAD narrative or conditions of approval, the minimum requirements of this Ordinance shall apply.
- b. **Phasing and Timing.** PADs may be developed in phases. The PAD plans shall include conceptual site plans, phasing plans, and/or subdivision plans to define the order of development for the phases and the development timeline for each phase.

- c. **Unit Density.** The proposed density of any development should not exceed the maximum density of the land use designation on the General Plan Future Land Use Map. This shall not be construed to mean a specific minimum lot size or zoning district equivalence is required. PADs shall comprehensively define the dimensional and lot area standards for each phase, land use area, or portion of the PAD.
- d. **Intensity.** The proposed intensity of any development shall align with the land use designation on the General Plan Future Land Use Map. This should not be construed to mean specific uses are allowed or prohibited. Potential impacts from uses shall be identified and mitigated through PAD design, layout, use standards, or other mitigation measures.
- e. **Amendments.** A PAD may be considered for changes or amendments in accordance with the procedures of this Ordinance, Article 14-3.
- f. **Performance.** If a development plan or site plan for the PAD or first phase of a PAD is not approved by Town Council within three years of Town Council approval of the PAD or as otherwise conditionally approved by Town Council, the Town Council may request the owner approval to rescind the zoning.

## B. **Heritage Area Overlay (HA)**

The purpose of the Heritage Area Overlay is to provide an area within the Town where architectural styles allowed for future developments will revolve around the historical western and southwestern architecture styles native to the Town.

- 1. **Intent and Limitation.** The Heritage Area is not a designated Historical Preservation District by the State Historic Preservation Office or the National Trust for Historic Preservation. The properties which develop within this zone are not proposed for designation on a registry. The standards required herein are designed to foster and maintain the western and southwestern heritage upon which the Town has grown.
- 2. **Overlay Area.** The area affected by the HA is defined on the Zoning Map, within the following boundaries and illustrated in [Figure 14-4-10-1: Heritage Area Overlay](#):
  - a. To the north, the centerline of Mohave Street from its intersection with the centerline of Jefferson Street and extended in a northeasterly direction to the centerline of Sols Wash.
  - b. Then along the centerline of Sols Wash in a southeasterly direction to its intersection with the centerline of the Hassayampa River.
  - c. Then in a southeasterly direction along the centerline of the Hassayampa River to the intersection with a line located three hundred (300) feet south of the centerline of Wickenburg Way and thence along said line in a southwesterly direction, paralleling said center line of Wickenburg Way, to the center line of Adams Street.
  - d. Then in a northwesterly direction along the center line of Adams Street to the center line of Santa Cruz Street, then in a northeasterly direction along the center line of Santa Cruz Street to its intersection with the center line of North Jefferson Street.
  - e. Then in a northwesterly direction along the center line of North Jefferson Street to the point of beginning.

Figure 14-4-10-1: Heritage Area Overlay



3. **Applicability.** This section shall apply only to new construction and any redevelopment and/or additions to existing structures where the addition is greater than twenty-five percent (25%) of the original structure's size on any property subject to the HA overlay.
4. **Design Elements.** All architecture within HA must reflect the southwestern and western traditional architectural heritage upon which the Town has developed over the years. Design elements that buildings, structures, and sites, should incorporate to implement this purpose include:
  - a. **Primary Materials.** Include but are not limited to locally sourced stone/masonry, brick, stucco, clapboard wood siding and wood trim .
  - b. **Accent Materials.** Include but are not limited to stucco, marble work, brick, stone or masonry used as a decorative element, or tile mosaics.
  - c. **Alternative Materials.** The Zoning Administrator may consider and administratively approve alternative materials that meet the design requirements of this Section.
  - d. **Building Wall Elements.** Architectural building elements or components shall be used to emphasize the architectural character and style of the buildings and structures. This includes but is not limited to:
    - i. Pilasters or columns to simulate structural support and break up long or featureless lengths of wall.
    - ii. Façade undulation, popouts, and recesses all help create visual interest and reduce the visual impact of massing.
    - iii. Cornices and eave treatments utilizing allowed materials to decoratively "cap" or define the top edge of a building, reinforcing the architectural style and character of the building.

### **C. Well Head Protection Overlay Zones:**

- 1. Intent and Limitation.** The purpose of the Well Head Protection Overlay Zone (WHPOZ) is to designate areas in which a Municipal Well Head is located and to delineate the area around each of the Municipal Well Heads, which requires protection from contamination. It is recognized that Regulations on development are necessary to protect these well heads. The designation of a Well Head Protection Overlay Zoning District will regulate the uses which are allowed in the District in order to minimize potential contamination of the Town's groundwater supply by limiting the allowed uses to those which do not involve the use of septic tanks, volatile or corrosive liquids, chemicals or other agents which, if spilled, leaked or dumped, onto or into the ground, have been found to pose a threat of groundwater contamination which could be a hazard to humans and/or animals.
- 2. Applicability.**
  - a.** The Well Head Protection Overlay Zoning District is an overlay zone and may be combined with any other zoning district. The provisions of the underlying district shall govern the development of any lot or parcel subject to the regulations set forth in this Article.
  - b.** All portions of a lot or parcel located within the Well Head Protection Overlay Zoning District as designated on the Zoning Map shall be subject to the regulations set forth in this Article.
- 3. Overlay Area.** The following areas are designated as the Well Head Protection Areas of the Town. The Zoning Map of the Town reflects these designations.
  - a. Well Head Protection Zone- Number 1.** Sols Wash, Barnett and Remuda Wells Beginning at the centerline of the Hassayampa River at the point where it intersects a line connecting the southwest corner of Section 1, Township 7 North, Range 5 West of the Gila and Salt River Baseline and Meridian and the northwest corner of the southwest quarter of the southwest quarter of Section 6, Township 7 North, Range 4 West of the Gila and Salt River Baseline and Meridian. From the point of beginning following the centerline of the Hassayampa River in a northerly or upriver direction for the distance of seven and one-half miles and extending one-half mile to either side of said centerline to form the perimeter line of the Well Head Protection Zone. The jurisdiction of the Town over the Well Head Protection Zone terminates at the point the perimeter line intersects the Town Limits as they exist today or in the future.
  - b. Well Head Protection Zone- Number 2.** Mariposa Well Beginning at the vertical centerline of the Mariposa Well casing as situated in the northwest quarter of the northwest quarter of the southwest quarter of the northwest quarter of the northeast quarter of Section 11, Township 7 North, Range 5 West of the Gila and Salt River Baseline and Meridian and having a radius to the perimeter line of the Well Head Protection Zone of 1,600' which extends 360 degrees outward from the vertical centerline of said well to construct a circle which forms the perimeter of the Well Head Protection Zone.
  - c. Well Head Protection Zone – Number 3.** Vulture Mine Well Beginning at the vertical centerline of the Vulture Mine Well casing as situated in the southwest quarter of the northwest quarter of the northwest quarter of the southwest quarter of the northwest quarter of Section 3, Township 7 North, Range 5 West of the Gila and Salt River Baseline and Meridian and having a radius to the perimeter line of the Well Head Protection Zone of 1,750' which extends 360 degrees outward from the vertical centerline of said well to construct a circle which forms the perimeter line of the Well Head Protection Zone.
  - d. Additional Well Head Protection Zones.** Additional Well Head Protection Areas may be designated by the Town Council pursuant to the procedures set forth in Town of Wickenburg Zoning Ordinance Article 14-24 of this Town Code and upon findings by the Council that contaminants are reasonably likely to move toward and reach the surface and subsurface area surrounding a water well or well field supplying the Town's Public Water System.
- 4. Uses**
  - a. Permitted Uses.** The following land uses or activities will be permitted in Well Head Protection Overlay Zones when such uses or activities are connected to, and utilize exclusively, the municipal water and sewer systems:
    - i.** Residential Uses;



- ii. General Office Uses, Medical Offices and Hospitals when waste is disposed of in an approved manner;
- iii. Permanent Parks and/or open space if dedicated to passive or active recreational activities when it is found by the Zoning Administrator that none of the activities to be conducted therein will pose a potential threat of contamination to the Town's groundwater supply;
- iv. Churches, upon securing the required Conditional Use Permit; and
- v. Septic Systems in accordance with Wickenburg Town Code Section 13-3-2 and Sections 14-4-10.D.4.c.v and 14-4-10D.4.d.i of this Ordinance.

**b. Conditional Uses.** Uses, which have not been specifically permitted in this Ordinance may be permitted with a Conditional Use Permit if the following findings are made by the Council:

- i. That locating the proposed use within the WHPOZ will not negatively impact the Well Head, well, or water;
- ii. That locating the proposed use within the WHPOZ shall not be detrimental to surrounding neighborhoods; or
- iii. That the proposed use shall provide all necessary screening and landscaping to help minimize or mitigate any potential negatives that could arise from the development or use.

**c. Non-Conforming Uses.** Any use that exists on the date of passage of this Ordinance shall be considered Legal Non-Conforming. The Town shall make a concerted effort to eliminate legal non-conforming uses and to that end, the following steps shall be implemented:

- i. Identify all Legal Non-Conforming Uses within the Town.
- ii. Prioritize the Legal Non-Conforming Uses for management, mitigation or elimination. The basis for prioritization shall be the potential threat that is posed by the use as determined by reference to Figure 1 in the Well Head Protection Plan and Program.
- iii. If potential threats of contamination cannot be managed or mitigated, the Town Council may find that the use should be eliminated in accordance with appropriate statutory authority granted to the Town by the State of Arizona.
- iv. Failure to notify the Town of deteriorated or worsened conditions shall constitute a Class 1 Misdemeanor subject to the penalty provisions of Article 1-8 of the Town Code.
- v. **Note.** Septic Systems are not allowed in the adopted Well Head Protection Areas.

**d. Prohibited Uses in Well Head Protection Areas.**

- i. The use of septic systems in subdivisions, leachates, petroleum products, corrosives and caustics in any manufacturing or recovery process is expressly prohibited.
- ii. The accumulation, dumping, or disposal of any waste products
- iii. Underground storage tanks for gasoline, diesel fuel, fuel oil, or other petrochemical products.
- iv. Feed Lots and Boarding Facilities are subject to a Use Permit including a Manure Maintenance Plan.

**e. Approval of Uses not Otherwise Permitted.** In order to approve uses, which are not otherwise permitted, the following findings must be found:

- i. That the proposed use is consistent with the General Plan.
- ii. That the proposed use poses no inherent threat of groundwater contamination or any such inherent threat has been sufficiently mitigated by operational safety measures. All such operational safety measures shall be supported by a sealed and signed by the appropriate registered professional that the proposed use incorporates adequate measures to ensure that groundwater contamination will not occur as a result of the establishment of the use or activity. Under no circumstances shall an architect be deemed the appropriate registered professional.
- iii. In order to be issued a Conditional Use Permit, an application which includes a Site Plan and complete Operations Plan must be submitted to the Town along with the documentation supporting the registered professional's finding that the proposed use will not pose a threat to the Town's groundwater supply.

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- iv. That Town will only consider applications for uses that employ or store petroleum products, caustics, or corrosives when the Commission makes a finding that adequate measures as certified by a registered professional and confirmed by the Town Engineer have been provided to minimize any potential threat of groundwater contamination.
- v. **Note.** Any person aggrieved by a decision of the Commission may, within fifteen (15) working days, appeal said decision to the Town Council.

# PUBLIC DRAFT

## Chapter 14 Zoning Regulations



### ARTICLE 14-5 USES AND USE STANDARDS

#### Section 14-5-1 Purpose

This article identifies the land uses allowed in the Town of Wickenburg's zoning districts and establishes standards for certain uses with unique characteristics or impacts. All permitted, conditional, temporary, and accessory uses are regulated by this section unless otherwise more specifically regulated in an established Overlay District or PAD District.

#### Section 14-5-2 Explanation of Use Tables

The following designations apply to all uses in the use tables in this chapter.

- A. Permitted Uses.** A "P" indicates that the use is permitted in the respective zoning district, subject to compliance with applicable standards and regulations.
- B. Conditional Uses.** A "C" indicates that the use is allowed under specific conditions, and may require review by the Planning and Zoning Advisory Commission and Town Council.
- C. Prohibited Uses.** A "-" indicates that the use is not allowed in the respective zoning district.
- D. Accessory Uses.** An "A" indicates that the use is only permissible as an accessory use to a primary permitted use in the zoning district.
- E. Temporary Uses.** "T" indicates that the use is allowed on a temporary basis in the respective zoning district.
- F. Use-Specific Standards and Conditions.** Additional standards and conditions may apply to any use, as specified in use-specific standards following the Summary Table of Allowed Uses.

#### Section 14-5-3 General Standards for All Uses

- A. Uses Not Listed.** Uses not explicitly listed are prohibited unless the Zoning Administrator has determined through formal interpretation that the unlisted use is consistent and compatible with the zoning district and listed uses pursuant to procedures in Article 14-3.
- B. Constitutionally Protected Activities.** Nothing in this article shall be construed to prohibit constitutionally protected activities, including using a home for non-commercial gatherings of family and friends, discussion groups, religious or political gatherings, or neighborhood meetings.
- C. Other Town Code Requirements.** In addition to compliance with this Ordinance, all uses must comply with this Ordinance and meet all applicable subdivision, licensing, construction, operational, infrastructure, stormwater, and traffic engineering standards as required by the Town Code and other regulations.

#### Section 14-5-4 Exempt Uses

The following uses are exempt from all procedures, requirements, zoning district use allowances and use standards of this Ordinance. However, they must still comply with any subdivision, licensing, construction, operational, infrastructure, stormwater, and traffic engineering standards required by the Town Code and other applicable regulations.

- A.** Public and private charter schools and public school administrative and maintenance facilities.
- B.** Local, state, and federal government facilities.
- C. Continuance of Legal Nonconforming Uses.** An existing structure that lawfully existed as of the passage of this code and that remains nonconforming, and any nonconformity that is created as a result of the adoption of this code or any subsequent amendment to the text of this code, may be continued or maintained as a legal nonconformity only in accordance with the terms of this section.

## Section 14-5-5 General Standards for Accessory Uses

- A. **Establishment.** Unless otherwise stated by this Code, accessory uses and structures must be in conjunction with a primary or principal use or structure. Accessory uses shall not be established prior to or without the primary use or structure in place.
- B. **Ownership.** Accessory uses and structures shall be under the same ownership, management, or owner/operator as the primary use or structure.
- C. **Accessory Uses and Structures.**
  1. **Review and Approval Required.** Unless otherwise specified or exempted in this Ordinance, prior to the establishment of any accessory structure or use, a development plan or use permit identifying the accessory use, structure and site location demonstration compliance with this Ordinance shall be submitted for review.
  2. **Size.** Accessory structures shall be smaller in area and height than the principal structures, unless otherwise stated by this Code.
  3. **Location.** The requirements of Section 14-4 shall apply in addition to the following:
    - a. The accessory use or structure shall be located rear of the principal structure front setback line, except for in the AR, and R1 zoning districts, or if otherwise approved by the Zoning Administrator.
    - b. Open accessory structures with no walls such as trellises, pergolas, and patio covers may have no separation from the site's principal structure.
  4. **Architectural Design.** Accessory Structures exceeding two-hundred (200) square feet shall be designed with high quality exterior materials and design and coordinated with the principal structure's architectural design, unless otherwise exempted by this Section.
  5. **Agricultural Accessory Uses and Structures.** Accessory agricultural uses and structures may be located on lots zoned Agricultural Ranch (AR) District and used for agricultural purposes with or without a primary structure. Agricultural accessory structures may exceed the size of the principal structure and are exempt from architectural design requirements.
  6. **Sports Courts.** Sports courts on lots greater than two (2) acres are permitted in required front yards, but no closer than 20-feet to any property line. Sports court fencing and outdoor lighting shall be not exceed 16-feet in height. Lighting shall be properly mounted and shielded and directed away from any adjacent properties or streets.
- D. **Commercial Vehicle Storage on Residential Zoned Lots.** Storage of commercial vehicles in residential zoned districts is prohibited except for temporary or incidental overnight parking of commercial vehicles used as take-home vehicles by occupants of the lot, such as police vehicles, business vehicles, and work trucks that do not exceed a gross vehicle weight rating (GVWR) of 14,001 pounds or Class 4 or higher categories of commercial trucks.
- E. **Outdoor Display.** Outdoor display related to the primary use is permitted as an accessory use in all commercial and industrial districts subject to the following:
  1. Outdoor display shall be for products and services offered for purchase by the primary/principal use
  2. Outdoor display shall not obstruct required parking areas, drive aisles, sidewalks, and emergency lanes and public or private access.
  3. Outdoor display is prohibited in required setbacks.
  4. Outdoor display and sales on private sidewalks shall maintain four (4) feet of clear passage for pedestrians at all points.
  5. Outdoor display and sales merchandise and area shall comply with the Fire Code, Town Code and all other applicable requirements.
  6. The area shall not be used for storage.
  7. The area shall remain free of boxes, pallets packing material or other refuse.



**F. Outdoor Storage.** Outdoor storage of materials, goods, equipment, and business vehicles is permitted as an accessory use unless otherwise prohibited by this Ordinance. Outdoor storage shall be located on the site and fully screened from public view, abutting properties, and adjacent streets in accordance with the general and use-specific outdoor storage use standards.

- 1. General Requirements.**
  - a.** Outdoor storage is prohibited in C1 and OC districts.
  - b.** Accessory outdoor storage shall be illustrated on development plans and subject to a use permit.
  - c.** A decorative, solid screening wall or fence of no less than six (6) feet and no more than eight (8) feet in height is required around all outdoor storage areas. This requirement is in addition to any landscaping, buffering, setback, or other site development requirement in this code.

## Section 14-5-6 GENERAL STANDARDS FOR TEMPORARY USES

- A. Purpose.** This article allows certain temporary uses and structures for a limited duration subject to standards and conditions. This article is intended to ensure that such uses or structures do not negatively impact surrounding properties and are discontinued upon a set period's expiration.
- B. Temporary Uses and Structures Allowed.** Temporary uses and structures are allowed pursuant to the standards in this Chapter and Article 8-1 of the Town Code.
- C. Temporary Construction Activities.** On-site temporary construction activities do not require a temporary use permit and are allowed in conjunction with a construction project with a valid building or engineering permit. Construction activities include, but are not limited to, temporary power poles, vehicle parking, and storage of materials and equipment and a construction trailer.
- D. Exceptions.** The following uses and activities shall be considered exempt from the requirements for a Temporary Use Permit where such uses are conducted entirely on private property or permitted public facilities. Uses listed as exempt are required to comply with all applicable Town codes, ordinances, and regulations at all times, including those pertaining to noise, signs, and off-premises activities.
  - 1. Weddings and funeral ceremonies.** Weddings, funerals, and similar religious ceremonies conducted at churches, cemeteries, private facilities, or residences. Weddings, funerals, and similar religious ceremonies may be conducted at residences for non-commercial purposes.
  - 2. Benefit car washes and bake sales.** One-time events at approved locations conducted by individuals, schools, churches, non-profit groups, and other non-commercial groups entirely for benefit fundraising.
  - 3. Election activities and political rallies.** Activities, meetings, and gatherings of a political nature.
  - 4. Church and school rummage sales.** Temporary sales events conducted by and for churches and schools entirely at the church or school location. Benefit sales events that include outdoor activities with live or amplified music or any temporary structures, or other types of unrelated activities are required to obtain a Temporary Use Permit.
  - 5. Private community center events.** Activities and events, including craft and art shows, meetings, exhibitions, and similar community events, conducted by and for residents of planned unit developments within their community centers. Events that include any temporary structures, outdoor musical or performance activities, or are sponsored or managed by organizations or businesses from outside the community are required to obtain a Temporary Use Permit.
- E. Building and Fire Code.** Any tent, trailer, recreational vehicle, or structure subject to the requirements of these regulations and intended or used for human occupancy shall comply with the International Building Codes and International Fire Codes, as amended by the Town of Wickenburg, and shall not be used or occupied until approved by the Town of Wickenburg Building Official and Fire Marshal.
- F. Unlisted Uses.** If a use is not explicitly listed in this Ordinance, a request for interpretation may be made to the Zoning Administrator. The Zoning Administrator shall make such an interpretation before reviewing any application associated with its use.



- G. Determination of Appropriate Use Type.** The Zoning Administrator shall determine the appropriate use type for the proposed use. In making such a determination, the Zoning Administrator shall consider the typical operations and activities, employment characteristics, nuisances, requirements for public utilities, transportation impacts or needs, and the potential impacts of the proposed use, including the nature of the use and whether it includes dwellings, sales, processing, or storage. The applicant shall provide such information necessary to render a decision upon the request of the Zoning Administrator.
- H. Uses and Use-Specific Standards Requiring a Text Amendment.** In deciding on a new or unlisted use, the Zoning Administrator may determine whether such new or unlisted use is intentionally omitted from this article because the use is prohibited or if the use requires an amendment of this Ordinance, including for additional use-specific standards to reduce potential impacts to surrounding properties or the community.
- I. Appeal of Zoning Administrator's Determination.** Appeals of the Zoning Administrator's determination shall follow the appeal procedures in Article 14-2-4.

# PUBLIC DRAFT

## Chapter 14 Zoning Regulations



### Section 14-5-7 Classification of Uses

Table 14-5-7-A Use Classifications

P = Permitted Use		C= Conditional Use		A= Accessory Use				T= Temporary Use				= Prohibited Use							
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
Agricultural Uses																			
	Agriculture - Crops	P	P	P															
	Agriculture - Livestock	P	P	P															
	Horse Boarding and Training	P	P	C												P			
	Agritourism	P	P	C															
Residential Uses																			
Household Living	Dwelling, Single-Family Attached				P	P	P	P								C			
	Dwelling, Single-Family Detached	P	P	P	P	P	P									C			
	Manufactured Home Park, RV Park	C								P						C			14-5-8 I.
	Modular Home	P	P	P	P	P	P	P	P							C			14-5-8 J.
	Multiple-Family Dwellings							P	P			C	C			C			
	Tiny Homes							C	C	P						C			

**Town of Wickenburg | Zoning Ordinance**

Article 14-5

Uses and Use Standards

Section 14-5-7

Classification of Uses



P = Permitted Use		C= Conditional Use					A= Accessory Use					T= Temporary Use					= Prohibited Use								
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards						
		P	P	P	P	P	P	P	P	P					C										
Group Living	Group Care Homes	P	P	P	P	P	P	P	P	P					C									14-5-8 E.	
	Boarding/ Rooming Houses	C	C	C	C	C	C	C	C						C										
<b>Public, Civic, Cultural &amp; Community Service Uses</b>																									
	Cemetery, Mausoleum	C	C	C	C	C	C	C	C	C	C	C	C	C											
	Funeral Homes	C	C										C	C	P										
	Crematoriums	C	C												C	C	P	P							
	College, University	C	C									C	C	C	C	C									
	Private Schools (K-12)	C	C	C	C	C	C	C	C	C	C	C	C	C	C										
	Art/ Dance/ Vocal, Business, Nursery/ Pre-School, Trade, Technical, Vocational Schools, Riding Academies	P	P									P	C	C	P		C								
	Golf Courses, including accessory clubhouses and driving ranges	C	C	C	C	C									P										



## Town of Wickenburg | Zoning Ordinance

### Article 14-5 Uses and Use Standards

#### Section 14-5-7 Classification of Uses

P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
	Public / Government Aquatics Center, Community Centers, Libraries, Museums, Recreation Centers/Facilities, Parks, Playgrounds, Sports Fields	P	P	P	P	P	P	P	P	P	P	P	P	P					
	Private / HOA Community Centers, Recreation Centers/Facilities, Parks, Playgrounds, Sports Fields under 30,000 sq. ft	P	P	P	P	P	P	P	P	P									
	Private Aquatics Center Health Clubs, Gyms, Sports Fields, and similar										P	P	P						
	Zoos, Amusement Parks, Wildlife Refuges	C	C										C	C					

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Uses and Use Standards

Section 14-5-7

Classification of Uses



P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
	Banquet Facilities, Convention Centers, Event Centers, Indoor or Outdoor Event Space.	C											P	P	P	P			
	Places of Worship	P	P	P	P	P	P	P	P		P	P	P	P	P	P			
	Social and Fraternal Organization Meeting Halls	C						C	C		P	P	P	P	P	P			
<b>Commercial Uses</b>																			
	Large Shopping Center												P						14-5-8 G.
Adult Entertainment	Adult Uses, Cabarets, Theaters, Clubs, Retail												C	C	C				
	Indoor Amusement, Pool halls, Arcades										C	C	P						
	Outdoor Amusement / Entertainment, including go kart tracks, mini-golf, Shooting Range	C											C	C					
	Racetrack, Motorized Vehicles											C							



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#### Section 14-5-7 Classification of Uses

P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use						
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards	
	Movie Theater, Live Theater											P	P							
	Movie Theater, Drive-In,	C												C						
Food & Beverage	Bars, Pubs, Taverns											P	P							
	Restaurants / Cafés, No Drive-Through										P	P	P							
	Restaurants / Cafés, with Drive-Through											C?	P							
Lodging	Bed and Breakfast	C	C	C	C	C	C	C	C	C	P	P	P	P					14-5-8 C.	
	Dude Ranch / Guest Ranch	P	C	C										P					14-5-8 D.	
	Hotel, Inn										P	P	P	C						
	Motel											P	C	C						
	Resort, Timeshare Projects	C						C						P						
Retail	Antiques, Consignments, Resale										P	P	P							
	Art/ Craft Shop / Galleries, with or without accessory workshops									P	P	P	P	P						

**Town of Wickenburg | Zoning Ordinance**

Article 14-5  
Section 14-5-7

Uses and Use Standards  
Classification of Uses



P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
	Artisan, Custom or Personal Service Retail Showrooms with or without Accessory Workshops										P?	P	P		P				
	Building Materials and Hardware										P	P	P		P				
	Farmer's Market, Permanent	P										P							
	Feed Stores	C											P	P					
Retail	Flower and Plant Nursery	P												P		C			
	General / Household Merchandise										P	P	P	P		P			
	Grocery, Supermarket, Deli, Butcher Shop											C	P	P					
	Pharmacy										P	P	P	P					
	Vehicle Parts and Supplies											P	P		P				
	Packaged Liquor and Beer											P	P						
	Pawn Shops												P		C				
	Tobacco-Oriented Retailers										C	P	P						



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### Article 14-5 Uses and Use Standards

#### Section 14-5-7 Classification of Uses

P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
Services	Banks, Credit Unions, Chartered Financial Institutions, No drive through									P	P	P	P	P	P				
	Banks, Credit Unions, Chartered Financial Institutions, with drive through									C?	C	C	P	P					
	Child Care, Day Care Centers									C	P	P	P						
	Dry Cleaner (retail), Laundromat									P	P	P							
	Health Related Offices and Services, Dental, Medical, Behavioral Health, Urgent Care, and similar									P	P	P	P						
	Hospital, Inpatient / Outpatient Surgery Center, Inpatient / Outpatient Behavioral Health Facility						P	P		C	C	P							
	Medical Marijuana Facilities, Dispensaries												C						

**Town of Wickenburg | Zoning Ordinance**

Article 14-5  
Section 14-5-7

Uses and Use Standards  
Classification of Uses



P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
Services	Non-Chartered Financial Institution, Payday Loan														P				
	Personal Services, Professional Services / Offices										P	P	P	P					
	Swap Meet, Permanent													C		P			
	Tattoo Shop										P		P						
	Taxidermist											C			P				
	Veterinary Office and Hospital, Traditional Household Pets, No outside boarding	P										C		P		P			
Industrial Uses	Veterinary Office and Hospital, Large Animals, Outside boarding permitted	P											C		P				
	Art Production Studio, Artisan Woodwork, Metalwork, Cabinetry, Carpentry												P		P	P			



## Town of Wickenburg | Zoning Ordinance

### Article 14-5 Uses and Use Standards

#### Section 14-5-7 Classification of Uses

P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use							
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards		
	Offices, laboratories, and light manufacturing															C	P				
	General manufacturing															C	P	P			
	Heavy industrial																	P			
Utilities	Wireless Communication Facilities, Small-Cell Facilities, Communication Antennas	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			
	Transportation Uses																				
	Airports, Air Strips, Hangars	C													C	C	C	C	C		
	Autonomous Vehicle / Taxi Dispatch, Lot, and Maintenance Hubs														C		P	C			
	Commercial and Medium/Heavy Duty Vehicle Equipment Storage and Maintenance Terminal															C	P	P			

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Uses and Use Standards

Section 14-5-7

Classification of Uses



P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
	Gas Station, Fueling Station with or without Convenience Store											C	P		P	P	P		
	Heliport, Helipad, Hot Air Launch Pad	C								C			C	C	C	C	C		
	Intermodal Transfer Facilities, Rail Yards													C	C	C			
	Parking Lots, Parking Structures										C	C		C					
	Tow and Impound Lots, Operable Vehicles													C	P	P			
	Tow and Impound Lots, Salvage Yard, Inoperable Vehicles													C	P				
	Transit Station, Rail / Bus Station											C	P		C	P	P		
	Vehicle Repair, Light Duty												C		P	P	P		
	Vehicle and Equipment Repair, Medium/Heavy Duty													C	PC	P			



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### Article 14-5 Uses and Use Standards

#### Section 14-5-7 Classification of Uses

P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use								
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards			
	Vehicle Wash, Car, Truck, Light Duty Vehicles.														P		P					
	Vehicle Wash, Trailer, Truck, RV Wash, all other Vehicles																C	P	P			
	Vehicle Sales and Rental, Light Duty Cars and Trucks, Motorcycles, Boats, RVs													C	P		P	P				
	Commercial and Medium/Heavy Duty Vehicle Equipment Sales and Rental	C															P	P	P			
Accessory and Temporary Uses																						
	Accessory Buildings / Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
	Accessory Dwelling Unit (ADU)	A	A	A	A	A	A													14-5-8 A.		
	Accessory Personal/Private Aircraft Hanger / Storage	A														A	A	A				

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Uses and Use Standards

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Classification of Uses



P = Permitted Use			C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards	
	Accessory Roping Arenas, Turnouts, Stables, Paddocks, Training Areas (accessory to residential uses)	A	A	A															14-5-8 B.	
	Accessory Roping Arenas, Turnouts, Stables, Paddocks, Training Areas (accessory to nonresidential uses)	A	A													A	A	A	A	
	Donation Collection Bins, Recyclable Collection Bin										A	A	A	A	A	A	A	A		
	Farm & Produce Stands	A	A	A																
	Garage Sales, Yard Sales	A	A	A	A	A	A	A	A	A										
	Home Occupations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	14-5-8 F.	
	Medical Marijuana Patient/Caregiver Cultivation	A	A	A	A	A	A	A	A	A										
	Renewable Energy Generation, Small-Scale Single-Site	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		



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### Article 14-5 Uses and Use Standards

#### Section 14-5-7 Classification of Uses

P = Permitted Use		C= Conditional Use				A= Accessory Use				T= Temporary Use				= Prohibited Use					
Use Group	Use	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I1	I2	I3	Use Standards
	Outdoor Dining and Drinking	A									A	A	A	A	A				
	Outdoor Retail Sales	A										A	A	A	A				
Temporary Uses																			
	Swap Meet, Temporary	T										T	T	T					14-5-8 K.
	Temporary Dwellings	T	T	T	T	T	T	T	T										14-5-8 K.
	Temporary Offices, Sales/Leasing	T	T	T	T	T	T	T	T		T	T	T	T	T	T	T	T	
	Temporary Offices, Other										T	T	T	T	T	T	T	T	
	Temporary Uses, Other	T	T	T	T	T	T	T	T		T	T	T	T	T	T	T	T	14-5-8 K.
	Temporary Batch Plant	T	T	T	T	T	T	T	T		T	T	T	T	T	T	T	T	14-5-8 K.

# PUBLIC DRAFT

## Chapter 14 Zoning Regulations



### Section 14-5-8 Use Standards

**A. Accessory Dwelling Unit (ADU).** ADUs, Guest Houses, Casitas, and similar accessory dwelling units shall comply with the following.

1. **Where Permitted on Lot.** A permitted accessory dwelling unit shall comply with all applicable site and building design, access, and other standards for principal dwelling units in the zoning district in which the accessory dwelling unit will be located. No detached accessory dwelling unit may be located within ten feet of the principal structure. Mobile homes, industrialized housing, recreational vehicles, travel trailers, and any other wheeled or transportable structure shall not be used as accessory dwelling units.
2. **Maximum Size.** ADUs shall not exceed twenty-five percent (25%) of the area of the primary building or seven hundred fifty (750) square feet, whichever is greater.
3. **Minimum Furnishing.** An accessory dwelling unit shall contain private sanitary facilities with hot and cold running water, cooking (range/ oven) and food storage (full-size refrigerator/freezer) facilities.
4. **Utilities.** The accessory dwelling unit shall not have separate utility services unless the public utility determines that a separate meter is required for safety reasons.
5. **Limit on Number.** There shall be no more than one accessory dwelling unit on a lot in addition to the principal single-family dwelling.
6. **RV Living.** It shall be unlawful for any person to camp on any private property within the town limits, except as allowed for properties designated and approved for such uses, such as for a legally established and permitted RV park or mobile home park, maintained and operated in accordance with all Town codes and ordinances.
  - a. An exception shall be granted to allow temporary guests of a detached single-family residential property to stay in an RV or travel trailer parked in the side or rear of the property according to the following regulations:
    - i. Temporary camping shall be allowed by guests on private property developed with a single-family residential use and not on vacant property or on abutting public right-of-way, as per the standards set forth in Town code.
    - ii. No person(s) shall so camp for more than two weeks per visit.
    - iii. Property owners shall be limited to not more than three (3) such camping visits in total per calendar year.
    - iv. Camping shall be in a RV or travel trailer only, with a self-contained sewage collection system.
    - v. No more than one temporary guest RV on a single property unless there is four (4) acres or more, then an additional guest RV would be permitted.
    - vi. A temporary use permit shall be required for all temporary guest RV or travel trailer subject to adopted fee schedule

**B. Accessory Roping Arenas**

1. **Minimum Acreage:** Roping Arenas as defined in Article 14-8, must be established on no less than five (5) acres.
2. **Noise:** Roping Arenas will comply with all applicable noise ordinances within this Town Code. In particular, use of public address systems shall conclude with the end of the event, or as determined by the Council per Article 14-2.
3. **Dust:** Roping Arenas will perform dust mitigation activities that include methods for controlling dust such as the applying of water during morning or evening hours when applicable.
4. **Lighting:** Lighting will comply with standards of Article 14-6-8.
5. **Manure Management:** Manure shall be actively managed to either contain it on site or be properly disposed of for all animals on the property to manage smell and pests. No manure stockpiling or composting will be located within 20 feet of a property line.

**C. Bed and Breakfast.** No more than six (6) guest rooms on one acre or less, ten (10) guest rooms on more than one acre of land.



#### D. Dude Ranch/Guest Ranch

1. Minimum Lot Size. Ten (10) acres.
2. Minimum Lot Width. 300 feet.
3. Maximum Guest Units. Ten (10) units.
4. **Signs.** One (1) building or ground-mounted sign not to exceed 20 square feet is permitted. All signs require a sign permit.
5. **Management/Ownership.** The guest ranch shall be under unified ownership and management. Not more than twenty (20) percent of the guest units of the guest ranch shall be used for owner dwelling units.

#### E. Group Care Homes

1. **Registration.** All group care homes shall be registered with the Town Planning Department.
2. **State/County License.** All group care homes shall be licensed in accordance with county and state requirements.
3. **Occupancy.** Maximum of ten (10) residents per home, including staff.
4. **Signs.** Signs in conjunction with the group care home are prohibited.
5. **Parking.** All required parking shall be provided on the premises and designed in accordance with all surface, grading, and drainage requirements.
6. **Spacing/Separation.** Group care homes shall be spaced 800 feet from another group care home.
7. **Operational Impact and Safety.** No group care home shall house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of other persons. Any conflicting or more stringent requirement established by State or Federal law or regulation of a specific type group home such as a group care home for the developmentally disabled pursuant to A.R.S Section 36-582 or an assisted living home pursuant to A.R.S. Title 36, Chapter 4) shall apply in addition to the conditions listed herein and shall preempt any conflicting condition listed herein.
8. **Fair Housing Accommodation.** If the owner of a group care home believes any requirement of the Zoning Ordinance prevents the establishment of a group home for the handicapped in an economically viable manner, the owner shall submit to the Zoning Administrator a written request for accommodation and the reasons why the accommodation is required. The written request shall contain sufficient facts to allow the Zoning Administrator to individually determine the group home's needs, address the Town's safety and welfare concerns, and assure compliance with this Section. The Zoning Administrator shall review the written request and make a determination as a condition of approval. The following items shall be determined:
  - a. Whether an accommodation should be made pursuant to the requirements of the Fair Housing Act; and
  - b. If so, the nature of the accommodation taking into consideration the requirements of the Fair Housing Act, public safety and welfare concerns, and the residential character of the neighborhood.
  - c. The accommodation shall be made only to the extent necessary to comply with the Fair Housing Act.

#### F. Home Occupations

1. **All Districts.**
  - a. **Exception.** Remote office/online work or telework associated with off-premise employment shall not require a permit/license.
  - b. **Permit/Registration.** All home occupations shall be permitted/licensed/registered with the Town.
  - c. **Federal/State/County License.** All home occupations shall be licensed/registered in accordance with federal, county, and state requirements.
  - d. **Character.** The home occupation shall not materially impact the established character of the neighborhood. All storage and operations of the home occupation shall be conducted in an enclosed structure.



- e. **Employees.** No outside employees are permitted. Only residents of the dwelling unit shall be employed.
- f. **Parking and Traffic.** One vehicle associated with the business shall be permitted. All parking shall be provided on the premises, including spaces for loading, deliveries, and customers. The home occupation shall not create traffic or parking issues as determined by the Zoning Administrator.
- g. **Operational Impact and Safety.** The Home Occupation shall not generate disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, runoff, or other unhealthy or unsightly conditions. No hazardous materials shall be stored on the premises.

2. **R3, R4, R5, RM1, RM2, MHP Districts.** In addition to Section 14-5-8.B.1, the following shall apply.

- a. **Use Types.** Home occupations may include home offices, cottage food production, online sales, individual tutoring, music and art lessons, swim lessons, or as determined by the Zoning Administrator. Beauty parlors, barbershops, restaurants, retail sales, vehicle sales/repair, veterinary services, kennels, and grooming are prohibited.
- b. **Maximum Size.** No more than 25% or 400 square feet of habitable building area, whichever is less. The home occupation may be in a principal or accessory structure, provided the maximum allowed size is not exceeded.
- c. **Signs.** Signs in conjunction with the home occupation are prohibited.

3. **Animal Boarding in AR, R1, R2 Districts.** In addition to Section 14-5-8.B.1, the following shall apply.

- a. **Use Types.** Equestrian or other animal boarding, training, grooming, tack, and veterinary uses and all uses defined in Section 14-5-8.B.2.a or uses as determined by the Zoning Administrator are permitted.
- b. **Lots for Animal or Equestrian Home Occupations.**
  - i. One (1) cloven hooved / ungulate animal per 20,000 sq ft of property. All such animals shall be owned by members of the family occupying the premises.
  - ii. Offspring of animals maintained on the same property that are less than 6 months old or that have not been weaned, whichever is longer, shall not be subject to the minimum lot standard.
  - iii. No animals will be sheltered, fed, or watered within 20 feet of the property line.
  - iv. Cattle are permitted in the rear yard of a lot or side on properties greater than five acres of land.
- c. **Maximum Size.** No more than 25% or 400 square feet of habitable building area shall be used for home occupation area, whichever is less.
- d. **Signs.** One (1) building or ground-mounted sign not to exceed eight (8) square feet is permitted. All signs require a sign permit.
- e. **Hours of Operation.** Outdoor home occupation activities are permitted from 7:00AM to 9:00PM. No illuminated lights, noise, or outdoor activities are permitted outside these hours.
- f. **Manure Management:** Manure shall be actively managed to either contain it on site or be properly disposed of for all animals on the property. No manure stockpiling or composting will be located within 20 feet of a property line.
- g. A Conditional Use permit may be requested to exceed allowances for the number of animals kept on site, animals not owned by the property owner, or to request a waiver if documentation is available that specific provisions inhibit best ecological practices on a Lot.

4. **Horse Corrals in AR, R1, R2 Districts.** In addition to Section 14-5-8.B.1, the following shall apply.

- a. **Use Types:** Corrals and other accessory buildings or structures for the non-commercial keeping of horses.
  - i. Corrals may not be located in the front yard of a property unless the lot consists of two (2) or more acres. If the lot is less than two (2) acres all corrals must be located at the side and/or rear yard.



- ii. Corrals must be set back no less than four feet (4') from all lot lines. If the horse corral or property is contiguous to other horse corrals or property on side or rear lots, the setbacks for horse corrals, arenas, turn outs and/or pastures may be a minimum of two feet (2') from the side and rear lot lines.
- iii. One (1) cloven hooved / ungulate animal per 20,000 sq ft of property.
- iv. Offspring of animals maintained on the same property that are less than 6 months old or that have not been weaned, whichever is longer, shall not be subject to the minimum lot standard.
- v. Manure shall be actively managed to either contain it on site and be properly disposed of for all animals on the property. No manure stockpiling or composting will be located within twenty (20) feet of a property line.
- vi. A Conditional Use permit may be requested to exceed allowances for the number of animals kept on site or to request a waiver if documentation is available that specific provisions inhibit best ecological practices on a lot.

#### G. Large Shopping Center:

- 1. **Applicability.** In addition to other site design requirements of this code, the following standards and guidelines are applicable to any commercial structure or multi-use, multi-structure commercial development in excess of sixty-five thousand (65,000) square feet.
- 2. **Site Design.**
  - a. **Arcade/Shaded Walkways.** Each large shopping center shall provide a roofed arcade or other design amenity, extending along at least sixty percent (60%) of the length of the front of the building(s). Arcades shall be supported by columns and at least ten feet (10') wide as measured from the building face to the columns supporting the arcade. The balance of the frontage shall have pop-out features to mimic the arcade or other design amenity.
  - b. **Visual and Customer Amenities.** At least two (2) of the following design features shall be provided: pedestrian plaza with benches, window shopping walkway, windmill, water tower, fountain, clock tower, or similar feature as approved by the Community Development Director.
  - c. **Public Art.** Development plans shall include public art displayed in a publicly accessible portion of the development, such as a plaza, gathering space, walkways, event area, and/or prominent street intersections, that is reflective of the Town's western heritage.
- 3. **Landscaping.**
  - a. **Site Perimeter.** A thirty (30) foot wide landscape buffer shall be provided along the front property line and along all abutting arterial roadways with breaks for approved access points. A minimum fifteen (15) foot wide landscape buffer shall be provided along all other property lines and along all internal private drives and roadways. No parking is permitted within these required landscape areas.
  - b. **Transition Buffer.** Where the property abuts residential zoning districts or uses, the site perimeter buffer (transition buffer) shall be no less than thirty (30) feet wide. The transition buffer shall be designed with heavy landscaping, landscaped earthen berms, and/or decorative block wall at least six feet (6') in height but no more than eight (8') feet in height to mitigate light, noise, vibration,

#### H. Industrial Business Park District (I1) Uses.

All principal and accessory uses, except for required parking areas in this district shall be conducted fully within an enclosed building.

- I. **Parking Lot Orientation.** Parking areas shall provide safe, convenient, and efficient access. Parking areas shall be distributed on the sides and front of the primary building in order to decrease walking distances from parking areas to the building to reduce the overall scale of the paved surface.
- J. **Manufactured Home Park or Recreational Vehicle Park**
  - 1. **Plan of Development.** A /Site Plan shall be submitted at the same time an application is filed for a change of zoning to an MHP District.
  - 2. **Uses Allowed.** Manufactured homes and recreational vehicles/travel trailers are allowed.

3. **Ownership.** The manufactured home or recreational vehicle park and the buildings and appurtenant facilities shall be under a single ownership or management or supervision of a central authority or subject to such other supervisory lease or ownership control as may be necessary to carry out the provisions of this Ordinance relating to mobile home parks.
4. **Access.** There shall be no direct access from a manufactured home space or recreational vehicle space to a public street or alley. All manufactured home spaces and recreational vehicle spaces or appurtenant/accessory uses shall be served by internal paved, private streets.
5. **Storage.** A storage area shall be provided for the storage of personal goods, boats, and other accessory recreational vehicles. No outside storage or storage structures shall be allowed except in the designated compound.
6. **Unified Design.** All common park facility buildings, structures, and site elements shall be coordinated in architectural and material design in accordance with this Ordinance.
7. **County Requirements.** Service buildings to house restrooms, bathing and other sanitation facilities and utilities shall be provided as required by appropriate regulatory agencies.
8. **Fences and Walls.** The manufactured home park or recreational vehicle park shall be enclosed on all sides, excluding driveways, by a decorative solid wall, opaque fence, plant materials or combination thereof no more than six (6) feet in height on all sides of the Manufactured Home Park.
9. **Manufactured Home Park Internal Design/Setback Regulations.**

Manufactured Home Park		
Internal Private Drive Pavement Width (min. ft)	25	
Manufactured Home Space (min. sq. ft.)	3,000	
Manufactured Home Space Minimum Width (ft.)	36	
Recreational Vehicle/Travel Trailer Space (min. sq. ft.)	1,000	
Recreational Vehicle/Travel Trailer Space Minimum Width (ft.)	25	
Recreational Vehicle Parking Pad Minimum Dimensions (ft.)	12 x 50	
Manufactured Home/Recreational Vehicle Space ratio	Max 20% Recreational Vehicle Spaces	
Manufactured Home Spaces (min. ft.)		
Internal Setbacks <sup>1</sup>	[A] Side, Internal Street/Driveway Boundary	20
	[B] Front, Internal Street/Driveway Boundary	8
	[C] All other Manufactured Home Lease/Sale Boundaries.	5
	Separation between manufactured homes and travel trailers (ft.)	10
Internal Setbacks <sup>1</sup>	[D] Height (ft)	16
	Recreational Vehicle Spaces (min. ft.)	
	[D] Side, Internal Street/Driveway Boundary	20
	[E] Front, Internal Street/Driveway Boundary	3
	[F] All other Manufactured Home Lease/Sale Boundaries.	3
	Separation between manufactured homes and travel trailers (ft.)	10
<b>Notes:</b> <ol style="list-style-type: none"> <li>1. Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a mobile home or travel trailer, or from the patio cover, carport, cabana, ramada or similar appurtenances</li> </ol>		

## 10. Recreational Vehicle Park Internal Design/Setback Regulations.

- a. **Prohibited Uses.** Manufactured Homes are prohibited within Recreational Vehicle Parks.
- b. **Vehicle Density.** Maximum density shall not exceed twenty (20) recreational vehicle spaces per acre. One (1) recreational vehicle is permitted per space.

Recreational Vehicle/Travel Trailer Park		
Internal Private Drive Pavement Width (min. ft)	25	
Recreational Vehicle/Travel Trailer Space (min. sq. ft.)	1,250	
Recreational Vehicle/Travel Trailer Space Minimum Width (ft.)	25	
Recreational Vehicle Parking Pad Minimum Dimensions (ft.)	12 x 50	
Recreational Vehicle/Travel Trailer Spaces (min. ft.)		
Internal Setbacks <sup>1</sup>	[A] Side, Internal Street/Driveway Boundary	20
	[B] Front, Internal Street/Driveway Boundary	8
	[C] All other Manufactured Home Lease/Sale Boundaries.	5
	[D] Separation Between Parking Pads (ft.)	10
[E] Park Perimeter Property Line Setback <sup>1</sup> (ft.)	20	
[F] Park Perimeter Street Right of Way Line Setback <sup>1</sup> (ft.)	30	
<b>Notes:</b>		
1. Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a recreational vehicle or travel trailer, or from the patio cover, carport, cabana, ramada or similar appurtenances		

- c. **Accessory Commercial Sales.** Limited commercial sales such as a convenience store are permitted when incorporated into the design of an RV Park:

- i. The accessory commercial use must be specifically approved by the Zoning Adminstrator, filed pursuant to Article 14-2
- ii. All sales of convenience items shall occur within an enclosed building.
- iii. The maximum building area devoted to the sale of convenience items shall not exceed one thousand (1,000) square feet.
- iv. The sale and filling of propane tanks is permitted, while the sale of gasoline and/or diesel fuel is prohibited.
- v. Signs advertising the sales area shall not be visible to the general public and shall be limited to an aggregate of thirty-two square feet (32<sup>2</sup>) including directional signs.
- vi. The area occupied by the structure used for the sale of convenience items shall not be included in the required open/recreational space.

**K. Modular Homes.** Manufactured homes shall be certified by the State of Arizona Department of Building and Fire Safety, Office of Manufactured Housing as a factory-built building which has been constructed in compliance with an approved plan pursuant to A.R.S. Title 41, Chapter 16, Article 2. Compliance shall be indicated by a metal tag affixed to the unit by the Office of Manufactured Housing.

1. (Redundant to paragraph above)
2. Modular homes shall comply with all design requirements applicable to detached single-family homes.
3. Modular homes shall be installed on a permanent foundation and connected to utilities.

**L. Adult Uses.** Adult Uses shall comply with the following:

- a. The adult use is not located within one thousand (1,000) feet of any other adult use.



- b. The adult use is not located within five hundred (500) feet of an establishment that sells or serves alcohol or alcoholic beverages.
- c. The adult use is not located within one thousand (1,000) feet of a public school accredited by the State of Arizona, a private school, a church or public park.
- d. No adult use shall be located on property abutting or immediately adjacent to any zoning district other than C3, Highway/General Commercial, RR, or I1 Industrial.
- e. The exterior walls of any unit or building housing an adult use shall be at least one thousand (1,000') from all zoning districts, except for the following:
  - i. I1, Industrial Business Park
  - ii. I2, Light Industrial
  - iii. I3, Heavy Industrial
  - iv. The Council may waive this requirement if a petition requesting such waiver and signed by fifty one percent (51%) of those persons residing or owning property within a one thousand-foot (1,000') radius accompanies the permit required.

**M. Marijuana Establishments.** All establishments pertaining to marijuana use or sales for medical or recreational use shall be located, developed, and operated in compliance with the following standards:

- a. **Recreational Marijuana Prohibited.** To the fullest extent allowable by law, recreational marijuana sales and recreational marijuana establishments are prohibited in all zoning districts.
  - i. **Limited Exception.** The operation of a marijuana establishment and marijuana testing facilities are prohibited in the Town of Wickenburg except where required by State Law for a dual licensee who operates both a nonprofit medical marijuana dispensary and marijuana establishment cooperatively in a shared location; and has not forfeited or terminated the nonprofit medical marijuana dispensary registration from the Department of Health Services.
- b. **General.** A marijuana establishment shall:
  - i. Be located in a permanent building and shall not be located in a temporary structure, trailer, cargo container, motor vehicle, or other similar non-permanent enclosure.
  - ii. A medical marijuana dispensary shall not exceed 2,500 square feet of net floor area, including all storage areas, retail space, cultivation areas, and offices.
  - iii. Cultivation conducted onsite at a medical marijuana dispensary shall not exceed a 2100 square foot area and shall comply with all rules and regulations of the State of Arizona and its agencies.
- c. Comply with all registration and recordkeeping required by the Town, Maricopa and Yavapai Counties and Arizona law.
- d. Obtain, maintain and display a valid Town of Wickenburg Business registration or permit as may be required by the Town Code.
- e. Not provide off-site deliveries of medical marijuana except a medical marijuana designated caregiver may deliver medical marijuana from a dispensary or designated caregiver cultivation location to the qualifying patient for whom he/she is the designated caregiver.
- f. Not have drive-through facilities or take-out windows.
- g. Not emit dust, fumes, vapors or odors into the environment.
- h. Prohibit consumption of marijuana on the premises.
- i. Not permit or provide indoor or outdoor seating areas or facilities for the consumption of marijuana anywhere on the site.
- j. Permit annual fire inspections pursuant to the Town of Wickenburg Fire Code.
- k. Retail sales shall not be conducted at medical marijuana off-site cultivation sites.

1. A marijuana establishment shall prominently display at least two (2) signs stating "no loitering is allowed on or in these premises." At least one (1) of the signs shall be visible on the exterior of the dispensary. Each sign shall be no smaller than one (1) square foot in area.
- m. **Location.** Medical marijuana facilities shall be a minimum distance from the uses set forth in the table below. Measurements shall be made in a straight line in any direction from the closest perimeter business walls.

Use or Use Classification	Minimum Separation Requirement (feet)
Day care center, public or private	2,000
Schools, public or private	2,000
Any other medical marijuana dispensary	5,000
Rehabilitation and treatment centers	2,000
Residential units	250

- N. **Swap Meets, Permanent.** Swap Meets for the sale of handcrafted items, antiques, collectibles and used merchandise, subject to the following minimum standards:
  1. **Minimum Site Area.** Two (2) Acres.
  2. **Screening.** That the portion of the site, which is occupied by vendors, shall be screened from public view by a six- foot (6') masonry, wood or similarly approved wall by the Zoning Administrator, fifteen (15)- gallon screening trees spaced fifteen feet (15') on center, or other appropriate screening as approved by the Zoning Administrator
- O. **Temporary Uses and Structures.**
  1. **Permit Required.** A Temporary Use Permit is required for all temporary uses and structures unless specifically exempted.
  2. **Permit Exemptions.** The following temporary uses do not require a permit provided compliance with the General Requirements for Temporary Uses and Structures in this section.
    - a. **Events on Town Property.** Events and temporary uses utilizing Town property, public streets, or public rights-of-way, provided that the applicant obtains any required building, fire, right of way, or special event permits and comply with any conditions required by those permits. In addition, such events shall comply with the following:
      - i. Lighting and sound equipment shall be directed away from adjacent residential uses;
      - ii. All temporary vehicles/structures/tents shall be located at least 50 feet from a residential use and not exceed fourteen (14) feet in height.
      - iii. Driveways, sidewalks, streets, or parking areas shall not be blocked or their function impeded. Provisions shall be made to provide for the safe and efficient flow of traffic during the event.
    - b. **Garage/Yard Sales, Residential Uses.** Up to four (4), two-day (2) garage or yard sales per year per dwelling unit.
    - c. **Garage/Yard Sales, Not-for-Profit Uses.** Up to two (2), three-day (3) garage/yard sales per year.
    - d. **Fundraising Car Washes.** Temporary car washes provided that the total number of days is no more than seven (7) per year
    - e. **Non-Profit Activities and Fundraising.** Gatherings of less than 100 people, such as block parties, nonprofit bazaars, and fundraising activities sales other than fireworks sales, provided such gatherings in residential areas are confined to the hours between 8:00 a.m. to 10:00 p.m.
    - f. **Event Centers.** Temporary uses that occur wholly within an enclosed permanent building and developed site designed to accommodate such temporary events.



- g. **Construction Trailers and Temporary Office Space.** Construction trailers and temporary construction offices for construction/security professionals, provided they are placed in conjunction with an active, valid construction permit. The structure is to be removed from the site prior to Certificate of Occupancy, or within 30 days after the final Certificate of Occupancy in the case of residential development;
- h. **Mobile Vendors.** Mobile vendors and food trucks with no outdoor storage/equipment located exclusively on public rights-of-way.

3. **General Requirements.** All Temporary Uses and Structures shall adhere to the following:

- a. Written property owner permission is required for all temporary uses.
- b. Permanent alterations to the site are prohibited.
- c. All temporary signs associated with the temporary use or structure shall comply with the standards of Section 14-7-10 and shall be removed when the activity ends.
- d. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
- e. The temporary use standards of this section do not exempt the applicant or operator from any other required permits, such as health department permits.
- f. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic movement that may be associated with the temporary use.
- g. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, emergency access, pedestrian circulation, or parking space availability. Tents and other temporary structures shall be located not to interfere with the normal operations of any permanent use located on the property.
- h. All temporary lighting and sound equipment shall be directed away from adjacent rights-of-way and properties and extinguished/silenced at the close of business.
- i. All temporary vehicles/structures/tents shall not exceed the maximum height allowed in the zoning district in which the temporary use is located.

4. **Temporary Batch Plants.** The following is applicable:

- a. **Location.** Temporary Batch Plants shall be located as follows:
  - i. Be located in the site of the project (i.e., in the subdivision development).
  - ii. Be located in a manner to minimize unnecessary dust, noise, and odor.
  - iii. Be located a minimum of 500 feet or more from occupied residential homes.
  - iv. Be enclosed by a secure fence.
- b. **Conditions.** The Zoning Administrator may impose conditions on the temporary use permit to protect public health and safety including measures to mitigate dust, noise, negative traffic impacts, and limit damage to town streets, roads, and alleyways.
- c. **Time limitation.** Notwithstanding the time limitations of this section, the Zoning Administrator may approve a temporary batch plant for up to six-months at a time but in no event shall such use continue more than two (2) years total without Town Council Approval.
- d. **Decommission.** Any Temporary Batch Plant approved under this section must be capable of being decommissioned within 5 days notice.
- e. **Restoration.** At the conclusion of the use, the applicant shall fully restore or improve the site, clear the site of equipment, materials, and debris upon completion of the project and repair or replace any public improvement damaged by operation of the batch plant.



**P. Temporary Outdoor Sales.** Temporary Outdoor Sales may be allowed sixteen (16) days out of each calendar year. Multiple day sales are allowed; however, no single sale may exceed four (4) days in length. Only a Town merchant who shall possess a valid Town Business Permit for a specific identifiable location in a commercial zoning district within the Town is authorized to conduct, or obtain a Permit for Outdoor Sales subject to the following regulations:

1. All merchandise offerings shall consist of items normally stocked by the holder of the Business Permit.
2. The site of such sales be kept in a clean and orderly fashion, free of refuse and other debris.
3. No element of the sale will obstruct or interfere with the safe and normal flow of traffic.
4. No element of the sale shall constitute a condition which, in the opinion of the Zoning Administrator, Building Inspector or Fire Chief, presents a danger to the health, safety or welfare of the general public.

## Section 14-5-9 Wireless Communication Facilities (WCFs)

**A. Purpose.** The purpose of this Article is to regulate Wireless Communications Facilities ("WCF"). The regulations herein are intended to (i) establish reasonable opportunities for siting, (ii) provide wireless communications in the Town while minimizing visual clutter and preserving the western charm of the Town, (iii) encourage competition in the telecommunications industry, (iv) remove regulatory barriers consistent with the Town's responsibility to protect the health, welfare and safety of its residents, (v) ensure compliance with federal radio frequency emissions standards, and (vi) provide for nondiscriminatory treatment of substantially equivalent telecommunications provider.

**B. Definitions**

1. **Antenna.** Any device used in wireless telecommunications which transmits or receives radio or microwave signals. Antenna includes a dish antenna, panel antenna, or whip antenna. An antenna not specifically described herein shall be regulated in conformity with the type of antenna described herein which most closely resembles such antenna.
2. **Base Station.** A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base station includes, without limitation: (i) equipment associated with wireless communications services such as private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems ("DAS") and small-cell networks), and (iii) any structure other than a tower that, at the time the application is filed with the Town under this article, supports or houses equipment described in (i) and (ii) above that has been reviewed and approved under the Town's zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.
3. **Co-Location.** The mounting or installation of additional transmission equipment for more than one provider or an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.
4. **Equipment Cabinet.** A small structure used to house and protect the equipment necessary for processing telecommunications signals. Associated equipment may include air conditioning and emergency generators.
5. **Eligible Facilities Request.** Any request for modification of an existing tower or base station that does not substantially change the physical dimensions or such tower or base station, involving: (i) co-location of new transmission equipment, (ii) removal of transmission equipment, or (iii) replacement of transmission equipment not pertaining to regular maintenance activities.
6. **Eligible Support Structure.** Any tower or base station, provided that it is existing at the time the relevant application is filed with the Town under this section.

7. **Existing.** A constructed tower or base station is existing for purposes of this article if it has been reviewed and approved under the Town's zoning or siting process, or under another state or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this article.
8. **Monopole.** A single, upright pole, engineered to be self-supporting and requiring no guy wires or lateral crossmembers, that is designed to support antennas. Monopoles are not alternative structures.
9. **Site.** For towers other than towers in the public rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.
10. **Small Wireless Facility.** Has the same meaning as set forth in A.R.S. § 9-591
11. **Substantial Change.** A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:
  - a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten percent (10%) or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet measured from the bottom of the additional antenna, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten percent (10%) or more than ten feet, whichever is greater.
  - b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty (20) feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet.
  - c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent (10%) larger in height or overall volume than any other ground cabinets associated with the structure. For purposes of this paragraph, "equipment cabinet" does not include small pieces of equipment such as remote radio heads/remote radio units, amplifiers, transceivers mounted behind antennas, and similar devices if they are not used as a physical container for smaller, distinct devices.
  - d. It entails any excavation or deployment outside the current site.
  - e. It would defeat the concealment elements of the eligible support structure. In order for the modification to be substantial, the proposed modification must cause a reasonable person to view the intended stealth design as no longer effective after the modification. The original approval of the stealth design must explicitly state that the stealth elements are conditions of that approval.
  - f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraph (i)-(g)(iv) above.
12. **Support Structure.** Any structure, including any guy wires and anchors, supporting attached antenna and related accoutrements. Support structures include the following:
  - a. **Monopole:** A single steel or wood pole sunk into the ground or secured in a concrete pad.
  - b. **Building:** For purposes of this Section, this term shall mean an existing non-residential building.
  - c. **An Existing Structure:** An existing structure including but not limited to light poles, water towers, smokestacks, flag poles, lattice towers, and electrical power transmission towers. For purposes of this Section, this term shall not include buildings.

- d. **An Alternative Structure Wireless Facility:** a clock tower, steeple, or other feature designed for purposes of housing, camouflaging and concealing wireless communications facilities, and under certain circumstances may be approved by the Commission.
- 13. **Tower.** Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities. A tower is a support structure.
- 14. **Transmission Equipment:** Equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.
- 15. **Wireless Communication Facility or Wireless Facility (WCF):** A facility used exclusively for the transmission and reception of radio or microwave signals used for commercial communications. A wireless communication facility is generally composed of the following components: at least one antenna, a support structure, which may be a tower or which may be a structure (such as, without limitations, a building or a light pole) constructed primarily for purposes other than supporting an antenna; and, in some cases, an equipment building. A wireless facility can be located on monopoles, existing or proposed vertical infrastructure, or other structures, subject to the requirements of this article.
- 16. **Wireless Facility, Alternative Structure:** A wireless facility that is either: (i) virtually invisible to the casual observer, such as an antenna behind louvers on a building, or located inside a clock tower, steeple, or similar structure; or (ii) camouflaged with stealth design to blend in with surroundings to the extent that it is indistinguishable by the casual observer from the structure on which it is placed or the surroundings in which it is located, such as structures commonly referred to as "mono-palms," "mono-pines" or "flag pole" designs. Other stealth designs may be available subject to approval by the Zoning Administrator approval.
- 17. **Wireless Facility, Building-Mounted:** A wireless facility that is located on an existing non-residential building.
- 18. **Wireless Facility, Structure-Mounted:** A wireless facility that is located on a structure other than a non-residential building.

C. **Exemptions.** The following types of wireless communications facilities are exempt from regulations of this Section:

- 1. Facilities caused to be erected by the Town or other governmental entity for purposes of public safety, including police, fire, and emergency systems.
- 2. Licensed amateur (ham) radio stations.

D. **Locations and Height.** WCF are permitted in the locations described below:

- 1. **Industrial Zones (IND-1, IND-2, IND-3):** WCFs are allowed up to seventy-five (75) feet in height above natural grade upon obtaining an approval from the Zoning Administrator.
- 2. **Commercial Zones (C-1,C-2,C-3, PSC):**
  - a. Monopoles are permitted up to forty (40) feet in height above natural grade if a Conditional Use Permit is obtained.
  - b. Building-mounted wireless facilities are permitted up to ten (10) feet in height above the roofline.
  - c. Structure-mounted wireless facilities are permitted up to the height of the existing structure.
  - d. Alternative structure wireless facilities are permitted up to sixty (60) feet in height above natural grade, upon obtaining a Conditional Use Permit.
  - e. Temporary WCF of up to fifty (50) feet in height are permitted.
- 3. **Residential Zones (R1-175, R1-87, R1-35, R1-18, R1-12, R1-9, R1-6, RM-1, RM-2, MHP, RVP):**
  - a. WCF's are allowed in school recreational fields up to sixty feet (60') in height above the natural grade upon obtaining a Conditional Use Permit.

- i. Replacement of an existing pole or vertical support shall be required.
- ii. Service Company shall provide evidence that proposed height is necessary to maintain coverage area.
- iii. Service Company shall provide evidence that co-location on a different antenna is not an option.
- b. Upon any property of the Town, a WCF may be allowed upon obtaining a Conditional Use Permit for a new monopole or alternative structure, or upon obtaining a Zoning Compliance Certificate from the Zoning Administrator for any other type of WCF. A license to use Town property will also be required, and compliance with any other requirements or policies of the Town. Nothing herein shall be construed to require the Town to authorize use of Town property.
- c. Upon 69kv electric utility poles.
- d. Upon an electric utility pole in an Electric Substation site.
- e. Upon any State, County or Federal property, a new monopole or alternative structure up to sixty (60) feet in height above the natural grade is permitted upon obtaining a Zoning Compliance Certificate from the Zoning Administrator. Written consent of the property owner also must be obtained.

#### E. Approval Process.

- 1. If a Conditional Use Permit is required it shall be issued upon compliance with the conditions of this Article and any further conditions of Article 14-3 of this Code
- 2. If approval by the Zoning Administrator is required for the WCF, a letter shall be mailed to the applicant. The approval letter shall include parcel identification information for record keeping and a list of all conditions attached to the approval of the Wireless Communication Facility.
- 3. Time Frames
  - a. Determination of completeness. An application for a WCF shall be filed with the Planning and Zoning Department. The Planning and Zoning Department shall review the application for completeness and notify the applicant in writing if the application is incomplete. The notice shall describe any deficiencies.
    - i. If the application is for co-location on an existing structure, notice of incompleteness shall be given within ten (10) days of the date of the application.
    - ii. If the application is for placement of an antenna on a new structure, notice of incompleteness shall be given within thirty (30) days of the date of the application.
    - iii. If the application is for a new monopole, notice of incompleteness shall be given within sixty (60) days of the date of the application.
    - iv. Applications for modifications shall comply with Article 14-3 of this Code.
  - b. Approvals. All approvals shall be complete within the following time frames unless tolled by a notice of deficiency:
    - i. For co-location on an existing structure, sixty (60) days of the date of the application.
    - ii. For an application for an antenna on a new structure, ninety (90) days of the date of the application.
    - iii. For a new monopole, one hundred and fifty (150) days from the date of the application.
  - c. Any final decision to approve or deny a request shall be in writing and set forth the reasons and substantial evidence for the decision.

#### F. Site and Construction Standards.

- 1. **Height:** A WCF shall comply with the height restrictions set forth in Section 14-5-9D. In addition, it shall meet the following additional requirements:
  - a. Wireless towers on buildings may be erected to a height not exceeding one hundred (100) feet, if such building is set back from each lot line at least one (1) foot for each foot of additional height above the height limit otherwise permitted in the zoning district in which the building is located.



b. Buildings or structures or any portions thereof exceeding a height of twenty (20) feet shall not be erected or structurally altered within five hundred (500) feet of the projected center line of an existing or proposed runway or landing strip for a distance of one thousand (1,000) feet from the end of the existing or proposed runway or landing strip. Buildings or structures or any portion thereof shall also not be erected to exceed a height that would interfere with the takeoff or landing of a plane with a glide angle of one (1) foot vertical for every forty (40) feet horizontal, such glide angle to be computed as beginning at a point on the extended center line of the runway two hundred (200) feet beyond and at the same elevation as the end of the runway pavement; or, if runway pavement is not provided, one hundred (100) feet beyond at the same elevation as the end of the landing strip.

**2. Setbacks:**

a. For purposes of determining whether a WCF complies with setback requirements, the dimensions of the entire lot shall apply, even though a WCF may be located on a leased parcel within that lot.

b. Monopole mounted WCF shall be setback from any adjacent property line a minimum distance of one hundred percent (100%) of the height of the pole, and shall be setback from any residentially-zoned property, a minimum distance of two hundred (200) feet.

c. WCF located in a school recreational field shall be setback from any residentially zoned property a minimum distance of one hundred (100) feet.

**3. Design Standards:**

a. Building-mounted WCFs are subject to Development Review under Article 14-6, and shall be screened from residential views and public rights-of-way in a manner architecturally compatible with the building.

b. Structure-mounted WCFs are subject to Development Review under Article 14-6, and shall be camouflaged from residential views and public rights-of-ways in a manner architecturally compatible with the structure.

c. Artificial lighting of a WCF is prohibited, unless required by the Federal Aviation Administration or other applicable authority.

d. The design, screening, camouflaging or landscaping of a WCF in the Town's designated Heritage Area shall meet the Western/Southwestern Development Theme requirements of Article 14-6.

**4. Equipment Cabinets:**

a. Equipment cabinets shall be located within the building upon which antennas are placed, if technically feasible. Otherwise, equipment cabinets and/or buildings, and associated equipment such as air conditioning units and emergency generators, shall be screened from view by a wall architecturally compatible with the immediately surrounding area or landscaping maintained in a healthy condition, as approved by the Town. No equipment may be located within required building setback areas.

b. An equipment cabinet shall not exceed eight (8) feet in height and a building shall not exceed one (1) story.

**5. Security/Screening Fencing:** Security/screening fencing/walls is required and shall have an above grade height equal to that of the equipment cabinet. Any fence/wall over six (6) feet in height requires certification by a registered engineer. Chain link fencing is prohibited in all zoning districts except industrial districts. Fencing/screening shall be consistent with the requirements set forth in Article 14-6. Anti-climbing features shall be incorporated into the site as needed, to reduce the potential for trespass and injury.

**6. Compliance with Codes:** All WCFs shall be constructed and maintained in a structurally sound manner and comply with OSHA regulations, FCC radio frequency exposure guidelines (FCC OET Bulletin 65), ANSI/TIA-G-2 standards and all other applicable laws and regulations in effect from time to time. If, upon inspection, the Town determines that a WCF fails to comply with said codes and standards, the Town shall provide a notice to the owner, and the owner shall have thirty (30) days to bring the WCF into compliance. If the owner fails to bring the WCF into compliance, then the Town may remove the WCF and charge such costs to the owner or property owner where the WCF is located or take such other legal action permitted by law.

7. **Public Right of Way:** No WCF is permitted in the public right-of-way, except for WCFs permitted pursuant to Section 14-5-9D and those small wireless facilities permitted pursuant to section 8-3-3, subsection E of the Town Code.
8. **Cessation of Operations:** If a WCF ceases operation, the WCF and related equipment shall be removed by the permittee or the permittee's representative within six (6) months of the shutdown date.
9. **Radio Frequency Standards; Interference:**
  - a. The WCF shall comply with Federal Standards for radio frequency emissions. Failure to meet Federal Standards may result in termination or modification of the Permit.
  - b. Prior to beginning operations, the permittee shall submit a verified report which provides a calculation of its installed peak radio frequency ("RF") emissions capacity at the site, the cumulative installed peak RF emissions capacity at the site (including a description of any collocation providers) and compare the results with established federal standards.
  - c. The permittee shall ensure that the wireless facility will not cause interference with the reception of existing wireless facilities, cable television, community antennae television systems, and satellite broadcast television systems. If at any time the Town finds that the wireless facility interferes with such reception, and if such interference is not cured within thirty (30) days, the Town may revoke or modify the permit.
10. **Noise:** A WCF, including backup generators and air conditioning units, shall not generate continuous noise in excess of forty (40) decibels (dba) measured at the property line of any adjacent property.
11. **Co-Location:**
  - a. Applicants and permittee's shall cooperate and exercise good faith in co-locating WCF's on the same support structures or site. Good faith shall include sharing technical information to evaluate the feasibility of co-location, and may include negotiations for erection of a replacement support structure to accommodate co-location. A competitive conflict to co-location or a financial burden caused by sharing information will not be considered as an excuse not to co-locate.
  - b. If a dispute arises as to whether a permittee has exercised good faith in accommodating other users, the Town may require the applicant to obtain a third-party Technical Study at applicant's expense. The Town may review any information submitted by applicant and permittee's in determining whether good faith has been exercised.
  - c. No co-location may be required where the shared use would or does result in significant interference in the broadcast or reception capabilities of the existing telecommunications facilities or failure of the existing WCF's to meet Federal Standards for emissions.
  - d. Failure to comply with co-location requirements when feasible or cooperate in good faith as provided for in this Article is grounds for denial of a Permit request or revocation of an existing Permit.

#### G. **Applicant's Submittal Requirements.** An applicant shall file an application for a Wireless

Communications Use on the standard forms provided by the Town for such purpose and shall be accompanied by plans in duplicate, drawn to scale, showing the following and such other information as the Zoning Administrator may require to ensure completeness and conformity of the proposed WCF with the provisions of this Article:

1. **Inventory:** An inventory list and map of existing WCF's operated by the applicant within two (2) miles of the proposed site ("Service Area"). The inventory list must include specific information as to location, height, and design of each facility. The Town may share such information with other applicants seeking to locate WCF's within the Service Area, to encourage co-location.
2. **Report on Alternatives:** If applicant is seeking to construct a new monopole, or if the Town requests, applicant shall explain why co-location or other sites are not feasible, including efforts made to develop such alternatives.

3. **Plans for the WCF:** Plans should include a diagram, including height, shape, size, and proposed colors of the antennas and other facilities. Plans for a monopole must show it is structurally able to accommodate the applicant and at least one (1) other similar WCF of another company. The plans should include a diagram showing the separation between the proposed WCF and any existing WCF(s) on the same support structure or site, if co-location is planned.
4. A Site Plan consistent with Section 14-5-9 and showing proposed placement of the WCF, and which in addition shows existing trees and vegetation, and proposed landscaping to be used to screen the WCF.
5. Photo-simulations of the view of the proposed facility from residential properties and public rights-of-way at varying distances.
6. Applicant for a new Monopole Use Permit shall post cash or surety bond with the Town Clerk in an amount determined by the Town to cover removal costs of the pole should the applicant/owner fail to remove the pole within thirty (30) days following termination or expiration of Permit. The cash or surety bond shall be released upon removal of the pole by the owner. A surety bond shall be limited to five (5) years, at which time the Town may require renewal for a period which extends at least sixty (60) days beyond the ending date of the Permit term. The cash or surety bond shall be governed by a standardized agreement form provided by the Town and executed by the owner of the monopole.
7. Prior to seeking approval of the Zoning Administrator for a monopole or alternative tower structure for wireless communications use, applicant shall provide written notice of the proposed WCF in a standardized form provided by the Zoning Administrator by first class mail to all property owners within three hundred (300) feet of the proposed WCF site. Applicant shall submit to the Zoning Administrator a copy of the notice and a list of persons and addresses to whom all it was mailed.
8. A Conditional Use Permit (CUP) Application is required
9. Applicants shall pay a Permit Fee as established by resolution of the Council, which fee shall include all consulting costs as may be required by the Town to review the application.
10. If a temporary WCF is sought, applicant shall submit all items, except for those listed in Subparagraphs 1, 5, 6 and 8 of this Section 14-5-9-G.

#### **H. Appeals.**

1. For a Conditional Use Permit, appeals shall be governed by Article 14-3 except as otherwise provided in this Article.
2. For a decision of the Zoning Administrator, appeals shall be governed by the processes of Article 14-3.

#### **I. Modifications.**

1. Applications for modification of an existing wireless facility that does not substantially change the physical dimensions of such wireless facility and that involves (i) co-location of new transmission equipment, (ii) removal of transmission equipment, or (iii) replacement of transmission equipment shall be approved.
2. All applications for modification of a wireless facility shall be submitted on a form provided by the Planning and Zoning Department. The application may not require the applicant to demonstrate a need or business case for the proposed modification.
3. An application for modification of the wireless facility shall specifically state the nature of the modification and include sufficient information and documentation for the Town to determine whether the modification constitutes a substantial change to the wireless facility and is therefore an eligible facilities request.
4. Upon receipt of an application for an eligible facilities request, the Planning and Zoning Department shall review such application to determine whether the application so qualifies.

5. Within sixty (60) days of the date on which an application takes the first procedural step and submits written documents showing that the proposed modification is eligible, the application shall be approved. The application shall be deemed approved if it is not approved within that timeframe. This time period may be tolled by mutual agreement or if the application is incomplete. If the Town determines that the application is incomplete, the Town shall provide notice to the applicant within thirty (30) days of the date of the application, which notice shall describe all missing documents or information. Following a supplemental submission, the Town shall notify the applicant that the supplemental submission did not provide the required information.
6. If the Town determines the application is a substantial modification to the support structure, the time frame for approving the application will begin to run from the issuance of the Town's decision that the application is not a covered request. To the extent such information is necessary, the Town may request additional information from the applicant to evaluate the application under applicable law.

#### J. Terms and Limitations.

1. A zoning approval of a temporary WCF shall have duration of up to one hundred-twenty (120) days, subject to termination or expiration as provided for in this Article.
2. Permittee may apply for renewal of a zoning approval or Conditional Use Permit for a permanent WCF under the Code as it may exist at such time within six (6) months prior to expiration of its existing Certificate or Permit.
3. The term of a Conditional Use Permit for a monopole with co-located facilities shall be extended to be concurrent with the term of a subsequently issued approval of the Zoning Administrator for the co-located facilities.
4. Any Permit or Approval Letter issued pursuant to this Article shall expire automatically if the use is not commenced within one (1) year after the date of approval.
5. If use of the facility is discontinued for over one hundred and eighty (180) days, the Permit shall expire and the owner must remove the facility or the Town may cause the facility to be removed at the expense of the owner.
6. Owner shall maintain the WCF, including paint and landscaping, to standards imposed by the Town at the time of granting the Permit. If the owner fails to maintain the facility, the Town may undertake maintenance at the expense of the owner or terminate the Certificate/Permit.

**K. Applicability:** The requirements of this Article apply to all new WCF's and the renewal, expansion and/or modification of any existing WCF's, provided that an in-kind or smaller replacement of transmission equipment will only require a written notification to the Town.

**L. Waiver:** The Town Council may waive or modify requirements of this Article upon finding that strict compliance would result in noncompliance with applicable Federal or State laws, or the applicant has demonstrated that the proposal is of superior design exceeding the minimum standards and requirements of this Article.

## ARTICLE 14-6 DEVELOPMENT STANDARDS

### Section 14-6-1 Purpose

The intent of this chapter is to establish development standards that foster high-quality, attractive, and sustainable development compatible with the General Plan and other adopted plans, goals, and policies.

### Section 14-6-2 Applicability

Except as otherwise provided in this section, these standards shall apply to all development with the exception of individual custom homes. Modifications to existing development legally established with no changes to project design or site features shall not require compliance with the current standards.

### Section 14-6-3 Site Design Requirements

#### A. Purpose

The intent of this section is to provide site design standards applicable to the physical development of a parcel or project site within a district. The standards are further intended to:

1. Protect and enhance the character and quality of neighborhoods and nonresidential development;
2. Enhance the pedestrian scale and pedestrian comfort and ensure compatibility between residential neighborhoods and adjacent nonresidential uses; and
3. Minimize negative on-site impacts to adjacent uses.

#### B. Applicability.

Except as otherwise provided in this section, these standards shall apply to all developments. Modifications to existing development legally established with no changes to project design or site features shall not require compliance with the these standards herein.

#### C. Administration.

Review for compliance with these standards shall occur during application processing or concurrent with review for issuance of a building permit.

#### D. General Site and Building Design Requirements

1. **Development Responsive to Site Conditions.** Development shall be designed to address specific site conditions such as odd-shaped lots, location on prominent intersections, topography, and preserving natural features to the maximum extent feasible.
2. The building placement and site design regulations of this section are intended to:
  - a. Ensure that buildings are oriented to face pedestrian areas within the development parcel and along abutting streets
  - b. Create and frame usable outdoor spaces;
  - c. Encourage pedestrian activity by creating comfortable, compact, and well-connected development; and
  - d. Enhance pedestrian interaction with the natural and built environment by providing site landscaping and building articulation and transparency of building façades at pedestrian levels.

#### 3. Prohibitions

- a. "A" frame roofs are prohibited.
- b. Buildings shall not be constructed of a temporary membrane or other tent-like material. New development is constructed of durable, long-lasting materials. Buildings requing a permit shall not be intended to be nonpermanent structures.

#### E. Single-Family Residential Site Design Requirements

All single-family residential subdivisions with twenty (20) or more lots shall provide the following features:

1. Subdivision Entry Feature.
2. **Perimeter Walls.** Perimeter Decorative Wall along all property lines adjacent to the public right-of-way.



- a. Wall undulation and other visual breaks shall be required along public-right-of-way.
- b. Shall be constructed of a minimum of two (2) different materials (i.e. smooth and split face CMU block).
- c. Subdivisions greater than forty (40) acres and consisting of one (1) acre lots or larger shall be exempt from the perimeter decorative wall requirement.

### 3. Diverse House Architecture and Siting

- a. A minimum of four (4) house plans and three (3) elevations per house plan, each exhibiting a different style of architecture, shall be required.
- b. Design Standards for residential lots individually or as part of a subdivision when less than twelve thousand (12,000) square feet and without a master builder:.
- c. Staggered front yard setbacks (reduced front yard setback requirements for side loaded garages).
- d. The same housing plan elevations shall not be permitted to locate on adjacent lots.
- e. All four sides of the house shall have a consistent level of detail and design.
- f. Approved Landscaping Package for each house; developer shall provide multiple options for homeowners to choose from.

### 4. Subdivision Streetscape Theme

- 5. **Common Open Space**. Fifteen percent (15%) of the entire property under development shall be useable landscaped open space and shall include one or more of the following:
  - a. Retention areas, as long as the area is planted with turf and can be used for recreational activities. No more than fifty percent (50%) of the required useable open space may be used for retention;
  - b. Neighborhood and Pocket Parks that provide recreational activities for children (i.e. tot lots);
  - c. Trail Systems;
  - d. Pool;
  - e. Clubhouse;
  - f. Sports Courts;
  - g. Ungraded natural open space ; and
  - h. Another similar options subject to approval by the Zoning Adminstrator.

- F. **Multi-Family Site Design Requirements**. The following shall apply to all developments of apartments, condominiums, town houses and duplexes built within the Town. These standards are intended to set the minimum required level of quality for multifamily residential development.

- 1. **Common Open Space**. Multi-family development shall provide a minimum of fifteen percent (15%) of the total site area as common, landscaped open space.
  - a. Common open space shall be amenitized with walking paths, exercise equipment, ball fields, sport courts, playgrounds, pools, dog runs, barbeques, ramadas, shade structures, or other such amenities for the benefit of the development's residents.
  - b. Common open space can be counted towards the overall site required landscaped open space. Landscaping requirements for Multifamily Developments are outlined below.
- 2. **Private Open Space**. All Multifamily Developments shall provide a minimum sixty (60) square foot private open space areas for each dwelling unit in the form of balconies or patios.
- 3. **Access**. Multi-family development sites greater than five (5) acres shall include a minimum of two (2) through-access ingress and egress drives. Developments less than five (5) acres shall provide the number of ingress and egress points required by the Town to provide adequate emergency access.



4. **Surface Parking Lot Location.** Surface parking lots shall not be between a multi-family building and a public street frontage. If the development contains more than one building, the parking lots shall be internalized in building groups so that they are not visible from adjacent streets or located to the side of or behind the primary building. Landscaping and perimeter walls may count towards meeting this requirement, provided the landscaping has an average width of 25' along the street frontage.
5. **Garages, Canopies, and Carports.** Detached garages, canopies, and carports shall use compatible architectural styles or complementary colors to the primary building, incorporating similar forms, scale, materials, and details.
6. **Structured Parking.** Underground parking, structured parking, and parking within, above, or beneath the building it serves is encouraged for multi-family developments. Above ground structured parking shall not be located between multi-family buildings and the adjacent public street frontages.

## Section 14-6-4 Architectural Design Standards for Residential Development

### A. General Architectural Preferences and Prohibitions

1. **Wall Materials**
  - a. **Preferred.** Natural materials including brick, adobe, mortar washed slump block, split face block, rock, and stucco or plaster with a smooth or sand finish and wood. Cast metal decorative elements including storefront facades, metal hoods or other decorative elements such as cornice detailing.
  - b. **Prohibited.** (Unless Concealed from street view by fence or other means): Grooved plywood, compounded hard/compressed board siding products, aluminum or vinyl siding, any type of corrugated steel or tin to include shipping containers, plastics, fiberglass, asphaltic, or imitation materials, or skip trowel stucco in Commercial Zoning Districts.
2. **Wall Height.** No fence located between the principal structure on a lot and the front property line shall exceed three feet, six inches (3'6") in height or as otherwise required by this Ordinance. Open, Retaining, Split, or Piperrail fencing in Rural Residential zones are exempt from this requirement. Walls located outside the front setback shall be allowed greater wall heights.
3. **Roofs**
  - a. **Preferred.** Standing seam metal with patina or coreten finish, Asphalt shingles, fiberglass shingles, composition shingles, clay tile, concrete tile, wood shakes or parapet walls are allowed.
  - b. **Prohibited.** (Unless concealed behind a parapet wall or otherwise concealed from view): paint or enamel, traditional corrugated tin or metal, rolled roofing, plastic, fiberglass, foam, tar and gravel, and tar or tar paper.
4. **Window and Door Frames**
  - a. **Preferred.** Masonry, Wood, Bronze or Aluminum.

**B. General Architectural Styles.** Architectural styles are required to be those traditionally found in the desert climate and local area. Western or southwestern territorial architectural style is required for all development including Single Family Residential Zoning Districts with the exception of custom homes. This section sets forth architectural styles accepted as western or southwestern territorial.

1. **Contemporary Spanish Architecture.** A low profile of one to two story (1-2 story) style, characterized by tile roof construction with stucco walls and ornate, brick or tile chimney tops.
  - a. **Windows.** Windows are recessed with rectangular surround panels, and front entry porches are roofed and supported by squat round or square columns.
  - b. **Design Features** Arched openings, indoor-outdoor spaces with large windows, wrought iron accents and courtyards are prominent in this style.



2. **Santa Fe Adobe/Pueblo Revival Architecture.** Characterized by a single-story appearance with thick clay-colored adobe style constructed walls and a flat roofline appearance with a parapet.
  - a. **Windows.** Small-paneled windows and doors deeply recessed with wooden frames and large, exposed lintels.
  - b. **Design Features.** Vigas or rounded wood rafters, extending through the outside wall surfaces at ceiling level. Rounded building corners to provide strong structural appearance by maintaining a greater width between the outside corner and the nearest wall opening than the width of the opening.



3. **Spanish Colonial Architecture.** Characterized by low, long lines of plastered or stuccoed walls capped with decorative brick cornices.
  - a. **Windows.** Small pane windows enhanced by paneled-wood shutters and deep recesses, bordered by brick sills and rectangular hoods or pediments.

**b. Design Features.** Entry porches lined with brick floors and slender wood or stucco columns, topped by simple capitals and neck moldings. Arched openings and courtyards are prominent with red tile roofs.



**4. Mission Architecture.** Characterized by building profiles ranging from one (1) to (4) story with roof styles varying from parapet, flat roof facades to tiled, pitched and vaulted roofs.

**a. Windows.** Arched entries embellished with recessed windows and doors, contrasted with relatively plain, plastered, wall surfaces flanking the entries.

**b. Design Features.** The lavish use of arches and simple lines and vertical design elements including square towers, roof overhangs, curved cupolas and decorative corbels or brackets.



**5. Variants.** Any variant of the above styles that is found in the Town and constitutes southwestern/territorial architecture.

### C. Architectural Design Standards for Multi-Family Residential Development

1. Multi-family structures and development plans shall have four-sided design and incorporate architectural features on all sides of a building(s).
2. **Mass and Articulation**
  - a. Façades greater than fifty (50) feet in length shall incorporate wall plane projections or recesses extending at least twenty percent (20%) of the length of the façade.
  - b. Each facade of a multi-family building shall be articulated through the incorporation of the following:
    - i. Shade elements such as awnings, overhangs, or outdoor shutters;
    - ii. Balconies, porches or covered entrances;
    - iii. Dormer elements;
    - iv. Varied building materials;
    - v. Variable roof line;
    - vi. Window size and shape variation;
    - vii. Vertical elements that demarcate building modules;
    - viii. Walls offset a minimum of three feet; or
    - ix. Other architectural features that meet the intent of this section.
- c. **Roof Lines.** Multi-family buildings with roof lines longer than fifty (50) feet shall include at least one vertical elevation change of at least two (2) feet.
- d. **Color.** Each building should include three (3) different complimentary colors as approved by the Zoning Administrator.

3. **Pedestrian Entrances and Porches.** Entrances shall comply with the following requirements:
  - a. At least one (1) main building entrance shall face the adjacent public street.
  - b. Buildings with multiple street frontages shall provide at least one (1) building entrance along each street frontage.
  - c. Entrances shall be connected to a public sidewalk by a walkway, not routed through a parking lot.
  - d. Entrances shall be emphasized by the use of at least two (2) of the following features:
    - i. A porch or landing;
    - ii. Double doors;
    - iii. A roofed structure such as a portico, awning, or marquee;
    - iv. Side-lights (glazed openings to the side of the door) and transom-lights (glazed opening above the door) at the entryways;
    - v. Decorative lighting; or
    - vi. Enhanced landscaping.

## Section 14-6-5 Architectural Design Standards for Commercial, Industrial, and Non-Residential Development

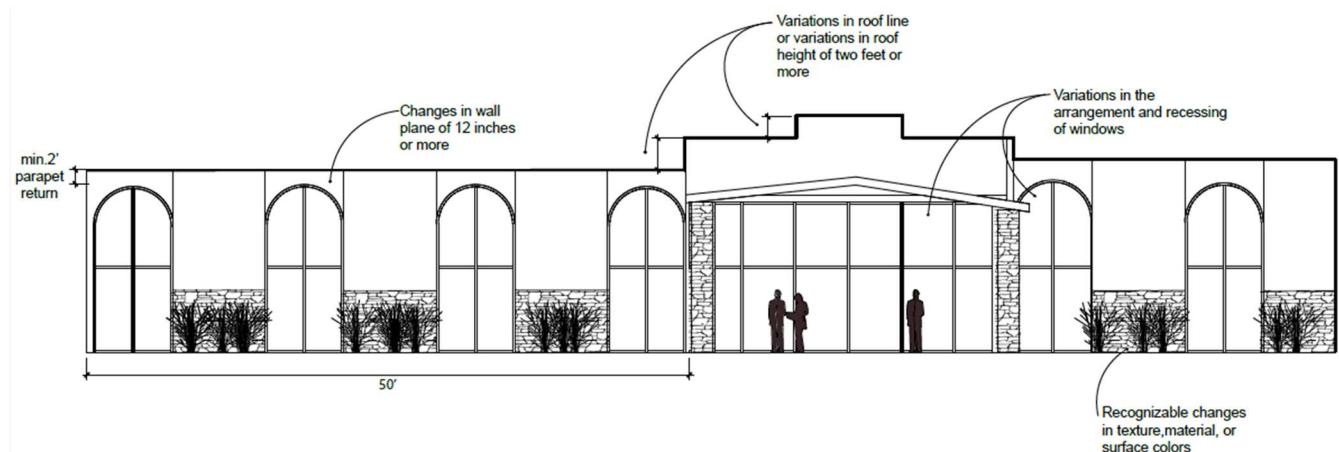
### A. General Architectural Preferences and Prohibitions

1. **High-Quality Materials and Design.** Architectural features shall be provided on all facades of a structure visible from abutting or adjacent rights-of-way or residential zoning districts.
  - a. Exterior building colors and finishes shall be muted, earth-toned, or complementary to the local natural environment. Reflective, primary, highly saturated, or bright colors are limited to accent areas comprising no more than five percent (5%) of the building façade.
  - b. When glass or metal elements are incorporated into primary structures, those elements must be decorative and incorporated in alignment with the architectural style.
  - c. Other highly reflective wall or accent materials are prohibited unless allowed as a condition of approval by Town Council.

2. **Horizontal Building Articulation.** For each fifty (50) linear feet of building elevation or portion thereof, the building shall incorporate at least two (2) of the following components:

- Variations in roof line or variations in roof height of two (2) feet or more;
- Changes in wall plane of twelve (12) inches or more;
- Variations in the arrangement and recessing of windows;
- Recognizable changes in texture, material, or surface colors;
- Engaged columns; or
- Minimum 2-foot parapet return.

Figure 4-6-5-1 Non-Residential Horizontal Building Articulation Standards



3. **Vertical Building Articulation.** Buildings greater than two (2) stories shall reduce mass with a clearly identifiable base, middle, and top, with horizontal elements separating these components. The body or middle must constitute a minimum of fifty (50%) of the total building height.

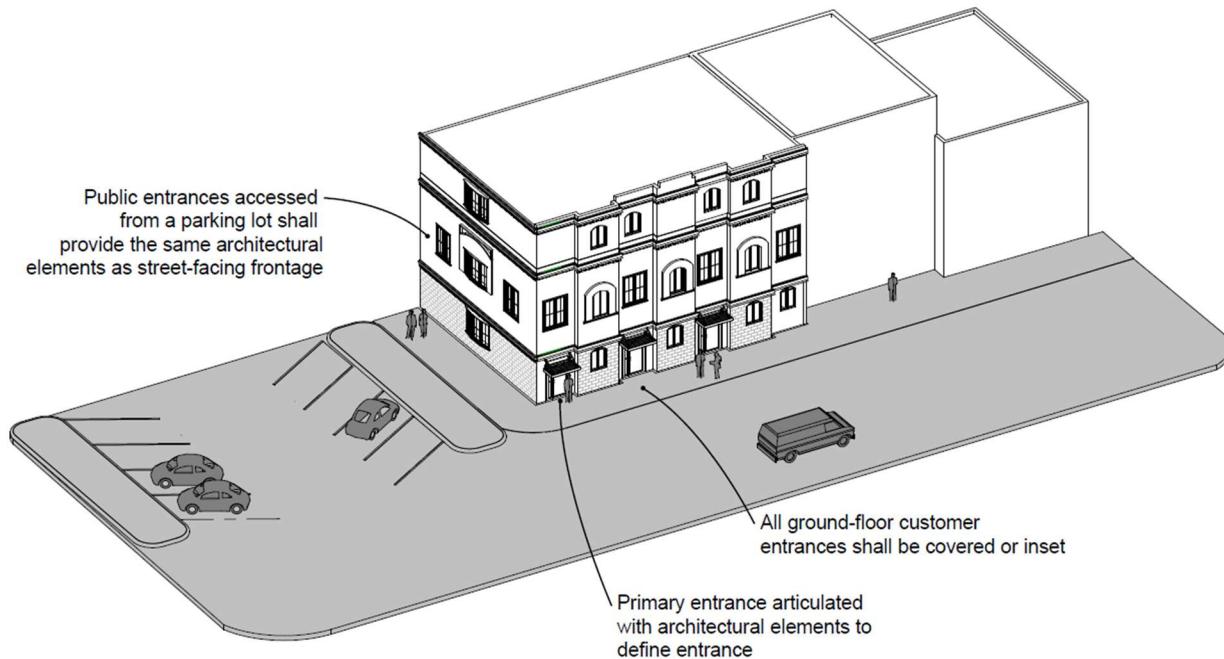
Figure 4-6-5-2 Non-Residential Vertical Building Articulation



**4. Building Entrances.** Buildings with street frontage shall have a customer entrance facing the street. Multi-tenant buildings do not require separate entrances for each tenant space.

- The primary entrance to a building shall be articulated with architectural elements to define the entrance. Each entrance shall be defined and articulated with architectural elements for buildings with multiple tenant entries. These elements may include but are not limited to: pediments, columns, porticos, porches, awnings, and overhangs.
- All ground-floor customer entrances shall be covered or inset.
- Public entrances accessed from a parking lot shall provide the same architectural elements as a street-facing frontage unless access is taken from an enclosed parking structure or if access is restricted to use only by staff or employees.

Figure 4-6-5-3 Non-residential Building Entrances Standard



## Section 14-6-6 Fences, Walls, and Screening

The purpose of these standards is to ensure the design of walls and fences contribute to the character of development, and to avoid long expanses of blank walls and fences that can lead to a "canyon" effect on the streetscape. This section also ensures that fences are constructed of high-quality and durable materials.

### A. General Fence and Wall Requirements

- Preferred Materials.** Smooth or sand-finished stucco over concrete masonry units (CMU), adobe brick, wood, stone, wrought iron, or other natural materials approved by the Zoning Administrator. Required screening walls shall, in all cases, be constructed of a solid opaque material.
- Prohibited Materials.** Unless concealed from view and approved by the Commission, installation of chain link with or without slats, box wire, barbed wire, corrugated tin or meta, or fiberglass is prohibited.



**3. Exceptions.** The Zoning Administrator may issue a Permit for a fence exception upon a determination that the fence is necessary to prevent livestock from entering or leaving the land of the owner of the proposed fence. Any determination by the Zoning Administrator to Permit said fence shall be based on evidence of livestock having previously left or having caused damage to the property or improvements thereon. The Permit shall expire five (5) years from the date of issuance. Prior to the expiration of the Permit, the owner of the fence may submit an application for a new Permit for the fence pursuant to this Section.

a. **Barbed Wire.** Barbed wire is prohibited unless it is placed at least six feet (6') above ground level and is utilized as a guard to a parking lot or a commercial or industrial building or structure, or the Zoning Administrator issues a Permit for a barbed wire fence less than six (6) feet above ground level.

b. **Electric Fence.** Electric fences are prohibited unless the Zoning Administrator issues a Permit for an electric fence. Permits for electric fences shall include an agreement to indemnify and hold harmless the Town from any injury or damages resulting from the use of the electric fence.

**B. Height.** No fence located between the principal structure and the rear or side property line shall exceed six (6) feet in height; additional height may be granted for retaining walls or sites with elevated foundations. For commercial and industrial development adjacent to residential uses, no fence located between the principal structure and the rear or side property line shall exceed eight (8) feet in height.

**C. Articulation.** Fences shall be articulated to avoid continuous, unbroken expanses. No fence facing an arterial or highway may extend continuously, without articulation, for more than two hundred (200) feet, or one hundred (100) feet for fences facing any other type of public street. Fences may be articulated using any combination of the following:

1. Changes in material or texture, including the use of view fence that allows for views into the site.
2. Offsets (projections or recessions).
3. Landscape pockets.
4. Similar features as approved by the Zoning Administrator.

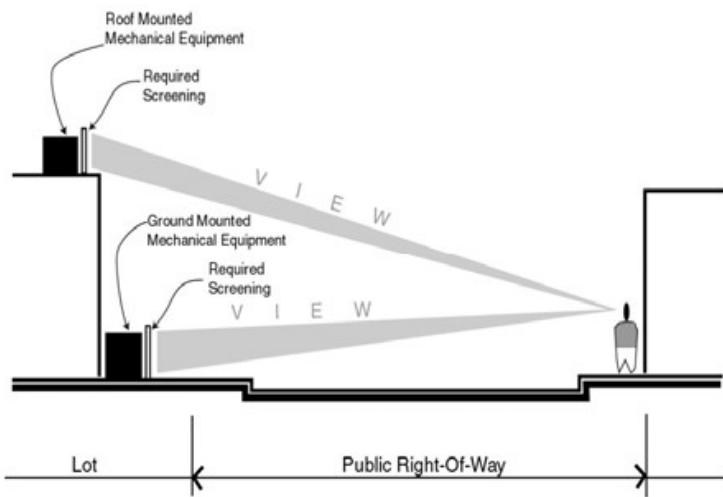
**D. Screening of Services, Refuse Collection, and Utilities**

**1. Screening Required.**

a. Walls and Screening Devices are required for the screening of the following from public view from any adjacent public right-of-way or adjacent property:

- i. Trash and Refuse Areas;
- ii. Outdoor Storage Areas;
- iii. Ground Mounted Mechanical Equipment;
- iv. Rooftop Mechanical Equipment;
- v. Loading and Unloading Areas;
- vi. Parking Lots; and
- vii. Other uses and conditions as specified.

Figure 14-6-6-1 Screening Devices Example



- b. Individual screening of rooftop mechanical equipment is prohibited. Units shall either be grouped together "penthouse style" or screened with a parapet wall the entire length of the building. Such a parapet wall shall be designed to be integral to the overall architecture of the building.
- c. Except in the C2 District, storage, solid waste collection, and loading areas shall be located at least twenty (20) feet from any public street, public sidewalk, or building with a residential use. Placement of storage, solid waste collection, and loading areas shall be sited so as not to interfere with vehicular visibility or circulation.
- d. Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscaping so that the acoustic impacts of these functions are contained to the maximum extent feasible, and so that such features are fully screened and out of view from public streets. Use screening materials for solid waste collection and loading areas that are the same and of equal quality to the materials used for the primary building and landscaping.

## Section 14-6-7 Landscaping and Irrigation

The purpose of these standards is to provide requirements for landscaping to enhance the views within the Town, improve the livability of the residents, provide for screening or buildings and parking, and improve the aesthetics of development through the liberal use of trees, shrubs and various groundcovers.

### A. Applicability

1. The standards outlined in this section apply to new developments, expansions of existing buildings and uses, and changes of use.
2. The application of the standards shall be proportional to the expansion or change as determined by the Town.
3. The standards set forth herein shall be the minimum landscaping requirements for any lot or development as applicable, except buildings or additions to buildings located in the C2 Zoning District existing prior to July 6, 1987, for which the standards may be modified or eliminated upon approval by the Zoning Administrator, depending on the area available for the installation of landscaping materials and/or screening walls.

### B. Permit and Timing

1. **Landscape Plan Required.** A Landscape and Irrigation Plan shall be submitted with all Site Plan reviews for all non-residential uses.



2. **Phased Projects.** All perimeter landscaping for the project phase shall be installed concurrent with the first phase of development being constructed and shall be completed prior to issuance of the first Certificate of Occupancy. Interior landscaping relating to the phase under development shall be installed prior to issuance of a Certificate of Occupancy.

#### C. General Landscape Requirements

1. **Open Space Landscaping.** All unpaved areas that are open to the sky shall be landscaped. Landscaping may consist of native desert which has not been graded.
2. **Materials.** Plant and landscaping materials shall consist of those species and elements recognized as appropriate for landscaping use in Wickenburg's climate and environment by utilizing the Arizona Department of Water Resources (ADWR) Plant List. Plants standards are as follows:
  - a. The use of native and/or drought-tolerant plants is required.
  - b. All plants shall be low water use..
  - c. The use of color-providing plant materials is strongly encouraged.
  - d. The use of boulders and other hard decorative or ornamental elements is encouraged.
  - e. The use of artificial plant materials is prohibited.
3. **Groundcover.** All areas not containing a structure, driveway, pedestrian path, or sidewalk shall contain groundcover. Groundcover planted in the designated area at an on-center distance which can be reasonably expected to provide coverage of the area required to be landscaped within a one (1) year period as determined by the average rate of growth for the given plant species and variety. Groundcover may also consist of in whole or in part, rock, "river run rock" or decomposed granite when utilized in conjunction with a "desert" Landscape Plan.
4. **Planting Details.** All required plant materials shall be installed in a hole having a minimum dimension that is twice (2x) the diameter and six inches (6") deeper than the dimension of the root ball of the plant to be installed. All backfill shall consist of a combination of topsoil as amended for the specific soil conditions, which have been identified on the site by the Landscape Architect or Designer.
5. **Maintenance and Irrigation**
  - a. Provision shall be made for appropriate water service to all landscaped areas requiring water.
  - b. All plant materials shall be maintained in a living condition and dead materials shall be replaced within thirty (30) days..
  - c. All required landscape areas shall be maintained in a weed and litter free condition.
  - d. All plant material installed on a property that requires water for survival shall receive water from a sprinkler or drip line system to ensure the plant material receives adequate water to maximize survivability.

#### D. Multi-Family Residential, Commercial and Industrial Development Landscaping Requirements

Landscaping within a non-single family residential development (i.e. multiple family residential developments, mobile home park, recreational vehicle park, commercial, office, Industrial) shall comply with the following:

1. **Landscape Open Space Requirements.** Landscape open space shall be provided as follows unless otherwise modified by a zoning overlay or Planned Area Development (PAD) district plan:
  - a. **Open Space Areas Defined.**
    - i. **Perimeter Street Frontage Landscaping.** The required open space landscaping areas that abut public or private rights-of-way. This area shall be devoid of structures, improvements, and parking/loading areas, other than required driveways, sidewalks, paths, on-premise signs, and screening walls.
    - ii. **Nonresidential Buffer Landscaping.** The required open space landscaping area that abuts an interior side or rear property line of the same or a different nonresidential zoning district or nonresidential portion of a planned area development district (PAD district). This area shall be devoid of structures, improvements, and parking/loading areas other than required screening walls.

- iii. **Residential Buffer Landscaping.** The required open space landscaping area that abuts an interior side or rear property line of a single family (R district), multi-family (RM-district) or residential portion of a planned area development district (PAD district). This area shall be devoid of structures, improvements, and parking/loading areas other than required screening walls.
- iv. **Interior Landscaping.** The required open space landscaping area that is within any portion of the site that is not a required perimeter or buffer landscaping area.

Landscape Requirements	Zoning Districts						
	RM1, RM2	MHP	OC, C1	C2	RR, C3	I1	I2, I3
<b>Perimeter Street Frontage Landscaping (Min. Depth)</b>	N/A?	20'	30'	5'	15' with an average depth of 25'	25' plus 1' for each additional building height above 25'	20' plus 1' for each additional building height above 20'
<b>Nonresidential Buffer Landscaping (Min. Depth)</b>	N/A?	20'	10'	10'	10'	10'	10'
<b>Single Family Residential Buffer Landscaping (Min. Depth)</b>	N/A?	20'	15'	10'	25'	50'	50'
<b>Interior Landscaping (% of site area)</b>	N/A?	5%	15%	10%	15%	N/A	N/A

## 2. Parking Lot Landscaping

- a. **Screening.** A berm, landscaping, or decorative screen wall of no more than three (3) feet in height shall be placed between any surface parking lot and abutting street frontage within the perimeter street frontage landscaping area.

## 3. Parking Lot Interior Areas.

Landscaping areas shall be provided at the ratio of one hundred (100) square feet per six (6) spaces within parking lot islands and medians within the bounds of the parking lot area. Landscaping areas shall be spaced to create shade and mitigate large areas of parking.

- a. Parking Lot trees and shrubs shall be provided in accordance with the interior area landscape requirements and minimum plant sizes (Section 14-5-5.D.6) and the following:
- b. One (1) shade tree is required in each parking lot island.
- c. Pedestrian walkways shall be provided within parking lot landscape medians and planted with shade trees and shrubs along the walkway.
- d. Landscape materials as specified in this Section shall also be installed in required setbacks for parking lots.

## 4. Quantity of Landscaping

- a. **Landscape Perimeters and Buffers.** Within property line landscape buffers: a minimum total of one (1) tree and two shrubs per fifty (50) linear feet of frontage.



b. **Interior Areas.** Within interior landscaped areas: one (1) tree and six (6) shrubs per four hundred (400) square feet.

**5. Minimum Plant Sizes**

a. **Shrubs.** All shrubs planted shall be a minimum of one (1) gallon in size.

b. **Trees.** All trees planted shall be at least twenty-four (24) inch box size with a minimum caliper size of two (2) inches measured four (4) feet from the ground, unless otherwise specified in this section. A saguaro or similar upright cactus having a minimum height of eight (8) feet may be substituted for each twenty-four (24) inch box size tree.

## Section 14-6-8    Outdoor Lighting Western Sky Requirements

**A. Purpose.** The purpose of this Section is to:

1. Implement the Wickenburg General Plan related to exterior lighting;
2. Promote and protect the public health, safety and welfare;
3. Preserve, protect, and enhance the natural beauty of the night sky;
4. Encourage and promote the conservation of energy resources;
5. Promote safety and security for persons and property;
6. Eliminate light trespass onto abutting properties; and
7. Enhance community character.

**B. Applicability**

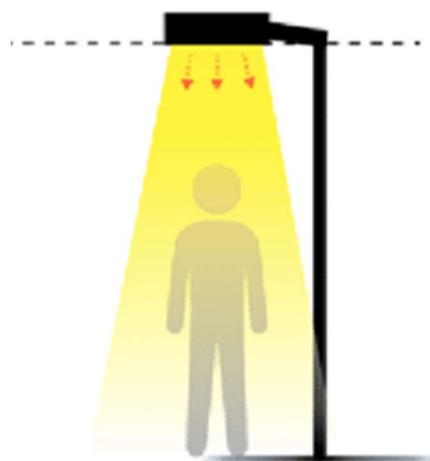
1. All exterior lighting installed after the effective date of this Ordinance in all zoning districts in the Town shall conform to the requirements of this Ordinance.
2. Existing exterior lighting installed prior to the effective date of this ordinance shall be considered legal non-conforming.
3. This Article shall not apply to indoor lighting.

**C. Regulations**

1. Lighting Plans shall show location, type, height, and lumen output of all proposed, existing fixtures and sufficient information to verify that proposed lighting conforms to the requirements of this Article. The Zoning Administrator shall have the authority to request additional information in order to achieve the purposes of this Article.

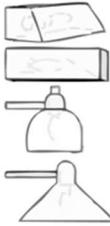
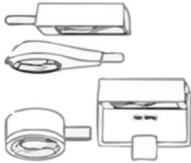
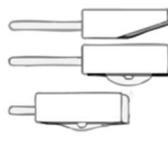
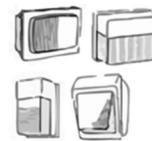
All exterior lighting shall have minimum ninety (90) degree full cut-off fixtures with the light source fully shielded, except as follows:

**Figure 14-6-8-1 Full Cut Off Fixture**



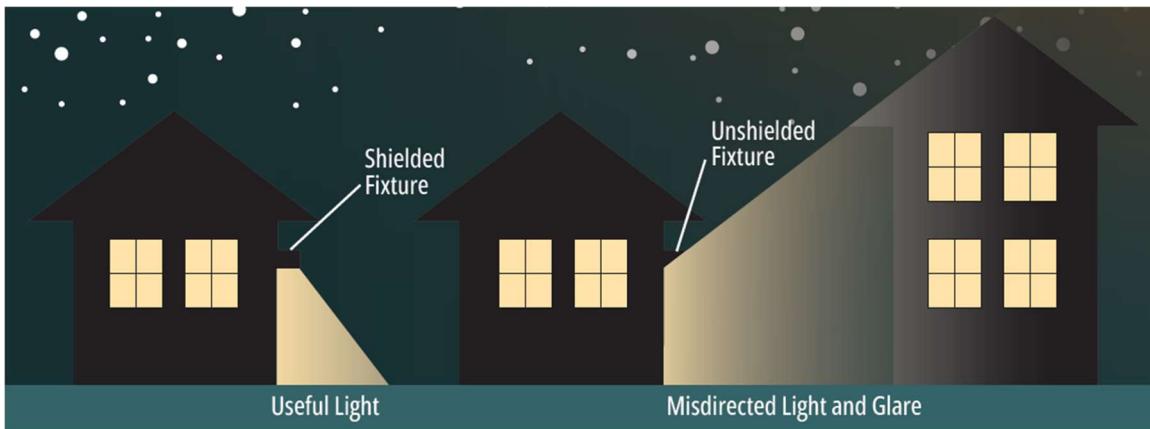
- a. External shielding may be angled provided that the light does not cause glare or light to shine on adjacent property or public rights-of-way. Floodlights with external or integral shielding shall be angled to eliminate light trespass.
- b. Holiday lights and Airport Navigation aids are exempt from the requirements of this Article.
- c. Sensor activated lighting may be unshielded provided the lighting is located in such a manner as to prevent direct glare and lighting into properties of others or into a public right-of-way, and provided the light is set to only go on when activated and to go off within five (5) minutes after motion ceases has ceased, and the light shall not be triggered by activity off the property.
- d. Sport stadium, arena, and other event lighting shall be turned off by 11:00 p.m., except to conclude a specific sporting event that is underway.
- e. All temporary emergency lighting needed by the Fire and Police Departments, or other emergency services shall be exempt from the requirements of this Ordinance.

Figure 14-6-8-2 Fixture Examples

✖ Unacceptable		✓ Acceptable	
Fixtures that produce glare and light trespass.		Fixtures that shield the light source, to reduce glare and light trespass and to facilitate better vision at night.	
Unshielded Floodlights		Fully-Shielded Fixtures	
Unshielded Streetlight or Dusk to Dawn Security Fixtures		"Full Cutoff" Fixtures	
Sag-Lens, Drop-Lens with Exposed Light Source		Fully-Shielded Wallpacks	
Unshielded Wallpacks		Full Cutoff or Shielded "Colonial-Type" Fixtures	
Unshielded "Colonial-Type" Fixtures		Flush-Mounted Canopy Fixtures	
Drop-Lens Canopy Fixtures			

2. **Light Trespass:** All new exterior lighting shall protect adjacent properties and right-of-way from glare and excessive lighting by eliminating light trespass.

Figure 14-6-8-3 Impacts of Light Trespass



3. **Uplighting:** Uplighting is prohibited in all zoning districts, except in cases where the fixture is shielded by a roof overhang or similar structural shield from the sky so as to prevent light spill above the horizontal level.
4. **Landscape Lighting:** The primary function of landscape lighting is to provide illumination for pathways, steps, and entrances to building.
  - Pathway Lighting:** The intent of pathway lights is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Steps and path intersections should be illuminated for safety. The maximum footcandle permitted on the ground is one (1) horizontal footcandle or less. Bollards or solar powered ground lights are acceptable
  - Highlighting, Backlighting:** Only low voltage systems are permitted. Lights must be partially shielded and light must not be directed off the property being lighted.
5. **Lighting of Flags:** The U.S. Code states that: "it is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four (24) hours a day if property illuminated during the hours of darkness". The lighting of federal or state flags shall be permitted provided that the light is a narrow beam spotlight rather than a floodlight, carefully aimed to avoid creating a source of glare.
6. **Canopy Lights:** All lighting shall be recessed sufficiently so as to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent property.
7. **Towers:** All radio, communication and navigation towers that require lights shall have dual lighting capabilities. For daytime, the white strobe light may be used, and for nighttime, only red lights shall be used.
8. **Temporary Lighting:** Temporary lighting that conforms to the requirements of this Ordinance shall be allowed. Non-conforming temporary exterior lighting may be permitted by the Zoning Administrator only after considering:
  - The public and/or private benefits which will result from the temporary lighting;
  - Any annoyance or safety problems that may result from the use of the temporary lighting;
  - The duration of the temporary non-conforming lighting. The applicant shall submit a detailed description of the proposed temporary non-conforming lighting to the Zoning Administrator. The Zoning Administrator shall provide written notice of said request to owners of property immediately adjacent to the subject property. Said notice shall inform adjacent property owners they may comment on the request during a period of not less than ten (10) days after mailing of the notice and prior to final action on said request.

9. **Neon Lights:** Neon lights are only permitted pursuant to the Sign Regulations, Article 14-7.

## Section 14-6-9 Parking and Loading

A. **Purpose.** The purpose of this Section is to provide parking requirements for the uses which may locate within all developments.

B. **Off Street Parking Regulations**

1. Off street parking, in accordance with the ratios below, is required for all new development and for any additions to existing structures that increase total floor area by more than twenty-five percent (25%). This requirement pertains to all zoning districts except within the C-2 Central Business District where no on-site parking is required.

Parking Requirement Matrix		
LAND USE	REQUIRED VEHICLE PARKING	REQUIRED ADDITIONAL PARKING STANDARDS
<b>Residential</b>		
Boarding and Lodging Houses	1 Space per D/U and/or Guest Room	
Bed and Breakfast	1 Space per Guest Room	
Convalescent / Nursing Home	1 Space per 5 Beds	
Community Center	1 Space per 500 Sq. Ft.	
Group Home	1 Space per 3 Beds	1 Additional Space per Full Time Staff Member On Duty
Mobile Home Park	1 Space per Trailer / Mobile Home Space	
Mobile Home Subdivision	2 Spaces per Lot	
Multifamily	1.5 Spaces per D/U	1 Additional Parking Space per 5 D/U For Visitor Parking
Recreational Vehicle Park	1 Space per RV Pad	1 Additional Parking Space per 5 Recreational Vehicle Spaces shall be Provided for Guest and Accessory Vehicle Parking.
Single Family	2 Spaces per D/U	
Travel Trailer Park	1 Space per Trailer / Mobile Home Space	
Two Family Dwelling	2 Spaces per each two-family dwelling	
<b>Assembly</b>		
Religious Assemblies	1 Space per 5 Seats Provided in Main Auditorium/ Sanctuary	



Funeral Homes	1 Space per 500 Sq. Ft. of Floor Area, excluding aras note used by the public	
Private Clubs / Lodges	1 Space per 625 Sq. Ft. of Floor Area	
Schools, Colleges, Universities, Other Institutions of Learning	1 Space per 5.5 Employees	Plus 1 Space per 12 Students
Theatres	1 Space per 6 Seats	
<b>Non-Residential</b>		
Clinics	1 Space per 400 Sq. Ft. of Floor Area	
Commercial Buildings	1 Space per 400 Sq. Ft. of Floor Area	
Hospital	1 Parking Space per 4 Beds	Plus 1 Additional Space per 4 Employees and 1 Space per 1.5 Doctor Assigned to Staff
Hotels / Motels	1 Space per 1.5 Guest Room	Plus 1 Additional Space per 4 Employees
Institutions of Religious, Charitable or Philanthropic Nature	1 Space per 6 Beds	Plus 1 additional space per 4.5 Employees
Office	1 Space per 400 Sq. Ft. of Floor Area	
PSC Shopping Center	3 Spaces per 1,250 Square Feet of Floor Area	
<b>Industrial</b>		
Industrial	1 Space per 4 Employees plus 1 Space per 625 Sq. Ft. of Floor Area When Total Number of Employees Cannot be Calculated	Service Vehicles or Company Vehicles must be Provided Parking on the Premises

2. **Fractional Measurements Involving Parking Spaces:** Unless otherwise provided for in the specific Parking Regulations, one (1) additional parking space shall be required if the number of required parking spaces results in a fractional number of more than one-half (1/2).

#### C. Parking Lot Location and Placement Requirements

1. The required parking spaces shall be located on the same premises as the use they are intended to serve. A variance may be requested and reviewed by the Board of Adjustment if the required parking spaces are proposed to be located within four hundred (400) feet of the premises they are intended to serve. The Variance will be subject to the review criteria provided in Sections 14-1 and 14-2.

2. Two (2) or more buildings or uses may provide joint parking spaces if the total of the required number of spaces is not less than the sum of spaces required for each individual building or use computed separately. If joint parking is requested, the owners of the respective properties shall create and record joint access and cross access easements in perpetuity or until one (1) or both uses change such that the parking provided on each property is sufficient for the properties individually. A copy of the recorded easements shall be provided to the Town and shall be kept on file. Documentation that demonstrates compliance shall be required if the owners request dissolution of the easements.
3. **Parking Lot Setbacks:** All parking lot setbacks shall be as set forth in Section 14-5.
4. **Front Yards in Residential Districts:** No more than fifty percent (50%) of the front yard of any single-family dwelling unit or group home for the handicapped located in a single-family residential district may be used for parking spaces.
5. **Access to Parking from an Alley:** Any parking lot may use an abutting alley for direct access to parking spaces; provided that adjacent property is not residentially zoned and the full width of the alley is dedicated to the public and fully improved with a hard, all-weather, dust-free surface, properly drained to prevent retention of surface water. A landscape buffer of ten feet (10') shall be required as outlined in Article 14-5-7 for non-residential property.
6. **Access to Parking from a Street:** Access to a parking lot from a street shall be limited to driveways, and there shall be no direct access to any off-street parking space from the street.
7. **Ingress and Egress:** No entrance or exit to a parking lot shall be located closer to an abutting residential district than fifteen (15) feet.
8. **Parking Design Specifications:** All required parking areas including spaces and attendant back-up maneuvering area, shall be designed and constructed in accordance with the following:
  - a. **Width:** All parking spaces shall be nine feet (9') in width measured perpendicular to the side parking space stripes, and twenty feet (20') in length measured perpendicular to the front parking space stripe.
  - b. **Surface:** All commercial parking spaces, attendant back-up/maneuvering areas and driveways shall have a dust free and permanent surface consisting of a minimum of two inches (2") of asphaltic concrete pavement over four inches (4") of aggregate base.
  - c. **Striping:** All parking lots shall be striped and maintained in a legible manner. The Parking Lot Design Layout shall be in accordance with the following chart:

PARKING SPACE ANGLE (DEGREE)	AISLE WIDTH (FEET)	
	ONE-WAY	TWO-WAY
90	24'	24'
60	18'	20'
45	13'	20'
30	12'	20'
0	12'	20'

- d. All parking areas, which are co-terminus with landscape areas, shall be bordered with a six-inch (6") continuous curb or an approved alternative, which, in no case, shall include bumper blocks.
- e. All parking areas shall terminate at a distance no less than three feet (3') from the exterior wall of any building or structure. The intervening area shall be appropriately landscaped, if not used as an elevated sidewalk. If used with other than parallel parking, the sidewalk shall have a minimum width of five feet (5'). If the intervening area is landscaped, the depth of the parking space may be reduced to eighteen and one-half feet (18½') for ninety-degree (90°) parking.



## ARTICLE 14-7 SIGN REGULATIONS

### Section 14-7-1 Purpose

The purpose of this Article is to provide fair and comprehensive regulations relating to signs in the Town. It is the intent of the citizens of the Town of Wickenburg to:

- A. Establish a Sign Program to enhance and preserve the aesthetics of the Town and maximize establishment identifications, minimize visual clutter and maintain a high quality of signs throughout the Town;
- B. Promote and protect the general health, safety, welfare and community environment by establishing a comprehensive system for the regulation of all advertising devices, displays, signs and their housing, structure or form, while maintaining or improving economic stability through an attractive Sign Program;
- C. Provide a means of way finding for visitors and residents;
- D. Minimize the possible adverse effects of signs on nearby public and private property;
- E. Reduce signs or advertising distractions and obstructions that may contribute to traffic accidents, and reduce hazards that may be caused by signs; and
- F. Preserve the distinct historic character and small-town quality now enjoyed by both the community and visitors alike.

### Section 14-7-2 Applicability

Except as otherwise provided in this section, these standards shall apply to all signs.

### Section 14-7-3 General Sign Regulations

- A. **Administration.** Review for compliance with these standards shall occur during application processing and/or concurrent with review of rezoning, master plan, or other related development requests, unless otherwise stated by this Ordinance.
- B. **Permit Required.** A Sign Permit and Business Permit is required for all signs, unless specifically excepted herein, which are intended to be erected, painted or otherwise installed in the Town and for changes to existing legal nonconforming signs. Sign Permits shall not be required for minor repairs or for repainting of any permitted sign.
- C. **Content Neutrality.** The decision-making body shall not consider the content of speech or the speaker's viewpoint when deciding to approve or deny an application for a sign except where expressly permitted by applicable law.
- D. **Legacy District Sign Allowances.** Properties zoned in legacy districts, as defined in Section 14-3 shall adhere to the sign standards of the following zoning districts:

Table 14-7-3-1 Legacy District Equivalent

Legacy Zoning District	Corresponding Zoning District for Signs
MUDD	C3, General/Highway Commercial
RVP	MHP, Manufactured Home Park
PSC	C3, General/Highway Commercial

- E. **General Sign Lighting Standards.** The following lighting standards apply to all signs within all zoning districts:
  1. Lighting shall be placed to direct the light away from residential districts or residences.
  2. Signs illuminated by external lighting shall have the light source shielded in such a manner as to eliminate visibility from and reduce light glare on to adjacent properties and rights-of-way.



## Section 14-7-4 Exemptions

The following signs shall not be prohibited and do not require a sign permit. They shall, however, be compliant with all applicable Town codes, including traffic, building, and fire codes:

- A. Address Numbers.** Address numbers or plates, residential address plates less than two (2) square feet, and commercial address plates as required by building and fire codes.
- B. Carried Signs.** Signs carried or worn by a person, including symbols and messages on clothing.
- C. Construction/Building Permit Associated Signs.** Signs displayed during construction and in conjunction with a valid building permit may be located on each arterial street frontage of the development under construction. The sign shall not exceed one-half (½) of a square foot for each linear foot of arterial street frontage; provided, however, that in no event shall the sign be restricted to less than thirty-two (32) square feet nor be permitted to exceed four hundred (400) square feet of display surface area. Sign shall be removed at seventy-five percent (75%) buildout.
- D. Flags.** No more than three (3) flags per development site mounted on a single flagpole or three (3) separate flag poles installed either on the building, or adjacent to the building/use to which they are appurtenant.
- E. Government/Regulatory Signs.** Any sign required or installed by a Town, City, County, State, or Federal government agency, and any sign or part of a sign regulated by state or federal law, such as related to gasoline pricing and informational/instructional signs required by building and fire codes.
- F. Property Security Signs.** Property signs less than two (2) square feet in size and posted to warn against trespassing, security, or dangerous conditions, including "No Trespassing" "No Dumping", and other security signs.
- G. Warning Signs.** Signs of warning, directive, or instructional nature erected by a public utility, franchised transportation company, or governmental agency.
- H. Ideological Signs.** Any sign, temporary or permanent, may contain an ideological message.
  - 1. Ideological Signs shall not require a Sign Permit.
  - 2. Ideological Signs may be placed in any zoning district and on any type of property as long as the sign is placed with the permission of the property owner.
  - 3. An Ideological Sign may not advertise a business or commercial service, and, if it does, will be deemed an off- site sign.
- I. Internal Signs.** Signs, other than window signs, that are internal to a structure and site and not intended to be visible from an adjacent existing or proposed right-of-way or adjacent use not under the same ownership.
- J. Integrated Signs.** Signs that are integrated into accessory structures/equipment to nonresidential uses, such as signs on vending machines, automated teller machines, and gasoline pumps. This does not include signs near the device and mounted to associated canopies or shelters.
- K. Legal Notices.** Signs posted on private property to provide legal notice for official government functions such as zoning requests and project information for construction/infrastructure improvements.
- L. Scoreboards.** Scoreboards on athletic fields, signs on fences or walls facing athletic fields' interior, or arenas on public property.
- M. Transit Signs.** Signs on benches or shelters for passengers of public mass transportation when allowed by State law. Including general information, regulatory, guide, toll, motorist services, and school road signs.
- N. Tablets.** Tablets are built into the wall of a building or other structure and used for inscriptions, memorial tablets, or similar purposes.
- O. Wall Plaques.** Wall plaques and wall signs that are nonilluminated, mounted near main entrances at pedestrian level, designed to be read by pedestrians, and that do not exceed four (4) square feet in area on nonresidential properties and two (2) square feet in area on residential properties.



**P. Window Signs.** Signs painted on glass surfaces of windows or doors of the business conducted therein are in place for sixty (60) days or less. After sixty (60) days, such signs shall be restricted to the display surface area limitations for the district in which they are located. Window signage shall not cover more than fifty percent (50%) of the total window area of any individual window or glass door surface to maintain visibility for public safety purposes.

**Q. Umbrella Sign.** Signs that are permanently embroidered, screened, dyed, stenciled, or painted onto or into umbrellas' fabric and typically associated with outdoor dining and drinking tables.

**R. Political Signs.** Political and election campaign signs:

1. **General**
  - a. Political signs shall not be placed on any structure owned by the town.
  - b. Political signs are not counted against the allowed aggregate sign area on the building or property where such sign is displayed.
2. **Duration.** Political signs may be placed in Town rights-of-way for the designated periods before and after elections as provided in A.R.S. Section 16-1019, as amended, and shall thereafter be removed.
3. **Information.** Political signs placed within the right-of-way shall contain the name and telephone number of the candidate or campaign committee contact person.
4. **Obstruction.** Signs must not obstruct sight visibility triangles or sight distance lines, nor impede or obstruct driveways, parking areas, travel ways, sidewalks, or trails.
  - a. A political sign located within fifteen (15) feet of back of curb, or edge of pavement if there is no curb, shall be presumed to obstruct clear vision.
  - b. A political sign shall not interfere with the requirements of the Americans with Disabilities Act, 42 USC §§ 12101 through 12213 and 47 USC §§ 225 and 611.
- c. **Removal**
  - i. A political sign placed in the right-of-way that obstructs clear vision or interferes with the requirements of the Americans with Disabilities Act or otherwise presents a dangerous situation at the discretion of the building inspector shall be deemed to constitute an emergency and, pursuant to A.R.S. section 16-1019, may be immediately relocated or removed by a Town peace officer or code official. If a sign is relocated or removed under these circumstances, the candidate or campaign committee that placed the sign shall be notified within twenty-four (24) hours after the removal or relocation.
  - ii. If a political sign is placed in violation of these requirements but does not constitute an emergency, the Town may notify the candidate or campaign committee that placed the sign of the violation and require the sign to be relocated. If the sign is not relocated and remains in violation for more than twenty-four (24) hours after the candidate or campaign committee was notified, the Town may remove the sign. The Town shall contact the candidate or campaign committee and shall retain the removed signs for at least ten (10) business days to allow the candidate or campaign committee to retrieve the sign without penalty.
5. **Size.** In R and MR, zoning districts and areas designated for residential use, such signs shall not exceed sixteen (16) square feet in area. In all other districts, or in the Town right-of-way, signs shall not exceed thirty-two (32) square feet in area. All signs shall not exceed six (6) feet in height.
6. **Polling Locations.** Political signs posted on property owned by the Town of Wickenburg, which is used as a polling place, shall be:
  - a. Limited to a single sign not exceeding four (4) square feet.
  - b. Posted only during the early voting period or on the date of an election.
  - c. Located outside the 75-foot limit.



- S. **Wayfinding or District Signs.** Signs erected by a governmental agency or entity authorized to do so on behalf of a governmental agency intended to direct visitors and residents to districts, landmarks, and points of interest within the Town.
- T. **Weekend Display Signs.** Small portable/yard signs, less than 4 square feet in area and 3 feet in height, may be displayed weekly from 5:00 P.M. on Friday through 5:00 P.M. on Sunday subject to the following conditions:
  - 1. **Number.** There is no limit to the number of signs allowed.
  - 2. **Private Property Only.** Signs must be placed on private property, with the property owner's permission.
  - 3. **Location.** Signs may be placed on the property to which they relate or on off-site private property abutting arterial streets, within one (1) linear mile of the development/project/property boundary to which they apply.
  - 4. **Obstruction.** Signs must not obstruct sight visibility triangles or sight distance lines, nor impede or obstruct driveways, parking areas, travel ways, sidewalks, or trails.
  - 5. **Illumination.** Illumination is prohibited.

### **Section 14-7-5 Prohibited Signs and Sign Locations**

The following signs, sign locations, characteristics, and displays are prohibited.

- A. **Billboards/Outdoor Advertising Signs.** Off-site and on-site advertising signs (billboards) are prohibited.
- B. **Distracting or Hazardous Signs**
  - 1. **Illumination.** Signs with illumination that may confuse, blind, or distract the vision of motorists including searchlights, strobe lights, rotating beacon lights, exposed internal illumination elements, and flashing lights that are visible from the public right-of-way, except as otherwise expressly allowed by this Ordinance or required by law.
  - 2. **Imitation.** Signs that imitate or simulate any traffic control device, structure, or directional sign in size, shape, color, or other appearance.
  - 3. **Motion.** Signs that physically move such as rotating signs, whether in part or whole, flags, string, and other signs regulated by this Ordinance, except for the following:
    - a. Temporary pennants and banners for a grand opening or special event.
    - b. Revolving barber poles.
    - c. Clocks including those which alternately display time and temperature having a maximum face area not to exceed three (3) square feet.
  - 4. **Sound or Smoke.** Signs that emit any sound, vapor, or smoke.
  - 5. **Obscenity.** Signs that contain obscene material as defined by applicable law.
- C. **Pole signs and/or Roof Signs.** Except those as specifically approved by the Commission when it can be found that a ground or wall sign is not feasible due to site limitations of area and/or line of sight interruptions for vehicular traffic. New Pole signs that are approved shall be no more than twenty (20) feet in height.
- D. **Raceways.** Exposed or façade mounted sign raceway boxes.
- E. **Snipe Sign/Bandit Sign.** Snipe signs of any type in any location.
- F. **Signs Encroaching into Rights-of-Way.** Signs located in or that project into the right-of-way or planned right-of-way of a public street, unless otherwise permitted by the Town in the Heritage District.
- G. **Signs Obstructing Accessways.** Signs located in or obstructing a required parking or loading space, vehicular or pedestrian access or circulation, or pose any other hazard to motorized or nonmotorized travel.
- H. **Signs Obstructing Building Accessibility.** Signs that prevent or limit free ingress and egress from any door, window, fire escape, or attached to any standpipe or fire escape.
- I. **Signs Obstructing Intersection Visibility.** Signs that violate the intersection sight distance regulations.



- J. **Signs Obstructing Traffic Signs/Devices.** Signs that obstruct, impair, obscure, interfere with the view of, or that may be confused with, any authorized traffic control sign, signal, or device.
- K. **Signs on Vacant Property.** On a vacant lot, except for those exempted by this Chapter.
- L. **Vehicle Signs.** Vehicle signs or mobile signs that are parked and visible from the public right-of-way or signage attached to inoperable vehicles, or unlicensed vehicle (motorized or non-motorized), or vehicle equipment that has been separated from a vehicle cab or motor, any of which is for the primary purpose of utilizing the vehicle as a vehicle or mobile sign.

## Section 14-7-6 Heritage Area Signs

Signs which have been accepted and certified as historic by the Commission may be utilized in all zoning districts subject to the following:

- A. All such signs shall be restored or recreated in the same precise location for which certification was granted by the Commission.
- B. The restoration or recreation of a Certified Historic Sign shall be consistent with the details of color, copy and artwork approved by the Commission.
- C. Any such sign may not be utilized to increase the allowed sign area for a business product or service which is located on or sold on the premises for which the Historic Sign was approved; however, the Historic Sign may be utilized in place of non-historic signs regardless of the square footage of the Certified Historic Sign.
- D. The Commission may grant historic certification to a sign which was in existence prior to 1970, whether or not the sign has been in continuous use, upon making the following findings as based on the evidence presented:
  - 1. That the sign in question is typical of signs which were utilized during the time period when the sign was erected, painted or installed.
  - 2. That the sign in question typifies the design and construction of the time period the sign represents.
  - 3. That the recreation or restoration of the sign in question will not detract from the visual quality of the Town's streetscape; nor interfere in any manner with any permitted sign or any sign for which an application has been submitted to the Town.

## Section 14-7-7 Sign Program

- A. A sign program shall be required for the following requests.
  - 1. **Multiple Frontage Establishments.** Signs for individual establishments wishing to utilize more than two (2) signs or for projects/structures with more than two (2) frontages shall be allowed only in accordance with a Sign Program as approved by the Zoning Administrator.
  - 2. **Multiple Story Structures:** Prior to issuance of a building permit for any multiple story structure, a Sign Program detailing all signage upon the building(s) shall be approved by the Zoning Administrator. No Sign Permits shall be issued for any sign without such approval.
  - 3. **MHP Zoning District:** Development of a manufactured home park or recreational vehicle park shall require a sign program with a maximum total sign display area of fifty-five (55) square feet that shall be approved by the Zoning Administrator.
  - 4. **Large Shopping Centers, Multi-Tenant Centers:** Prior to issuance of Sign Permits for any new business or occupancy of a large shopping center or multi-tenant center, a Sign Program detailing all signage within the project shall be approved by the Commission. Businesses replacing existing businesses may reuse previously approved signage areas with a standard sign permit without Commission approval, provided there are no substantial changes to the size, location, or illumination of the signs.
  - 5. **Heritage Area Adjustments.** A twenty percent (20%) increase in the area of wall mounted building signs in the Heritage Area may be authorized by the Zoning Administrator or on appeal, by the Commission when it is found that the subject sign(s) is consistent with the following criteria:

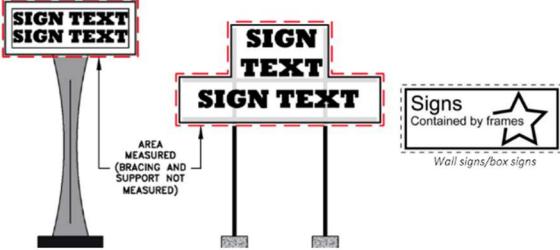
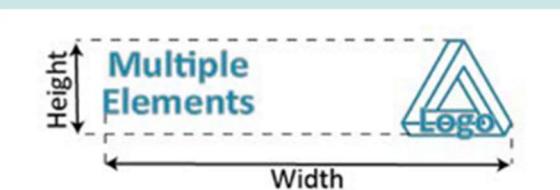
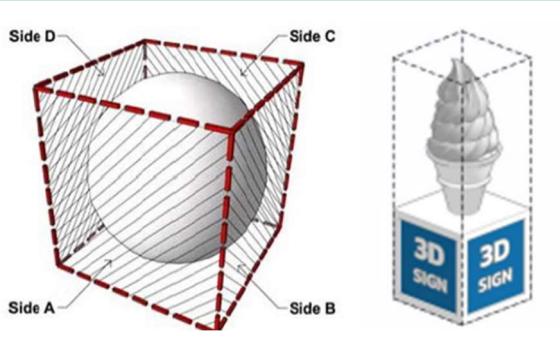
- a. The sign(s) is part of an approved Sign Program that addresses the character, color, architectural compatibility, size and location of all signs to be located on the subject site and building. The applicant is responsible for providing plans and documentation that addresses architectural compatibility, character, color, size, and location of the proposed signs.
- b. Signs that project above the roofline (bottom of eave or top of parapet) are prohibited.
- c. Lexan, Plexiglas, plastic, vacu-form, can signs or similar materials or construction are not eligible for the increase in area.

## Section 14-7-8 Measurements and Calculations

**A. Area.** The area of a sign shall be measured in conformance with the regulations identified in this Section and table.

1. **Structure.** The structure or bracing of a sign shall be excluded from measurement, unless such structure or bracing is made part of the message or face of the sign.
2. **Double Faced Signs.** Where a sign has two (2) or more display faces, the area of all faces must be measured, unless such faces join back-to-back, are parallel to each other, and are no more than twenty-four (24) inches apart.

Table 14-7-8-1 Sign Measurement

Measurement Methods	Figure
<p><b>Signs with a frame or integrated background panel/color.</b></p> <p>The area measurement of a sign contained within a cabinet or frame shall include the total area of the cabinet or frame. For signs on a background, the smallest possible rectangle that encompasses the entire area of the background shall be calculated for sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.</p>	 <p>Diagram illustrating sign measurement methods. It shows a sign on a post with a frame, a double-faced sign with frames, and a wall sign with a frame. The text 'AREA MEASURED (FRAMES AND SUPPORT NOT MEASURED)' is shown next to the post sign.</p>
<p><b>Signs without a frame or integrated background panel/color.</b></p> <p>The area measurement of the sign shall be the smallest possible rectangle that encompasses all related portions of the letters, copy, graphics and logos. This is applicable to signs composed of one or more boxes, or channel cut graphics, logos, or letters arranged as a single sign unit.</p>	 <p>Diagram illustrating sign measurement for signs without a frame. It shows a logo with dimensions 'Height' and 'Width' indicated by dashed lines.</p>
<p><b>Three-dimensional signs.</b></p> <p>The area equals one-half of the total surface area bounded by the smallest possible cube/box, excluding the top and bottom surfaces. This measurement is not applicable to inflatable signs.</p>	 <p>Diagram illustrating sign measurement for three-dimensional signs. It shows a 3D sign and a cube with labeled sides A, B, C, and D.</p>

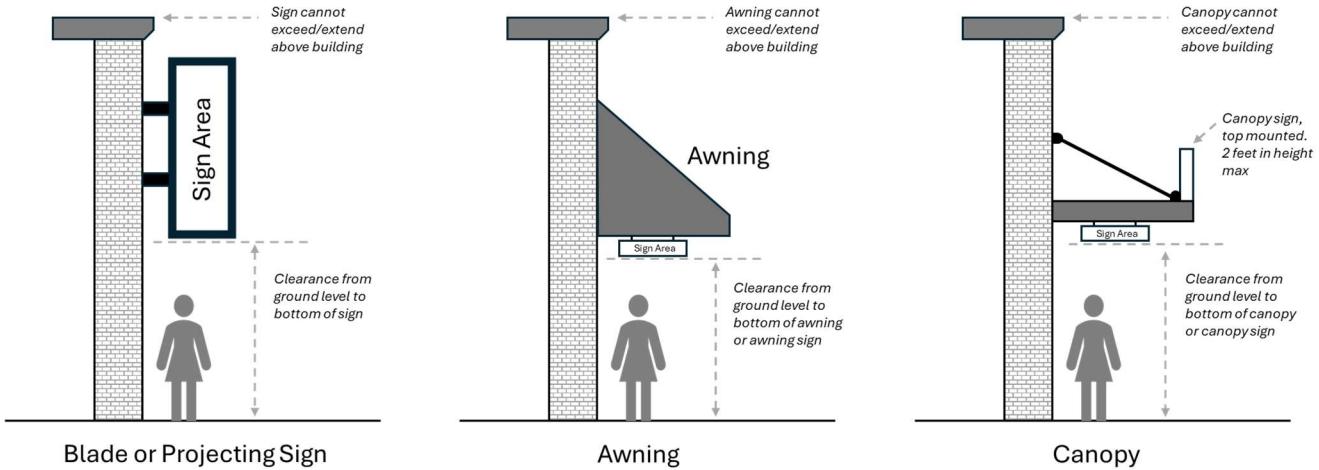
**B. Total Display Area.** The aggregate of all building mounted and freestanding signs on a site and for the benefit of a single tenant, use, or building shall be included in the Total Sign Display Area calculation. This calculation does not include onsite ancillary ground mounted signs (onsite directional signs) or project identification signs.

**Table 14-7-8-2 Total Sign Display Area**

Zoning District	Maximum Square Feet
AR, R1, R2, R3, R4, R5	12
OC, C1, I1	64
C2, RR, I2, I3	100
C3	250

**C. Clearance.** Blade/Projecting signs, awnings, and canopies shall maintain a minimum clearance as measured from the ground below the sign to the bottom of the awning/canopy/sign.

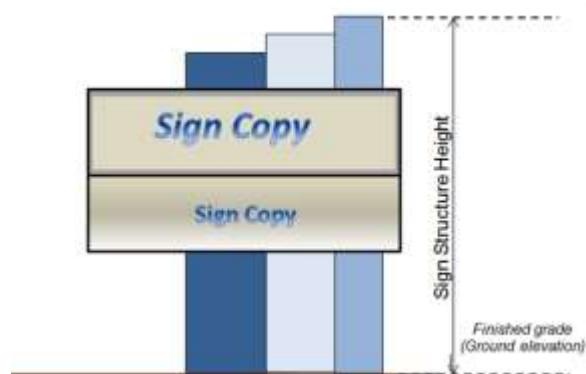
**Figure 14-7-8-1 Sign Clearance Diagram**



**D. Height**

- Building/Structure Mounted Signs.** Unless not otherwise specified in this Section, the maximum mounting height of the sign shall not exceed the top of the wall, fascia, cornice, or parapet the sign is mounted upon.
- Ground Mounted Signs.** The vertical measurement from the finished grade at the base of the sign to the highest point of the sign structure shall determine the sign structure height. See: [Figure 14-7-8-2 Sign Height Diagram](#).

**Figure 14-7-8-2 Sign Height Diagram**





## Section 14-7-9 Non-Residential Permanent Signs

### A. General Design Criteria

1. Permanent signs are regarded as an integral and complementary element of the overall architectural character of the Town and shall be integrated with the building and landscape design.
2. The vertical elements, bracing, and support structures of all signs shall:
  - a. Be constructed of materials similar or complementary to the materials of the overall development;
  - b. Use architectural features and elements that are similar or complementary to the architecture of the overall development;
  - c. Utilize colors, finishes, or textures that are similar or complementary to the overall development; and
  - d. Be covered with cladding to conceal the actual pole or structural support. The cladding must integrate the overall development's colors, materials, architectural features, or other appropriate design components.
3. All ground mounted signs shall have a substantial base or planter with a minimum height of two (2) feet that includes three times (3x) the square footage of the sign and base planted with shrubs or various groundcover as outlined and defined within this Section.
4. All signs, except those consisting of individual letters mounted against a non-differentiated surface, shall have an edge treatment or border.
5. Signs, which are designed to be compatible with the Town's Western/Southwestern character or typifying those of the roadside west of the 1920's, 1930's and 1940's, are encouraged.

### B. Building/Structure Mounted Signs

1. Detailed building/structure mounted sign requirements are in the following tables:

**Table 14-7-9-1 Permanent Sign Table**

Permanent Sign Type	Zoning District															Sign Standards and Details		
	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	I	I2	I3	
<b>Building/Structure Mounted Signs</b>																		
Awning	P	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	Table 14-7-9-2
Canopy	P	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	Table 14-7-9-3
Projecting/Blade	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	Table 14-7-9-4
Wall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Table 14-7-9-5
<b>Ground Mounted Signs</b>																		
Ancillary Ground Mounted (On-Premise)	P	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	Table 14-7-9-6
Monument	P	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	Table 14-7-9-7
<b>Digital/Electric Displays</b>																		
Digital/Electric Animated Display	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	Table 14-7-9-8
Digital/Electric Static Display	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	Table 14-7-9-8
<b>Special Purpose Signs</b>																		
Project Monumentation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Table 14-7-9-9
Drive Through & Drive-In	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	Table 14-7-9-10
Murals	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	Table 14-7-9-11
<b>Notes</b>																		
<ul style="list-style-type: none"> <li>▪ "P" indicates that the sign type is permissible in the corresponding zoning district.</li> <li>▪ Zoning district building setbacks apply if a setback distance is not specified in the tables below.</li> <li>▪ Permanent signs, except for Project Monumentation Signs, may include digital/electric displays as a portion of their permitted sign area.</li> <li>▪ The digital/electric display size limits do not apply for drive-through or drive-in signs.</li> </ul>																		



Table 14-7-9-2: Awning Signs

Awning	
Maximum Number	No Limit
Maximum Area	<b>Awning Face:</b> Up to 50% of the "front" awning face area <b>Awning Side:</b> Up to 50% of each awning side area
Maximum Height	Shall not extend above the top of the wall where installed
Illumination	<b>Allowed:</b> Yes, Exterior only <b>Exterior Lighting:</b> shall be halo-lit channel letters or "down facing", shielded, and directed to illuminate the sign
Other requirements	<b>Clearance:</b> The sign shall not project beyond the face of the awning
Example signs	

Table 14-7-9-3: Canopy Signs

Canopy	
Maximum Number	1 canopy per customer/public entrance 1 sign per canopy face
Maximum Area	<b>Front Canopy Face:</b> 50% of the canopy length multiplied by the maximum height <b>Side Canopy Face:</b> 50% of the canopy side width multiplied by the maximum height <b>Under Canopy/Soffit Sign:</b> 3 square feet
Maximum Height	Sign may extend up to 2 feet above the top of the canopy
Illumination	<b>Allowed:</b> Yes, Interior only
Other requirements	<b>Clearance:</b> 14 feet above any vehicular area, 9 feet above any pedestrian area <b>Projection:</b> The sign shall not project more than 8 inches beyond the face of the awning. Soffit signs shall not project more than 4 feet from the wall of the building it is mounted to <b>Mounting Location:</b> Canopy signs may be mounted directly to the face of the canopy, upon the top edge, or under the canopy
Example signs	

Table 14-7-9-4: Projecting/Blade Signs

Projecting/Blade	
Maximum Number	1 per tenant/ unit
Maximum Area	10 square feet
Maximum Height	Shall not extend above the top of the wall where installed
Illumination	<b>Allowed:</b> Yes, Exterior <b>Exterior Lighting:</b> shall be up or down facing, shielded, and directed to illuminate the sign
Other requirements	<b>Projection:</b> No more than 12 inches between the wall and closest side of the sign; No more than 4 feet from the building wall to the furthest side of the sign. <b>ROW Encroachment:</b> Maximum right-of-way encroachment is 3 feet. <b>Clearance:</b> 14 feet above any vehicular area, 8 feet above any pedestrian area.
Example signs	
 	

Table 14-7-9-5: Wall Signs

Wall	
Maximum Number	<b>AR:</b> 1 per premises, limited to non-commercial institutions, schools, lodges, and similar <b>MHP, RM1, RM2 Districts:</b> 1 per development <b>All Other Non-Residential Districts:</b> No maximum number; limited by maximum area per facade
Maximum Area	<b>AR:</b> 0.25 square feet per 1 linear foot of building façade, maximum 16 square feet <b>MHP, RM1, RM2:</b> 0.25 square feet per 1 linear foot of building façade <b>All Other Non-Residential Districts:</b> 1 square feet per 1 linear foot of building façade
Maximum Mounting Height	Shall not exceed the roofline or parapet or extend above the top of the wall where installed
Illumination	<b>Allowed:</b> Yes, Interior or Exterior <b>Exterior Lighting Requirements:</b> Shall be halo-lit channel letters or down facing, shielded, and directed to illuminate the sign <b>Prohibited:</b> Interior illuminated wall signs facing or visible from local streets, residential zoning districts, AR zoning districts, or properties with single-family homes
Other requirements	Sign shall not extend more than 15 inches from the wall where installed.
Example signs	
  	



### C. Ground Mounted Signs

#### 1. Sign Allowance Per Non-Residential Property

- a. **Parcels under 10 acres.** Permitted one (1) monument sign.
- b. **Parcels 10 acres or larger.** Permitted two (2) monument signs, rounded down to the last whole number of 10 acres.
- c. Parcels may use a mix of either sign type.
- d. **Example:** A 25-acre parcel is permitted two (2) ground signs (since 25 rounded down to the last whole 10 acres gives two 10-acre increments).

2. Detailed ground sign requirements are in the following tables.

Table 14-7-9-6: Ancillary Ground Mounted Signs (On-Premise)

Ancillary Ground Mounted (On-Premise)	
Purpose	Small, ground-mounted signs that are not intended to be legible from beyond the boundaries of the property on which it is located, typically due to its size, height, or placement.
Maximum Number	2 per vehicular entrance/exit to a public right-of-way
Maximum Area	4 square feet.
Location	Signs shall be located outside all setbacks, easements, and required landscape buffers
Maximum Height	4 feet
Illumination	<b>Allowed:</b> Yes, Interior or Exterior <b>Exterior Lighting:</b> shall be halo-lit channel letters or down facing, shielded, and directed to illuminate the sign
Example signs	
	
	

Table 14-7-9-7: Monument Signs

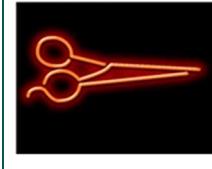
<b>Monument</b>		
Maximum Number	<p><b>AR, MHP Districts</b>            Less than 500 feet of street frontage: one (1)            Greater than 500 feet of street frontage: two (2)            For each additional 500 feet of street frontage above 1000 feet one (1) additional sign is allowed.</p> <p><b>All other Non-Residential Districts:</b> 1 per street frontage.</p>	
Maximum Area	<p><b>AR, MHP Districts:</b> Twelve (12) square feet per sign</p> <p><b>All other Non-Residential Districts:</b></p> <ul style="list-style-type: none"> <li><b>Multi-Tenant Sign:</b> Forty-eight (48) square feet per sign, up to three different copy panels</li> <li><b>Single Tenant Sign:</b> Twenty-four (24) square feet per sign</li> </ul>	
Maximum Height	<p><b>AR, MHP Districts:</b> 6 feet</p> <p><b>All other Non-Residential Districts:</b></p> <ul style="list-style-type: none"> <li><b>Multi Tenant Sign:</b> 8 feet</li> <li><b>Single Tenant Sign:</b> 8 feet</li> </ul>	
Illumination	<p><b>Allowed:</b> Yes, Interior or Exterior</p> <p><b>Exterior Lighting:</b> shall be halo-lit channel letters or down facing, shielded, and directed to illuminate the sign</p>	
Setback (from street/front property line)	2 feet. Sign must be located on private property and outside of easements	
Other requirements	<b>Spacing:</b> Each sign shall be spaced 100 feet from another freestanding or monument sign on the same side of the street	
Example signs		
		
		



#### **D. Digital/Electric Displays**

- 1. Usage:** Digital/electric displays may be incorporated into any permanent sign per the size, height, location, and area regulations applicable to each permanent sign type.
- 2. Luminance and Operational Standards .** All digital/electric displays shall comply with the following brightness/luminance and operational standards:
  - a. Maximum Brightness.** A maximum brightness/luminance of 5,000 nits from dawn to dusk or 300 nits from dusk to dawn.
  - b. Automatic Dimming.** Digital/Electric displays shall be equipped with an automatic dimmer device to reduce brightness/luminance appropriate to the ambient light.
  - c. Malfunction Protocol.** When a digital/electric display malfunctions, the screen shall turn to black or power off.
  - d. Certification.** The sign permit owner or their designee must certify that the proposed sign complies with all luminance and dimming requirements and provide evidence of compliance if requested.

Table 14-7-9-8: Digital/Electric Displays

Digital/Electric Static Display	
Digital/Electric Animated Display	
Maximum Number	1 per property
Maximum Area	<p><b>Static Display</b></p> <p><b>Ground Mounted Sign:</b> 75% of the total sign area  <b>Building/Structure Mounted Sign:</b> 50% of the total sign area</p> <p><b>Animated Display</b></p> <p><b>Ground Mounted Sign:</b> 35% of the total sign area  <b>Building/Structure Mounted Sign:</b> 25% of the total sign area</p>
Maximum Height	As per the applicable sign requirement.
Static Display Requirements	<p><b>Frequency of Change:</b> Each message shall be displayed for at least 8 seconds.  <b>Transition:</b> Each message shall instantly change with no animation or effects  <b>Display Pixel Pitch:</b> 10mm-20mm  <b>Hours of Operation:</b> Must be turned off outside of hours of operation</p>
Animated Display Requirements	<p><b>Animated Neon</b></p> <p><b>Frequency of Change:</b> Image changes to no more than 2 frames per second  <b>Hours of Operation:</b> Must be turned off outside of hours of operation</p> <p><b>Digital LED/LCD Displays</b></p> <p><b>Display Pixel Pitch:</b> 10mm-16mm  <b>Hours of Operation:</b> Must be turned off outside of hours of operation</p>
Example signs	
	
	<p><b>VIEW 1</b></p>  <p><b>VIEW 2</b></p> 
	



**E. Special Purpose Signs.** For the purposes of this Code, these signs are not classified as ground or building/structure mounted signs. These are allowed in addition to ground or building/structure mounted signs and address specific needs unique to the development, complex, or property. Detailed regulations are listed in the following tables.

Table 14-7-9: Project Monumentation Signs

Project Monumentation	
Purpose	Allowed as an element of a multi-lot residential subdivision, or a multi-lot/multi-building commercial, industrial, or mixed-use development project. Project monumentation signs require approval by the Commission.
Maximum Number	2 per primary subdivision or project entrances per street frontage
Maximum Area	32 square feet per sign
Maximum Height	6 feet
Setback	10 feet. Sign must be located on private property and outside of easements
Illumination	<b>AR, R, MR, MHP Districts</b> <b>Allowed:</b> Yes, Exterior only <b>Exterior Lighting:</b> shall be halo-lit channel letters or down facing, shielded, and directed to illuminate the sign  <b>All Other Districts</b> <b>Allowed:</b> Yes, Interior or Exterior <b>Exterior Lighting:</b> shall be halo-lit channel letters or down facing, shielded, and directed to illuminate the sign only
Design & Materials	<b>Style:</b> Sign shall be a ground mounted monument sign <b>Materials:</b> Sign shall be composed of durable, high-quality architectural materials consistent with the architectural design and color of the development. <b>Landscaping:</b> Sign shall be integrated with landscaping using low shrubs, perennials, annuals, turf, or other approved ground cover
Example signs	
	
	
	
	
	
	

Table 14-7-9-10: Drive Through and Drive-In Signs

Drive Through & Drive-In	
Purpose	Allowed as an element of any use with a Drive Through or Drive-In at or adjacent to the ordering /speaker box location. These signs are not designed to be seen from adjacent public rights-of-way or as attention getting devices.
Maximum Number	<p><b>Drive Through:</b> 1 drive-through ordering sign and 1 drive-through presell sign per drive through lane. (Example: a drive through restaurant with two lanes is allowed up to 4 signs.)</p> <p><b>Drive In:</b> 1 drive-in ordering sign per order location.</p>
Maximum Area	<p><b>For Each Drive Through Lane</b></p> <p><b>Ordering Sign:</b> 42 square feet</p> <p><b>Presell Sign:</b> 24 square feet</p> <p><b>For Each Drive-In Ordering location:</b> 24 square feet</p>
Maximum Height	8 feet
Location	Prohibited within any required building setback, easement, or landscape buffer
Illumination	<p><b>Allowed:</b> Yes, Exterior or Interior</p> <p><b>Exterior Lighting:</b> shall be down facing, shielded, and directed to illuminate the sign</p>
Other Requirements	To the extent possible, drive-through and drive-in signs that are incidentally visible from public rights-of-way should be positioned, located, and screened to minimize the sign content visibility/legibility from adjacent rights-of-way. Additionally, any signs which also include a speaker box shall have landscaping and a noise wall when adjacent to a residential lot to diffuse the sound.
Example signs	 <p>Drive-In Ordering Sign      Drive Through Presell Sign      Drive Through Ordering Sign</p>

Table 14-7-9-11: Murals

Murals	
Purpose	Murals are symbolic or artistic renderings painted to the façade of buildings and structures. Murals shall be related to or celebrate the history, heritage, and/or character of Wickenburg and the surrounding areas. Murals require sign permits.
Maximum Number	No restriction.
Review Process	All mural applications shall be accompanied by a detailed color rendering of the proposed mural and shall be filed for review and approval by the Zoning Administrator.
Maximum Height and Size	None.
Artist Qualifications	Demonstrate sufficient ability to complete, maintain, and remove (if required) the mural.
Maintenance and Removal	Applications shall include a plan for continued maintenance and removal of the mural.
Mural Context	The mural shall be representative or additive to the heritage, history, and/or character of Wickenburg
Example murals	 

## Section 14-7-10 Temporary Signs

### A. General Requirements

- Permit Required.** No temporary signs shall be constructed or mounted without full compliance with this section and, if required, a temporary sign permit. Multiple temporary sign types may be allowed under a single permit.
- Location.** Temporary signs must be placed on the same property to which it applies, except as explicitly exempted in this section. They are prohibited on the right-of-way, blocking driveways or sidewalks, or within sight distance triangles and sight distance lines.
- Illumination.** Temporary signs shall not be illuminated. Incidental illumination by existing, unaltered permanent lighting sources is not considered illumination.
- Temporary Only.** Temporary signs used as permanent signs are prohibited.
- Maintenance.** Temporary signs shall be maintained in good repair for the duration of their display. Temporary signs that are vandalized, faded, or otherwise damaged shall be immediately removed.

Table 14-7-10-1: Temporary Sign Table

Temporary Sign Type	Zoning District																Sign Standards and Details			
	AR	R1	R2	R3	R4	R5	RM1	RM2	MHP	OC	C1	C2	C3	RR	H	I2				
A-Frame	P	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	Table 14-7-10-2			
Banner	T	-	-	-	-	-	T	T	T	T	T	T	T	T	T	T	Table 14-7-10-3			
Inflated	-	-	-	-	-	-	-	-	-	-	T	T	T	T	T	T	Table 14-7-10-4			
Pennant	T	-	-	-	-	-	-	-	-	-	T	T	T	T	T	T	Table 14-7-10-5			
Small Portable/Yard Sign	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Table 14-7-10-6			
Large Portable/Yard Sign	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	Table 14-7-10-6			
Vertical Sail/Vertical Banner	T	-	-	-	-	-	-	-	-	-	T	T	T	T	T	T	Table 14-7-10-7			
<b>Notes</b>																				
<ul style="list-style-type: none"> <li>“T” indicates that the sign type is permissible in the corresponding zoning district and <u>requires a temporary sign permit</u>.</li> <li>“P” indicates that the sign type is permissible in the corresponding zoning district and <u>does not require a temporary sign permit</u>.</li> </ul>																				

Table 14-7-10-2: A-Frame Signs

A-Frame	
Description	Also known as sandwich boards, sidewalk signs, folding/foldable signs, and easel signs
Temporary Sign Permit Required	No permit required
Maximum Number	1 per business/tenant
Maximum Area	6 square feet (each side of the A-frame, if double-sided)
Maximum Height	4 feet (measured from the ground to the top of the sign)
Location	<b>Building Entrance:</b> Must be within 5 feet of the customer/public building entrance. <b>Sidewalks:</b> Must maintain 4 feet of clear pedestrian travel access.
Illumination	Not allowed
Display Time Limitation	Displayed during business hours only
Example signs	
	
	



Table 14-7-10-3: Banner Signs

Banner	
Description	A flexible sign typically made of fabric, vinyl, or other durable material mounted with grommets, ropes, temporary poles, or frame.
Temporary Sign Permit Required	Required. A separate permit is required
Maximum Number	1 per business/tenant
Maximum Area	40 square feet (each side, if double-sided)
Maximum Height	<b>Building/Structure Mounted:</b> Shall not exceed the height of the wall or parapet to which it is mounted. <b>Ground Mounted:</b> 5 feet (measured from the ground to the top of the sign)
Location	<b>Building/Structure Mounted:</b> Shall not be mounted fully or partially across windows or doors. <b>Ground Mounted:</b> Shall be setback 10-feet from any property line and shall not be located within easements or sight visibility areas. <b>Other:</b> All other mounting locations are prohibited.
Illumination	Not allowed
Display Period	<b>Duration:</b> 30 days per calendar year (consecutive not required)
Mounting Requirements	<b>Building/Structure Mounted:</b> Must be mounted securely, free of sagging or flapping, and directly to the building façade with grommets and taut rope, eye hooks/closed hooks, or similar secure fasteners. <b>Ground Mounted:</b> Must be mounted securely and free of sagging or flapping to temporary durable posts/stakes or frame with grommets and taut rope, eye hooks/closed hooks, or similar secure fasteners.
Example signs	

Table 14-7-10-4: Inflated Signs

Inflated	
Description	A sign inflated or supported by heated air, forced air, or lighter-than-air nonflammable gases, such as a balloon or other air-driven event sign. All inflated three-dimensional objects are inflated signs whether or not they include a sign copy area.
Temporary Sign Permit Required	Required. A separate permit is required.
Maximum Number	1 per business/tenant
Maximum Size	<b>Width:</b> 8 feet (including any appendages or attachments) <b>Height:</b> 16 feet (measured from the ground to the highest point)
Maximum Area	<b>Sign Copy Area:</b> 32 square feet
Location	<b>Ground Mounted Only:</b> Shall be setback 10 feet from any property line and shall not be located within easements or sight visibility areas. <b>Other:</b> All other mounting locations are prohibited.
Illumination	Not allowed
Display Period	<b>Duration:</b> 30 days per calendar year (consecutive not required)
Mounting Requirements	<b>Ground Mounted:</b> Must be mounted securely to durable posts with grommets and taut rope, or similar secure fasteners.
Other Requirements	<b>No Movement or Motion:</b> Movement or motion caused by forced air or other mechanical means is prohibited. This includes air dancers, waving tube character, and inflatables with rotating features, moving parts, streamers, windmills, and other similar characteristics.
Example signs	
  	



Table 14-7-10-5: Pennant Signs

Pennant	
Description	Lightweight plastic, fabric, or other material suspended from a rope, wire, string, or similar material, usually in a series, designed to move in the wind. All pennants within the series shall be considered as a single display.
Temporary Sign Permit Required	Required. A separate permit is required.
Maximum Size	Each individual pennant flag shall be no longer than 18 inches (measured from string to end of pennant)
Height	<b>Overhead Clearance:</b> Pennants shall be mounted 15 to 18 feet above any parking or driving surface. Pennants may be strung between a structure and the ground, provided they do not obstruct vehicle or pedestrian accessibility.
Location	<b>Building/Structure:</b> Pennants shall be securely fastened to buildings and structures, such as light poles and outside of all setbacks, easements, or landscape buffer areas. <b>Ground:</b> Pennants strung between building/structures and the ground shall be securely anchored to the ground. <b>Prohibited:</b> Pennants shall not be attached to ground mounted signs.
Illumination	Not allowed
Display Period	<b>Duration:</b> 30 days per display period (consecutive not required)
Mounting Requirements	<b>Ground Mounted:</b> Must be mounted securely and tautly to the structure, building, or ground location with stakes, eye hooks, closed hooks, similar secure fasteners.
Example signs	
	
	
	

Table 14-7-10-6: Portable/Yard Sign

Portable/Yard Sign	
Description	Rigid signs made from materials such as corrugated plastic, laminated wood, or vinyl panels. Typically anchored to the ground by posts or wire stakes. This definition excludes political election campaign signs.
Maximum Number (all portable/yard signs)	<p><b>AR, R, MR Districts:</b> Total of 2 per property, no more than 1 large portable/yard sign</p> <p><b>All Other Districts:</b></p> <p><b>Single tenant property:</b> 1 sign per property. Properties with more than 150 linear feet of street frontage are allowed an additional sign per 150 linear feet of frontage</p> <p><b>Multi-tenant property:</b> 2 small portable/yard sign per business/tenant and 1 large portable/yard sign per property</p>
Temporary Sign Permit Required	<p><b>Small Portable/Yard Sign:</b> Not required</p> <p><b>Large Portable/Yard Sign:</b> Required. A separate permit is required for each display period even if consecutive.</p>
Maximum Size	<p><b>Small Portable/Yard Sign:</b> 4 square feet (per side if double-sided)</p> <p><b>Large Portable/Yard Sign:</b> 12 square feet (per side if double-sided)</p>
Height	<p><b>Small Portable/Yard Sign:</b> 4 feet</p> <p><b>Large Portable/Yard Sign:</b> 10 feet</p>
Location	<p><b>Private Property Only:</b> Portable/Yard Signs must be placed on the same property to which it applies.</p> <p><b>All Districts:</b> 1 foot from the front setback line and outside of all easements or landscape buffer areas. May also be securely mounted to the primary structure.</p>
Illumination	Not allowed
Display Period	<p><b>Small Portable/Yard Signs:</b> For the duration of the event, notice, or sale to which it applies, not more than 180 days. Real Estate signs must be removed NLT 30 days after the property is no longer available for sale.</p> <p><b>Large Portable/Yard Signs:</b></p> <p><b>Duration:</b> 30 days per display period</p> <p><b>Frequency:</b> 4 display periods per calendar year</p>
Mounting Requirements	<b>Ground Mounted:</b> Must be mounted securely and tautly to the structure, building, or ground location with stakes, eye hooks, closed hooks, similar secure fasteners.
Exceptions	See Section 14-7-4T Weekend Display Signs, for display exceptions.
Example signs	
	
Small Portable/Yard Sign	Small Portable/Yard Sign
	
Small Portable/Yard Sign	



## Town of Wickenburg | Zoning Ordinance

Article 14-7 Sign Regulations

Section 14-7-10 Temporary Signs

### Portable/Yard Sign



Small Portable/Yard Sign



Small Portable/Yard Sign



Large Portable/Yard Sign



Large Portable/Yard Sign



Large Portable/Yard Sign



Large Portable/Yard Sign

Table 14-7-10-7: Vertical Sail/Vertical Banner Signs

Vertical Sail/Vertical Banner	
Description	A vertically oriented sign composed of flexible fabric, vinyl, or similar material, anchored to the ground by a single flexible pole, that moves or flutters in the wind. These signs are also known as wind sails, swooper signs, flutter flags, flying banners, vertical flags, feather flags, wind flags, bow flags, and teardrop banners.
Temporary Sign Permit Required	Required. A separate permit is required.
Maximum Number	1 per business/tenant
Maximum Area	24 square feet (each side, if double-sided)
Maximum Height	12 feet
Location	<p><b>Ground Mounted Only:</b> Shall be setback 10 feet from any property line and shall not be located within easements or sight-visibility areas.</p> <p><b>Other:</b> All other mounting locations are prohibited.</p>
Illumination	Not allowed
Display Period	<b>Duration:</b> 30 days per display period
Mounting Requirements	<b>Ground Mounted:</b> Must be mounted securely to the ground and not obstruct driveways, parking areas, or sidewalks.
Example signs	
  	

# PUBLIC DRAFT

## Chapter 14 Zoning Regulations



### ARTICLE 14-8 DEFINITIONS

#### A

**Abandoned or Inoperable Vehicles.** Any vehicle left in a state of disrepair, or partially or wholly dismantled, wrecked, stripped, or scrapped; or any motor vehicle which is inoperable due to mechanical failure or mechanical disassembly; or a vehicle which cannot move on its own volition

**Accessory Business.** A commercial enterprise providing a service on the premises of an existing principal business, including car detailing services and valet services or machine operated businesses where no goods or wares are sold other than at a machine operated vending machine.

**Adjoining Lot or Land.** A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land.

**Adult Bookstore.** Any commercial establishment having as a substantial or significant portion of its stock in trade books, magazines, other periodicals, motion pictures, video cassettes or similar which are distinguished or characterized by their emphasis on matter depicting, describing or relating to 'specified sexual activities or specified anatomical areas'.

**Adult Theaters.** Any commercial establishment, whether located in an enclosed building or open-air drive-in theater, regularly used for presenting or for observation by patrons any film or plate negative, film or plate positive, film or tape designed to be projected on a screen for exhibition, or films, glass slides or transparencies, either in negative or positive form, and which is designed for exhibition by projection on a screen, or in any type of viewing booth which is distinguished or characterized by an emphasis on matter depicting, describing or relating to 'specified sexual activities' or 'specified anatomical areas'.

**Adult Uses.** Adult bookstores, cabaret, gentleman's club adult theaters or similar.

**Agriculture.** The production, keeping or maintenance, for sale, lease or personal use, of plants, including but not limited to: forages and sod crops; grains and seed crops; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation management plan.

**Airport.** A facility that includes areas for landing, storage of planes and equipment, loading and unloading luggage and merchandise, and used regularly by aircraft for receiving or discharging passengers or cargo.

**Alley.** Right-of-way or easement which grants a secondary vehicular access to abutting lots not intended for general traffic circulation or parking.

**Alley Line.** The boundary which separates the right-of-way of an alley from the abutting property.

**Alteration.** Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

**Amusement Facility.** An outdoor area or enclosed building, open to the public, which may contain coin operated games, and similar entertainment and amusement devices.

**Amusement Park.** An outdoor facility, which may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.

**Antique Store.** A place of business where old collectible items are sold to the general public.

**Art Gallery.** A structure used for the display and sale of art.

**Automobile Graveyard.** Any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

#### B

**Bank.** A structure used as a financial institution licensed by the government.

**Barber, Beauty Shop.** An establishment dealing with cosmetic treatments for men and women.

**Bars.** A structure or part of a structure used primarily for the sale or dispensing of liquor by the drink for consumption onsite.

**Basement.** That portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is less than the vertical distance from grade to ceiling.

**Bed and Breakfast Lodging.** Any owner-occupied dwelling in which sleeping rooms are provided on a daily or weekly basis for use by travelers or transients for compensation.

**Behavioral Health Facility.** A clinic that is licensed by the state, whose professional activities address a client's behavior issues; examples include psychiatrist, social worker, marriage and family counselors, professional clinical counselors, licensed drug/alcohol abuse counselors and mental health professionals.

**Board.** All references to a "Board" within the Zoning Ordinance for the Town shall be in reference to the Board of Adjustment of the Town.

**Boarding House.** A building where, for compensation and by prearrangement for definite periods, meals, or lodging and meals, are provided for three (3) or more persons, but not exceeding twenty (20) persons.

**Buildable Area.** The portion of a lot which is within the envelope formed by the required front, side, and rear yards setbacks. Also see "**Yard, Required.**"

**Building Arcade.** A covered passage connected to a building with pillars and/ or arches supporting it on one (1) side.

**Building.** A structure having a roof supported by columns or walls for housing, shelter or enclosure of persons, animals, chattels or property of any kind.

**Building, Accessory.** A building or structure which is subordinate to, and the use of which is incidental to that of the principal building, structure or use on the same lot.

**Building Height.** The vertical distance from grade to the highest point of the coping of flat roof; to the deck line of a mansard roof; or the average height of the highest gable, hip or gambrel roof.

**Building, Principal.** A building in which is conducted the principal use of the lot on which it is situated. In a residential zoning district, the original dwelling is deemed to be the principal building on the lot on which it is situated.

## C

**Caretaker's Residence.** Living space used to house a person with the responsibility of maintaining the property or caring for the primary resident(s).

**Carport.** A roofed structure with two (2) or more open sides under which a vehicle may be driven and parked.

**Cemetery.** Property used for the interring of the dead, including animals.

**Child Care Center.** A private establishment enrolling four (4) or more children between two (2) and five (5) years of age and where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a Child Care Center by the State of Arizona.

**Clinic.** An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not usually lodged overnight.

**Commission.** The Planning and Zoning Advisory Commission for the Town of Wickenburg.

**Community Center.** A building used for recreational, social, educational and cultural activities, usually owned and operated by a public or nonprofit group or agency.

**Conditional Use.** A Use Permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in the zoning ordinance and authorized by the Town Council.

**Condominium.** An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building on such real property. A separate interest in other portions of such real property may be included.

**Conference Center.** A facility used for service organizations, business and professional conferences, and seminars limited to accommodations for conference attendees. The accommodations can include sleeping, eating, and recreation.



**Congregate Care.** A generic reference to a residential facility that provides room and board for the elderly or other people in need of assistance with physical, mental, or emotional issues or who are recovering from substance abuse. Facilities may provide personal care and rehabilitation services in a family environment as a single housekeeping unit. These facilities include:

**Assisted Living Facility.** A residential facility licensed and regulated by the Arizona Department of Health Services – Office of Residential Facilities Licensing designed to meet the housing and care needs of older persons and individuals with disabilities in a residential rather than institutional environment while maximizing independence, choice, and privacy. Assisted living programs provide personal care for persons with needs for assistance in the activities of daily living and can respond to unscheduled needs for assistance. Services typically include meals, housekeeping, laundry and linen service, medication monitoring, transportation, and activities. Assisted living settings also typically provide features that enhance resident autonomy, such as lockable doors, full bathrooms, temperature control, and single occupancy, and may provide limited cooking facilities in individual units. Assisted living centers exclude nursing homes and other special housing facilities as elsewhere defined.

**Nursing Home.** A residential healthcare facility licensed and regulated by the State of Arizona that provides continuing care to person(s) who need nursing services on a continuing basis but who do not require hospital care or direct daily care from a physician. Facilities provide lodging, personal care, and supervision for aged, chronically ill, physically infirm, or convalescent patients.

**Group Home for the Handicapped.** A dwelling shared as a primary residence by people with mental or physical handicaps or disabilities (including those recovering from substance issues) living together as a single housekeeping unit in which staff persons may provide on-site care, training or support for the residents. This definition shall include adult care homes, homes for the mentally ill, group care agencies and similar residential living arrangements for handicapped persons, but shall not include boarding houses, or nursing homes, rooming houses, Transitional Living for Released Offenders; or accommodations for probationers or for those who are still using alcohol or illegal drugs.

A Group Home for the Handicapped shall not include persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent, having a criminal record, or being a sex offender. In addition, a Group Home for the Handicapped shall not house any person whose tenancy would constitute a direct threat to the health or safety of other individuals or a direct threat of physical damage to the property of others.

The Wickenburg UDC accommodates up to five (5) unrelated persons living together as a "family." Therefore, a group home of five (5) residents would be treated as a "family," and entitled to locate in any zoning district which allows residential uses. Beyond that number, other requirements would apply.

Group homes are defined as a primary residence for people with handicaps or disabilities living together as a single housekeeping unit in which staff persons may or may not provide on-site care, training, or support for the residents. The term also includes recovery homes offering a structured management program to support the recovery of adults with a background of drug and/or alcohol abuse. On-site professional staff and group support services are often provided.

**Residential Care Home (5 or fewer residents):** Notwithstanding the definition of "Family," homes of five (5) or fewer persons receiving special care on a 24-hour-per-day basis for physical, mental, recovery-related, or developmental disabilities shall be considered a single-family residence for the purposes of this title. The limitation of five (5) or fewer persons does not include the operator or members of the operator's family or staff. These facilities are permitted in all zoning districts that permit single-family dwellings.

**Residential Care Facility (6-10 residents):** Suitable for accommodating six (6) to ten (10) adults or minor children with disabilities or who are minors without disabilities. This definition shall include those residences that are licensed by the State of Arizona, including but not limited to assisted living homes and sober living homes or awarded an Oxford House Charter, but shall not include any group living arrangement for unrelated individuals who are not disabled, including but not limited to halfway/correctional/sex offender transitional facilities or shelter care facilities for people at risk. The Residential Care Facility is limited to Multifamily residential zones and is subject to spacing requirements.

**Residential Care Center (11 or more residents):** A facility suitable for accommodating eleven (11) or more adults or minor children with disabilities or who are minors without disabilities. This definition shall include those residences that are licensed by the State of Arizona, including but not limited to assisted living homes and sober living homes or awarded an Oxford House Charter, but shall not include any group living arrangement for unrelated individuals who are not disabled, including but not limited to halfway/correctional/sex offender transitional facilities or shelter care. The Residential Care Center is limited to Multifamily residential zones, is subject to spacing requirements and approval of a Conditional Use Permit.

**Transitional Living for Released Offenders.** A supervised residential facility that provides housing and a living environment for persons who have been released from prison and who require assistance with reintegration into the community. Such a residence is operated or maintained by a state or local government or an agency thereof. The term does not include a halfway house for persons recovering from alcohol or other substance use disorders or a facility for the treatment of alcohol or other substance use disorders.

**Emergency and Protective Shelter.** A residential facility that provides room and board for a temporary (30 days or less) period, protection, counseling, and preplacement screening for abused, displaced, or transient children or adults.

**Consumer.** For purposes of recreational marijuana regulations, this means any individual who is at least 21 years or who purchases marijuana or marijuana products.

**Contiguous.** Next to, abutting, or touching and having a boundary, or portion thereof, which is coterminous.

**Convalescent Home.** A facility or institution for the care of convalescing patients.

**Convenience Store.** A small store or shop that sells such items but not limited to: candy, soft drinks, lottery tickets, food items, medications, and publications.

**Cooking Facility.** An affixed cooking appliance such as a stove or oven which requires a 240-volt circuit, but does not include a microwave

**Corral.** A pen or enclosure designed specifically for confining animals and not for activities such as riding or roping.

**Council.** The Common Council of the Town of Wickenburg.

**Court.** Central unobstructed open space surrounded by buildings or structures and which is open to the sky from and above the floor level. The width of the court shall be its least horizontal dimension.

**Cultivate and Cultivation.** For purposes of recreational marijuana regulations, this means to propagate, breed, grow, prepare and package marijuana.

**Curb.** A stone or concrete boundary usually marking the edge of the roadway or paved area.

## D

**Density.** The number of dwelling units per net acre of land.

**Drive-In.** A type of service provided by a business that allows customers to pull into designated spaces to be served in their vehicle.

**Drive-Through Restaurant.** A type of service provided by a business that allows customers to purchase food products without leaving their automobiles.

**Drug Store.** A store where the primary business is the filling of medical prescriptions and the sale of pharmaceuticals, medical devices and supplies, and nonprescription medicines and nonmedical products are sold as well.

**Dwelling.** A building or portion thereof designed or used exclusively for residential occupancy, including single-family, two family, and multiple family dwellings, but not including hotels, boarding and lodging houses.

**Dwelling, Accessory (ADU).** A small, non-primary dwelling unit on a lot with an existing single-family dwelling. Accessory dwellings are limited in size and restricted to certain districts. They can be attached to the primary dwelling or detached.



**Dwelling, Multiple-Family.** A building or portion thereof designed for occupancy by three (3) or more families and includes condominiums, Townhomes and patio homes.

**Dwelling, Single-Family.** A building designed for occupancy by one (1) family.

**Dwelling, Two-Family.** A building designed for occupancy by two (2) families.

**Dwelling Unit.** One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and not having more than one cooking facility per unit.

**Dwelling Unit, Efficiency.** A dwelling unit consisting of not more than one (1) habitable room together with kitchen or kitchenette and sanitary facilities.

## E

**Easement.** A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

**Essential Services.** Comprises the installation, construction, improvement, and maintenance of gas, electricity, steam or water, sewer, communication, traffic infrastructure, fire and police services (i.e. hydrants, police call boxes, communication towers, etc.) and all appurtenant drains, pipes, cables, or other similar equipment necessary for providing adequate services to the public for the livability of the residents and the health, safety, and general welfare of the community. Essential services do not include buildings, electrical substations, transmission towers, and privately owned wireless communication facilities.

## F

**Façade.** The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

**Family.** One (1) or more persons related by blood, marriage, adoption or a couple and children living together as a single housekeeping unit in a dwelling unit, or one (1) but not more than five (5) persons who need not be related, living together as a single, housekeeping unit within a dwelling.

**Farm.** An area of not less than twenty (20) contiguous acres which is used for the commercial production of farm crops including vegetables, fruit trees, cotton, grain and other crops and their storage on the property as well as the raising of farm poultry and animals, such as horses, cattle, sheep, ratite birds rabbits, chickens and swine for commercial purposes.

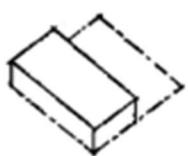
**Farm Stand.** A temporary structure used for the display and sale of agricultural products of which all products are grown on the same property as they are sold.

**Farmer's Market.** An open-air market where fresh produce and other raw agricultural products, which are used for human and animal consumption, are sold by the producer.

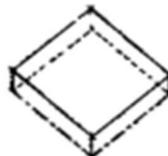
**Feed Lot, Commercial.** A livestock feeding or handling facility operated to prepare or fatten livestock for market which may be used to accommodate the needs of multiple livestock owners in whole or in part for compensation paid to the operator or owner for the accommodations, materials, and services rendered.

**Floor Area.** The sum of the gross horizontal areas of every floor of all buildings on the lot measured from the exterior faces of the exterior walls or from the center line of walls separating the buildings. Calculations shall include basement floor area, elevator shafts and stairwells at each floor, floor space used for mechanical equipment, penthouses, interior balconies and mezzanines, and enclosed porches calculations shall not include any space devoted to parking, or to loading and unloading.

**Floor Area Ratio (FAR).** The ratio of the floor area of a building to the area of the lot on which the building is located. The three (3) simple ways that a 1:1 FAR (or 100% lot coverage) might be reached: one (1) story covering the entire lot; two (2) stories covering half of the lot; or four (4) stories covering a quarter of the lot all result in the same FAR.



**0.5 FAR**



**1.0 FAR**



**1.0 FAR**

**Frontage.** That side of a lot abutting on a street; the front lot line.

**Funeral Home.** A building used for the preparation of the deceased for burial, the display of the deceased, and ceremonies connected therewith before burial or cremation.

## G

**Garage, Private.** An accessory building or portion of a principal building designed or used for the parking or temporary storage of motor vehicles of occupants in the building to which such garage is accessory, but not including the parking or temporary storage of delivery or truck motor vehicles having a capacity in excess of one (1) ton.

**Garage, Public.** A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

**Garage Sale.** See Yard Sale.

**Grade.** The average level of the finished ground surfaces surrounding a building or in the event of no structure on site, the average level of the ground surface within 3 feet of the proposed exterior walls. **Group Care Home?**

**Grubbing.** Removal of roots and plant material to a depth not to exceed twelve (12) inches.

**Guest.** Any person who rents or occupies a room for sleeping purposes.

**Guest House.** An attached or detached accessory building used as a temporary dwelling for guests of the occupants of the main building, and which can never be used for rental purposes. A guest house may not provide a stove or oven.

**Guest Ranch.** A building or group of buildings containing two (2) or more guest rooms, other than a boarding house, hotel, or motel, and including outdoor recreational facilities such as, but not limited to, horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended to be used primarily by guests of the Guest Ranch.

**Guest Room.** A room which is designed for occupancy by one (1) or more guests for sleeping purposes but having no cooking facilities. Does not include dormitories.



## H

**Handicapped Person.** A person who: (a) has a physical or mental impairment which substantially limits one (1) or more major life activities; (b) has a record of having such an impairment; or, (c) is regarded as having such an impairment. However, "handicapped" shall not include current illegal use of or addiction to controlled substances (as defined in Section 102 of the Controlled Substances Act [21 United States Code § 802]).

**Helipad.** An area at a heliport established for the landing or take-off of helicopters.

**Heliport.** A landing area solely for the use of helicopters. A heliport may include more than one helipad.

**Home Occupation.** Any occupation or profession conducted entirely within a dwelling unit and carried on by the resident or owner, and which is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes. The home occupation shall comply with the standards outlined in Article 14-5 and Table 14-5-7A.

**Horse Arena.** An enclosed area, with or without a roof, for the exercising, showing and training of horses.

**Horse Boarding.** A rented facility used for the keeping and tending of horses generally consisting of box stalls, tack rooms, arenas, access to trails and on-site trainers.

**Hospital.** An institution for the diagnosis, treatment, or other care of human ailments. The term hospital shall include sanitarium, clinic, rest home, nursing home, convalescent home, any treatment center or facility.

**Hospital or Clinic for Animals.** An institution providing health services and medical or surgical care to animals.

**Hotel.** A building which is designed, intended, or used for the accommodation of twenty (20) or more tourists, transients, guests and permanent guests for compensation and where access to and from all guest rooms is made through an inside lobby or office. A hotel may include limited cooking facilities within each room or within a common area shared by multiple rooms.

**Hotel, Resort.** A building or group of buildings, other than a motel, boarding house or lodging house, containing individual guest rooms, suites or guest rooms, and dwelling units, and which furnishes services for compensation customarily provided by hotels and may include a conference center and other specialty services like a spa and water park .

## I

**Impound Lot.** A facility, public or private, which provides storage for vehicles that the Police Department seizes or are deemed abandoned.

## J

**Junk.** Any old or scrap, iron, steel, copper, brass, rope, rags, batteries, paper, trash, wood and rubber debris, and other waste products. Also includes whole or parts of junked, dismantled, or wrecked automobiles, and any other old or scrap metal material.

**Junkyard.** An establishment or place of business which is maintained, operated, and used for storing, keeping, buying, and selling junk, or for the maintenance and operation of an automobile graveyard. The term "junkyard" includes garbage dumps and sanitary landfills.

## K

**Kennel.** Any establishment, at which dogs and cats are bred, raised for sale, boarded, or cared for commercially or on a nonprofit basis. A kennel shall exclude dental, medical, and surgical care purposes.

## L

**Land Use Law.** Any statute, rule, ordinance, resolution or law enacted by this State or a political subdivision of this State that regulates the use of land or any interest in land or that regulates accepted farming or forestry practices.

**Landing Area/Runway.** Any locality, either land or water, including airports, and landing fields, which is used or intended to be used for the landing and take-off of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft, or for receiving or discharging passengers or cargo.

**Landing Area Boundary.** The outer limit of the land or water of a landing area.

**Landscaping/Landscaped.** The installation of, and ongoing preservation and maintenance of plant materials on a lot to enhance the environmental and visual characteristics of commercial, industrial and residential property and neighborhoods.

**Laundry Agency.** A structure used for the washing and drying of clothes for business purposes.

**Loading and Unloading Space.** A permanently striped and designated temporary parking space to be used by commercial vehicles for the loading and unloading of merchandise and located on the same lot as the principal commercial or industrial building which is accessible to a street or alley.

**Lodging House.** A building providing lodging only for compensation to three (3) or more persons, but not exceeding twenty (20) persons.

**Loft.** The floor placed between the roof and the floor of the uppermost story of a single-family detached building, the floor area of which is not more than one-third of the floor area of the story or room in which it is placed.

**Lot.** A legally created parcel of land, under one (1) ownership, of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are required by these regulations.

**Lot Area.** The area within the lot lines of a lot.

**Lot, Corner.**

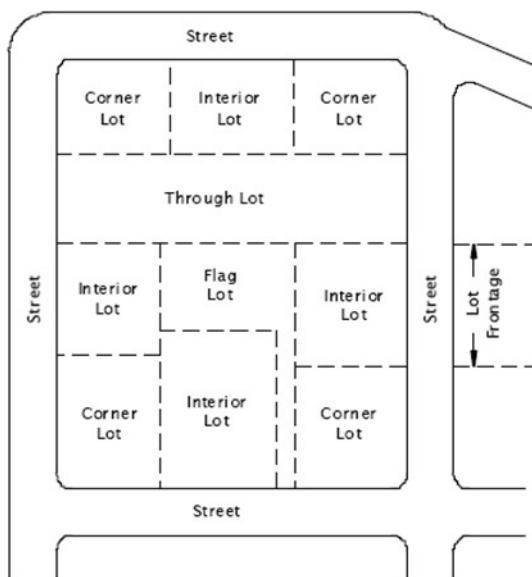
- a. A lot which has an interior angle of one hundred thirty-five (135) degrees or less at the intersection of two (2) street lines, or
- b. A lot abutting upon a curved street is considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of one hundred thirty-five (135) degrees or less.

**Lot Coverage.** The percentage of the area of a lot which is occupied by all buildings or other covered structures. Also see **Floor Area Ratio**.

**Lot Depth.**

- a. For lots that have front and rear lot lines which are parallel, the depth is measured as the shortest horizontal distance between each lot line.
- b. For lots that have front and rear lot lines which are not parallel, the depth is measured as the shortest horizontal distance between the midpoint of the front lot line and midpoint of the rear lot line.
- c. For lots that are triangular or multi-angular in shape, the depth is measured as the shortest horizontal distance between the front lot line and a line within the lot that is perpendicular and not more than ten (10) feet away from the triangular point of the rear lot angle.

**Lot, Flag.** A lot not fronting on or abutting a public road and where access to the public road is by a narrow strip of private access.



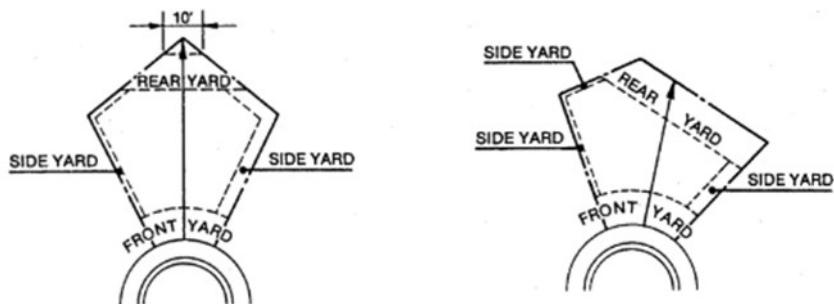
**Lot, Key.** A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot. A ten (10) foot visibility triangle is required to be maintained along the rear of the corner lot as illustrated below.

**Lot Line.** Any line bounding a lot.

**Lot Line, Front.** The boundary of a lot which separates the lot from the street; and in the case of the corner lot, the front lot line is the shorter of the two (2) lot lines separating the lot from the streets. Where these lot lines are equal or within fifteen (15) feet of being equal, either lot line may be designated the front lot line but not both. Refer to diagrams in regulatory sections for additional information.

**Lot Line, Rear.** The boundary of a lot which is most distant from, and is, or is most nearly, parallel to the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

**Lot Line, Side.** The boundary of a lot which is not a front lot line or a rear lot line.



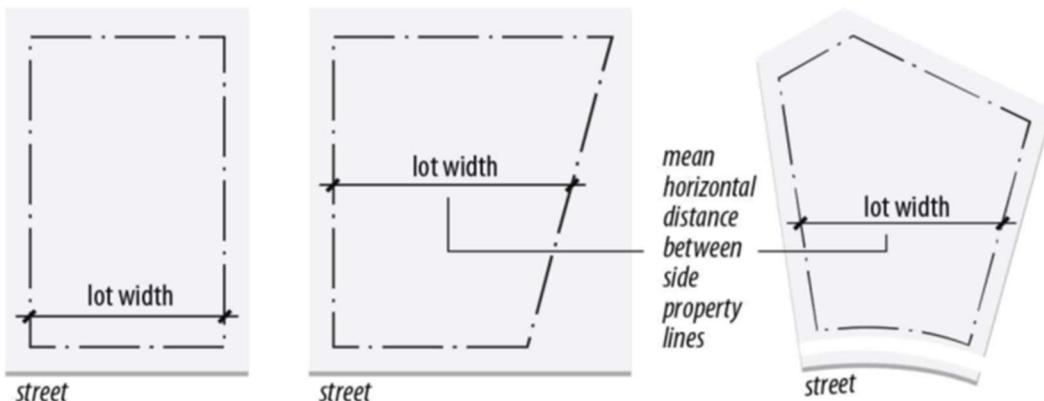
**Lot of Record.** Any lot which is part of an approved subdivision plat which has been duly approved and recorded with the Maricopa County Recorder; or any lot which has been surveyed, deeded, recorded, and otherwise legally established prior to December 10, 1994 shall be considered a legal lot of record. A building permit may be issued, in conformance with the Zoning Ordinance, for a legal lot of record providing that access has been perfected.

**Lot, Through.** A lot having a pair of opposite lot lines abutting two (2) streets, and which is not a corner lot. On such a lot, the front lot line shall be where the building is addressed.

**Lot Width.** The distance between side lot lines measured at the required minimum front yard line parallel to the street or street chord for:

- Rectangular lots,
- Lots having side lot lines not parallel, and
- Lots on the outside of the curve of a street,

Additionally, the distance between side lot lines measured thirty (30) feet behind the required minimum front yard line parallel to the street or street chord for Lots on the inside of the curve of a street.



## M

**Manufactured Home.** a structure built on or after June 15, 1976, that is eight or more feet wide and forty or more feet long, has a permanent chassis, is transportable in one of more sections, is equipped with complete plumbing, heating, and electrical systems from the factory, and is designed to be used with or without a permanent foundation for residential occupancy when connected to on-site utilities. Additionally, manufactured homes are fabricated in an off-site facility for installation or assembly on location, bearing a label certifying it is constructed in compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974 and built to the United States Department of Housing and Urban Development manufactured home construction and safety standards.

**Manufactured Home Park.** Any parcel of land upon which two (2) or more manufactured homes are occupied for dwelling or sleeping purposes whether or not there is a cost for such accommodations or any parcel of land having a mix of manufactured home and recreational vehicle spots.

**Manufactured Home Space.** A plot of land within a manufactured home park or travel trailer park designed to accommodate one (1) manufactured home or travel trailer and its accessory structures including carports or other off-street parking areas, storage lockers, ramadas, cabanas, patios, patio covers, awnings and similar appurtenances.

**Manufactured Home Subdivision.** A residential subdivision designed and intended to be used exclusively for manufactured homes.

**Manufacturing.** Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

**Marijuana.** 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, manufactured, salt, derivative, mixture or preparation of the plant or its seeds or resin, this includes cannabis as defined in A.R.S. § 13-3401 but 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 Concentrate.** Resin extracted from any part of a plant of the genus cannabis and every compound, manufacture, salt, derivative, mixture or preparation of that resin or tetrahydrocannabinol but does not include industrial hemp or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink or other products.

**Marijuana Dual Licensee.** An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

**Marijuana Establishment.** An entity licensed by the Department of Health Services to operate all or one of the following: (1) a single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana, and manufacture marijuana products; (2) a single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana, and manufactured marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers; and (3) 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 Products.** Marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

**Marijuana Testing Facility.** The Department of Health Services or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

**Mausoleum.** A building containing above-ground tombs.

**Medical Marijuana.** Those portions of the plant of the genus cannabis administered and used by a registered qualifying patient, as that term is defined in A.R.S. Section 36-2801, solely for the purpose of treating or alleviating the patient's debilitating medical condition or symptoms associated with that debilitating medical condition.

**Medical Marijuana Designated Caregiver Cultivation Site.** The cultivation of medical marijuana by a registered designated caregiver for a registered qualifying patient, pursuant to A.R.S. §36-2804.04(A)(7).



**Medical Marijuana Dispensary.** A not-for-profit facility that, pursuant to A.R.S. §36-2804, is registered with and certified by the Arizona Department of Health Services to acquire, possess, cultivate, manufacture or infuse, deliver, transfer, transport, supply, sell or dispense medical marijuana or related supplies and educational materials to cardholders, as that term is defined in A.R.S. §36-2801.

**Medical Marijuana Facilities.** Medical marijuana dispensaries, and medical marijuana designated caregiver cultivation sites.

**Medical Marijuana Off-Site Cultivation Site.** The enclosed, locked facility identified by a medical marijuana dispensary pursuant to A.R.S. Section 36-2806 (E), where the medical marijuana dispensed by said dispensary is grown or stored.

**Merchandise.** Any new or used object, wares, goods, commodity, amusements, food concessions, or services bought and sold for profit.

**Mini-Warehouse.** A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include refrigerated facilities.

**Modular Home.** Also referred to as a factory-built building, is a residential or non-residential building which is either wholly or in substantial part manufactured at an off-site location and set on a permanent foundation and connected to required utilities.

**Monopole.** Tower that consists of one main stem (or pole) which is anchored to the ground. The same meaning as set forth in A.R.S. Section 9-591

**Motel.** A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly to the room from the outside of the building adjacent to a garage or parking space located on the lot and designed, used, or intended to be rented for compensation. Motel includes motor courts, motor lodges and tourist courts, but not mobile home parks, recreation vehicle parks, or travel trailer parks.

## N

**Legally Nonconforming Lot.** A lot, the area, dimensions or locations of which was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the Zoning Ordinance.

**Non-Chartered Financial Services.** A business, other than a state or federally chartered bank, credit union, mortgage lender or savings and loan association that offers check cashing services and loans for payment of a percentage fee. Specifically included is check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, "payday" businesses that make loans upon assignments of wages received or to be received, or businesses that function as deferred presentment services.

**Legally Nonconforming Use.** The lawful use of any building, lot, parcel or tract of land existing at the time this Ordinance, or amendments thereto, became effective which does not conform to the use regulations of the zoning district in which it is located. Provisions for Nonconforming Uses are found in Articles 14-1 and 14-5.

**Nursing Home.** An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

## O

**Open Space.** Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. For purposes of recreational and medical marijuana regulations, this includes a public park and/or public sidewalk.

**Outer Court.** An open area, unobstructed from the ground to the sky, which is bounded on not more than three (3) sides by the exterior walls of one (1) or more buildings and the parking area or street.

**Outside Storage.** Any specific and/or miscellaneous equipment, supplies, containers, materials, products or provisions which are, either on a temporary, periodic or permanent basis, located either singularly or in accumulation outside the exterior walls of any building or structure, or placed under a roofed structure with no walls (such as a carport). Included in this definition shall be five (5) or more company owned or fleet vehicles when not located within parking stalls.

## P

**Park.** A tract of land, designated and used by the public for active and passive recreation.

**Park Model.** A structure built on a single chassis, mounted on wheels, and designed to be connected to utilities for operation of installed fixtures and appliances. A park model has a gross trailer area of not less than three hundred twenty square feet and not more than four hundred square feet when it is set up.

**Park, Pocket.** A small park which is generally created on a building lot or an irregular lot generally consisting of a children's playground, monuments, or art projects.

**Parking Lot.** A parcel of land or portion thereof improved to Town Parking Standards and used for off-street parking purposes.

**Parking Space.** A dust free permanently surfaced area, enclosed or unenclosed, bounded by a driveway connecting the parking space to a street or alley that permits ingress and egress of vehicles.

**Patio Home.** A single-story dwelling unit that shares at least one exterior wall and has a back patio but not necessarily in the rear yard.

**Pawn Shop.** An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

**Permitted Use.** Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

**Prefabricated or Component Building.** A residence or building that is factory pre-designed, engineered and shipped from the factory to be assembled on site. Designed to be used only with a permanent foundation when connected to the required utilities.

**Premises.** A parcel or lot and all buildings constructed thereon.

**Prohibited Use.** A use that is not permitted in a zoning district.

**Promotional Banner.** A temporary sign that carries a message regarding a special event or function which is of general interest.

**Public Place.** Has the same meaning prescribed in the Smoke-Free-Arizona Act, A.R.S. § 36-601.01.

## R

**Race Track.** A purpose-built facility for racing animals, automobiles, motorcycles or athletes. A race track may also feature grandstands or concourses.

**Radio and Television Store.** A store where the primary business is selling radios, televisions and other small electronic devices.

**Recreational Facility.** Recreational facility operated as a business and open to the general public for a fee.

**Recreational Vehicle.** A vehicular unit designed to provide temporary living quarters for recreational, camping or travel use, which is self-propelled, towed, or carried by another vehicle. This definition includes motor homes, van conversions, truck campers, tent or camping trailers, and travel trailers not to exceed eight and a half (8.5) feet in width and forty-five (45) feet in length.

**Recreational Vehicle Park.** A piece of land where one or more recreational vehicles are located, established, or maintained for occupancy by the general public on a temporary or seasonal basis.

**Rehabilitation and Treatment Center.** An institution providing inpatient, residential, or outpatient psychological, medical or psycho-social services to treat and rehabilitate recovery for persons suffering from addictive disorders such as drug addiction, eating disorders, sex addiction and alcohol addictions. Ord. 1088/6-11

**Religious Assembly.** Facilities for worship and other religious ceremonies, with incidental religious education, religious bookstores, rectories and parsonages, offices, social services, day care and community programs.

**Residential Office.** A low impact use such as offices including dental, professional, architect, lawyer, doctor offices.

**Restaurant.** An establishment where food and drink is prepared, served, and consumed primarily within the principal building.

**Right-Of-Way.** A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied by a road, sidewalk, railroad, electric transmission lines, pipeline, waterline, sanitary storm sewer and other similar uses. Generally, the right of one to pass over the property of another.

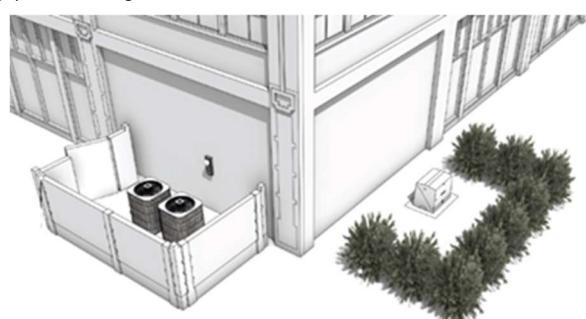
**Roping Arena.** An exercise space, generally rectangular, sufficiently large to allow for competitive events, practice, and/or live performance event training activities related to rodeo, barrel racing, dressage, or similar events.

## S

**Sale.** Any attempt to sell or offer to transfer ownership of merchandise through any means of exchange including but not limited to barter, trade or monetary compensation.

**School.** An institution of learning, such as elementary and secondary schools, colleges and universities, which offers instruction in several branches of learning and study, but not including business colleges, nursery schools, art/dancing/vocal/instrumental schools, riding academies, or trade or vocational schools.

**Screening.** A method of visually shielding or obscuring one (1) abutting or nearby structure or use from another by fencing, walls, berms or densely planted vegetation.

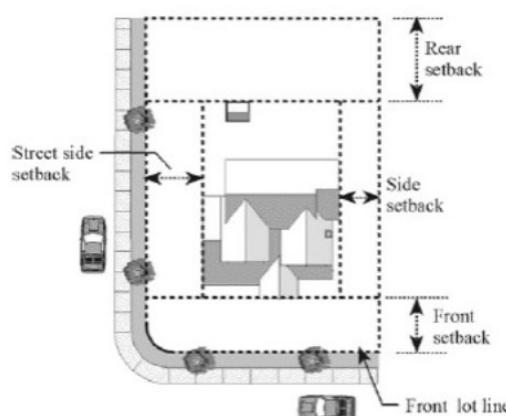


**Seasonal Produce Stands.** A small temporary structure that is used to sell fresh produce. The produce is limited to vegetables, fruits and herbs that are grown on the property where the sale is to take place.

**Seasonal Temporary Use.** Uses such as Christmas tree sales at Christmas and pumpkin sales at Halloween lasting no more than thirty (30) days.

**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.** The minimum horizontal distance between a lot line and nearest point of a building, structure or permitted use, located on a lot.



**Short-term rental or Vacation Rental.** Means any individually or collectively owned-single family or one-to-four family house or dwelling unit, or any unit or group of units in a condominium or cooperative that is also a transient public lodging establishment or owner-occupied residential home offered for transient use. Does not include a dwelling unit that is used for any nonresidential use, including for a special event that would otherwise require a permit or license pursuant to a town ordinance or a state law or rule or for a retail, restaurant, banquet space or other similar use.

**Side, Private.** Concrete pedestrian paths, porches or open vestibules that are adjacent to commercial structures but not located in the Town right-of-way.

**Sign.** Any device for visual communication, including any structure or natural object or part thereof that is used for the purpose of attracting the attention of the public. This definition does not include any flag, badge or insignia of any government or governmental agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization.

**Raceway-Sign:** A cabinet that contains the wiring and wall attachments for sign letters and which projects from the wall. Sign letters are attached to the raceway.

**Sign, A-Frame:** A portable sign used to display advertising or business logo.

**Sign, Abandoned:** An on-site or off-site sign associated with an abandoned business or property that has been vacated for six (6) months or more.

**Sign, Advertising:** A sign which lists products, services, and/or prices.

**Sign, Animated:** A sign or part of a sign that exhibits movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment, including the movement of any illumination of or the flashing and varying of light intensity, the automatic changing of all or any part of the facing of a sign; the movement of a sign set in motion by the atmosphere. Time and temperature devices shall be considered animated signs. Banners and flags shall not be considered not animated signs.

**Sign, Awning, Canopy or Marquee:** A sign that is mounted or painted on, or attached to, an awning, canopy, or marquee that is otherwise permitted by Ordinance. For the purpose of this Ordinance, a marquee is defined as a canopy constructed of rigid materials which projects over an entrance to a building.

**Sign, Banner or Temporary Banner:** A sign which is temporary in nature printed on cloth, vinyl, or plastic suspended from two (2) ends. Attachment or suspension may be from buildings and/or poles. A banner may or may not contain text or graphics.

**Sign, Blade/Projecting:** A sign which hangs perpendicular to the wall face of a building typical of historic building with zero (0) setbacks. Blade signs typically hang over the public right of way.

**Sign, Construction:** A temporary sign erected on the premises on which construction is taking place, during the period of such construction, reconstruction or repair of a building indicating the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

**Sign, Directional:** A sign limited to directional messages, principally to direct and aid the flow of pedestrian or vehicular traffic such as "one-way," "entrance," and "exit" building address and providing directional information relating to points of interest, institutions, facilities and districts.

**Sign, Directory:** A sign listing the names and/or uses and/or locations of the various businesses or activities within a building or a multi-tenant development not for the purpose of bringing same to the attention of vehicular traffic.

**Sign, Double Face:** A sign having copy on two faces of equal dimension with an interior angle between the two faces of forty-five (45) degrees or less.

**Sign, Face:** The area or display surface used for the message.

**Sign, Feather.** A vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand



**Sign, Flashing:** A directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.

**Sign, Freestanding:** A non-movable sign not affixed to a building and mounted on its own self-supporting structure.

**Sign, Governmental:** A sign erected and maintained pursuant to and in discharge of any governmental functions, or required by law, ordinance or other governmental regulation.

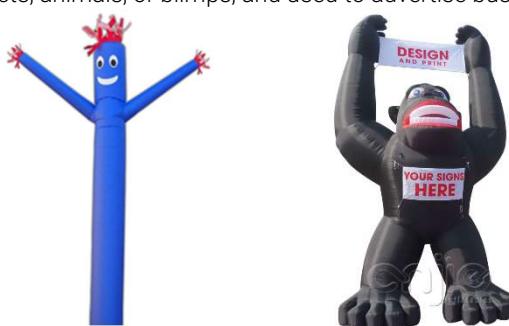
**Sign, Ground:** A freestanding sign, other than a pole sign, placed upon or supported by the ground independent of any other structure, except footings.

**Sign, Historic:** A sign which can be shown through photographs or other records/evidence to have been in existence prior to 1970.

**Sign, Identification:** A sign used to present the name of the business, place, organization, building or professional the sign is attached to.

**Sign, Illuminated:** A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

**Sign, Inflatable:** A temporary sign used for attention-grabbing display made from lightweight fabric that's filled with air or gas, often shaped like objects, animals, or blimps, and used to advertise businesses, products, sales, or events,



**Sign, Mansard:** A sign permanently affixed to a wall or surface designed to protect the edge of a roof, constructed no more than twenty (20) degrees from vertical.

**Sign, Memorial:** A sign memorializing a person, event, structure or site.

**Sign, Menu Board:** A sign used to display the establishment's menu items. A menu board is generally placed on the outside of the building's main entrance and/or drive-thru.

**Sign, Mural:** A sign painted on the wall of a building or structure in such a manner that the wall becomes the background surface of the sign. Murals shall not be used to promote or advertise a commercial product, service or business.

**Sign, Legally Non-Conforming:** A sign lawfully existing on the effective date of an ordinance, or an amendment thereto, which renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.

**Sign, Obscene:** A sign that the average person, applying contemporary state standards, depicts or describes, in a patently offensive way, profane, lewd or sexually explicit words or images..

**Sign, Obsolete:** A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product, activity conducted, or product available on the premises where such sign is displayed.

**Sign, Off-Site (Billboard):** A sign which directs attention to any business, commodity, service or entertainment/event conducted, sold or offered at a location other than the premises on which the sign is located.

**Sign, Pole:** A sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six feet (6') or more above grade.

**Sign, Political:** A temporary sign which supports the candidacy of any candidate for public office, or urges action on a governmental issue, endorses or opposes a political party, or that relates to views about issues placed on the ballot of an upcoming National, State or local level.

**Sign, Portable:** A sign that is not permanent, affixed to a building, structure or the ground.

**Sign, Private Sale or Event:** A temporary sign advertising private sales of personal property at a residential or other non-commercial property such as "house sales," garage sales," "rummage sales," "estate sales," "bake sales," "lemonade stands".

**Sign, Program:** A coordinated program of one or more signs for an individual business establishment or a business center.

**Sign, Projecting:** A sign that is wholly or partly dependent upon a building for support and which projects more than twelve (12) inches from such building.

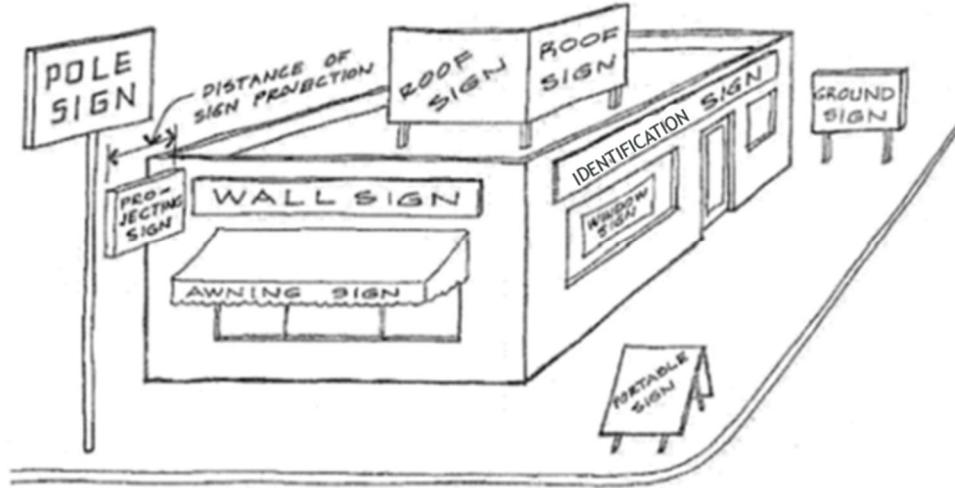
**Sign, Roof:** A sign that is mounted on the roof of a building or which is wholly or partly dependent upon a building for support and which projects above the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard or within six inches (6") of the top of a parapet.

**Sign, Special Event:** A sign relating to the promotional event such as, but is not limited to, bazaars, street fairs, art fairs, shows, exhibitions, sporting events, runs, bicycling events, block parties, and may include events of a general Town-wide civic or public benefit nature. This does not include private sale or event signs, or special attention attracting devices, as defined herein.

**Sign, Temporary:** A sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material that is not permanently attached to the ground, wall, or building and that is designed or intended to be displayed for a period of time not to exceed thirty (30) days.

**Sign, Wall:** A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than twelve (12) inches from such building or structure.

**Sign, Window:** A sign that is applied or attached to the interior or exterior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window. This does not include private sale or event signs, or special attention attracting devices, as defined herein.



**Small Wireless Facility.** The same meaning as set forth in A.R.S. Section 9-591.

**Smoke.** For purposes of marijuana regulations, this means to inhale, exhale, burn, carry or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

**Special Event.** Any organized activity or celebration for members of the general public or a particular group.

**Specified Sexual Activities.** Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

**Specified Anatomical Areas.** Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.



**Stall:** A covered and/or enclosed space meant to divide animals in a barn, stable or similar and provides shelter for the keeping of animals

**Storage.** Place or a space for storing items.

**Storage Lot.** A lot on which vehicles, equipment or material are stored.

**Story.** That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the surface of such floor and the ceiling or roof above it.

**Story, First.** The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one (1) floor level shall be classified as a first story, provided such floor level is not more than four feet (4') below grade, as defined herein, for more than fifty percent (50%) of the total perimeter, or more than eight feet (8') below grade, as defined herein, at any point.

**Street.** For the purposes of this chapter a street is defined as follows:

- a. Street, Public: Property which has been dedicated to the public and accepted by the Town, County, or State for the purpose of providing access ways and utility corridors, as well as attendant structures and landscaping as required or provided by the Town.
- b. Street, Private: Property which has been reserved as private access ways as indicated on a Subdivision Plat which has been duly approved. Private streets shall be constructed in accordance with the standards adopted by the Town of Wickenburg for public streets and maintained by the owners of said street in accordance with a schedule approved by the Town Council.
- c. Street, Small Tract Patent Easement: An access and utility corridor which has been reserved for public use by the United States of America.
- d. Street, Width: Includes all land within the right-of-way whether improved or unimproved.

**Street Line.** The boundary which separates the right-of-way of a street from the abutting property, also called the front property line of each lot.

**Structural Alteration.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls.

**Structure.** Anything constructed or erected which requires location on the ground or attached to something having location on the ground, but not including tents, vehicles, travel trailers or mobile homes.

**Shopping Center, Large.** A retail store of sixty-five thousand (65,000) square feet or more.

**Swap Meet.** An outdoor sale or place of commercial activity which may also be known as a flea market, park and swap or other such reference which is open to the public, located outside of a wholly enclosed building and where merchandise is offered for sale, trade, exchange or barter.

## T

**Tattoo Parlor.** A commercial use involving the marking of skin of persons with a design by a process of pricking or ingraining an indelible pigment, or by the raising of scars, or similar method.

**Temporary Building.** A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure erected has ceased.

**Temporary Use.** A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

**Theater.** A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances.

**Tiny Home.** A single-family dwelling or manufactured home consisting of a maximum of 400 square feet in size. Designed to be used with or without a permanent foundation and connected to the required utilities.

**Town.** Town of Wickenburg

**Townhome.** A one (1) family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement and having a totally exposed front and rear wall to be used for access, light, and ventilation.

**Tract Home.** A dwelling in a residential development containing houses similar in size and appearance.

**Travel Trailer.** A towed vehicle that is a temporary dwelling and sleeping facility not exceeding eight (8) feet in body width or more than forty (40) feet in length.

**Travel Trailer Park.** Any parcel of land upon which two (2) or more travel trailers for dwelling or sleeping purposes, are located, whether or not a charge is made for such accommodations.

**Travel Trailer Space.** A plot of ground within a mobile home park or travel trailer park designed for the accommodation of one travel trailer together with its accessory structures including carports or other off-street parking areas, storage lockers, ramadas, cabanas, patios, patio covers, awnings and similar appurtenances.

**Turn Out/Pasture.** A large outdoor area associated with horses, mules, dokeys or similar animals that is open to the elements and secured with a perimeter fence so that the animals may graze and exercise on their own.

## U

**Use.** The purpose or purposes, for which land or a building is occupied, maintained, arranged, designed or intended.

**Use, Accessory.** A use which is incidental and subordinate to the principal use of a lot or a building, including servants or caretakers' quarters, and located on the same lot therewith.

**Use, Principal.** The main use of land or a building as distinguished from an accessory use.

## V

**Variance.** A request to allow a deviation from a development standard required by the Zoning Ordinance.

**Vendor.** Any person or corporation engaged in the advertisement or sale of any merchandise or service.

## W

**Wireless Facility, Small.** The same meaning as set forth in A.R.S. Section 9-591 and includes a monopole.

**Wireless Communications Facility.** See standards and definitions set forth in Section 14-5-9 of this Town Code.

## Y

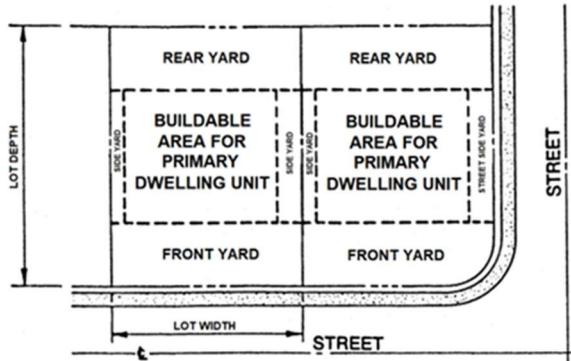
**Yard.** The open space at grade level between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Ordinance. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the principal building is to be used; however, on any lot wherein a setback line has been established by the regulations of this Ordinance for any street abutting the lot, such measurement is to be taken from the principal building to the setback line. See "Yard, Required."

**Yard, Front.** A yard extending across the front width of a lot and being the minimum horizontal distance between the street line and the principal building or any projection, other than steps, unenclosed balconies and unenclosed porches. The front yard of a corner lot is the yard adjacent to the designated front lot line.

**Yard, Rear.** The area bounded by the side lot lines and between the rear lot line and the rear of the principal building and in all cases the rear yard is opposite from the front yard.



**Yard, Required.** The minimum area created by the setback requirements of this ordinance for front, rear, and side yards. The area remaining of the lot after setbacks are placed creates the "buildable area."



**Yard Sale.** Also called garage sale or moving sale. The occasional sale of surplus personal property held on premises by the owner or occupant of a lot.

**Yard, Side.** The area bounded by the front and rear lot lines and the side lot line and the side of the principal building minus the area calculated for the front and rear yards and any projection, other than steps, unenclosed balconies or unenclosed porches. An interior side yard is defined as the side yard adjacent to a common lot line.

## Z

**Zoning Administrator.** The official responsible for enforcement of the Zoning Ordinance.

**Zoning District.** Any Section as shown on the Zoning District Map of the Town for which the regulations governing the use of buildings and premises, or the height and area of buildings are uniform.