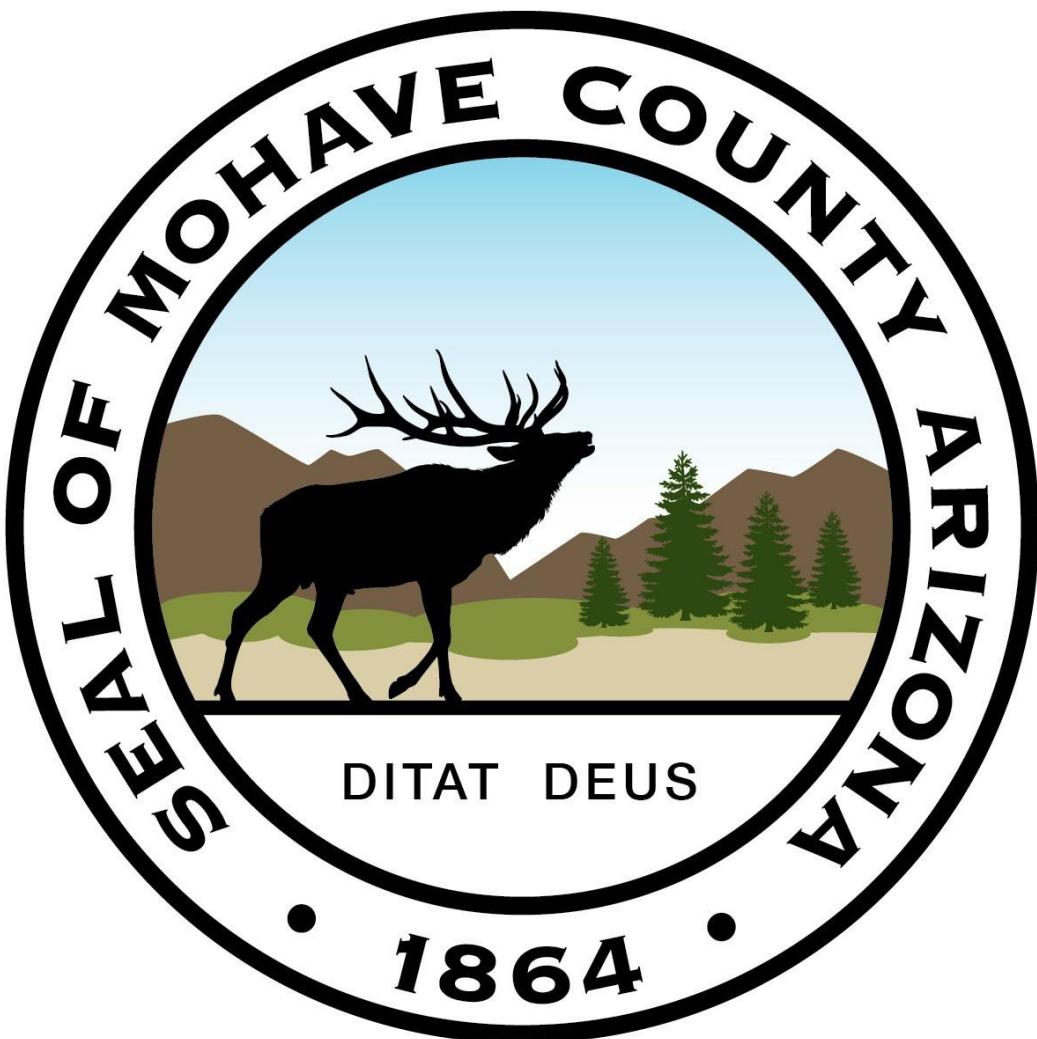


# Mohave County

# Development Services

# Department



## Zoning Ordinance



TITLE

AN ORDINANCE ESTABLISHING AND ADOPTING A GENERAL PLAN FOR MOHAVE COUNTY, DEVELOPMENT SERVICES, AND PROVIDING FOR THE ENFORCEMENT THEREOF AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDERED BY THE BOARD OF SUPERVISORS OF MOHAVE COUNTY

SHORT TITLE: This ordinance may be cited as the "Mohave County Zoning Regulations"

Adopted: November 2, 2015

Revised: April 7, 2016

June 2, 2016

September 1, 2016

October 19, 2016

April 5, 2018

January 3, 2019

April 14, 2020

March 4, 2021

May 10, 2022

January 5, 2024

August 19, 2024

November 4, 2024

October 28, 2025

December 1, 2025

NOTICE:

It shall not be the responsibility of the Development Services Department to update the information contained herein.

This ordinance contains the zoning information in effect on the date listed as revised above.

The process of developing this document is dedicated to John Montgomery, J.D., Planner II, who was a vital part of the process to develop this document. His dedication, great legal mind and wit contributed heavily to this document and its development.

## Contents

SECTION	TITLE	PAGE
SECTION 1 JURISDICTION .....	1	
SECTION 2 PLANNING AND ZONING COMMISSION JURISDICTION.....	1	
SECTION 3 ZONING ADMINISTRATION JURISDICTION.....	1	
SECTION 4 VALIDITY OF THIS ORDINANCE .....	1	
SECTION 5 VALIDITY OF PERMITS AND LICENSES .....	1	
SECTION 6 INCORRECT OR OMITTED INFORMATION .....	1	
SECTION 7 FEES .....	3	
SECTION 8 DEFINITIONS.....	5	
SECTION 9 GENERAL PURPOSES OF ZONING REGULATIONS.....	19	
SECTION 10 THE ZONING MAP .....	19	
SECTION 11 ESTABLISHMENT OF ZONES .....	21	
SECTION 12 ESTABLISHMENT OF OVERLAY ZONES/BUILDING CODES.....	23	
SECTION 12.1 REGULATIONS FOR RESIDENTIAL CLUSTER OVERLAY OR “R-CL” ZONE ...	25	
SECTION 13 REGULATIONS FOR GENERAL OR “A” ZONE.....	28	
SECTION 14 REGULATIONS FOR AIRPORT DEVELOPMENT OR “A-D” ZONE.....	30	
SECTION 15 REGULATIONS FOR AGRICULTURAL-RESIDENTIAL OR “A-R” ZONE.....	34	
SECTION 16 REGULATIONS FOR RESIDENTIAL RECREATION OR “R-E” ZONE.....	36	
SECTION 17 REGULATIONS FOR COMMERCIAL RECREATION OR “CR-E” ZONE.....	38	
SECTION 18 REGULATIONS FOR REGIONAL PARKS OR “R-P” ZONE .....	41	
SECTION 18.1 REGULATIONS FOR COMMUNITY PARKS OR “C-P” ZONE .....	42	

## Contents

SECTION	TITLE	PAGE
SECTION 18.2	REGULATIONS FOR NEIGHBORHOOD PARKS OR “N-P” ZONE .....	43
SECTION 19	REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL OR “R-1”, “R-O” ZONES.	45
SECTION 20	REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL/MANUFACTURED HOMES PROHIBITED/LIMITED ANIMAL PRIVILEGES OR “R-O/A” ZONE .....	47
SECTION 21	REGULATIONS FOR MEDIUM-DENSITY RESIDENTIAL OR “R-2” ZONE .....	49
SECTION 22	REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL MANUFACTURED HOME OR “R-MH” ZONE.....	51
SECTION 23	REGULATIONS FOR MULTIPLE-RESIDENTIAL OR “R-M” ZONE .....	53
SECTION 24	REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL RECREATIONAL VEHICLE OR “R-RV” ZONE .....	55
SECTION 25	REGULATIONS FOR SPECIAL DEVELOPMENT OR “SD” ZONE.....	57
SECTION 26	REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE.....	59
SECTION 27	REGULATIONS FOR NEIGHBORHOOD COMMERCIAL OR “C-1” ZONE .....	67
SECTION 28	REGULATIONS FOR COMMERCIAL-OFFICE RESIDENTIAL OR “COR” ZONE ...	69
SECTION 29	REGULATIONS FOR GENERAL COMMERCIAL OR “C-2” ZONE .....	71
SECTION 30	REGULATIONS FOR GENERAL COMMERCIAL HIGHWAY FRONTAGE OR “C-2H” ZONE .....	73
SECTION 31	REGULATIONS FOR COMMERCIAL-MANUFACTURING/OPEN LOT STORAGE OR “C-MO” ZONE .....	75
SECTION 32	REGULATIONS FOR LIGHT MANUFACTURING OR “M-1” ZONE .....	77
SECTION 33	REGULATIONS FOR GENERAL MANUFACTURING OR “M-2” ZONE .....	79
SECTION 34	REGULATIONS FOR HEAVY MANUFACTURING OR “M-X” ZONE.....	83
SECTION 35	SETBACKS AND AREA REQUIREMENTS.....	87

## Contents

SECTION	TITLE	PAGE
SECTION 36	OFF-STREET PARKING STANDARDS .....	91
SECTION 37	GENERAL PROVISIONS .....	99
SECTION 37.A	SPECIAL USES .....	99
SECTION 37.B	BUILDING SITES .....	101
SECTION 37.C	PROJECTIONS INTO YARDS.....	103
SECTION 37.D	LOCATION OF ACCESSORY BUILDINGS .....	105
SECTION 37.E	FENCES, HEDGES, AND SIMILAR STRUCTURES .....	107
SECTION 37.F	MANUFACTURED HOME PARKS .....	111
SECTION 37.G	RV PARKS.....	121
SECTION 37.H	MANUFACTURED HOME REQUIREMENTS .....	131
SECTION 37.I	ESTABLISHMENT OF SWAP MEETS .....	133
SECTION 37.J	ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC .....	135
SECTION 37.K	ESTABLISHMENT OF RECREATIONAL VEHICLES AND PARK MODEL UNITS ..	141
SECTION 37.L	HOME OCCUPATION .....	145
SECTION 37.M	COTTAGE INDUSTRIES .....	149
SECTION 37.N	SITE PLAN REQUIREMENTS.....	151
SECTION 37.O	OPEN LOT STORAGE STANDARDS.....	155
SECTION 37.P	ACCESSORY RESIDENCE REQUIREMENTS .....	157
SECTION 37.Q	CHILD CARE FACILITIES IN RESIDENTIAL ZONES .....	160
SECTION 37.R	WIRELESS COMMUNICATION TOWERS AND FACILITIES .....	163

## Contents

SECTION	TITLE	PAGE
SECTION 37.S	ASSISTED LIVING FACILITIES IN RESIDENTIAL ZONES.....	171
SECTION 37.T	GARAGE/YARD SALES.....	173
SECTION 37.U	ENERGY PROJECTS.....	175
SECTION 37.V	MEDICAL MARIJUANA AND MARIJUANA ESTABLISHMENTS.....	178
SECTION 37.W	INDUSTRIAL PERFORMANCE STANDARDS.....	180
SECTION 37.X	AGRICULTURAL EXEMPTIONS .....	182
SECTION 37.Y	EXEMPTION PERMIT.....	184
SECTION 37.Z	SPECIAL EVENTS – GENERAL PROVISIONS.....	187
SECTION 38	OUTDOOR LIGHT CONTROL .....	191
SECTION 39	USE PERMITS.....	197
SECTION 40	ZONING INSPECTION AND ENFORCEMENT.....	201
SECTION 41	BOARD OF ADJUSTMENT .....	209
SECTION 42	SIGN ORDINANCE .....	213
SECTION 43	ADDRESSING AND ROAD NAMING REGULATIONS .....	233
SECTION 44	ADULT ORIENTED BUSINESS .....	253
SECTION 45	NON-CONFORMING USES .....	257
SECTION 46	AMENDMENTS TO ZONING DISTRICTS (REZONES).....	259
SECTION 46.2	AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS.....	263

## **Section 1 JURISDICTION**

These Regulations shall govern all land within the boundaries of Mohave County, under the jurisdiction of the Board. As with all regulations, these regulations change with changing circumstances and can be amended by the Board following adequate public notice.

## **Section 2 PLANNING AND ZONING COMMISSION JURISDICTION**

It shall be the duty of the Commission, through the Development Services Department, to administer and enforce the provisions of this Ordinance under their jurisdiction.

## **Section 3 ZONING ADMINISTRATION JURISDICTION**

It shall be the duty of the Director to administer and enforce the provisions of this Ordinance regarding land use limitations as described in [A.R.S. §11-815](#).

## **Section 4 VALIDITY OF THIS ORDINANCE**

It is the intent of the Board to adopt the entire Ordinance as a legal unit, ensuring consistency with the County General Plan.

Should any section, subsection, paragraph, sentence, clause, or phrase of these regulations be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of these Regulations.

## **Section 5 VALIDITY OF PERMITS AND LICENSES**

All departments, officials and employees of the County of Mohave vested with the duty or authority to issue permits or licenses shall comply with the provisions of this Ordinance; and no permits or licenses shall be issued for uses or purposes in conflict with the provisions of this Ordinance.

## **Section 6 INCORRECT OR OMITTED INFORMATION**

- A. **APPLICATION REQUIREMENTS:** An application for a permit, variance, appeal, or land-use change shall be considered incomplete if it does not include sufficient information to identify the applicant, identify the property involved, and describe the proposal. If the applicant does not own the property, written consent of the property owner will be required. If the applicant's ownership of the property is not reflected in the records of the County Assessor's Office, proof of ownership may be required.
- B. Incorrect information or statements or information omitted by applicants such that its omission might alter the conditions on which any approval of permit, variance, appeal, or change is being considered, is sufficient basis to suspend or terminate any proceedings in process. Proceedings may resume after corrected or omitted information has been provided.



## **Section 7 FEES**

Fees for zoning related services will be adopted by the Board of Supervisors via separate resolution/ordinance, and fees may change with each budget adopted by the Board.



## **Section 8 DEFINITIONS**

For the purpose of this Ordinance, certain terms used herein are defined as follows:

All words used in the present tense shall include the future tense; all words in the plural number shall include the singular number; and the words in the singular number shall include the plural number, unless the natural construction of the wording indicated otherwise. The word "shall" is mandatory and not discretionary. Words or phrases not defined shall have the meaning customarily assigned to them as defined in a dictionary in common usage.

Accessory Building: (see Use, Accessory.)

Acre: A full acre containing 43,560 square feet of area.

Adjacent: For structures not necessarily in actual contact, but not separated by things of same kind. (For land parcels, see Contiguous.)

Adult Day Health Care Services: A program that provides planned care supervision and activities, personal care, personal living skills training, meals and health monitoring in a group setting during a portion of a continuous twenty-four hour period. See A.R.S. §36-401.

Adult Foster Care: A residential setting which provides room and board and adult foster care services for at least one and no more than four adults who are participants in the Arizona Long- Term Care system pursuant to Chapter 29, Article 2 of Title 36 of the Arizona Revised Statutes and in which the sponsor or the manager resides with the residents and integrates the residents who are receiving adult foster care into that person's family. See A.R.S. §36-401.

Agricultural: The tilling of the soil, raising of crops, horticulture, vineyards, orchards, forestry, small livestock farming, dairying, and/or pasture and range livestock production, including all uses customarily incidental thereto but not including concentrated animal feeding operations, slaughter houses, fertilizer yards, plants for the reduction of animal matter, or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

Aircraft Landing Field: Facilities for intermittent or emergency landings of aircraft.

Airport: A licensed facility for commercial, military, and private aircraft may include repairs, services, storage facilities, and offices and buildings for administration and passenger convenience.

Alley: Any public thoroughfare for the use of pedestrians and/or vehicles which affords only a secondary means of access to property.

Amendment: A change in the wording, context or substance of this Ordinance, or an addition, deletion, or change in the zone boundaries or classifications upon the Zoning Map.

Animal Hospital: (see Veterinary Clinic.)

Apartment: A rented or leased premises consisting of a room or suite of rooms designed for,

## Section 8 DEFINITIONS (continued)

intended for, and/or occupied by individuals residing therein.

A.R.S.: Arizona Revised Statutes.

Assisted Living Center: An assisted living facility that provides resident rooms or residential units to eleven or more residents. See [A.R.S. §36-401](#).

Assisted Living Facility: A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services, or directed care services on a continuing basis. See [A.R.S. §36-401](#).

Assisted Living Home: An assisted living facility that provides resident rooms to ten or fewer residents.

Automobile or Recreational Vehicle Sales Lot: An outdoor area used for the display, sales, or rental of new or used automobiles or recreational vehicles, but where no repair, repainting or remodeling is done.

Automobile Repair Shop: A facility for the storage and mechanical repair of an automobile, but not to include body and fender shops.

Automobile Wrecking (Auto Wrecking): (see Junk Yards.)

Barrier: Anything that prevents passage or approach, an obstruction, as a fence, wall, etc.

Bed and Breakfast: A guest house or small hotel offering sleeping accommodations and a morning meal.

Berm: An earthen mound usually man-made and used to shield or buffer properties from adjoining uses, noise or highway visibility.

Board: Mohave County Board of Supervisors.

Boarding House: A building or buildings containing central kitchen facilities where lodging is provided for compensation with or without meals, but not to include rest homes.

Borrow Pit: A place or premises where dirt, soil, sand, gravel, or other materials are removed by excavation or other means, below the grade of surrounding land, for any purpose other than that necessary and incidental to grading and/or building construction.

Boundary, Zone: Limit and extent of each zone classification as shown on the Zoning Map.

Buffer: A wall, fence, or barrier, or an undeveloped or landscaped area, used to lessen the audible or visual impact of incompatible land uses.

Building: A structure having a roof supported by columns and/or walls and intended for the shelter, housing, and/or enclosure of any person or chattel, and may include animal shelters.

Building, Accessory: A building subordinate to the main building, the use of which is incidental to that of a main building on the same lot.

## Section 8 DEFINITIONS (continued)

Building Height: Maximum height is determined by the highest point of the building, not including chimneys, antennas, mechanical rooms, and similar features, measured to the average finished grade adjacent to the front of the building.

Building, Material Yard: (see Contractor's Yard.)

Building, Main: A building within which is conducted the principal use permitted on the lot, as provided by this Ordinance.

Building Setback Line: The minimum distance as prescribed by this Ordinance between any property line and the closest point of any building or structure.

Building Site: The ground area of a building together with all the open space required by this and other County Ordinances. Does not include any streets, alleys, access easements, or other rights-of-way necessary for access to this property, or as a means of access through this property to other properties.

Business or Commerce: The providing of services or the purchase, sale, or other transaction involving the handling or disposition (other than included in the term "industry" as defined herein) of any article, substance or commodity for profit or livelihood, and including in addition, office buildings, offices, shops for the use of personal services, garages, outdoor advertising signs and outdoor advertising structures, and recreational and amusement enterprises conducted for profit, but not including junk yards. Except for the business or commerce activities defined as Home Occupations or Cottage Industries by this ordinance, no business or commerce activities are allowed on residentially zoned property.

Cafe: (see Restaurant.)

Campgrounds: Public and semi-public open area with or without sanitation facilities or water for overnight or limited camping and may include the overnight parking of trailers or other vehicles intended for camping purposes.

Carport: A permanent roofed structure with not more than two (2) enclosed sides and intended to be used for automobile shelter or storage.

Casita: A freestanding or attached guest room of a home not containing a kitchen.

Cattery: A building, structure, enclosure or premises within which ten (10) or more cats, four months of age or older, are kept or maintained.

Cemetery: Land used, or intended to be used, for the burial of the dead and dedicated for such purposes, including columbarium's, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such premises.

Child care: The compensated care, supervision, recreation, socialization, guidance, and protection of a child who is unaccompanied by a parent or guardian.

Child care Home Facility (Child care Group Home): A dwelling that the Arizona Department of Economic Security (DES) has certified pursuant to [A.R.S. §36-895](#) or the Arizona

## Section 8 DEFINITIONS (continued)

Department of Health Services (DHS) has certified/licensed pursuant to [A.R.S. §36-897](#) (01-10 children) as a location where childcare services may be provided.

Church: A place of worship. A church is not a "public building."

Clinic: A place for medical services not involving overnight housing of patients.

Club: An association of persons (whether or not incorporated), religious or otherwise organized, for a common purpose, but not including groups which are organized primarily to render a service carried on as a business.

Clubhouse: A structure and related facilities for conducting or continuing the social purposes for which the club was organized.

Commerce: (see Business or Commerce.)

Commercial Dwelling: (see Dwelling, Commercial.)

Commission: Mohave County Planning and Zoning Commission.

Community Garden: A single piece of land gardened collectively by a group of people.

Community Water System: Has same meaning as [A.R.S. §45-341](#).

Concentrated Animal Feeding Operation: The use of a lot, or portion of a lot, for holding and caring for livestock, not operated in connection with a bona fide farm, including stock yards, hog farms, chicken and turkey ranches.

Conditional Use Permit: An administrative permit, issued by the Development Services Department according to standards specified in this Ordinance, and required by certain sections of this Ordinance for uses that may, under the circumstances of a specific case, be permissible in a specified zone.

Condominium: Has the same meaning as [A.R.S. §33-1202](#).

Contractor's Yard: Heavy commercial operation where building materials and construction equipment are stored while waiting to be used for various projects.

Contiguous: Adjoining by physical contact.

Convenience Store: A small store that stocks a range of everyday items such as, but not limited to, groceries, snack foods, toiletries, soft drinks, tobacco products, and may include gas pumps. If properly licensed, alcoholic beverages may be offered. Delis and fast food restaurants may be included as an ancillary activity.

Cottage Industry: A business or commercial use conducted within a dwelling or an accessory structure and carried on by the occupants of that dwelling, is clearly incidental and secondary to the residential use of the dwelling and does not change the character of the residential property or adversely affect other residential uses.

County: Mohave County, State of Arizona.

## Section 8 DEFINITIONS (continued)

County Engineer: A person appointed by the Board to such a titled position as provided by [A.R.S. §11-561](#), or their designee.

County General Plan: A plan made and adopted by the Commission and adopted by the Board for the general physical development of the County of Mohave, and includes any unit or part of such Plan separately adopted, or any amendment to such Plan, or parts thereof.

Data Center: A facility primarily used for the storage, management, processing, and transmission of digital data, housing computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing and related operations.

Dependent Park Model Trailer: A recreational vehicle more than 8.5 feet wide, primarily designed as temporary living quarters for recreation, camping or seasonal use, built on a single chassis, mounted on wheels, and certified by manufacturer as complying with ANSI A119.5, and designed to be connected to external water and wastewater facilities and standard AC electric and gas utilities.

Design: Refers to street alignment, grades and width, alignment and width of easements and rights-of-way for drainage, sanitary sewers, and water lines, and the potential use of each lot or parcel formed in reference to land division.

Director: The appointed Director of Development Services, or their designee.

Dwelling, Commercial: Motel, hotel, rooming house, boarding house, bed and breakfast or other similar facilities where a person or group of persons stays on a transient basis.

Dwelling, Duplex: A building designed or used exclusively for the occupancy of two (2) families living independently of each other and having separate kitchen, living, and toilet facilities.

Dwelling, Multiple: A building or buildings designed and used for occupancy by three (3) or more families living independently of each other and having separate kitchen, living and toilet facilities.

Dwelling, Single Family: A detached structure designed or used exclusively for the occupancy of one (1) family and having kitchen, living, and toilet facilities, and may include a site-built home, a mobile home, manufactured home, or factory-built home, as allowed by these regulations.

Easement: That portion of a lot or lots reserved for present or future use by a person, utility, or agency other than the legal fee owner(s) of the property. The easement may be for use under, on or above said lot or lots and may be public or private.

Easement, Ingress & Egress: An easement granting public access through privately owned lot or lots via a specified width.

Easement, Public Utility: Portion of a lot or parcel reserved for utilities, drainage, etc.

Easement, Roadway: see Easement, Ingress & Egress

## **Section 8 DEFINITIONS (continued)**

Enclosure: An area surrounded on all sides by a fence, wall, or other physical barrier.

Exception: An allowed irregularity from the manufactured home park plan requirements, or recreational vehicle park plan requirements, as regards to processing or design, permitted according to this Ordinance.

Fabrication (Manufacturing): Assembling of parts or processed material.

Factory-Built Building: A residential or non-residential building, including a dwelling unit or habitable room thereof, which is either wholly or in substantial part, manufactured at an off-site location to be assembled on site, constructed in accordance with the Uniform Building Code (UBC) or the International Code Council (ICC) Codes and designed to be placed on a permanent foundation. Factory-built units must comply with the UBC or ICC Code adopted by the County at the time the unit is permitted.

Family: One or more persons occupying a premises and living as a single, nonprofit housekeeping unit.

Farming: (see Agricultural.)

Farming (Light): Land use or cultivation that is intended only as a supplementary source of income or livelihood.

Fence: A barrier, constructed of masonry, wooden material, or metal posts, rails, wire mesh, etc., used as a boundary or means of protection, enclosure or confinement.

Frontage: That portion of a parcel of property that is contiguous with a dedicated public street, highway, right-of-way, or recorded access easement.

Garage, Private: An enclosed accessory building for the storage of personal items and parking of vehicles off the street.

Garage, Public: Any building, except those herein defined as a private garage, used for the storage and/or care of vehicles, but not including maintenance or repair.

Garage/Yard Sales: A sale of used household or personal articles (such as furniture, tools, or clothing) held on the seller's own residential premises or on the premises of a church or nonprofit organization.

Golf Course: A tract of land used for the playing of golf and related buildings and uses customarily associated with the use.

Governmental Agency: Any agency of the Federal, State, County, or Municipal governments.

Greenhouse: A building or structure constructed chiefly of glass, glass-like translucent material, cloth, lath, or similar materials, which is devoted to the protection or cultivation of flowers or other plants.

Guest House: An accessory residence on the same lot as the main residence intended to house guests on an intermittent basis without renting or leasing.

## **Section 8 DEFINITIONS (continued)**

Guest Ranch: A ranch operated, in part or in whole, as a vacation resort.

Home Occupation: An occupation, profession, or business of a commercial nature which performs a service or creates a product and is clearly incidental and subordinate to the residential use of the dwelling unit.

Hospital: A building or portion thereof used for the accommodation and medical care, including surgery, of sick, injured, or infirm persons, and including sanitariums, alcoholic sanitariums, institutions for the treatment of chronic drug addicts and mental patients.

Hotel: An establishment or building providing a number of bedrooms, baths, etc., for the accommodation of travelers, or semi-permanent residents, with or without food.

Independent Park Model Trailer: A recreational vehicle 8.5 feet or less in width, primarily designed as temporary living quarters for recreation, camping or seasonal use, built on a single chassis, mounted on wheels, and certified by manufacturer as complying with ANSI A119.5 with holding tanks for water and wastewater, DC electric and bottle propane.

Industrial Park: A planned development of land for industrial or industrial and commercial purposes. It may include provision for streets or other access, railroad spurs, water, and sewage disposal facilities. It may be a subdivision.

Industry: The manufacture, fabrication, processing, reduction or destruction of any article, substance or commodity, or any other treatment thereof in such a manner as to change the form, character, or appearance thereof. Industry shall include storage yards, warehouses, wholesale storage, and other similar types of enterprises.

Industry, Light: Those manufacturing procedures or related processing, which do not result in extensive open plant yard areas, nor masses of raw materials, nor which result in noise, odors, dust, lights, vibration, or waste products which would have any detrimental effect on surrounding areas.

Installation: (Public or Quasi-Public) Permanent structural facilities that could not be classified as a building, but which occupy a specific area and serve a useful function such as a power substation or a radio relay station.

Junk Yards: A place where junk is stored or accumulated. Junk includes unregistered or inoperable automobiles or portions of automobiles, old buildings, scrap metals, scrap wood (excluding wood used for heating purposes), or other scrap materials, appliances and/or the dismantling or "wrecking" of automobiles or other vehicles or machinery or structures, but is not limited thereto.

Kennel: Any building, structure, enclosure, or premises within which five (5) or more dogs, four months of age or older, are kept or maintained. Kennel includes rescues, sanctuaries, and similar facilities. Licensed veterinary or animal hospital facilities are not "kennels" for the purposes of this ordinance.

Kennel, non-residential: A kennel that provides boarding, grooming or training of animals not owned by a resident of the property, or that advertises such services, with or without compensation, or a facility that accepts stray or unwanted animals for adoption or long-

## Section 8 DEFINITIONS (continued)

term care, or that is not otherwise included in the definition of a residential kennel.

Kennel, residential: A kennel at or adjoining a private residence where more than four adult dogs owned and controlled by a resident are kept for companionship, enjoyment of the species, or for training by the resident for field, working or obedience trials or exhibition for organized shows.

Land Leveling: The removal of or relocation of earth, soil, or rock in order to make a more uniformly level lot or building site.

Landfill: A solid waste landfill as defined in [A.R.S. §49-701](#)

Launderette: Facilities for public clothes washing containing a number of automatic washers and dryers, and may include self-service dry cleaning facilities.

Learning Center: A location that provides academic testing services, tutoring and/or supplemental academic education, not to include schooling for grades K-12, as defined by this Ordinance.

Legal Access: Has the same meaning as [A.R.S. §11-831](#).

Library: (see Public Building.)

Lot: Legally defined and delineated parcel of land, exclusive of easements for road purposes, having direct access to a dedicated public road, or way.

Lot, Corner: A lot situated at the intersection of two or more existing or proposed streets.

Lot Depth: The horizontal length of a straight line connecting the bisecting points of the front and rear lot lines. For lots with more than four sides, the sides contiguous to the front lot line shall be the side lot lines and a line connecting the rear corners of the sides shall be used to measure lot depths.

Manufactured Home: A manufactured dwelling unit built after June 15, 1976, to standards established by the U.S. Department of Housing and Urban Development (HUD) and having an affixed "HUD" label, as per [24 CFR 3280.11](#), or a verifiable data plate as per [24 CFR 3280.5](#), certifying that the unit was manufactured in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture.

Manufactured Home, Multi-Sectional: A multi-sectional manufactured home, not exceeding two stories in height and manufactured after June 15, 1976, to standards established by the U.S. Department of Housing and Urban Development (HUD) and having an affixed "HUD" label, as per [24 CFR 3280.11](#), or a verifiable data plate as per [24 CFR 3280.5](#), certifying that the unit was manufactured in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture. The multi-sectional manufactured home, when joined, forms a residence for human occupancy that measures sixteen feet by forty feet (16' x 40') or larger and which is designed and required to be placed on a permanent foundation system when located on an individual lot.

Manufactured Home Park: A parcel of land, under single ownership, which has been planned and

## Section 8 DEFINITIONS (continued)

improved for the placement of manufactured homes for non-transient residential use. For the purpose of this Ordinance, any parcel of land with two or more manufactured home lots for rent or for lease shall be deemed a park.

Manufactured Home Subdivision: A manufactured home subdivision is designed and intended for residential use where residence is in manufactured homes.

Manufacturing: The fabrication of finished or more completely worked products from one or more raw materials, or semi-finished products, or the reprocessing of goods or materials, and may include storage, packing, and shipping.

Mining: The extraction of mineral or organic deposits from the earth, including permanent sand or gravel operations, either by means of open pits, shafts, or pipeline except that the extraction of water does not constitute mining, nor is the operation of a temporary borrow pit or land leveling classified as mining.

Mobile Home: A manufactured dwelling unit built prior to June 15, 1976, on a permanent chassis, capable of being transported in one (1) or more sections and designed to be used with or without a permanent foundation as a dwelling when placed within applicable zoning districts and connected to on-site utilities including an adequate sanitary sewage disposal system approved, installed and operational. The term "Mobile Home" does not include recreational vehicles, manufactured homes, multi-sectional manufactured homes, modular buildings or factory-built buildings.

Model Home and Sales Office: House used temporarily for the purpose of displaying alternate floor plans, and/or construction and/or decorative materials. House may contain a sales office in which homes and/or lots are sold.

Motel: A building or buildings used for transient residential purposes containing guest rooms or dwelling units with automobile parking space provided, and may contain commercial facilities for the service and convenience of guests.

Natural: The state or condition of land surface, vegetation, rocks, and other surface features which have not been moved or added to or changed by any action of man.

Natural Gas: Gas issuing from the earth's crust through natural or man-made openings, commonly supplied by a utility.

Nonconforming Use: Any building or a land use which does not conform to the regulations for the zone in which it is situated and which was in existence at that precise location prior to adoption of the Zoning Ordinance or change of zone.

Nurseries: Facilities for commercial development, growth, and sale of plants, and/or for the conducting of and storage of equipment for landscaping operations and wholesale and/or retail sale of commercial gardening supplies.

Office: Rooms and accessory facilities for the managing and/or conducting of a business or other activity.

Open Lot Storage: The use of a property for the storage or keeping of materials or equipment

## Section 8 DEFINITIONS (continued)

necessary for a business outside of a building when allowed by the zone, but does not include a junk yard, as defined in this Ordinance.

Open Range: Lands, unenclosed, outside of incorporated cities and towns, upon which livestock is allowed by custom, license or permit to feed.

Owner: A person having sufficient proprietary interest in the land to commence and maintain proceedings to control, divide, or otherwise deal with the same under this Ordinance.

Park: Public or private parcel of land with the provisions for passive or active recreational facilities.

Parking Area: Portion of overall building site reserved exclusively for the parking, storage, and maneuvering of vehicles.

Parking Lot: Open area facilities for parking and maneuvering vehicles.

Person: An individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust receiver, syndicate, City, County, Special District, or any other group or combination acting as an entity.

Pet Grooming Facilities: An enclosed structure, in which pets or other animals are groomed, trained, otherwise maintained, or offered for sale, with or without compensation.

Petroleum: As regards a raw material; refers to the hydrocarbon deposit, still within the earth or in the process of being extracted, prior to any processing.

Petroleum Bulk Plant: A wholesale distribution facility of processed petroleum products.

Plat: A map prepared in accordance with the requirements of the Mohave County Land Division Regulations.

Playground: An area designated for recreation of children.

Primary: Means dominant as applied to the use of a parcel or a building located on the parcel.

Professional Office: A building used or intended to be used as an office for a lawyer, engineer, land surveyor, architect, optometrist, accountant, doctor, dentist, or other similar professions. Does not include barbers, beauticians, and similar types of occupations.

Public Building: A facility for the conducting of public business, constructed for the various public agencies, and includes courthouses, city halls, post offices, governmental office buildings, libraries, and museums, but does not include schools or churches.

Public Hearing: Public meeting held under the conditions and for the purpose specified by [A.R.S. §11-813](#) and this Ordinance.

Public Utility: Private or municipal facility for distribution to the public of various services such as power, heat, light, water, sewage removal, and communications.

Quasi-Public: A privately owned facility that serves a common public need, such as a public utility building.

## **Section 8 DEFINITIONS (continued)**

Ranch Bunkhouse: Accessory building intended for occupancy full-time or part-time by farm or ranch laborers and/or their families.

Recreation Facilities: Buildings, structures, or areas built or developed for the purpose of entertaining, exercising, or observing various activities participated in either actively or passively, or in which participation is by organized groups.

Recreational Vehicle: A park model home, camper, camp car, pickup coach, motor home, travel trailer, converted van or bus, or tent trailer, with or without motive power, designed for human habitation for travel or recreational purposes.

Recreational Vehicle Park: Any area or tract of land where two or more lots are rented or leased on a temporary basis to the owners of recreational vehicles, used for travel or recreation purposes and providing facilities appropriate to the needs of the people living there.

Recreational Vehicle Subdivision: Any area or tract of land where six or more lots or fractional interests are sold, or are rented or leased for a period exceeding one year to the owners of recreational vehicles used for travel or recreation purposes and providing facilities appropriate to the needs of the people living there.

Renewable Energy Project: Electric generation systems and electric transmission and distribution used or useful for the generation, storage, transmission or distribution of electric power, energy or fuel derived from solar, wind or other non-fossil-fuel renewable sources, including storage of materials and supplies for the construction or maintenance of the project.

Residence, Accessory: A second residence or dwelling either added to an existing single-family detached dwelling, or as a separate accessory structure on the same lot as the primary dwelling.

Restaurant: Any building or structure or part of a building or structure in which food and/or beverages are prepared for service to customers within and/or from such facility.

Retail Store (or Commercial Activity): A business selling goods, services, wares or merchandise directly to the ultimate customer.

School - Elementary, Junior High or High: A public or private institution conducting regular academic instruction at kindergarten, elementary, and secondary levels.

Setbacks: The minimum required distance between the property line and the building line in the case of dedicated roadways, or the minimum required distance between the edge of the ingress and egress easement and the building line in the case of granted roadway easements (see Yard).

Shopping Center: A group, or cluster of stores, or buildings, divided for separate commercial or service facilities, organized for retail trade, with provisions for parking.

Special Use Permit: A permit, issued by the Board of Supervisors, after receiving a recommendation from the Planning and Zoning Commission, that is required by certain sections of this Ordinance for uses that may, under the circumstances of a specific case, be

## **Section 8 DEFINITIONS (continued)**

permissible but use in general may not.

Stable: A place at which horses, ponies or other animals are kept for compensation, hire, or sale.

Story: A space in a building between the surface of any floor and the surface of the floor next above; or if there be no floor above, then the space between such floor and the ceiling or roof above.

Street: A public or private thoroughfare that affords the principal means of access to property, including any road or other thoroughfare except an alley as defined herein.

Structure: A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land, including any part or parts thereof, and all equipment therein, unless the context clearly requires a different meaning.

Subdivision: Lands or airspace divided or proposed to be divided for the purpose of sale or lease as defined in the Arizona Revised Statutes.

Swap Meets: An activity of three (3) or more vendors conducting the sale or barter of merchandise to the general public.

Swimming Pool: A permanent or temporary structure containing, or intended to contain, at least five thousand (5,000) gallons of water for recreation or therapeutic uses, including wading pools.

Travel Trailer: See Recreational Vehicle.

Urban: As used in this Ordinance, refers to limited or extensive community development, where a cluster or group of people are living in close proximity, where the land or living units are divided into separate units, and may or may not include commercial facilities.

Use: The purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is or may be occupied or maintained.

Use, Accessory: A use incidental and accessory to the principal use of a lot or building located on the same lot as the primary use.

Use Permit: (see Conditional Use Permit and Special Use Permit)

Variance: An authorization for a relaxation of the terms of the Zoning Regulations which will not be contrary to the public interest and which, owing to conditions peculiar to the property and which are not the result of the actions of the applicant, a literal enforcement of the Regulations would result in unnecessary and undue hardships. As used in these Regulations, a variance shall be authorized only for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by a variance, nor shall a variance be granted because of the presence of nonconforming uses in the zoning district or adjoining zoning districts.

Veterinary Clinic: Facility for the health care, treatment, and maintenance of animals. Where large

## Section 8 DEFINITIONS (continued)

animals are cared for, outdoor facilities will be needed in addition to the indoor facilities.

View-Obscuring: Describes a structure or device forming a physical barrier which is so constructed that the vertical surface obscures vision through said surface.

Wall: An upright structure of wood, stone, brick, frame stucco, serving to enclose, divide, support, protect or obscure the view; a continuous structure serving to enclose an area.

Warehousing: The use of a building, buildings, or that portion thereof used for the storage of goods of any type.

Wireless Communication Towers and Facilities: All towers and other support facilities required for transmission of cellular telephone, microwave, personal communications systems and other radio/telecommunications functions. Due to their specificity, all definitions that apply only to wireless communication towers and facilities are located in Section 37.R, Wireless Communication Towers and Facilities.

Wholesale: Sale of goods or materials, for purpose of resale.

Yard: An open, unoccupied space on a lot, other than a court, which is unobstructed from the ground upward by buildings or structures except as otherwise provided in this code.

Yard, Front: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line or the edge of the roadway easement and a line parallel thereto.

1. In the case of corner lots which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern, and a second front yard of half the depth (but in no circumstances less than ten (10) feet) required generally for front yards in the district, shall be provided on the other frontage.
2. In the case of corner lots with more than two (2) frontages: 1) At least one front yard shall be provided, having the full depth; 2) no other front yard on such lot shall have less than half the full depth, and in no circumstances shall it be less than ten (10) feet.

Yard, Rear: A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line, ordinary high water line or the edge of the easement and a line parallel thereto.

Yard, Side: An open, unoccupied space on the same lot with the building and between the building line and the side lot line.

Zone: A specific use classification established by this Ordinance which limits or permits various and specific uses. Means the same as "Zoning District" in [A.R.S. §11-801](#).

Zoning Permit: A permit for designation of uses for a parcel of land as defined in total as a "Building Permit" in [A.R.S. §11-815](#).

## **Section 8 DEFINITIONS (continued)**

## **Section 9 GENERAL PURPOSES OF ZONING REGULATIONS**

Official Land Use Zoning Regulations for the unincorporated portions of the County of Mohave are herein adopted and established to serve the public health, safety, convenience, and general welfare and to provide the economic and social advantages resulting from an orderly, planned use of land resources, to conserve and stabilize the value of property and to encourage, guide, and provide a definite plan for the future growth and development of the County of Mohave in coordination with the County General Plan and Land Division Regulations.

## **Section 10 THE ZONING MAP**

Zoning Maps, for convenience and identification, are divided into sectional area maps. The zone classifications for each land parcel and the boundaries of such zones are not included in the written portion of this Ordinance, but will be shown upon the Zoning Maps.

Each Zoning Map, and change thereon, can only be established through public hearings at both the Commission and Board levels. No Zoning Maps will be approved by the passage of this Ordinance, but will be developed as the result of subsequent studies and hearings.



## **Section 11 ESTABLISHMENT OF ZONES**

A. Zones. In order to classify and segregate the uses of land and buildings, the following zones are hereby established:

A	General
A-D	Airport Development
A-R	Agricultural Residential
R-E	Residential-Recreation
R-1	Single Family Residential
R-2	Single Family Medium Density/Multi-Family Low Density
R-MH	Residential Manufactured Homes
R-RV	Residential Recreational Vehicles
R-M	Multiple-Family Residential
R-O	Single Family Residential/Manufactured Homes Prohibited
R-CL	Residential Cluster Overlay
R-O/A	SFR/Manufactured Homes Prohibited/Limited Animal Privileges
S-D	Special Development
PAD	Planned Area Development
C-1	Neighborhood Commercial
COR	Commercial Office Residential
C-2	General Commercial
C-2H	Highway Commercial
C-RE	Commercial Recreation
C-MO	Commercial Manufacturing-Open Lot Storage
M-1	Light Manufacturing
M-2	General Manufacturing
M-X	Heavy Manufacturing
R-P	Regional Parks
C-P	Community Parks
N-P	Neighborhood Parks
E	Energy Overlay

## Section 11 ESTABLISHMENT OF ZONES (continued)

B. Combining Zones, Lot Area. When the minimum area of a lot or parcel is established as larger than the default minimum size that is designated on the chart in Section 35, the minimum lot area shall be indicated on the Zoning Map by a "lot area combining zone". The lot area designations shall appear on the Zoning Map in conjunction with the zoning classifications. Minimum lot area designations shall be written beneath the zoning classification on the map as follows:

(example) R-1  
10M

The minimum lot area designation shall be typed or printed as follows: (example) R- 1/10M. Any combination zone may be created in any zone providing the minimum lot size is not less than the minimum lot size stipulated in Section 35 of this Ordinance.

## **Section 12 ESTABLISHMENT OF OVERLAY ZONES/BUILDING CODES**

### **A. Adopted Building Code**

1. Effective June 7, 2007, by Ordinance No. 2007-03, the Mohave County Building code, which was previously applicable to residential construction only in the Urban Overlay Zone and commercial or industrial construction countywide, was made effective countywide.
2. Structures constructed in the Rural Overlay Zone prior to June 7, 2007, and obtained a building (zoning) permit are considered compliant with this Ordinance.

### **B. Statutory Authority**. [A.R.S. §11-811](#) provides: To carry out the purposes of this article, the board may adopt overlay zoning districts and regulations applicable to particular buildings, structures, and land within individual zones. For the purposes of this subsection, "overlay zoning district" means a special zoning district that includes regulations that modify regulations in another zoning district with which the overlay zoning district is combined. Overlay zoning districts and regulations shall be adopted pursuant to [A.R.S. §11-813](#). The provisions of overlay zoning shall apply retroactively to authorize overlay zoning districts and regulations adopted before April 20, 1993.



## **Section 12.1 REGULATIONS FOR RESIDENTIAL CLUSTER OVERLAY OR “R-CL” ZONE**

### **A. General Provisions**

1. Purpose. The residential cluster overlay district is intended to promote flexibility in residential development without compromising the development potential of the underlying zoning district, or changing the character of adjacent neighborhoods. The cluster standards are also intended to allow development of properties while protecting community resources, including but not limited to: steep slopes, wetlands, stream corridors, scenic vistas, parks, and trails. These provisions are not intended to infer public ownership or use. Cluster developments should group residential units in one or more areas to reduce the amount of impervious surfaces and length of utility installations.
2. Applicability. The residential cluster overlay district is an overlay zone that is applied over the base zoning district. The cluster regulations apply to areas shown on the zoning map with the cluster overlay designation. The cluster overlay district may be applied to R-E, or A-R zones.
3. Application. An application for a residential cluster overlay district is a rezoning request and shall be submitted and attached to the official Rezone application form provided by the Development Services Department. In addition, each application for approval of a cluster overlay zone shall be accompanied by appropriate fees as set by resolution of the Board of Supervisors and by such information required by this ordinance and as deemed necessary by the Director.

### **B. Development Standards**

1. Minimum Lot Area. Lots that do not meet the standard minimum size for the base zone may be created when a separate parcel or parcels are created for permanent open space to offset the density created by the cluster, as provided below. For purposes of determining compliance with minimum lot size, the area of a lot shall be added to an aliquot portion of the area of the permanent open space parcel(s), and that total shall meet or exceed the standard minimum lot size of the base zone for that lot. The area of any rights-of-way or easements for ingress and egress shall not be included in the calculation of the area of lots or parcels.
2. Setbacks and Lot Coverage Requirements. Setbacks and lot coverage requirements for the base zone, as provided in Section 35, shall apply unless alternative standards are approved with the approval of the cluster overlay. Alternative standards shall provide for the public health, safety, and welfare, and further the purpose of the cluster overlay.
3. If lots will not be provided with a central water or sewer system, the applicant shall provide a statement from the Mohave County Environmental Quality Division, or the Arizona Department of Environmental Quality, that the proposed location and design of on-site wells and wastewater treatment

## **Section 12.1 REGULATIONS FOR RESIDENTIAL CLUSTER OVERLAY OR “R-CL” ZONE (continued)**

systems comply with state and county environmental health regulations.

### **C. Permitted Uses**

The uses allowed within the Cluster Overlay district outside the permanent open space are determined by the underlying zoning district with the following exception:

1. On sites greater than 50 acres, a single area of up to 2 acres may be developed with neighborhood commercial or office uses with a Special Use Permit. The maximum total building footprint of commercial or office uses shall be 10,000 square feet. Commercial uses shall be limited to restaurants with no drive-through service and convenience-oriented uses to serve the neighborhood.

### **D. Open Space Requirements**

Cluster developments must provide a minimum of twenty percent (20%) of the site as permanent open space. Open space in a Cluster Overlay district shall be designated in the following priority order:

1. The first priority for open space designation is the protection of natural features, environmentally sensitive areas, fire breaks in potential wildfire areas, and scenic resources of the site, such as: streams; lakes; ponds; significant wetlands and riparian areas; intermittent streams; natural drainage patterns and areas; slopes greater than twenty-five percent (25%); mature woodlands and forested areas; and wildlife habitat corridors.
2. The second priority for open space designation is to locate open space so that there is continuity of adjacent open space corridors or parkways, a network of interconnected open space corridors is created, there is a buffer between neighborhoods, or view sheds are preserved.
3. The third priority for open space designation is to incorporate public parks, trails, or open space.
4. The fourth priority for open space designation is the creation of private parks and trails that may be connected to public streets, parks, trails, or open space to be maintained by the entity identified under the following Section E.

### **E. Permanent Open Space Creation**

Permanent open space will be set aside, protected, and managed in one or more of the following ways:

1. Portions of individual lots subject to an open space easement; or
2. Common ownership by residents of the development; or
3. Third party non-profit organization whose primary purpose is to hold or

## **Section 12.1 REGULATIONS FOR RESIDENTIAL CLUSTER OVERLAY OR “R-CL” ZONE (continued)**

manage the open space; or

4. Dedicated to Mohave County, if the County agrees to accept ownership of and to maintain the space.

### **F. Use of Permanent Open Space**

1. Open space that is to be preserved under this section may be used for drainage improvements or such other utility improvement as may be necessary for development of the lots.
2. All covenants, easements, and dedications shall prohibit the future development and alteration of any reserved open space, except for recreational purposes that may be approved by the Development Services Director.
3. Areas set aside for permanent open space shall be designated as parcels on the Final Plat and shall not be further subdivided.
4. Any conveyance to a homeowners association or third party non-profit organization shall be subject to restrictive covenants and easements reviewed by the Development Services Director and recorded at the time the subdivision plat for the project area is recorded.

## **Section 13 REGULATIONS FOR GENERAL OR “A” ZONE**

### **A. Purpose**

The “A” zone was originally established to be used in areas where it was unclear whether the pattern of development would be residential or commercial, with eventual rezoning of the properties as development progressed.

### **B. General Requirements**

1. No subdividing shall be conducted, or approved, in any area zoned "A" without prior rezoning of the land so parceled, unless all parcels created meet the required minimum parcel size.
2. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
3. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting against Agricultural-Residential properties or incompatible uses if the property is used for General Commercial uses.
4. A kennel may be permitted as allowed by Section 37.J.
5. Accessory residences may be permitted as allowed by Section 37.P.

### **C. Uses Permitted**

1. A single-family dwelling, including a site-built home, a manufactured home (see Section 37.H) or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance, duplexes, multiple dwellings, and accessory buildings for these uses.
2. General commercial uses, offices, and accessory buildings.
3. Factory-built buildings may be used for duplexes, multiple dwellings, and general commercial buildings if they are so designed.
4. All agricultural uses including grazing and all accessory uses and facilities related to the production, servicing, and shipping of the permitted uses.
5. Landing strips, home occupations, childcare and childcare group homes, and adult foster care is allowed on lots where the established primary use is residential, with a Home Occupation Permit as provided in Sections 37.L, 37.Q, and 37.S. Assisted living homes and assisted living centers are allowed on lots where the established primary use is commercial as provided in Section 37.S.
6. Signs related to the uses of the property or to its sale or lease.
7. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet on lots where the established primary use is residential. On lots where the established primary use is commercial, the maximum antenna height is fifty (50) feet (see Section 37.R).

## **Section 13 REGULATIONS FOR GENERAL OR “A” ZONE (continued)**

8. Schools and churches.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Public buildings, automobile wrecking yards, and junkyards.
2. Borrow pits and removal of petroleum or natural gas on a commercial basis, as limited by [A.R.S. §11-812](#).
3. Recreational vehicle parks (see Section 37.G).
4. Manufactured home parks (see Section 37.F).
5. Childcare group homes (see Section 37.Q).
6. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred fifty (150) feet on lots where the established primary use is residential (see Section 37.R).
7. Wireless communication towers and facilities with an antenna height of fifty-one (51) feet to one hundred ninety-five (195) feet on lots where the established primary use is commercial (see Section 37.R).
8. Assisted Living Home [where the established primary use is residential] (see Section 37.S).

## **Section 14 REGULATIONS FOR AIRPORT DEVELOPMENT OR “A-D” ZONE**

### **A. Purpose**

The principal purpose of this zoning district is to provide for manufacturing and warehousing uses in locations which are suitable and appropriate, taking into consideration the land uses and resources in Airport Development zones, also assuring compatibility for future airport operations and airport growth. It is the intention of the Mohave County Board of Supervisors to promote industrial growth that will benefit the community and not subject it to unexpected hazards or other conditions that would adversely affect the public health, safety and general welfare.

### **B. General Requirements**

1. "A-D" zones shall be used only in conjunction with:
  - a. A municipal airport and/or airport hazard area.
  - b. Applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
  - c. Where adjacent to a non-industrial use and/or zone, screening shall be required as a condition of approval of a site plan for new development. For the purpose of this provision, a caretaker's service or security residence is considered a part of the use with which it is associated and screening of such a use is not required.
  - d. See Section 35, Setbacks and Area Requirements for maximum structure heights.
  - e. Enabling legislation for airport zoning is granted to local governments pursuant to Article II of the Arizona Revised Statutes and is not subject to the standard zoning exemptions or non-applicability as outlined under [A.R.S. §11-812](#).
  - f. All current "A-D" (Airport Development) zoned districts are declared to be nonconforming in their present use. All of the conditions as set forth by the Board of Supervisors in the approval of their zone shall continue in effect.
  - g. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting Agricultural-Residential uses, or incompatible uses.

### **C. Use Regulations**

A building or premises shall be used only for the following purposes. The Planning and Zoning Commission shall give strong consideration to the recommendations and conditions forwarded to it by the Airport Authority or any other managing organization in its recommendation to the Board of Supervisors. Manufacturing and

## Section 14 REGULATIONS FOR AIRPORT DEVELOPMENT OR "A-D" ZONE (continued)

warehousing uses include any use permitted in a "C-MO" (Commercial Manufacturing-Open Lot Storage) zone without a Special Use Permit, EXCEPT: hotels, motels, any multiple family or commercial residential structures as permitted under "R" (Residential) zones; manufactured home parks; schools; churches, day care centers (unless approved by a Special Use Permit and they are located within the confines of the industrial facility, specifically for employees of same), funeral homes, nursing homes, infirmaries, hospitals, orphanages, theaters, private airstrips, and sanitary landfills. Any open storage shall comply with all parts of this section.

1. Aircraft firms including manufacturing sales, service and rental.
2. Bakeries, wholesale.
3. Bottling plants, distilleries, or breweries.
4. Cleaning plants, including carpets and dyeing.
5. Sales, service, rental, and storage of heavy construction equipment (unless a part of an active construction site).
6. Laboratories; photo, motion picture, radio and TV studios; research, testing, or experimental facilities.
7. Manufacturing, compounding, assembling, fabrication, processing, packaging or treatment of products such as candy, drugs, perfumes, pharmaceuticals, perfumed toilet soaps, toiletries, but not including the refining or rendering of fats and oils.
8. Manufacturing, compounding, assembling, fabrication, or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, clay, cloth, concrete, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, precious or semiprecious metals or stones, metal pipe, cast or rolled or extruded sheet metal, shell, textiles, tobacco, tools, toys, wire, yarns, wood not involving planing mills as the primary process, and paint not employing a boiling process.
9. Manufacturing or assembly of electrical appliances, electronic instruments and devices, optical goods, precision instruments, radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers and crystal holders.
10. Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay.
11. Packing houses for fruit or vegetables not including processing.
12. Sales and service of mineral related mining or extraction equipment.
13. Manufacturing or assembly of aircraft, automotive, locomotive, spacecraft or

## **Section 14 REGULATIONS FOR AIRPORT DEVELOPMENT OR “A-D” ZONE (continued)**

other vehicular equipment, with associated test tracks.

14. Contractors, machine and welding shops, telecommunications, utility companies, printing, and publishing companies.
15. Transportation companies including airlines; air, road and rail cargo services; air charter services; vehicle rental services; aircraft sales, service and rental; pilot instruction, supplies, and assistance services.
16. Warehousing and distribution centers for durable and non-durable goods except operations that store, transport, or distribute hazardous or toxic materials as its primary function.
17. Agricultural uses.
18. Resource conservation or study.
19. Cemeteries.
20. Retail plant nurseries.
21. Public parking garages in association with terminals.
22. Wholesale stores.
23. Manufacturing plants that produce no noise, which emit no particulates, smoke, or dust, and which cause no glare.
24. Screened open storage areas.
25. Stand-alone restaurants including restaurant facilities for employees within manufacturing or warehousing facilities with appropriate environmental health permits.
26. Wireless communication towers and facilities with a maximum antenna height of sixty (60) feet and must meet all FAA requirements (see Section 37.R).
27. Similar type uses as indicated above as recommended by the airport authority.
28. Caretakers’ service and security residences if in conjunction with any business or factory, subject to quarters being an integral part of the manufacturing or warehouse facility.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Block plant manufacture, concrete batch plants, and the associated storage of related materials.
2. Storage of mineral production related materials.

## **Section 14 REGULATIONS FOR AIRPORT DEVELOPMENT OR “A-D” ZONE (continued)**

3. Storage of flammable liquids, gases, and bulk fuels.
4. Any use involving a high concentration or assemblage of people, whether permanent or temporary, such as but not limited to: circuses, fairs, parks, playgrounds, swap meets, country clubs, offices, RV parks.
5. Liquid wastewater treatment plants as approved by the Department of Environmental Quality and/or the Arizona Corporation Commission.
6. Public and private utility power plants.
7. Wireless communication towers and facilities with an antenna height of sixty-one(61) feet to two hundred fifty (250) feet and must meet all FAA requirements (see Section 37.R).
8. Data centers.

### **E. Height**

No use or structure within the A-D zone shall encroach upon any flight or airspace control surfaces used or established for aircraft approach, landing or maneuvering. No use or structure within the A-D zone shall exceed one hundred (100) feet, and buildings exceeding a height of sixty (60) feet shall have increased setbacks in accordance with Section 35.B.

## **Section 15 REGULATIONS FOR AGRICULTURAL-RESIDENTIAL OR “A-R” ZONE**

### **A. Purpose**

The A-R zone is primarily intended to allow single-family residential uses on suburban and rural parcels, and also allow domestic livestock, other personal agricultural endeavors, and other uses listed below. Agricultural operations on parcels of five (5) acres or more may be eligible for an exemption from some provisions of this Section.

### **B. General Requirements**

1. Except as otherwise provided in these regulations, one single-family dwelling shall be approved for any one lot or building site.
2. All applicable provisions of Sections 35, 36, and 37 shall apply to this zone.
3. A kennel may be permitted as allowed by Section 37.J.
4. Accessory residences may be permitted as allowed by Section 37.P.

### **C. Uses Permitted**

1. Agricultural uses and home occupations.
2. A single-family dwelling, including a site-built home, a manufactured home (see Section 37.H) or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance and accessory uses normally incidental to a single-family dwelling or light farming (this is not to be construed as permitting any commercial use).
3. Guest Ranches established as a subordinate use to a working ranch containing a minimum of one hundred (100) contiguous acres.
4. Private greenhouses and horticultural collections, flower and vegetable gardens, fruit trees, orchards, dogs and cats as domestic pets, poultry for domestic use. Horses and cows may be maintained for private use.
5. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
6. Schools, churches, public buildings, quasi-public buildings, childcare, adult foster care with a Home Occupation Permit, and playgrounds, as provided in Sections 37.L, 37.Q and 37.S.
7. The sale of produce, eggs, and other goods associated with agriculture that are grown on-site may be sold on that same property provided that the entrepreneur resides on the property. The sale of goods is subject to Section 37.N Site Plan Requirements, when the site generates substantial pedestrian or vehicular traffic in greater volumes than would normally be expected in a residential area. The sale of marijuana is not allowed as part of this use.

**Section 15 REGULATIONS FOR AGRICULTURAL-RESIDENTIAL OR “A-R” ZONE  
(continued)**

**D. Uses Allowed After Acquiring a Special Use Permit**

1. Recreational vehicle parks (see Section 37.G).
2. Manufactured home parks (see Section 37.F).
3. Riding and boarding stables and horse breeding farms that are not eligible for an agricultural exemption.
4. Retail plant nurseries.
5. Kennels and veterinary clinics (see Section 37.J).
6. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred ninety-five (195) feet in the General Plan Rural Development Area (see Section 37.R).
7. Assisted Living Home (see Section 37.S).
8. Cottage Industries (see Section 37.M).

## **Section 16 REGULATIONS FOR RESIDENTIAL RECREATION OR “R-E” ZONE**

### **A. Purpose**

The R-E zone is intended to allow development of residential parcels, primarily located in areas with topographic features that may require flexibility for placement of structures, and to allow a noncommercial guesthouse or secondary residence.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, and 37 shall apply to this zone.
2. For parcels less than one (1) acre in area, minimum building setbacks may be varied administratively by no more than 40% if topographic features, rocks, or trees, would have to be changed or removed in order to have structural setback compliance in any area where this applies. A variance of more than 40% of any setback on a parcel less than one acre, or any setback variance on a parcel one acre or greater in area shall require approval by the Board of Adjustment.
3. A kennel may be permitted as allowed by Section 37.J.

### **C. Uses Permitted**

1. Agricultural uses and home occupations as permitted under A-R zone.
2. A single-family dwelling, including a site-built home, a manufactured home (see Section 37.H) or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance and accessory uses including guest houses or accessory residences.
3. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
4. Community Gardens.
5. Churches and Schools.
6. Neighborhood Parks.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Hospitals, public and quasi-public buildings, parks, playgrounds, recreational areas or camps and golf courses, and uses of similar nature.
2. Recreational vehicle parks (see Section 37.G).
3. Child care group homes (see Section 37.Q).

**Section 16 REGULATIONS FOR RESIDENTIAL RECREATION OR “R-E” ZONE  
(continued)**

4. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred (100) feet (see Section 37.R).
5. Assisted Living Home (see Section 37.S).

## **Section 17 REGULATIONS FOR COMMERCIAL RECREATION OR “CR-E” ZONE**

### **A. Purpose**

The C-RE zone is intended to provide for commercial residential housing, on a transient basis, for visitors enjoying Mohave County’s tourism opportunities.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
2. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting against Agricultural-Residential properties or incompatible uses if the property is used for General Commercial uses.
3. A kennel may be permitted as allowed by Section 37.J.

### **C. Use Permitted**

1. Any uses permitted in an R-E zone. Residential uses shall comply with their respective residential yard setbacks.
2. Churches, schools, hospitals, public and quasi-public buildings, parks, playgrounds, recreational areas or camps and golf courses, and uses of similar purposes.
3. Motels, manufactured home parks (see Section 37.F), recreational vehicle parks (see Section 37.G), resort activities, country clubs, private riding clubs, parking facilities, and all other activities of similar nature and as necessary for the operation and maintenance of the various facilities, including commercial activities associated with and an integral part of any of the above activities.
4. Wireless communication towers and facilities with a maximum antenna height of sixty (60) feet (see Section 37.R).

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Licensed child day care only.
2. Wireless communication towers and facilities with an antenna height of sixty-one (61) feet to one hundred fifty (150) feet (see Section 37.R).
3. Assisted Living Home (see Section 37.S).





## **Section 18 REGULATIONS FOR REGIONAL PARKS OR “R-P” ZONE**

### **A. Purpose**

The R-P zone is intended to provide for park facilities serving a regional area and providing recreational opportunities, entertainment, and potentially transient accommodations.

### **B. General Requirements**

1. The property shall be designated as a Regional Park by the Board of Supervisors.
2. The property shall be under the ownership of and/or managed as a County, State or Federal park.
3. Manufactured home parks and recreational vehicle parks shall comply with all applicable provisions of Sections 37.F and 37.G.
4. Each single unit or cluster of commercial facilities or developments shall provide adequate off-street parking for the needs of the business or use and for employee parking.

### **C. Uses Permitted**

1. Parks, playgrounds, recreational areas or camps and golf courses.
2. Motels, recreational vehicle parks, resort activities, parking facilities and all other activities of a similar nature and as necessary for the operation and maintenance of the various facilities, including commercial activities associated with and an integral part of any of the above activities.
3. Establishment of temporary or permanent enterprises involving large assemblages of people or automobiles, including circuses, fairs, open air theaters (not to include drive-in theaters), concerts, race tracks and recreational centers. Events including rock and gem shows, art shows, craft festivals and other similar events may be allowed with approval of the park administrator.
4. Establishment of administrative facilities to support the permitted uses including watchman residences, storage sheds, etc.
5. Commercial facilities not directly connected with, or an integral part of a park activity, or that are not managed or supervised by the administrator of the park, may be allowed with the approval of the park administrator.

## **Section 18.1 REGULATIONS FOR COMMUNITY PARKS OR “C-P” ZONE**

### **A. Purpose**

The C-P zone is intended to provide for park facilities serving a community area and providing for recreational opportunities, entertainment and recreational vehicle facilities.

### **B. General Provisions**

1. The property shall be designated as a Community Park by the Board of Supervisors.
2. The property shall be under the ownership of and/or managed as a County, State or Federal park.
3. Recreational vehicle parks shall comply with all applicable provisions of Section 37.G.
4. Each facility or development shall provide adequate off-street parking for the needs of the activity.

### **C. Uses Permitted**

1. Parks, playgrounds, recreational areas, golf courses and uses of a similar nature.
2. Recreational vehicle parks, stables, parking facilities and all other activities of a similar nature and as necessary for the operation and maintenance of the various facilities, including commercial activities associated with and an integral part of any of the above activities.
3. Establishment of temporary or permanent enterprises involving large assemblages of people or automobiles (not to include swap meets), including circuses, fairs, open air theaters (not to include drive-in-theaters), concerts, race tracks and recreational centers.
4. Establishment of administrative facilities to support the permitted uses including watchman residences, storage sheds, etc.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Commercial uses or activities that are not managed or supervised by the administrator(s) of a County, State or Federal park.

## **Section 18.2 REGULATIONS FOR NEIGHBORHOOD PARKS OR “N-P” ZONE**

### **A. Purpose**

The N-P zone is intended to provide for park facilities serving a neighborhood area, including recreational and associated commercial uses.

### **B. General Requirements**

1. The property shall be designated as a Neighborhood Park by the Board of Supervisors.
2. Each park shall provide adequate off-street parking for the needs of the various park activities.

### **C. Uses Permitted**

1. Parks, playgrounds and similar recreational activities.
2. Neighborhood commercial activities which are normally associated with the permitted recreational activities.
3. The establishment of administrative facilities to support the permitted uses, including a watchman residence, storage sheds, etc.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Special events which involve large assemblages of people or automobiles such as circuses, concerts, open-air theaters (not to include swap meets and drive-in theaters).



## **Section 19 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL OR “R-1”, “R-O” ZONES**

### **A. Purpose**

The R-1 and R-O zones are intended to allow single-family residential uses on urban lots, while providing for varied single-family residential opportunities.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, and 37 shall apply to these zones.
2. A permit for an accessory structure requires a primary residence to be established, or at a minimum proposed, as evidenced by an approved building permit prior to issuing a permit for an accessory or incidental structure.
3. A kennel may be permitted as allowed by Section 37.J.
4. Accessory residences as allowed by Section 37.P, except that manufactured homes as accessory residences are prohibited in R-O.

### **C. Uses Permitted**

1. R-1 (Single-Family Residential) zone.
  - a. A single-family dwelling, including a site-built home, a manufactured home (see Section 37.H) or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance, accessory structures and uses normally incidental to single-family residences, child care, adult foster care with a Home Occupation Permit as provided in Section 37.L, 37.Q and 37.S, and home occupations as provided in Section 37.L.
  - b. Churches.
  - c. Community gardens.
  - d. Neighborhood Parks per Section 18.2, excluding commercial concessions.
  - e. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
  - f. Chickens raised for domestic purposes as an accessory use. A property may have six (6) chickens or one (1) chicken per 1,000 square feet of lot area, whichever is greater. Chickens shall be kept in an adequate enclosure that prevents them from roaming at large, and in no instance shall roosters or other poultry be allowed. For all properties less than one (1) acre in size, any side of the enclosure is required to be shorter than the corresponding fence line.

**Section 19 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL OR “R-1”, “R-O” ZONES (continued)**

2. R-O (Single-Family Residential/Manufactured Homes Prohibited) zone.
  - a. A single-family dwelling, including a site-built home or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance, accessory structures and uses normally incidental to single-family residences, child care, adult foster care with a Home Occupation Permit as provided in Section 37.L, 37.Q and 37.S, and home occupations as provided in Section 37.L. Mobile homes and manufactured homes are prohibited. Recreational vehicles are prohibited except as provided in Section 37.K.
  - b. Churches.
  - c. Community gardens.
  - d. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
  - a. Chickens raised for domestic purposes as an accessory use. A property may have six (6) chickens or one (1) chicken per 1,000 square feet of lot area, whichever is greater. Chickens shall be kept in an adequate enclosure that prevents them from roaming at large, and in no instance shall roosters or other poultry be allowed. For all properties less than one (1) acre in size, any side of the enclosure is required to be shorter than the corresponding fence line.

D. Uses Allowed After Acquiring a Special Use Permit

1. Schools, hospitals, parks and playgrounds, public and quasi-public buildings, and uses of similar purpose.
2. Private parking lots for automobiles, where land lies adjacent to any multi-family, commercial, or manufacturing zone.
3. Childcare group homes (see Section 37.Q).
4. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred (100) feet (see Section 37.R).
5. Adult Assisted Living Homes (see Section 37.S).

## **Section 20 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL/MANUFACTURED HOMES PROHIBITED/LIMITED ANIMAL PRIVILEGES OR “R-O/A” ZONE**

### **A. Purpose**

The R-O/A zone is primarily intended to allow single-family residential uses on urban, suburban and rural parcels, and also allow limited domestic livestock, agricultural, and other uses listed below.

### **B. General Requirements**

1. Only one single-family dwelling shall be approved for any one lot or building site.
2. All applicable provisions of Sections 35, 36, and 37 shall apply to this zone.
3. A permit for an accessory structure will require a primary residence to be established, or at a minimum proposed as evidenced by an approved building permit prior to issuing a permit for an accessory or incidental structure.
4. A kennel may be permitted as allowed by Section 37.J.
5. Accessory residences as allowed by Section 37.P, except that manufactured homes as accessory residences are prohibited.

### **C. Uses Permitted**

1. A single-family dwelling, including a site-built home, or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance, accessory structures and uses normally incidental to single-family residences, child care, adult foster care with a Home Occupation Permit as provided in Section 37.L, 37.Q and 37.S, and home occupations as provided in Section 37.L. Mobile homes and manufactured homes are prohibited. Recreational vehicles are prohibited except as provided in Section 37.K.
2. Private greenhouses, horticultural collections, flower and vegetable gardens, fruit trees, orchards, and poultry for occupants use only.
3. Three (3) domestic farm animals may be maintained for private use only.
4. Animal uses must be fenced and contained within the rear fifty (50) feet of the lot.
5. All feed, tack and other equipment related to the care of animals must be stored in an enclosed building.
6. Mobile homes, manufactured homes or recreational vehicles may not be used as storage buildings.
7. Neighborhood Park per Section 18.2, excluding commercial concessions.

**HOMES PROHIBITED/LIMITED ANIMAL PRIVILEGES OR “R-O/A” ZONE  
(continued)**

8. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).

**D. Uses Allowed After Acquiring a Special Use Permit**

1. Schools, churches, public buildings, quasi-public buildings, and playgrounds.
2. Child care group homes (see Section 37.Q).
3. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred fifty (150) feet (see Section 37.R).
4. Assisted Living Home (see Section 37.S).

## **Section 21 REGULATIONS FOR MEDIUM-DENSITY RESIDENTIAL OR “R-2” ZONE**

### **A. Purpose**

The R-2 zone is intended as an area primarily for medium density residential use with a minimum lot size of 4,000 square feet. This district will incorporate the full range of residential uses accompanied by complete urban services. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements. The Medium Density Residential (R-2) zone corresponds to and implements in part the Medium Density Residential (MR) land use designation on the Future Land Use Diagram adopted in Mohave County General Plan.

### **B. General Requirements**

1. The number of units permitted on each lot or parcel will depend on the sanitation disposal facilities available, parking and maneuvering area, and location of streets or roads.
2. Two family dwellings which otherwise comply with the Ordinances of the County may be divided at the party wall as to ownership and owned as separate dwelling units by separate owners and such ownership shall not constitute a violation of lot and yard requirements of this chapter.
3. For multiple dwellings and group dwellings, a minimum of 15% of the total area of the development shall be provided as common or semi-common areas open for use and available to all persons who may reside on the premises.
4. Pedestrian circulation systems (sidewalks, walkways and paths) shall be located and designed to provide adequate physical separation from vehicles along public and private streets and drives and within any parking area.

### **C. Uses Permitted**

1. Zero lot line/single family attached dwellings.
2. Townhouse or patio house development.
3. Multiple family dwellings, including condominium projects.
4. Duplexes.
5. Recreational facilities that serve as an integral part of the permitted residential use, including but not limited to golf courses, club house, community center building and tennis facilities.
6. Community Gardens.
7. Other uses similar to the above uses.

## **Section 21 REGULATIONS FOR MEDIUM-DENSITY RESIDENTIAL OR “R-2” ZONE (continued)**

8. Churches and similar places of worship, libraries, schools, hospitals, parks and playgrounds, and public and quasi-public buildings.
9. Child care, day care center, pre-school, pursuant to Section 37.Q of this Ordinance.
10. Adult Care – Adult Day Health Care, Adult Foster Care, Assisted Living Center, Assisted Living Facility (see Section 37.S).
11. Wireless communication tower and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
12. Chickens raised for domestic purposes as an accessory use. A property may have six (6) chickens or one (1) chicken per 1,000 square feet of lot area, whichever is greater. Chickens shall be kept in an adequate enclosure that prevents them from roaming at large, and in no instance shall roosters or other poultry be allowed. For all properties less than one (1) acre in size, any side of the enclosure is required to be shorter than the corresponding fence line.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Professional office buildings.
2. Commercial buildings.
3. Private parking lots for automobiles, where land lies adjacent to any multiple family, commercial or manufacturing zone and the parking lot supports the adjacent use.
4. Wireless communication towers and facilities with an antenna height from forty- one (41) feet to one hundred fifty (150) feet (see Section 37.R).

## **Section 22 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL MANUFACTURED HOME OR “R-MH” ZONE**

### **A. Purpose**

The R-MH zone is primarily intended to allow manufactured home parks and subdivisions, and other stated uses.

### **B. General Requirements**

1. The R-MH zone shall be used only in conjunction with:
  - a. A manufactured home subdivision approved according to the provisions of these regulations.
  - b. Manufactured home parks.
2. When an R-MH zone is approved wherein portions of it are contiguous with other single-family residential zone classifications, a fence or screening may be required as a condition of construction.
3. When an R-MH zone applies, only one manufactured home as defined in this Ordinance may be placed on each space within the subdivision or park.
4. All applicable provisions of Sections 35, 36, 37, and 42 shall apply to this zone.
5. Any retail commercial facilities not directly connected with the park or subdivision may be allowed in accordance with a Special Use Permit.
6. A permit for an accessory structure will require a primary residence to be established, or at a minimum proposed, as evidenced by an approved building permit prior to issuing a permit for an accessory or incidental structure.

### **C. Uses Permitted**

1. Manufactured home parks or subdivisions (see Section 37.F).
2. Churches.
3. Schools.
4. Community Gardens.
5. Manufactured home used as a single-family dwelling unit, child care, adult foster care or other home occupation with an approved Home Occupation Permit as provided in Sections 37.L, 37.Q, and 37.S.
6. Facilities necessary exclusively for the needs and uses of those people who will be residing therein.

**Section 22 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL MANUFACTURED HOME OR “R-MH” ZONE (continued)**

7. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
8. Chickens raised for domestic purposes as an accessory use. A property may have six (6) chickens or one (1) chicken per 1,000 square feet of lot area, whichever is greater. Chickens shall be kept in an adequate enclosure that prevents them from roaming at large, and in no instance shall roosters or other poultry be allowed. For all properties less than one (1) acre in size, any side of the enclosure is required to be shorter than the corresponding fence line.

**D. Uses Allowed After Acquiring a Special Use Permit.**

1. Recreational vehicle parks if operated in conjunction with a manufactured home park.
2. Child care group homes (see Section 37.Q).
3. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred fifty (150) feet (see Section 37.R).
4. Assisted Living Home (see Section 37.S).

## **Section 23 REGULATIONS FOR MULTIPLE-RESIDENTIAL OR “R-M” ZONE**

### **A. Purpose**

The R-M zone is primarily intended to allow multiple family residential uses, single family residential uses and professional offices on urban parcels.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
2. The number of units permitted for each lot, or parcel, will depend on the sanitation disposal facilities available, parking and maneuvering area, and location of streets, or roads.
3. Site-built homes, manufactured homes and factory-built buildings designed and used for single-family residences only.

### **C. Uses Permitted**

1. A single-family dwelling, including a site-built home, a manufactured home (see Section 37.H) or a factory-built building, designed and used for single-family occupancy as defined in this Ordinance is allowed. Multiple dwellings, group dwellings such as cooperative apartments, condominium projects, townhouses, or patio house developments, duplexes, professional office buildings, Assisted Living Centers, and commercial dwellings are allowed. Also, child care, adult foster care with a Home Occupation Permit, as provided in Sections 37.L, 37.Q, and 37.S, and other uses similar to the above uses are allowed. In addition, factory-built buildings may be used for duplexes, multiple dwellings and general commercial buildings, if they are so designed.
2. Community gardens.
3. Churches, libraries, museums, schools, hospitals, parks and playgrounds, and public and quasi-public buildings.
4. Single-family residences and accessory residences as allowed by Section 37.P are allowed.
5. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
6. Detached accessory structures are allowed in conjunction with a single-family residence. Detached accessory structures such as garages, carports and storage buildings, in conjunction with multiple residences, may be constructed as structures in common. Detached accessory structures serving only one of multiple dwelling units are not allowed. A building permit for an accessory structure will require a residence to be established, or at a minimum proposed, as evidenced by an approved building permit, prior to issuing a

## **Section 23 REGULATIONS FOR MULTIPLE-RESIDENTIAL OR “R-M” ZONE (continued)**

building permit for an accessory or incidental structure.

7. Chickens raised for domestic purposes as an accessory use. A property may have six (6) chickens or one (1) chicken per 1,000 square feet of lot area, whichever is greater. Chickens shall be kept in an adequate enclosure that prevents them from roaming at large, and in no instance shall roosters or other poultry be allowed. For all properties less than one (1) acre in size, any side of the enclosure is required to be shorter than the corresponding fence line.

### **D. Uses Allowed After Acquiring a Special Use Permit.**

1. Manufactured home parks (see Section 37.F).
2. Recreational vehicle parks (see Section 37.G).
3. Child care group homes (see Section 37.Q).
4. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred fifty (150) feet (see Section 37.R).
5. Assisted Living Home (see Section 37.S).

## **Section 24 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL RECREATIONAL VEHICLE OR “R-RV” ZONE**

### **A. Purpose**

1. The purpose of the R-RV zone is to provide a zone specifically designed for recreational vehicle parks and recreational vehicle subdivisions. For placement of a recreational vehicle on a space in an established recreational vehicle park or recreational vehicle subdivision, see Section 37.G. For placement of a recreational vehicle on a separate parcel that is not a part of an established recreational vehicle park or recreational vehicle subdivision, see Section 37.K.
2. The R-RV zone replaces the former R-TT (Single Family Residential Travel Trailer) zone and the C-RE/SD zones. All properties zoned R-TT or C-RE/SD prior to adoption of this Section are subject to this Section, but are deemed nonconforming to the extent that this Section may provide a more restrictive requirement than the former R-TT zone.

### **B. General Requirements**

1. The R-RV zone shall be used only in conjunction with:
  - a. A recreational vehicle subdivision approved according to the Mohave County Land Division Regulations.
  - b. A recreational vehicle park approved under a Recreational Vehicle Park Plan as provided in Section 37.G of this Ordinance.
2. When an R- RV zone is requested, no area may be considered that consists of less than one (1) recorded block in a subdivision of record, or less than two (2) contiguous acres of land not in a subdivision of record.
3. Accessory structures shall be detached and a minimum of two (2) feet from the residential unit unless the residential unit is designed by its manufacturer to accommodate attachment of accessory structures. Open porches and awnings may be less than two (2) feet from the residential unit, but may not be attached directly to the residential unit.

### **C. Uses Permitted**

1. Recreational vehicles and park model trailers as defined in this Ordinance, designed for single-family occupancy, and accessory structures and uses normally incidental to single-family residences.
2. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).

**Section 24 REGULATIONS FOR SINGLE-FAMILY RESIDENTIAL RECREATIONAL VEHICLE OR “R-RV” ZONE (continued)**

3. Chickens raised for domestic purposes as an accessory use. A property may have six (6) chickens or one (1) chicken per 1,000 square feet of lot area, whichever is greater. Chickens shall be kept in an adequate enclosure that prevents them from roaming at large, and in no instance shall roosters or other poultry be allowed. For all properties less than one (1) acre in size, any side of the enclosure is required to be shorter than the corresponding fence line.

**D. Uses Allowed After Acquiring a Special Use Permit**

1. Churches, schools, hospitals, parks and playgrounds, public and quasi-public buildings, and uses of similar purpose.
2. Wireless communication towers and facilities with an antenna height of forty-one (41) feet to one hundred (100) feet (see Section 37.R).

## **Section 25 REGULATIONS FOR SPECIAL DEVELOPMENT OR "SD" ZONE**

### **A. Purpose**

The S-D zone is primarily intended to allow more flexibility in development and provide for mixed use developments.

### **B. General Requirements**

1. Special Development zone will be used in combination with R, C, or M zone classifications.
2. Whenever an "SD" zone is granted, each phase or stage of development or building proposals shall be submitted to the planning staff, to be evaluated and compared with the original proposal before any permits may be granted.
3. The ultimate division of land under "SD" zone must comply with the plat as approved by the Board.
4. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting against Agricultural-Residential properties or incompatible uses if the property is used for General Commercial uses.

### **C. Uses Permitted**

1. When R(SD) (Residential/Special Development) is granted, the property uses may be designed to contain a mixture of single-family dwellings (including townhouses, condominiums, cooperative apartments, or patio houses), duplexes, and multiple dwellings (either single-floored or multi-storied). The proposed structures may be arranged individually, in groups, or in clusters without regard of lot areas for immediate density as long as an appropriate amount of land to comply with overall minimum densities is provided under undividable joint ownership of all property owners for recreation or open space.

The Board of Supervisors, after receiving a recommendation from the Planning and Zoning Commission, may allow one of the following land ownership types, including ownership by third parties who are not owners of the lots, as an alternate to indivisible joint ownership where there are golf courses that are designed as an integral part of the development, and provided that one of the following criteria are met:

- a. The amount of golf course land needed to comply with overall minimum densities is protected by a conservation easement as permitted by law, including [A.R.S. §33-271 through A.R.S. §33-276](#), and which is recorded to the benefit of Mohave County on a form acceptable to the County and which restricts all development (except infrastructure such as roads, etc.) on the area required to offset the

## Section 25 REGULATIONS FOR SPECIAL DEVELOPMENT OR “SD” ZONE (continued)

increase in density.

- b. In the absence of a conservation easement, the amount of golf course land used as offset shall be ten times the amount needed to comply with overall minimum densities with a written assurance by the subdivision developers and golf course owners, if different, that deeds transferring lots will contain a disclosure that the golf course is privately owned and the land use may change. Further, the disclosure shall state that the lot owners will be noticed before the golf course converts to another use. The purpose of the increase in open space acreage is to ensure that the density of the development is not adversely impacted should the golf course be developed and not remain as functional open space, and to ensure that the lot owners receive adequate disclosure and notice.
2. R-MH(SD) (Residential Manufactured Home/Special Development) shall conform to all of the requirements of this Ordinance related thereto.
3. When C(SD) (Commercial/Special Development) is granted, the property may be designed to contain a mixture of commercial and multiple residential uses, appropriate to a commercial area complex or shopping center with a provision for parking proportional to the needs proposed.
4. When M(SD) (Manufacturing/Special Development) is granted, the property may be designed to contain a mixture of commercial and industrial uses appropriate to an industrial park with provisions for parking suitable to the needs proposed. Depending on contiguous zoning or uses, residential uses may be a part of M(SD) development.

### D. Setbacks and Area Requirements

Setbacks, area requirements and parking shall be provided for and contained within the approved design.

## **Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE**

### **A. Purpose**

1. The PAD zone is intended to provide an alternative zoning district to the conventional zoning and development approaches and processes in Mohave County, so that within the zone so designated the following may be achieved:
  - a. to provide a mechanism for the County’s development growth so that the public health, safety and general welfare may be enhanced as areas of the County are developed;
  - b. to encourage innovations in residential, commercial, and industrial development to provide greater opportunities for better housing, recreation, shopping, and employment for the citizens of the County;
  - c. to reflect changes in the technology and philosophy of land development;
  - d. to encourage more creative approaches to the utilization of land to accomplish a more efficient, aesthetic and desirable development of properties characterized by special features of geography, topography, size or shape;
  - e. to establish development parameters for land uses, densities and intensities, and design standards, while allowing final detailed site plans and parcel descriptions to be deferred to the time of subdivision or site plan processing;
  - f. to assure both the County and property owner that the development approved under a PAD may be carried out over an identified time period;
  - g. to provide a high standard of development that might not otherwise occur with a standard subdivision or site plan project;
  - h. to promote and encourage the fulfillment of Policies 3.2, 21.8, and 35.4 of the Mohave County General Plan: the use of clustering, innovative design techniques and flexibility in development projects in the unincorporated areas of Mohave County;
  - i. to permit and encourage unified planning to achieve a mix, variety, and cohesive use of land uses and amenities for a Planned Area Development site.

### **B. General Requirements**

1. PAD is a zone that may consist of multiple sub-zones. Sub-zones may include the standard zoning classifications included in this Ordinance except: A (General), A-D (Airport Development), R-RV (Single-Family Residential/Manufactured Homes and Recreational Vehicles), S-D (Special

## **Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE (continued)**

Development), and M-X (Heavy Manufacturing).

2. PAD developments shall be twenty (20) acres or more in size, except that the Board of Supervisors, after receiving a recommendation from the Planning and Zoning Commission, may waive the minimum size of twenty (20) acres, if the applicant can demonstrate that a waiver would be in the interest of the public and that one or more of the following conditions exist:
  - a. unusual physical features of the property itself or of the surrounding area are such that development under the standard provisions of this Ordinance would not be adequate to conserve a physical or terrain feature of importance to the neighborhood or community;
  - b. the property is adjacent to or across a street, road or alley from property that has been developed under the provisions of this Section and the new PAD zoning of the property will contribute to the amenities of the area or is a logical extension of the existing PAD zone;
  - c. the use of the PAD concept will encourage the use of otherwise un-developable property; or
  - d. the use of the PAD concept will accommodate infill between compatibly zoned properties that cannot be developed with the use of other standard zones in this Ordinance.
3. Where the division of land is proposed, the area initially designated as a PAD may not be divided into more than five parcels except through the subdivision processes in the Mohave County Land Division Regulations.
4. The land uses and design of the PAD shall be consistent with the Mohave County General Plan and any applicable Area Plan.
5. The PAD may be comprised of a single parcel or multiple contiguous parcels. The owners of all properties to be included in the PAD must consent in writing. A PAD may not have any parcels within the boundaries of the PAD that are not a part of the PAD development.
6. The PAD may include any development having more than one sub-zone. The PAD shall consist of a compatible selection of sub-zones, groupings of buildings, parking areas, circulation and open spaces, and shall be designed as an integrated unit in such manner as to constitute a safe, efficient, and convenient development.
7. Unless otherwise provided in the PAD, the defaults for setbacks and maximum building heights will be those listed for the applicable sub-zones. An applicant may propose alternative setbacks and maximum building heights, which may be approved by the Board of Supervisors when those variations advance the themes or objectives of the PAD and provide for the public health, safety, and welfare.

## **Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE (continued)**

8. Unless otherwise provided in the PAD, the defaults for uses permitted will be those listed for each sub-zone. An applicant may propose to eliminate uses that would be otherwise permitted. An applicant may propose to include additional uses not otherwise permitted in the sub-zone, which may be considered by the Board of Supervisors when those uses are substantially similar to otherwise allowed uses and inclusion of those uses will advance the themes or objectives of the PAD.
9. Unless otherwise provided in the PAD, the provisions of Section 36 for Off-Street Parking apply. Alternative parking standards, including shared parking, may be approved by the Board of Supervisors when those variations advance the themes or objectives of the PAD and provide for the public health, safety, and welfare.

### **C. PAD Concept Plan, and Submittal Requirements**

1. The Developer shall attend a concept review meeting with the Department to present the Concept Plan. The concept review meeting shall, when possible, include representatives from the Development Services Department, the Public Works Department, the Flood Plain Division, the Environmental Health Division, and any other county department or other agency deemed appropriate by the Director, as well as representatives of the applicant. The PAD concept review meeting may be combined with a subdivision pre-application meeting, in which case the pre-application submittal will substitute for any of the items listed below to the extent that duplication may be avoided. Developers are encouraged to use formats that are compatible with the Mohave County Land Division Regulations so that duplication of effort may be reduced when preparing subsequent subdivision plats.
2. The Concept Plan shall consist of a map and a narrative showing the intent of the project, and how the entire PAD will be developed, the order of plat development, and progression of each phase with tentative timelines, including:
  - a. A list of sub-zones to be used throughout the development by phase and the criteria intended for each zoning designation.
  - b. A map of the entire development describing the following:
    - 1) The boundary of the proposed PAD Zone.
    - 2) Approximate gross acreage.
    - 3) Proposed locations and area of each type of development, including the different types, densities of residential uses, intensities of commercial development, and the corresponding sub-zone for each land use.
    - 4) The general location of any known public uses such as, schools, parks, recreational facilities, and trails, within one-half

## Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE (continued)

(1/2) of a mile of the PAD boundary, or within any distance, if the PAD project will be at all reliant upon those facilities.

- 5) The approximate location of proposed arterial and collector roads.
- 6) General phasing boundaries, if phases are proposed.
- c. A description of the topographic character of the land included in the PAD.
- d. A conceptual or preliminary drainage plan.
- e. A tentative infrastructure development plan interfacing all phases and proposed land uses, with expected development timelines, and the general location of roads, utilities, wastewater treatment, and water supply facilities.
- f. A description of how environmental aspects will be protected and blended into the project, and how the development will promote and conserve energy uses and resources.
- g. Any proposed development agreement and a procedure to amend.
- h. A statement that the development at the proposed location, and the development standards to be followed or maintained, will neither be detrimental to the public health, safety, or welfare of the public, nor materially injurious to properties, land uses, and improvements in the adjacent areas or vicinity, and shall conform to the Mohave County General Plan and any applicable Area Plan.

3. For projects that contain eighty (80) acres or more or that include a M (General Manufacturing sub-zone), the project applicant is responsible for holding at least one informal community meeting within the County, as near the project location as is practicable, to inform the public about the proposed project. The project applicant will provide public notice of the community meeting through written letter, by first-class mail, to owners of property within one-half (1/2) mile, electronic notification to persons who have placed their names on a notification list maintained by the Department, and by publication in a newspaper of general circulation in the community affected. The meeting may be held before the project application is deemed complete, and must be held a minimum of four weeks before the meeting at which the Commission hears the project proposal. The applicant will provide the Department a copy of the attendance list from the meeting and any written comments received by the applicant no more than five business days after the information meeting, to be provided to the Commission in advance of the Commission hearing. A copy of written comments received by the applicant will be provided to the Department as soon as practicable after receipt.
4. When the Concept Plan has been reviewed by the Department, the developer may proceed with the PAD application.

## **Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE (continued)**

### **D. PAD Application, Approval and Amendments**

1. An application for a PAD is a rezoning request and shall be submitted and attached to the official Rezone application form provided by the Development Services Department. In addition, each application for approval of a PAD shall be accompanied by appropriate fees as set by resolution of the Board of Supervisors and by such information required by this ordinance and as deemed necessary by the Director, including at least the following:
  - a. A complete Application for Rezone, including all required attachments.
  - b. Ten (10) copies of the Concept Plan, as it may have been amended during the concept review process.
2. The Planning and Zoning Commission may recommend approval of the application, approval of the application with conditions, denial of the application, or continue consideration of the application if the Commission determines that additional information or review is required.
3. After receiving a recommendation from the Commission, the Board of Supervisors may approve the application, approve the application with conditions, deny the application, or continue consideration of the application if the Board determines that additional information or review is required.
4. Major amendments to the PAD shall be processed as a Modification of Conditions of Approval. Minor amendments may be administratively approved by the Director. For the purposes of this Section, major amendments are defined as follows:
  - a. A change in uses permitted, setbacks, and maximum building heights for an individual sub-zone.
  - b. A change in area of an individual sub-zone of 10% or more.
  - c. A substantial change in alignment or classification of collector and arterial roads.
  - d. Any change of a sub-zone 300 feet or nearer to an exterior boundary of the PAD.
  - e. Any change determined by the Development Services Director to warrant review by the Board of Supervisors.
5. Minor amendments may be processed as follows:
  - a. The original PAD applicant or its successors in interest may file a written request for an administrative minor amendment with the Director.

## **Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE (continued)**

- b. If the Director determines that the request is not major, as defined above, the request will be routed for comment to any affected County departments or other agencies.
  - c. Upon receipt of comments, or no later than fifteen (15) working days, the Director will determine whether to approve, approve with conditions, or deny the requested change.
  - d. If the requested change is approved, a letter of approval will be mailed to the applicant with a copy filed for public record. If the requested change is denied, the applicant may request review by the Planning and Zoning Commission, which shall be processed as a Modification of Conditions of Approval, and the fee for the administrative review will be credited toward the fee for Modification of Conditions of Approval.
6. If the project is a subdivision, the Final Plat for the first phase must be submitted within two (2) years after the Board of Supervisors effective approval date of the PAD. If the PAD is for a non-subdivided property, a site plan must be submitted within two (2) years after the Board of Supervisors effective approval date of the PAD.
7. If Final Plats for an approved PAD Development Plan project have been seventy- five percent (75%) completed and recorded within ten (10) years, or as extended by the Board of Supervisors, all zoning designations for the remaining twenty-five percent (25%) of the project are automatically in effect.

### **E. Use Regulations**

1. The developer of a PAD shall make a reasonable attempt to place the densities and intensities of use that are most compatible with current or proposed surrounding property uses at the exterior boundary lines of the PAD. The unmodified building setbacks of the designated sub-zone apply at all exterior boundary lines of the PAD and at the interface of contiguous sub-zones.
2. Buildings located on slopes exceeding twenty percent (20%) are permitted an extra story on the downhill side, provided the building height does not exceed the maximum height allowed for the sub-zone as provided in this ordinance.
3. The use of PAD zoning and the other allowances specially provided for by this Ordinance shall not be detrimental to natural terrain, hillsides, forests, wildlife habitat, scenic or other similarly valued property. PAD developments and their appurtenant structures and facilities shall be designed to allow planned development while promoting and preserving these resource assets.
4. Open space shall comprise at least fifteen percent (15%) of the total area of the residential portion of planned developments, not to include: building footprint sites, streets, alleys, other public rights-of-way, driveways, parking areas, storage areas, or loading areas. Land occupied by recreational structures

## **Section 26 REGULATIONS FOR PLANNED AREA DEVELOPMENT OR “PAD” ZONE (continued)**

or uses may be counted as part of the required open space.

5. All or any part of the required open space may be reserved for use in common by the residents or commercial-industrial property owners of the planned development, as is, or for uses as proposed in the Agreement, excluding residential-commercial or commercial-industrial purposes. To fulfill the open space requirements of zoning designations, land uses approved for the PAD, set-aside parcels, and other like uses, open space uses may include: fire breaks in potential wildfire areas, hiking trails, bicycle trails, parks, natural terrain, drainage easements, parcels integrated into a planned trail and park system, public golf courses, voluntarily donated public school sites or other voluntarily donated public facilities, community halls, picnic areas, environmental protection areas, wildlife preservation, riparian areas, recreation, arboretums. The County shall retain discretion over determinations as to which features and amenities will be considered to meet the open space requirements.
6. Areas permanently reserved for common open space uses may be reserved for the use and enjoyment of the property owners and residents only. Areas and open space provided for public purposes will be available to everyone. Perpetual maintenance of all common areas and appurtenances shall be determined and administered by a Property Owners Association for the PAD.



## **Section 27 REGULATIONS FOR NEIGHBORHOOD COMMERCIAL OR “C-1” ZONE**

### **A. Purpose**

The C-1 zone is intended to provide for professional office uses and retail commercial uses, particularly those serving residential areas or neighborhoods.

### **B. General Requirements**

1. Residential uses shall comply with their respective residential yard requirements.
2. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
3. Manufactured homes or recreational vehicles are prohibited for commercial uses. Manufactured or factory-built buildings constructed as commercial units are allowed in this zone.
4. A view-obscuring device, shall be as per Section 37.E.4.

### **C. Uses Permitted**

1. Any structure built wholly or in part for single-family residential purposes, or any building or structure moved onto the property for residential purposes.
2. Any multiple family or commercial residential structure permitted under an R-M zone.
3. Retail sales and services only, contained within an enclosed structure as follows: Bakeries, barber or beauty shops, book stores, laundry facilities, confectionery stores, convenience store, delicatessens, dressmaking shops, drug stores, appliances, florists, grocery stores, jewelry stores, learning centers, millinery shops, offices, photographic studios, shoe sales and repairs, stationery stores, tailor shops, and other uses of similar description and accessory structures related to and necessary for the operations of the primary use.
4. Wireless communication towers and facilities with a maximum antenna height of forty (40) feet (see Section 37.R).
5. Churches.
6. Community Gardens.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Recreational vehicle parks and manufactured home parks (see Sections 37.G and 37.F).
2. Retail plant nurseries.
3. Wireless communication towers and facilities with an antenna height of forty-one (40) feet to one hundred fifty (150) feet (see Section 37.R).



## **Section 28 REGULATIONS FOR COMMERCIAL-OFFICE RESIDENTIAL OR “COR” ZONE**

### **A. Purpose**

The COR zone is intended to provide for mixed use development with a combination of retail commercial, office, or residential uses.

### **B. General Requirements**

1. The retail commercial, office or residential uses may be distributed within the same building, vertically or horizontally, or between separate buildings on the same parcel.
2. All buildings must have a minimum of two stories, except for unoccupied accessory structures and uses requiring a Special Use Permit, which may be single-story.

### **C. Uses Permitted**

1. Offices, retail sales and services contained in an enclosed structure, that are permitted in the C-1 and C-2 zones; other uses of similar description, except as noted in subsections C or D; accessory structures related to and necessary for the operation of the primary uses.
2. Multiple residential and commercial residential uses permitted in the R-M zone.
3. A residence for use by a proprietor, manager, employee, or custodian of a commercial business contained in same building as the business.
4. Wireless communication towers and facilities with a maximum antenna height of fifty (50) feet (see Section 37.R).
5. Churches.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Any detached structure built wholly or in part for single-family residential purposes or, any building or structure moved onto the property for residential use by the proprietor, manager, employee, or custodian of a commercial business located on the property.
2. Light auto servicing conducted as an accessory to the service station, other uses of similar description, and above-ground fuel-storage tanks or retail propane-dispensing units associated with the business.
3. Wireless communication towers and facilities with an antenna height of fifty-one (51) feet to one hundred ninety-five (195) feet (see Section 37.R).

## **Section 28 REGULATIONS FOR COMMERCIAL-OFFICE RESIDENTIAL OR “COR” ZONE (continued)**

4. Buildings more than forty-five (45) feet in height.

### **E. Prohibited Uses**

1. Detached single-family residences except as provided in subsection C.
2. Kennels and Veterinary Clinics.

### **F. Setbacks and Area Requirements**

1. Setbacks abutting a parcel with different zoning shall, at a minimum, conform to the setback for the abutting parcel; otherwise setbacks shall be the same as for the C-2 (General Commercial) zone.
2. Minimum lot area shall be the greater of 6,000 square feet or the area required to accommodate the proposed uses and provide adequate off-street parking for all uses as provided in Sections 36 and 37.N of this Ordinance.

## **Section 29 REGULATIONS FOR GENERAL COMMERCIAL OR “C-2” ZONE**

### **A. Purpose**

The C-2 zone is primarily intended to provide for those professional office uses and retail commercial uses that serve the community as a whole. These commercial uses would be of a larger scale and a wider scope than uses in the Neighborhood Commercial zone.

### **B. General Requirements**

1. Residential uses shall comply with their respective residential yard requirements.
2. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
3. Manufactured homes or recreational vehicles are prohibited for commercial use. Manufactured or factory-built buildings constructed as commercial units are allowed in this zone.
4. A view-obscuring device, shall be as per Section 37.E.4.
5. A kennel may be permitted as allowed by Section 37.J.

### **C. Uses Permitted**

1. Any use permitted in a C-1 zone.
2. Retail sales and services only, contained within an enclosed structure as follows:

Light auto servicing, bakeries, baths, billiard or pool halls, bowling alleys, copying shops, cleaning and pressing establishments, clubs, furniture stores, hardware stores, interior decorating shops, liquor stores, public parking areas, restaurants, tea rooms and cafes, including on and off sale of alcoholic beverages, studios, upholstery shops, bars and taverns, and other uses of similar description and accessory structures related to and necessary for the operation of the primary uses.
3. Any lot or parcel currently zoned C-2, fronting on or along major State or County Highways 95, 68, 66 or 93 that comply with the lot area requirements for the C-2H zone, per Section 35, may have any open lot sales and display uses permitted in the C-2H zone.
4. Wireless communication towers and facilities with a maximum antenna height of fifty (50) feet (see Section 37.R).
5. Churches.
6. Community Gardens.
7. Any structure built wholly, or in part, for single family residential purposes, or any building or structure moved onto the property for residential purposes as long as it is in conjunction with a commercial use.

**Section 29 REGULATIONS FOR GENERAL COMMERCIAL OR “C-2” ZONE**  
**(continued)**

**D. Uses Allowed After Acquiring a Special Use Permit**

1. Recreational Vehicle Parks and Manufactured Home Parks (see Sections 37.G and 37.F).
2. Retail plant nurseries.
3. Swap meets (see Section 37.I).
4. Wireless communication towers and facilities with an antenna height of fifty-one (51) feet to one hundred ninety-five (195) feet (see Section 37.R).

## **Section 30 REGULATIONS FOR GENERAL COMMERCIAL HIGHWAY FRONTAGE OR “C-2H” ZONE**

### **A. Purpose**

The C-2H zone is intended to provide for very intense commercial development and commercial uses that contain an outside sales or storage aspect that is necessary to use. This zone also accommodates commercial uses that serve highway service needs.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
2. Property shall have frontage and access to either a state highway, a county defined arterial highway, a major road, or a frontage road paralleling and contiguous to any of these. In situations where the road function is designated for one of the above and the right-of-way is not in conformance, then the same may be accomplished if the use provides for setbacks to prohibit structures within this future right-of-way in addition to regular setbacks.
3. One-acre minimum lot area required where community water systems are not provided.
4. Properties may not be used for residential purposes except as described in subsections B and C.
5. Manufactured homes or prefabricated structures are prohibited for residential uses, except as offered for sale or display. Manufactured or factory-built buildings constructed as commercial units are allowed in this zone.
6. A view-obscuring device, shall be as per Section 37.E.4.
7. A kennel may be permitted as allowed by Section 37.J.

### **C. Uses Permitted**

The following uses are permitted and land shall be used and buildings and structures shall hereafter be erected, altered, enlarged or otherwise modified for the following uses only:

1. All uses permitted in the C-2 zone, multiple family structures, or commercial residential structures permitted in an R-M zone except duplex units.
2. Other retail uses. Automobile accessories and parts, automobile and truck sales and service (new and used), automobile repairs or auto body repairs conducted entirely in an enclosed building, automobile upholstery and top shops, building materials sales, boat sales or service and repairs, feed sales, garden and plant nursery sales, ice vending stations, janitorial supplies and service, lumber yards, machinery and tool sales and services, motorcycle sales and services, prefabricated structure sales, including manufactured homes and trailers, secondhand stores, stone and monument yards, swimming pool sales and

## **Section 30 REGULATIONS FOR GENERAL COMMERCIAL HIGHWAY FRONTAGE OR “C-2H” ZONE (continued)**

service, tire sales and service, (not including retreading and recapping), unfinished furniture sales, and other similar uses to these listed.

3. Other service business. Automobile, truck and trailer rental and service, building material yards, cleaning and dyeing, coin operated, pick-up station and/or using non-explosive solvents, contractors' equipment rental or storage yards, glass replacement and repair (including auto glass), heating, plumbing, ventilating, refrigeration and air conditioning sales, laundries, machinery and tool rentals, mortuaries, packing and crating, parcel delivery services, self-service Laundromats, sheet metal shops, storage yards for building materials (not including flammable liquids and gases), and other similar uses.
4. Recreational vehicle parks (see Section 37.G).
5. Office uses of all types.
6. Other accessory uses customarily appurtenant to a primary permitted use.
7. Wireless communication towers and facilities with a maximum antenna height of fifty (50) feet (see Section 37.R).
8. Churches.

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. Manufacturing, processing, treatment, or storage of products which is clearly incidental to the retail or services business conducted on the premises, provided that the premises are not the primary source of production of goods sold on the premises and provided that heating, plumbing, ventilating, refrigerating, air conditioning, and sheet metal establishments shall be exempt from this section.
2. Manufactured home parks (see Section 37.F).
3. Swap meets (see Section 37.I).
4. Wireless communication towers and facilities with an antenna height of fifty-one (51) feet to one hundred ninety-five (195) feet (see Section 37.R).

## **Section 31 REGULATIONS FOR COMMERCIAL-MANUFACTURING/OPEN LOT STORAGE OR“C-MO” ZONE**

### **A. Purpose**

The C-MO zone is intended to provide for general commercial or light manufacturing uses in locations which are suitable and appropriate, taking into consideration the land uses on adjacent or nearby properties, access to major streets or highways, and the availability of public utilities. The C-MO zone has been established to permit businesses with open lot storage.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
2. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting against Agricultural or Residential properties or incompatible uses.
3. A kennel may be permitted as allowed by Section 37.J.
4. Properties in C-M (Commercial Manufacturing) zones, approved prior to the effective date of this Ordinance, shall have the uses and requirements allowed in this zone.

### **C. Uses Permitted**

1. All retail commercial operations including commercial recreational facilities.
2. Wholesale stores and storage within a building, warehousing, mortuaries, and nurseries.
3. Animal hospitals, automobile repair shops, cleaning and dyeing establishments, creameries, laundries, launderettes, pet shops, public garages, theater, used car sales lots, and other uses of a similar nature.
4. Small manufacturing or fabrications plants which are of similar nature to other uses permitted and produce no obnoxious smokes, odors, noises, lights or other irritations.
5. Public utility buildings, yard storage areas (not including flammable liquids and gases).
6. Any agricultural use.
7. Accessory uses and buildings incidental to any of the above uses, including open lot storage of materials associated with the primary use of the property.
8. Wireless communication towers and facilities with a maximum antenna height of fifty (50) feet (see Section 37.R).

**Section 31 REGULATIONS FOR COMMERCIAL-MANUFACTURING/OPEN LOT STORAGE OR“C-MO” ZONE (continued)**

9. Churches.

**D. Uses Allowed After Acquiring a Special Use Permit**

1. Any structure built wholly or in part for single-family residential purposes or any building remodeled or moved in for residential purposes, to be used as quarters for a night watchman for security purposes.
2. Wireless communication towers and facilities with an antenna height of fifty-one (51) feet to one hundred ninety-five (195) feet (see Section 37.R).

## **Section 32 REGULATIONS FOR LIGHT MANUFACTURING OR “M-1” ZONE**

### **A. Purpose**

The M-1 zone is intended to provide appropriate locations for certain types of business and manufacturing uses that are quiet and well designed to be compatible with less intensive zoning, including appropriate buffering and/or landscaping to increase compatibility.

### **B. General Requirements**

1. Industrial sites and/or uses shall be enclosed by a building or wall to provide effective site screening from adjoining properties, uses or public rights-of-way by the use of berms and/or landscape plantings. A solid masonry, concrete or earthen product wall not less than six feet in height, or landscaped berms approved by the Director, shall be required along and adjacent to any side or rear property line abutting any rural or residential zone, or any alley abutting such a zone. Access gates shall be constructed of view-obscuring materials to provide effective site screening. The Director may approve alternative screening methods that meet the intent of the above.
2. When adjacent to a rural or residential zone, automobile and truck parking shall be screened from view by a solid masonry wall, earthen berm or landscaping, or combination thereof.
3. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.

### **C. Uses Permitted**

1. Any use permitted in the Commercial-Manufacturing/Open Lot Storage zone when all open operations and storage are screened as defined in Section 32.B above.
2. Art needlework, hand weaving and tapestries.
3. Book binding and tooling.
4. Compounding of cosmetics and pharmaceutical products.
5. Jewelry manufacture from precious metals and minerals.
6. Laboratories, research, experimental and testing.
7. Manufacture and assembly of clay, leather, metal and glass products of handicraft nature.
8. Manufacture and assembly of medical, dental and drafting instruments.
9. Manufacture and assembly of optical goods and equipment, watches, clocks

## **Section 32 REGULATIONS FOR LIGHT MANUFACTURING OR “M-1” ZONE (continued)**

and other similar precision instruments.

10. Manufacture and assembly of electrical or electronic apparatus, musical instruments, games and toys.
11. Motion picture producing.
12. Offices.
13. Warehousing, storage and wholesale distribution facilities.
14. Any other office, laboratory, manufacturing and assembling uses similar to those uses listed above which do not create any danger to the public health, safety and general welfare to the surrounding areas and which do not create any offensive noise, vibration, smoke dust, odor, heat or glare and which create little truck traffic.
15. Accessory buildings and uses customarily incidental to the above uses.
16. Wireless communication towers and facilities with a maximum antenna height of one hundred and twenty (120) feet (see Section 37.R).

### **D. Uses Allowed After Acquiring a Special Use Permit**

1. All uses permitted in any residential zone without a Special Use Permit, when associated with any uses permitted above.
2. Wireless communication towers and facilities with an antenna height of one hundred and twenty-one (121) feet to two hundred fifty (250) feet (see Section 37.R).
3. Data Centers.

## **Section 33 REGULATIONS FOR GENERAL MANUFACTURING OR “M-2” ZONE**

### **A. Purpose**

The M-2 zone is intended to provide for general manufacturing 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.

### **B. General Requirements**

1. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply in this zone.
2. Where new development will be adjacent to a non-industrial zone, a fence or vegetation screening may be required as a condition of site plan approval (see Section 37.E).
3. Open storage shall be screened from public view.
4. All site plans submitted for projects in this zone that are located within three (3) miles of an incorporated city or town shall be submitted to the city or town for review or comments. Comments from the city or town shall be accepted for fifteen (15) days following submission to the city or town and shall be given due consideration by the County and the applicant.
5. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting against Agricultural-Residential properties or incompatible uses.
6. For the purpose of this provision, a caretaker's service or security residence is considered a part of the use with which it is associated and screening of such a use is not required.

### **C. Uses Permitted**

1. Any use permitted in the Light Manufacturing (M-1) zone without a Special Use Permit.
2. Aircraft firms including sales, service and rental.
3. Bakeries, wholesale.
4. Bottling plants or breweries.
5. Cleaning plants, including carpets and dyeing.
6. Construction equipment (heavy), including sales, service, rental and storage (unless a part of a construction site in case of storage).
7. Dairy products, processing of.

**Section 33 REGULATIONS FOR GENERAL MANUFACTURING OR “M-2” ZONE  
(continued)**

8. Laboratories, experimental, photo or motion picture, research or testing.
9. Manufacturing, compounding, assembling, processing, packaging or treatment of products such as candy, drugs, perfumes, pharmaceuticals, perfumed toilet soaps, toiletries, but not including the refining or rendering of fats and oils.
10. Manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: such as bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, leather, paper, plastics, precious or semiprecious metals or stones, light sheet metal, shell, textiles, tobacco, tools, toys, wire, yarns, wood not involving planing mills as the primary process, and paint not employing a boiling process.
11. Manufacturing or assembly of electrical appliances, electronic instruments and devices, including the manufacture of small parts only.
12. Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay.
13. Packinghouses, fruit or vegetable, not including processing.
14. Grain elevator, cotton gins, compressors, feed processing, and storage.
15. Junkyards, auto salvage yards, and scrap metal yards.
16. Plants - block plant manufacture, concrete batch plants, and their associated storage of related materials.
17. Storage of mineral production related materials.
18. Sales and service of mineral related equipment.
19. Liquid waste treatment plants as approved by the Department of Environmental Quality and/or the Arizona Corporation Commission.
20. Night watchman's quarters.
21. Public and quasi-public facilities such as trade schools, vehicle maintenance or public works facilities, public utilities, correctional facilities, office complexes or emergency services.
22. Similar type uses may be approved by the Director with the option for appeal.
23. Wireless communication towers and facilities with a maximum antenna height of one hundred twenty (120) feet (see Section 37.R).
24. Kennels, as allowed by Section 37.J.

**Section 33 REGULATIONS FOR GENERAL MANUFACTURING OR "M-2" ZONE  
(continued)**

**D. Uses Allowed With a Special Use Permit**

1. All uses permitted in any "R" (Residential) zone without a Special Use Permit when associated with a permitted use as per Section 33.B.
2. Wireless communication towers and facilities with an antenna height of one hundred twenty-one (121) feet to two hundred fifty (250) feet (see Section 37.R).
3. Data centers.



## **Section 34 REGULATIONS FOR HEAVY MANUFACTURING OR "M-X" ZONE**

### **A. Purpose**

The M-X zone is intended to provide for Heavy Manufacturing uses (processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions) 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.

### **B. General Requirements**

1. Maximum height - none, except as provided below:
  - a. Within one-quarter (1/4) mile of any federal highway the height limit shall be one hundred twenty (120) feet and between one-quarter (1/4) mile and one (1) mile of any federal highway, the height limit is one hundred fifty (150) feet, the height of the building may be increased or "stepped".
  - b. Within three (3) miles of any incorporated city or town the maximum height is sixty (60) feet. The height within the three (3) mile area may be waived via a Special Use Permit after receiving comments from the city or town. In any case, the maximum height allowed, via the Special Use Permit, is one hundred twenty (120) feet.
2. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply in this zone.
3. All site plans submitted for projects in this zone that are located within three (3) miles of an incorporated city or town shall be submitted to the city or town for review or comments. Comments from the city or town shall be accepted for fifteen (15) days following submission to the city or town and shall be given due consideration by the County and the applicant.
4. A view-obscuring device, as per Section 37.E.4, will be placed on all property lines abutting against Agricultural or Residential properties or incompatible uses. For the purpose of this provision, a caretaker's service or security residence is considered a part of the use with which it is associated and screening of such a use is not required.

### **C. Uses Permitted**

1. Any use permitted in General Manufacturing (M-2) without a Special Use Permit.
2. Canneries.

## **Section 34 REGULATIONS FOR HEAVY MANUFACTURING OR "M-X" ZONE (continued)**

3. Fertilizer plants.
4. Refineries.
5. Commercial feed lots.
6. Meat packing plants.
7. Night watchman's quarters.
8. Tallow works.
9. Sanitary landfill -- solid waste disposal or the recycling of the same.
10. Tire retreading or rebuilding.
11. Wood planing mills.
12. Manufacturing, assembly and/or testing of aircraft, automotive, spacecraft or other vehicular equipment.
13. Mining and milling operations, except as exempted by State laws.
14. Public and private utility power stations and commercial generating plants.
15. Public and quasi-public facilities such as trade schools, vehicle maintenance or public works facilities, public utilities, correctional facilities, office complexes or emergency services.
16. Similar type uses may be approved by the Director with the option for appeal.
17. Wireless communication towers and facilities with a maximum antenna height of one hundred twenty (120) feet (see Section 37.R).
18. Kennels, as allowed by Section 37.J.

### **D. Uses Permitted After Acquiring a Special Use Permit**

1. All uses permitted in any "R" (Residential) zone without a Special Use Permit when associated with any uses permitted above.
2. Storage of flammable liquids and gases, and bulk fuels for sale or distribution.
3. Manufacturing or storage of hazardous chemicals or materials.
4. Wireless communication towers and facilities with an antenna height of one hundred twenty-one (121) feet to two hundred fifty (250) feet (see Section 37.R).
5. Data centers.

## **Section 34 REGULATIONS FOR HEAVY MANUFACTURING OR “M-X” ZONE (continued)**

### **E. Location of Property Requirements**

In addition to meeting the setback and area requirements of this ordinance, buildings and structures shall be located on the property in compliance with the yard, fire resistance, opening protection, and other pertinent requirements of the location on property provisions of the building code adopted by Mohave County and the fire code adopted by the fire district in which the project is located. If the fire district has not adopted a fire code, or the project is not located within a fire district, the fire code adopted by Mohave County shall apply.



## **Section 35 SETBACKS AND AREA REQUIREMENTS**

### **A. General Requirements**

1. Any specific provisions for setbacks in the sections of this Ordinance shall have precedence over the general setbacks herein specified.
2. Distances between dwellings or between a dwelling and other main structure on any single lot for all zones shall be twenty (20) feet where buildings face front to front, rear to rear, or front to rear; otherwise, regular side yards shall apply. Approval for "SD" zone shall be as per design.
3. In any subdivision where a corner lot is designed with marginal minimum areas, the corner lot shall have the same usable lot area as interior lots of similar dimensions. Usable lot area, for this purpose, includes the main building area remaining after setbacks and/or easement areas have been subtracted. For computing the usable area of a corner lot, rear yard areas shall be included. The rear yard being determined from the lot line opposite the front of the lot, based on the definition of the front of the lot. For a vari-sided lot, the setbacks will be determined in the same manner as when processing a building permit. The street side of a corner lot that is not considered the front of the lot shall be considered as a secondary frontage, with a minimum setback of five (5) feet. All driveways including driveways leading to the garage, and the garage, will be at least ten (10) feet from the secondary frontage when parallel to the secondary frontage, set back fifteen feet (15) from the primary road when driveway is accessing the secondary frontage, or along the interior side yard (interior side yard building setbacks apply to structures).
4. On corner lots, the shorter side of the lot is presumed to be the front of the lot. However, the Director may designate the longer side of a corner lot as the front provided that:
  - a. The owner makes a written request for that designation accompanied by a plot plan showing the setback lines and existing and proposed structures.
  - b. The size and configuration of the lot is adequate for all existing and proposed structures to be located on the lot in conformance with all setbacks when oriented in the manner proposed.
  - c. The driveway will not access a collector or arterial classified roadway unless it is approved by the Public Works Department.
  - d. The applicable setbacks, being established as a result of the request of the owner, may not be reduced by way of a variance

## Section 35 SETBACKS AND AREA REQUIREMENTS (continued)

### B. Specific Requirements

ZONE	MINIMUM LOT AREA	MAXIMUM (HEIGHT)	MINIMUM SETBACKS FROM PROPERTY LINE		
			FRONT	SIDE	REAR
A	5 Acre	(35')	20'	5'	25' <sup>a</sup>
A-D <sup>d</sup>	1 Acre <sup>c</sup>	(60') (100)	25' 25'	5' 25'	15' <sup>a</sup> 25' <sup>g</sup>
A-R	1 Acre	(35')	15'	5'	15' <sup>a, n</sup>
R-E	20,000	(35')	15'	5'	15' <sup>a, n</sup>
C-RE	20,000	(45')	15'	5'	15' <sup>a, n</sup>
R-O	6,000	(35')	15'	5'	15' <sup>a, n</sup>
R-O/A	1 Acre	(35')	15'	5'	15' <sup>a, n</sup>
R-1	6,000	(35')	15'	5'	15' <sup>a, n</sup>
R-2	4,000 sq. ft. per Dwelling	(40')	15'	5' <sup>h</sup>	15' <sup>n</sup>
R-RV	2,500 3,200 <sup>1</sup>	(35')	15'	5'	10' <sup>n</sup>
R-MH	6,000	(35')	15'	5'	10' <sup>n</sup>
R-M	6,000	(40')	15'	5'	15' <sup>a, n</sup>
C-1	6,000	(45')	10'	0'	0 - 15' <sup>b</sup>
COR	6,000	(60') <sup>k, m</sup>	10'	0'	0 - 15' <sup>b</sup>
C-2	6,000	(60') <sup>m</sup>	10'	0'	0 - 15' <sup>b</sup>
C-2H <sup>c</sup>	1 Acre	(60') <sup>m</sup>	10'	0'	0 - 15' <sup>b</sup>
C-MO <sup>c</sup>	1 Acre	(60') <sup>m</sup>	10'	0'	20'
M-1	1 Acre	(60')	10'	0'	20'
M-2	1 Acre	(120')	10'	0'	20'
M-X	1 Acre	<sup>f</sup>	10'	0'	20'
S-D	TO BE DETERMINED WITH APPROVAL OF DESIGN <sup>e</sup>				
PAD	TO BE DETERMINED WITH APPROVAL OF DESIGN <sup>i</sup>				
R-CL	TO BE DETERMINED WITH APPROVAL OF DESIGN <sup>j</sup>				

## Section 35 SETBACKS AND AREA REQUIREMENTS (continued)

- a. A 10-foot rear yard setback is allowed in conjunction with a mobile or a manufactured home. See also Section 37.C.
- b. No setback when rear property line is adjacent to commercial or manufacture zoned property. Fifteen foot setback when rear property line is adjacent to residentially zoned property or an alley adjacent to residentially zoned property.
- c. A 10,000-square-foot-minimum lot size is allowable in C-2H or C-MO zones when the property is serviced by a public, franchised water supply.
- d. A 20,000-square-foot-minimum lot size is allowable in A-D zones when the property is serviced by a public, franchised water supply.
- e. The intent of this provision is to encourage flexibility of design that will enable the developer to take advantage of the most desirable site areas of the parcel in question, without being restricted to specific lot sizes and densities, as long as the overall densities of the entire tract conform to their minimum zone requirements. See Section 25 of this Ordinance (Regulations for Special Development).
- f. Heights in these zones will be determined by building and fire code requirements and the General Requirements of the zone.
- g. Buildings from 61' to 100' in height, or portions above 60' in height, shall have 25' setbacks for front, side and rear yards. Buildings may be stepped with any portion over 60' being 25' or more from property lines.
- h. Except zero-lot line / single family attached projects may have a 0' setback along common walls, and a 10' setback for side yard not along a common wall.
- i. The intent of this provision is to encourage flexibility of design that will enable the developer to take advantage of the most desirable site areas of the parcel in question, without being restricted to specific lot sizes and densities, as long as the overall densities of the entire tract conform to their minimum zone requirements. Section 26 Regulations for Planned Area Development or "PAD" Zone. Within commercial sub-zones building height up to sixty (60) feet may be approved.
- j. The intent of this provision is to encourage flexibility of design that will enable the developer to take advantage of the most desirable site areas of the parcel in question, without being restricted to specific lot sizes and densities, as long as the overall densities of the entire tract conform to their minimum zone requirements. See Section 12.1 of this Ordinance (Regulations for Residential Cluster Overlay).
- k. Generally a minimum of two (2) stories. See Section 28.
- l. Minimum lot size for a manufactured home in a RV zone.

## **Section 35 SETBACKS AND AREA REQUIREMENTS (continued)**

- m. The Director may approve a 20% increase in height when such an increase is justified based on function and design. Height increases above 20% must be approved, as a Zoning Use Permit, by the Board of Supervisors, after a recommendation from the Planning and Zoning Commission.
- n. Accessory residences and accessory structures shall have a rear setback of 5'.

### **C. Maximum Permissible Density of Lot Coverage**

- 1. Except as provided in this Section, the maximum density of lot coverage for single family residential uses (including accessory buildings and storage), in any residential zone classification, shall not exceed sixty percent (60%).
- 2. An open swimming pool shall not be considered in calculating the percentage of lot coverage.

## **Section 36 OFF-STREET PARKING STANDARDS**

### **A. Parking Required for All Structures and Uses**

For all buildings, structures, or uses hereafter erected, constructed, reconstructed, moved or altered, off-street parking shall be provided.

#### **1. Off-Premise Parking**

a. Parking may be provided on property where provisions are made to reserve the property for this use. Such parking spaces shall be located on the same property as the main use, or within five hundred (500) feet of the building or use, or a combination thereof. Approval for off-premise parking spaces located within five-hundred (500) feet of the proposed use shall not be granted unless a written parking agreement is made to reserve the property for this use and a copy of the parking agreement is provided to and approved by the Director.

b. Parking agreements shall be in a form approved by the County, identifying:

1) The number of vehicle spaces provided for each land use activity(ies); and

2) The dates and times when said activities are conducted.

c. Parking agreements shall be recorded with the County Recorder's Office prior to occupancy or use of said property or facilities.

d. Off-premise parking may be located over five hundred (500) feet from the proposed use upon Planning Commission review and approval of a parking management plan.

2. No portion of the parking area other than necessary drives shall extend into any street or other public way.

3. When the use of any existing building, structure, or premises is changed to a new use, or the intensity of the use is increased as a result of a single change or cumulative changes resulting in an increase in the total number of required parking spaces by more than ten percent (10%) of that shown on the originally approved site plan, then parking and loading facilities as required shall be provided for the entire building, structure or premises. When such an increase in required parking is less than ten percent (10%) cumulatively, the change of use or intensity is considered in compliance with this Section.

#### **4. Combination of Uses on One Property**

If more than one use is conducted on a property, parking requirements shall be maintained for each use, and combined for the total required parking.

#### **5. Joint Use of Required Parking Spaces**

## Section 36 OFF-STREET PARKING STANDARDS (continued)

- a. One (1) parking area may contain required spaces for several different uses but, the required space assigned to one (1) use may not be credited to any other use, except as otherwise provided in this Section.
- b. To the extent developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday, but is generally ninety percent (90%) vacant on the weekends, another development that operates only on weekends could be credited with ninety percent (90%) of the spaces on that lot. Or, if a church parking lot is generally occupied only to fifty percent (50%) of capacity on days other than Sunday, another development could make use of fifty percent (50%) of the church's spaces on those other days.
- c. Joint use parking agreements shall not be granted unless a written parking agreement is made to reserve the property for this use and a copy of the parking agreement is provided to and approved by the Director. Joint use parking agreements shall be in a form approved by the County identifying:
  - 1) The number of vehicle spaces provided for each land use activity(ies);
  - 2) The dates and times when said activities are conducted.
- d. Joint use parking agreements shall be recorded with the County Recorder's Office prior to occupancy or use of said property or facilities.

6. Parking shall be provided in quantities stated in this Section, except that certain uses have additional requirements stated therein. The issuance of building permits or Certificates of Occupancy shall require compliance with the minimum parking standards.

### B. Improvement of Parking Areas

All parking areas and drives leading thereto shall be ready for use upon occupancy of a building. Except parking areas and drives serving single-family dwellings, all parking areas and drives shall meet or exceed the following standards:

1. In Urban Development Areas, all parking areas and drives leading thereto shall be surfaced with a permanent, bituminous or concrete paving meeting the standards of the County, at a minimum, prior to the issuance of a Certificate of Occupancy, unless a special permit is granted by the County Engineer due to weather conditions preventing the placement of materials. Alternative materials that are equivalent or better may be approved by the County Engineer.
2. In Suburban Development Areas and Rural Development Areas, all parking areas and drives leading thereto shall be surfaced with a permanent, bituminous or concrete paving meeting the standards of the County prior to

## Section 36 OFF-STREET PARKING STANDARDS (continued)

the issuance of a Certificate of Occupancy when the street by which the parking area is accessed is similarly paved. When the access street is constructed to a lesser standard, or the parking lot contains no more than twelve (12) parking spaces, the parking area and drives leading thereto shall be surfaced in the same manner as the street. All handicapped spaces must be surfaced in a manner consistent with the Americans with Disabilities Act (A.D.A.).

3. The Director may allow the use of materials that do not meet the standards in Section 36.B.1 and 2 above as provided below:
  - a. In Urban Development Areas that are not developing with urban uses, urban densities or urban facilities at the time of the application or request, the Director may approve parking lot materials that meet the standards for Suburban Development Areas and Rural Development Areas as stated in Section 36.B.2.
  - b. The Director may approve a gravel surfacing that complies with the standard approved by the Mohave County Board of Supervisors when the land uses involved are intermittent, occurring not more than three days per week.
  - c. The Director may approve a gravel surfacing that complies with the standard approved by the Mohave County Board of Supervisors in Rural Development Areas when the use requires a total of twelve (12) or fewer parking spaces.
4. All parking lots and drives leading thereto, except those serving one-family dwellings, shall have drainage facilities approved by the County Engineer.
5. All parking areas shall have adequate ingress and egress to and from a street. Alleys may provide secondary access to parking areas, but shall not provide primary access. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails, or other barriers, shall be provided where needed for safety or to protect property as determined by the Development Services Department.
6. Backing into a road or alley is prohibited.

### C. Access to Parking Areas

Ingress and egress to all parking areas, garages and carports shall be by means of driveways established in conformance with Section 36.B of these Regulations and Mohave County Public Works standards.

### D. Dimensions of Parking Areas

1. Standard parking stall dimensions shall not be less than nine (9) feet by nineteen

## Section 36 OFF-STREET PARKING STANDARDS (continued)

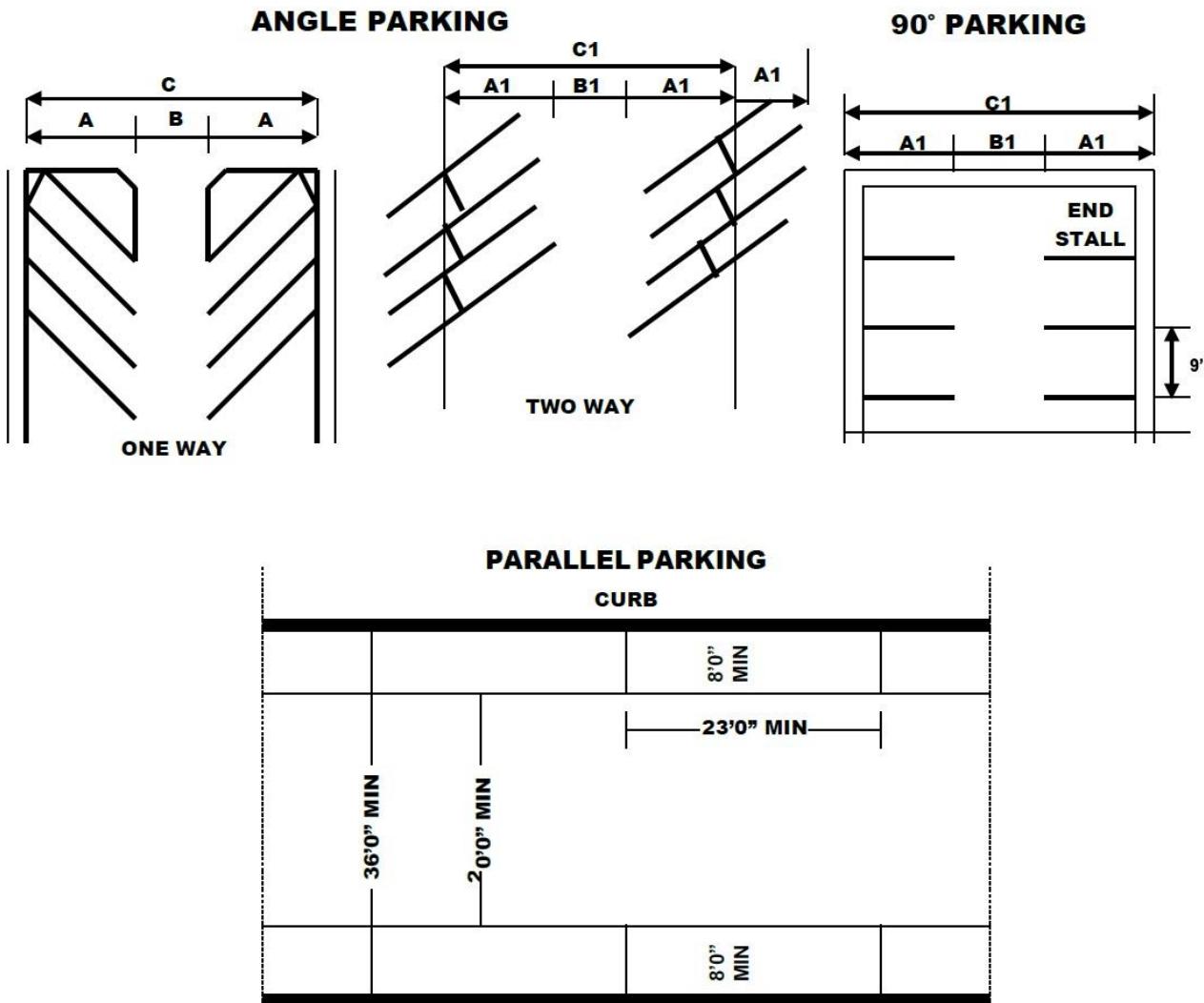
(19) feet, plus necessary space for maneuvering into and out of the space. All parking areas must meet the minimum standard specified in Table 36-1. Where the end of the parking space abuts a curbed area at least four (4) feet in width (with landscaping or sidewalk), an overhang may be permitted which would reduce the length of the parking space by two (2) feet. Such overhang shall be measured from the face of the curb.

2. Minimum dimensions for parallel parking space shall be eight (8) feet by twenty- three (23) feet.
3. Dimensions for parking spaces for individuals with disabilities are to comply with the Americans with Disabilities Act (A.D.A.). Please refer to [www.ada.gov](http://www.ada.gov)

**TABLE 36-1**  
**MINIMUM PARKING AREA STANDARDS**

ANGLE OF PARKING	ONE WAY			TWO WAY		
	A	B	C	A1	B1	C1
30	19'-0"	12'-0"	50'-0"	19'-0"	24'-0"	62'-0"
45	19'-0"	13'-0"	51'-0"	19'-0"	24'-0"	62'-0"
60	19'-0"	18'-0"	56'-0"	19'-0"	24'-0"	62'-0"
90	NA	NA	NA	19'-0"	25'-0"	63'-0"

## Section 36 OFF-STREET PARKING STANDARDS (continued)



### E. Setbacks

1. Parking areas in conventional zoning districts shall be set back as follows:
  - a. For a non-residential use in any residential district, no parking spaces shall be located within five (5) feet of any right-of-way; non-parking areas must be maintained such that they are clear of weeds and miscellaneous debris.
  - b. In commercial and industrial districts, no parking spaces shall be located within five (5) feet of any street right-of-way; non-parking areas must be maintained such that they are clear of weeds and miscellaneous debris.

### F. Screening

## **Section 36 OFF-STREET PARKING STANDARDS (continued)**

Where a parking area adversely affects adjacent property, the parking area shall be screened by a wall, fence or screen planting of an adequate height but no less than three (3) feet in height. In specific cases, the Development Services Department may require that any wall, fence or screen planting around a parking area shall be set back from a street if such setback will prevent adverse effects upon the appropriate use of adjacent property or will prevent a traffic hazard, but such setbacks need not be greater than the respective front or side yard requirement applicable to the zoning district.

### **G. Parking for Specific Uses**

Off-street parking facilities shall conform to the following space minimum standards:

1. One-family dwellings. Two (2) spaces for each dwelling unit. Garages or carports shall be accepted.
2. Multiple family dwellings and apartment houses. One (1) space for each one (1) bedroom unit; one and one-half (1.5) space for each two (2) bedroom unit; and two (2) spaces for each three (3) or more bedroom unit.
3. Hotels, motels and guest ranches and similar uses. One and one-quarter (1.25) space for each guestroom.
4. Churches, auditoriums, theaters, stadiums, multipurpose rooms, and other places of public assembly. One (1) space for each four (4) seats.
5. Hospitals. One (1) space for each bed and one (1) space for each two (2) employees on the largest shift.
6. Homes for aged, sanitariums, and convalescent homes. One (1) space for each three (3) beds.
7. General business not otherwise specified in this section. One (1) space for each three hundred (300) square feet of sales or display area.
8. Furniture and appliance stores. One (1) space for each seven hundred fifty (750) square feet of sales or display area.
9. Automobile, boat, manufactured home or trailer sales or rental, retail nurseries and other such commercial uses not in a building or structure. One (1) space for each two thousand (2,000) square feet of display area, and off-street loading and maneuverability shall be provided on the premises.
10. Enclosed Storage Units. One (1) space per one hundred (100) storage units or fraction thereof, plus two (2) spaces if an on-site residence is provided.
11. Bowling alleys. Three (3) spaces for each alley.
12. Golf Courses. Three (3) spaces for each hole plus 50% of the minimum number of spaces required for any accessory uses.

## Section 36 OFF-STREET PARKING STANDARDS (continued)

13. Offices, business and professional. Three (3) spaces for each one thousand (1,000) square feet of gross leasable floor area.
14. Dining rooms, bars, taverns, nightclubs, restaurants, cafes, and similar uses involving the seating and serving of the public. One (1) space for every two (2) employees on the largest shift, plus one (1) parking space for each fifty (50) square feet of indoor serving area, plus one (1) parking space for each one hundred (100) square feet of outdoor serving area. The serving area shall exclude areas designed for restrooms, storage, or other non-public purposes.
15. Drive-through service windows. Drive-through window uses shall also provide reserved parking and/or stacking room for drive-through customers at a rate of five (5) vehicles per drive-through window.
16. Drive-in restaurants. One (1) space for each thirty (30) square feet of gross floor area in the building, and one (1) space for each two (2) employees on the largest shift.
17. Industrial uses. One (1) space for each two (2) employees on the largest shift, plus one (1) space for each vehicle kept in connection with the use and on premise loading and maneuverability shall be provided.
18. Child day care centers. One (1) space for each two (2) employees plus one (1) space for each five (5) children the facility is designed to accommodate.
19. Schools through ninth (9th) grade. One and one-half (1.5) parking spaces per classroom, plus any applicable requirement in subparagraph (4) above.
20. Schools, tenth (10th) grade through twelfth (12th) grade. Ten (10) parking spaces per classroom.
21. Colleges, business, professional, and trade schools. One (1) space for each two (2) students which the facility is designed to accommodate.

Any use not included in the parking requirements in this title shall be assigned a parking requirement by the Director based on documentation of parking calculations for similar uses.

Reductions to the above parking standards may be granted by the Director based upon documentation provided by the developer justifying the reduced parking.

### H. Off-Street Loading Area

Off-street loading areas shall comply with all of the provisions of this Section and any other applicable Section. Loading areas must be adequate to serve the uses and categories of uses proposed and shall be determined at time of site plan review.

- I. No commercial repair work or servicing of vehicles shall be conducted in a parking area.
- J. All outdoor lighting shall comply with Section 38.

## **Section 36 OFF-STREET PARKING STANDARDS (continued)**

K. Parking for individuals with disabilities shall be provided in accordance with A.R.S. §41.1492 et seq., the Americans with Disabilities Act (A.D.A.) and the Fair Housing Act. Please refer to [www.ada.gov](http://www.ada.gov) and <http://www.fairhousingfirst.org/> for regulations.

## **Section 37 GENERAL PROVISIONS**

### **Section 37.A SPECIAL USES**

A. Special Uses The following uses may be permitted in zones in which they are not specifically permitted by this Ordinance, where such uses are deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the General Plan.

In each instance, the matter shall be processed as a Special Use Permit.

1. Airports or aircraft landing fields, permanent public utility facilities (does not include distribution lines), and communications installations, and public and private sanitary landfills.
2. Cemeteries, columbarium, crematories and mausoleums.
3. Establishments of temporary or permanent enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, fairgrounds, open- air theaters, race tracks, and recreational centers.
4. Layout and construction of model homes and their use as sales office in an approved subdivision prior to Final Plat recordation.
5. General Commercial uses that are permitted without a Special Use Permit for the older mining communities of Oatman and Chloride when the General Commercial uses will support tourist activities and are within established commercial areas.



## **Section 37.B BUILDING SITES**

### **B. Building Sites**

1. Temporary construction trailers are allowed with any active construction site, as evidenced by an active building permit or a valid, current contract with a government entity.
2. If more than one (1) lot, a portion of a lot, or portions of lots are used as a building site, setbacks will be considered for the combined area as a "lot" for the use approved thereon as long as it qualifies as a building site.
3. Except as otherwise allowed by this Ordinance, only one (1) single family dwelling may be established on any one (1) lot or building site.
4. Two (2) or more mobile or manufactured homes that were manufactured as separate single family dwellings shall not be permitted as one (1) single family residence regardless of modifications proposed. Only those units originally manufactured to be transported in sections and connected on site shall be permitted as a single- family dwelling.
5. Lot size for lots and parcels less than 5.0 acres shall be determined based upon the area of the lot or parcel exclusive of easements for road purposes, or "net" lot size. Notwithstanding other provisions of this Ordinance, lot size for parcels of 5.0 acres and larger shall be determined based upon the area of the lot or parcel including easements.
6. Model homes, with or without, sales offices are permitted in all residentially zoned subdivisions and developments under the following stipulations:
  - a. General Provisions.
    - 1) Structures built or installed for the purpose of a model home, with or without a sales office, shall comply with the allowed residential types and densities of the zone in which they are located and shall be consistent with the structure type and architectural type expected in the subdivision or development.
    - 2) All required zoning, building, and flood plain permits will be obtained before beginning construction of any structures.
    - 3) All construction details submitted for permits shall show the location of the office within any model home that is to be used for sales.
    - 4) Model homes, with or without sales offices, cannot be used to sell lots or homes outside the subdivision in which they are located.
    - 5) When the use of the model home as a sales office has ceased and

## **Section 37.B BUILDING SITES - GENERAL PROVISIONS (continued)**

the sale of the home is imminent, all changes made to accommodate the sales office will be removed and the model home will be converted back to a single-family dwelling and it will be inspected for compliance with the appropriate codes. The model home may not be sold until the recordation of the Final Plat.

- 6) Model homes, with or without sales offices, cannot be inhabited as long as they function as model homes.
- b. In addition to the General Provisions above, building permits for model homes, with or without sales offices, may be issued before the Final Plat is recorded, provided that the following apply:
  - 1) All model homes, with or without sales offices, shall have an approved Special Use Permit prior to beginning construction.
  - 2) Future/proposed lots to be used as building sites will be surveyed and staked according to the accepted surveying principles by an Engineer or Land Surveyor registered as such in the State of Arizona. The surveyed lots will have the same configuration as the approved preliminary plat.

## **Section 37.C PROJECTIONS INTO YARDS**

### **C. Projections into Yards.**

1. Cornices, eaves, sills, buttresses, bases, fireplaces and similar projections.
  - a. May extend or project not more than two (2) feet into any required front yard.
  - b. Extending into the required rear yard shall be counted as part of the percentage occupancy of that yard.
  - c. May project or extend into the required side yard except that two and one- half (2.5) feet shall be maintained between lot lines, and a vertical projection of the furthest point of overhang or projection.
2. Any open unenclosed stairway not covered by a roof or canopy may extend or project the extent defined in (1) above.
3. Extensions or projections shall not encroach into easements or rights-of-way.
4. The main structure, patios which are attached to or are a part of the main structure, and residential accessory structures may extend or project into the required rear yard as long as a minimum of ten (10) feet of rear yard is maintained from the closest structural bearing wall or post to the rear property line. This subsection applies to all residential zones, including flexible zones, and regardless of prior approvals. The projection, together with all accessory structures, shall not exceed fifty percent (50%) of the required rear yard area.  
*(Added with BOS Ordinance No. 2016-04)*



## **Section 37.D LOCATION OF ACCESSORY BUILDINGS**

### **D. Location of Accessory Buildings**

#### **Detached accessory buildings**

1. May be constructed anywhere the main building would be permitted.
2. Shall not encroach on any required front yard or side yards.
3. Require a primary residence to be established, or at a minimum proposed, as evidenced by an approved building permit prior to issuing a permit for an accessory or incidental structure in R-O, R-1, R-RV, R-MH, and R-O/A zones. (Item 3 will not apply in A-R and R-E zones.)
4. Metal Storage Containers (Cargo Containers)
  - a. Shall be independent of any trailers or axels and does not include tractor-trailers or boxcars.
  - b. May be placed on all residential and commercial zones in the same manner as an accessory structure.
  - c. Shall not count towards Section 37.O Open Lot Storage Standards but shall count towards maximum allowed lot coverage.
  - d. Utilities or occupancy shall require all necessary permits.



## **Section 37.E FENCES, HEDGES, AND SIMILAR STRUCTURES**

### **E. Fences, Hedges, and Similar Structures**

1. Corner Lots.
  - a. Visibility at intersections in residential districts: On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow within twenty (20) feet of the intersection in such a manner as materially to impede vision, between a height of two and one-half (2.5) feet and ten (10) feet above the center line grades of the intersecting streets in the area, bounded by the street lines of such corner lots, and a line joining points along said street lines fifty (50) feet from the point of intersection.
  - b. On a corner lot, fences, walls, and hedges, in or along the secondary frontage, will not be subject to front yard limitations.
2. Fences, walls, and hedges: Except as provided in Sections 37.E.1 and 37.E.4, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, subject to the following:
  - a. Fences, walls, and hedges four (4) feet or less in height are allowed in the required front yard, or along the edge of the front yard.
  - b. Fences, walls, and hedges more than four (4) feet in height are allowed in the required front yard, or along the edge of the front yard where the front lot line of the front yard is not within or adjacent to an easement or right-of-way for ingress and egress, or is shared in common with the side or rear lot line of the adjacent parcel.
  - c. Fences, walls, and hedges may be permitted in any required side, rear, or secondary frontage yard, or along the edge of any such yard, except as provided in Section 37.E.1 for corner lots in residential districts.
  - d. Retaining walls over four (4) feet in height may be placed in any required front yard, provided that the retained material is no more than one (1) foot below the top of the retaining wall. In all other circumstances, a retaining wall is subject to the general provisions for fences, walls, and hedges. The retained material shall be level with or slope downward toward the retaining wall, unless otherwise required for compliance with adopted building codes.
  - e. For parcels one acre or larger, perimeter fencing within the required front yard over four (4) feet in height, that does not obstruct or obscure view, is allowed. View obscuring fences, walls, and hedges over four (4) feet in height are allowed in the required front yard, or along the edge of the front yard, provided that:
    - 1) A Building Permit or Zoning Permit is obtained for construction

## **Section 37.E FENCES, HEDGES, AND SIMILAR STRUCTURES - GENERAL PROVISIONS (continued)**

of the fence or wall.

- 2) The fence or wall design and placement is approved by the Mohave County Engineer during the permitting process or prior to commencement of construction to insure that the fencing does not pose a traffic safety hazard and is not placed within a public right-of-way or easement.
- 3) Vehicle gates shall be placed at least twenty (20) feet from the traveled portion of the roadway so that a passenger vehicle stopped for the opening or closing of the gate does not extend into the traveled portion of a roadway.
3. Except for the franchised utilities, public and private sewage system, and special use covered by a specific permit or lease agreement, no permanent structure shall be established by any individual, company, or corporation within a County road right-of-way or within any rights-of-way dedicated or easements granted for public use.
4. All commercial or industrial zones and uses will comply with the following standards. Standards for "view-obscuring" fencing shall apply whenever such fencing is required.
  - a. Building or Zoning Permits must be obtained for all perimeter fencing exceeding a construction cost of Five Hundred Dollars (\$500.00).
  - b. Any fencing within the required front yard may exceed four (4) feet in height, provided that the fence design and placement is approved by the Mohave County Engineer during the permitting process and/or prior to commencement of construction. Fencing exceeding four feet in height, constructed, or construction having commenced, within the required front yard requires a Building or Zoning Permit.
  - c. The height of the view-obscuring device shall be measured from the highest finished adjacent grade of the element to be obscured.
  - d. All lots/parcels shall comply with this Section in fencing, enclosure, enclosing, or containing of materials stored outside of any structure and for any work conducted outside of a building. Enclosure/containment fencing may be used to separate and view-obscure material storage areas outside of buildings so that fencing the perimeter would not be required.
  - e. When adjacent to residential uses, the entire perimeter view-obscuring device along interior property lines shall be installed in the first phase of development or construction. Any fencing will comply with the residential standards in paragraph H.5.a.

## Section 37.E FENCES, HEDGES, AND SIMILAR STRUCTURES - GENERAL PROVISIONS (continued)

- f. View-obscuring structures will be required where any incompatible uses are abutting or adjacent to each other. Within A-D (Airport Development), M-1 (Light Industrial), M-2 (General Manufacturing), or M-X (Heavy Manufacturing) zones, a use shall not be presumed to be incompatible with abutting or adjacent uses with the same zoning except where the property is abutting or adjacent to a federal or state highway, a County defined arterial highway, or a frontage road paralleling and contiguous to any one of these.
- g. The view-obscuring structures shall be constructed of materials normally defined as fencing materials; masonry construction, wood, stone, brick, frame stucco, chain link with slats, earthen berms and shall not be reflective. Materials excluded are plastic sheeting, shade cloth, used garage doors, and recycled sheet metal that has not been remanufactured as fencing material. Live vegetation materials are allowed if they are equivalent in effect to that required in the definitions of view-obscuring. Alternative fencing will require prior approval by the Director upon finding that the alternative fencing is equivalent in function and compatibility with typical fencing materials.
- h. Except within A-D (Airport Development), M-1 (Light Industrial), M-2 (General Manufacturing), or M-X (Heavy Manufacturing) zones, when materials are being stored outside or work is being conducted outside of the building, such portions of the lots/parcels shall be view-obscured from public right-of-ways, ingress and egress easements, or public access. Within A-D (Airport Development), M-1 (Light Industrial), M-2 (General Manufacturing), or M-X (Heavy Manufacturing) zones, when materials are being stored outside or work is being conducted outside of the building, such portions of the lots or parcels shall be view-obscured from an abutting or adjacent federal or state highway, a County defined arterial highway, or a frontage road paralleling and contiguous to any one of these. Within an A-D (Airport Development) zone, view-obscuring of lots or parcels from County defined arterial highways within the airport may be waived with the concurrence of the relevant Airport Authority.
- i. Man-made earthen berms will only be allowed on lots or parcels greater than two and one-half (2.5) net acres and shall have a minimum setback of five (5) feet. Natural-occurring berms can be used on lesser acreage and will not require a minimum setback. All man-made earthen berms will require grading permits as required by the adopted building code and will require a five (5) foot setback to the toe of the slope and maximum design slope is one and one-half (1.5) to one (1).
- j. All view-obscuring devices including earthen berms will be a minimum of six (6) feet.

## **Section 37.E FENCES, HEDGES, AND SIMILAR STRUCTURES - GENERAL PROVISIONS (continued)**

- k. Fencing will extend two (2) feet above the highest item to be stored with the exception of mobile homes, manufactured homes, construction equipment, and intermodal freight containers (also called cargo containers, Conex boxes and other various names) in those commercial and industrial zones that allow open lot storage.
- l. View-obscurring devices shall be installed and maintained for the duration of the uses requiring the screening to be in place.
- m. The above enclosure requirement shall not apply to plant nurseries, or to the display for sale of new and used cars, trucks, trailers, mobile homes, or the use and sale of farm and construction equipment in operational condition.
- n. Intermodal freight containers shall not be stacked on top of other such containers, except in M-2 (General Manufacturing), M-X (Heavy Manufacturing), or A-D (Airport Development) zones.

5. Standards for Residential Uses.

- a. A required view-obscurring device shall be constructed of materials normally designed for fencing purposes, not to include plastic sheeting, shade cloth, used garage doors, or recycled sheet metal that has not been re-manufactured as fencing material. This limitation does not include any material that is designed for fencing materials.
- b. View-obscurring fencing shall be of sufficient height so that stored items, excluding large vehicles, intermodal freight containers and stored mobile homes or manufactured homes, shall not be visible above the required screening.
- c. Live vegetation may be substituted if it is equivalent in effect to that required in the definition of view-obscurring, and it is maintained to that standard. The plants must grow and be maintained at a height of six feet within three years of planting.

## **Section 37.F MANUFACTURED HOME PARKS**

### **F. Manufactured Home Parks**

#### **1. General Standards.**

- a. Purpose and applicability. The purpose of this Section is to provide for manufactured home parks. For placement of a manufactured home in a manufactured home subdivision or on a parcel that is not a part of an established manufactured home park, see Section 37.H (Manufactured Home Requirements).
- b. Manufactured home parks are allowed in C-RE (Commercial Recreation) and R-MH (Single-Family Residential Manufactured Home) zones.
- c. Manufactured home parks may be allowed if approved by a Special Use Permit in A (General), A-R (Agricultural-Residential), C-2H (Highway Commercial), and R-M (Multiple Family Residential) zones.
- d. A recreational vehicle park may be permitted as an accessory use to a manufactured home park after obtaining a Special Use Permit. Accessory recreational vehicle parks shall comply with the standards of Section 37.G of this Ordinance.
- e. All manufactured homes permitted, and sited/placed within manufactured home parks shall have been manufactured after June 15, 1976 and have an affixed "HUD" label, as per 24 CFR 3280.11, or a verifiable data plate as per 24 CFR 3280.5, certifying that the unit was manufactured in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture. The one (1) exception to this requirement would be when the owner of a mobile home that was manufactured prior to June 15, 1976 would be forced to relocate the mobile or manufactured home into another mobile or manufactured home park because of the closing of an existing mobile or manufactured home park or the expulsion from a mobile home park in the state of Arizona, that mobile home may be relocated to a manufactured home park if the park owner allows the mobile home. *(Changed with BOS Ordinance No. 2016-02)*
- f. A dependent park model home may be sited or placed within a manufactured home park in the same manner as a manufactured home. An independent park model home may not be sited or placed within a manufactured home park except in an accessory recreational vehicle park associated with the manufactured home park.
- g. County Permits. A County Building Permit shall be required for manufactured homes, the utility connections on lease spaces and all the park support facilities and permanent structures in the manufactured home park.

## **Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)**

- h. All manufactured homes permitted on or after April 7, 2016, shall have state-approved skirting within ninety (90) days of installation. *(Added with BOS Ordinance No. 2016-02)*
- i. Each parcel of land used for a manufactured home park shall have a minimum of three acres.
- j. In noncommercial zones, concessionary or incidental commercial operations are allowed in manufactured home parks if such services are operated for the sole convenience of park guests only. In commercial zones, commercial operations allowed by the zone may serve the general public.

### **2. Application and Procedures**

- a. Procedures.
  - 1) A pre-application meeting is highly recommended to determine if any other zoning applications are needed to process the proposal. Submittal of a conceptual park plan proposal for staff to review prior to this meeting is also highly recommended.
  - 2) Any rezone or Special Use Permit required, the complete application, with fees, may be submitted for processing simultaneously with or prior to the park plan. All plans must be complete and in a form acceptable for review.
  - 3) Park plans will be reviewed as for consistency as to the following:
    - a) Mohave County General Plan and Area Plans,
    - b) Zoning classification,
    - c) Required improvements and roadway dedications required by this Ordinance and other County regulations, and other applicable codes.
  - 4) The applicant and project engineer will be notified in writing if a corrected submittal is required.
  - 5) Once corrections have been made to the satisfaction of the County, Development Services will notify the applicant in writing of park approval.
  - 6) If a Manufactured Home Park Plan complies with the design and improvement standards provided in this Subsection and the requirements of an approved Special Use Permit, if any, the Plan may be approved by the Department. The Department may refer a park plan proposal to the Planning and Zoning Commission for review if substantial deviations from standards

## **Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)**

are requested.

- 7) The approval from the appropriate state agencies must be received prior to approval.
- 8) Any changes in design after park plan approval may require the revised plan to be reviewed as a new park plan proposal.

b. All applications for manufactured home parks shall contain the following, on or with the map submitted:

- 1) Proposed park plans shall be submitted in electronic form with two (2) paper copies.
- 2) A narrative describing proposed number of spaces, park accessory uses, improvements, recreational areas, parking areas, etc., shall be submitted in electronic form with two (2) paper copies.
- 3) Any petition of exception requests, on the form provided by the Department, and other supporting documentation, shall be submitted in electronic form with two (2) paper copies.
- 4) Park plans shall be prepared, stamped and signed by an Arizona registered engineer in accordance with Arizona State Statutes and Rules.
- 5) Three (3) copies of the drainage report shall be submitted.
- 6) Three (3) copies of the design concept of the traffic circulation system of the park.
- 7) Fees as adopted by the Board of Supervisors.
- 8) Plans and specifications showing, but not limited to, the following:
  - a) Owner's and preparer's contact information (including mailing address, phone number, and e-mail address), and date of preparation,
  - b) Sealed by a licensed Arizona professional engineer,
  - c) Property address, assessor parcel number(s), parcel size, legal description, and dimensions,
  - d) Current, proposed, and/or conditional zoning and resolution numbers as applicable,
  - e) Special Use Permit resolution numbers as applicable,
  - f) Zoning and land use for the adjacent parcels,

## Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)

- g) North arrow, drawing scale, and vicinity map; the plan shall be drawn at a scale of: 1"=50', 1"=100', or 1"=200',
- h) The complete boundary of the park,
- i) Area and dimensions of the tract of land,
- j) Site access including names and right-of-way widths of abutting roadways,
- k) Three (3) copies of the design concept of the traffic circulation system of the park,
- l) Location, size, and type of all easements,
- m) Space locations and dimensions, including minimum setbacks and RV pad dimensions,
- n) Each space shall be numbered,
- o) Density measured in number of spaces per gross acre,
- p) Location and dimensions of existing and/or proposed uses, structures, and outdoor activities,
- q) Building location, use, dimensions, height and setbacks from property and space lines, for all buildings to be constructed within the park, including recreation areas,
- r) Location, size, and description of the recreation area(s) or other amenities,
- s) Service providers for fire district and utilities (electric, water, wastewater, solid waste, telephone, gas as applicable),
- t) Location, dimensions and standards of utilities (electric, water, wastewater, septic system, solid waste, telephone, gas),
- u) Topographical 2-foot contours, source and date of topographic information (field or aerial survey methods),
- v) Drainage arrows,
- w) Drainage considerations in the form of runoff retention as described in the Mohave County Drainage Design Manual,

## **Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)**

- x) Phase map or description when project will be developed in phases,
- y) Location, type and height of existing/proposed/required fences or screening,
- z) Location, dimension, and surfacing of off-site driveway entrances, and location of access,
- aa) Dimensions, locations, and surface materials of parking stalls and internal drives, and walkways,
- bb) Parking space calculations showing the number of parking spaces required and the number provided,
- cc) Parking for individuals with disabilities, access aisle, slope, signage, and path of travel to all Americans with Disabilities Act (A.D.A.) accessible buildings and/or uses.

c. Environmental Requirements

- 1) General. Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The sites shall not be exposed, in the opinion of the Department, to objectionable smoke, noise, odors, or other adverse influences, and no portion subject to flooding, subsidence, or erosion shall be used for any purpose that would expose persons or property to hazards.
- 2) Site drainage. The ground surface in all parts of every manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner.
- 3) Uses. No part of any manufactured home park shall be used for any purpose other than non-transient residential use, except such uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.
- 4) A manufactured home park shall be connected to an approved wastewater system.

d. Recreational Area Development Standards

- 1) In all parks accommodating or designed to accommodate five (5) or more manufactured homes, there shall be one (1) or more recreation or improved open space area which shall be easily accessible to all park residents.
- 2) The size of such recreation area shall be based upon a minimum of 250 square feet for each space. No recreational area shall

## Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)

contain less than 2,500 square feet.

- 3) Recreation areas shall be so located as to be free of traffic hazards, and should, where topography permits, be centrally located or adjacent to existing waterways.
- 4) Each space shall be provided with water, electricity, sewage disposal connection, and two (2) paved or graveled off-street parking spaces.

e. Screening

- 1) All manufactured home parks shall be provided with screening of at least five (5) feet in height, such as solid fences or shrubbery along the property lines, except where a modification is approved by the Department.
- 2) In cases where manufactured home-recreational vehicle joint use parks are established, screening shall be required to separate the two (2) uses.

f. Setbacks and Separations

- 1) Separations.
  - a) Manufactured homes shall have a total combined side yard setback distance of twenty (20) feet. The minimum side yard setback shall be five (5) feet,
  - b) Accessory structures and additions shall be permitted by Building Permit only,
  - c) Construction shall not be started until after a Building Permit is obtained.
- 2) Setbacks
  - a) All manufactured homes shall be located at least ten (10) feet from park property boundary lines and park streets.
  - b) The minimum rear yard setback for manufactured homes and their accessories shall be five (5) feet.
  - c) The minimum rear yard setback for recreational vehicles and their accessory structures shall be five (5) feet. The minimum side yard setback shall be five (5) feet.

g. Spaces

## **Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)**

- 1) The minimum allowable space size shall be 3,200 square feet. The effective width of spaces shall not be less than forty (40) feet.
- 2) Accessory structures including a carport, awning, patio, garage or similar structure may be allowed on individual spaces only with approval of a building permit or when included on the installation permit, and shall comply with applicable building codes and the setbacks and spacing requirements of this subsection. Permits for accessory structures shall be signed or otherwise authorized by the owner or manager of the manufactured home park or authorized representative.
- 3) Manufactured home pad. Each space shall have a manufactured home pad. The area of the manufactured home pad shall be improved to provide adequate support for the placement and tie down of the manufactured home. The manufactured home supports and tie downs must comply with the State Office of Manufactured Housing.

### **h. Parking**

- 1) No on-street parking shall be allowed within any manufactured home park.
- 2) Two (2) off-street parking spaces shall be provided for each manufactured home space.
- 3) Parking spaces shall be located in the side or rear yard area of the manufactured home space.
- 4) Parking may be provided in a central location, convenient to all homes, for use by visitors and residents. Such parking area must comply with Section 36 requirements and be adequately illuminated at night. One (1) of the two (2) required parking spaces for each space may be located in such a parking area.

### **i. Street and Access**

- 1) Park street system.
  - a) Access to manufactured home spaces shall be by internal private drive only. No space shall have direct access to a public street or way.
  - b) Entrances to manufactured home parks shall be designed to minimize congestion and traffic hazards through designated driveways, and to allow free traffic movement on adjacent streets.
  - c) Park streets shall be at least thirty (30) feet in width.

## **Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)**

- d) All internal streets must be improved to minimum County standards.
- j. Park Accessory Buildings
  - 1) All accessory buildings and uses such as laundromat, maintenance buildings, and refuse collection areas shall be convenient to the units they service, and shall be maintained in a clean and sanitary condition.
    - a) The storage, collection and disposal of refuse in the manufactured home park shall be so conducted as to create no health hazards.
    - b) All refuse storage and collection areas shall be located no more than one hundred fifty (150) feet from any manufactured home space that they are intended to serve.
    - c) Covered containers shall be provided in sufficient number and capacity to properly store all refuse.
  - 2) All accessory buildings shall be of permanent construction. Such accessory buildings shall require a County Zoning (Building) Permit.
- 3. Exceptions. Any plans submitted with deviations from these manufactured home park regulations shall be accompanied by a Petition of Exception.
  - a. Any person seeking any exception(s) to the requirements of this Ordinance shall file two (2) copies of a signed petition with the Department, at the same time they submit the plan requiring the exception.
  - b. The petition must be a request for an exception to a circumstance actually contained on the plan. Petitions shall not be in the abstract, but shall include the specific reason for each and every exception requested.
  - c. The petition(s) will be reviewed administratively by the Development Services Department and the Public Works Department together with the Park Plan. Petitions will be approved per Section 37.F.3.e.
  - d. Petitions and Park Plan not approved by the Development Services Department may be referred to the Planning and Zoning Commission and Board of Supervisors for final decision.
  - e. The Director and the Public Works Department may approve the Petition of Exception requests as long as the following criteria is met:
    - 1) That there are special circumstances or conditions affecting said property; and

## **Section 37.F MANUFACTURED HOME PARKS - GENERAL PROVISIONS (continued)**

- 2) That the granting of the exception(s) will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated; and
- 3) That it will not have the effect of nullifying the intent and purpose of the Mohave County General Plan, Area Plans, and Mohave County Zoning Ordinance.

"SAMPLE"

A SUGGESTED FORM

PETITION OF EXCEPTION TO SECTION  
37.F MOHAVE COUNTY ZONING  
ORDINANCE

Gentlemen:

I have (submitted) (plan to submit) a (manufactured home park plan) to the Development Services Department for approval which includes (a certain deficiency) (deficiencies) from the stated requirements of Section 37.F, Zoning Ordinance. The (deficiency is) (deficiencies are) as follows:

(List and specify each one as required by the Zoning Ordinance, Section 37.F.)

This petition is submitted as a request that Mohave County grant an exception from Section 37.F of the Mohave County Zoning Ordinance, as outlined in Section 37.F, for the following reasons:

(Clearly delineate each item separately or related groups of items as stated above. Do not group your requests or exception under one reason.)

1. The granting of this petition will not be detrimental to the public welfare or injurious to other adjacent properties because....(describe why here)
2. This request will not nullify the intent or purpose of the County General Plan, or other regulations because....(describe why here)
3. The special circumstances or conditions affecting said property are as follows....(list all circumstances that you believe apply).

---

Signature of Applicant

---

Signed this day \_\_\_\_ of \_\_\_\_

Address of Applicant

Legal Description\_\_\_\_\_

Assessor Parcel No.\_\_\_\_\_

NOTE: AN INCOMPLETE PETITION WILL BE RETURNED TO THE APPLICANT.

## **Section 37.G RV PARKS**

### **G. Recreational Vehicle (RV) Parks**

#### **1. General Provisions**

- a. Purpose and applicability. The purpose of this section is to provide for recreational vehicle parks. For placement of a recreational vehicle in a recreational vehicle subdivision or on a parcel that is not a part of an established recreational vehicle park, see Section 37.K (Establishment of Recreational Vehicles).
- b. RV parks are allowed in C-2H (Highway Commercial), C-RE (Commercial Recreation), N-P (Neighborhood Parks), R-RV (Residential Recreational Vehicles), and R-P (Regional Parks) zones.
- c. RV parks may be allowed when approved by a Special Use Permit in A (General), A-R (Agricultural-Residential), C-2 (General Commercial), or R-E (Residential Recreation) zones.
- d. When operated as an accessory use to a manufactured home park, RV parks may be allowed in R-M (Multiple Family Residential) and R-MH (Single-Family Residential/Manufactured Homes) zones if approved by a Special Use Permit. Accessory recreational vehicle parks shall comply with the standards of this Section.
- e. For the purposes of this Section, an independent park model home shall be considered a recreational vehicle and may be sited or placed within an RV Park in the same manner as any other recreation vehicle. A dependent park model home may not be sited or placed within a recreation vehicle park, except on a space designed and equipped for the semi-permanent location of a dependent park model home.
- f. In non-commercial zones concessionary or incidental commercial operations including such uses as recreational facilities, dumping stations, showers, coin-operated laundries and camp stores are allowed in recreational vehicle parks when such services are operated for the sole convenience of park guests only. In commercial zones, commercial operations allowed by the zone may serve the general public.
- g. A Building Permit shall be required for buildings or other permanent structures within the park area.
- h. Open storage of materials or belongings other than boats, automobiles or operational vehicles is prohibited.

#### **2. Development Standards.**

- a. General Standards.

## Section 37.G RV PARKS - GENERAL PROVISIONS (continued)

- 1) An RV park shall contain a minimum of two (2) acres. Parks less than two (2) acres in size may be allowed with an approved Special Use Permit when proposed in conjunction with a manufactured home park, truck stop, campground or similar uses as determined by the Director.
- 2) All RV park spaces and all accessory uses producing wastewater shall be connected to a County approved wastewater (sewer or septic) system.
- 3) Building Permits shall be required for all park accessory structures and the utility connections on all spaces and park support facility structures as required by the adopted building code.
- 4) Accessory structures including awnings, patios, carports, sheds or similar structures may be allowed on individual spaces with a Building Permit.
- 5) Accessory structures on individual spaces shall be located to the rear or side of the RV pad, and comply with all setbacks for the space.
- 6) Habitable accessory structure(s) shall not be allowed on an RV space.
- 7) One (1) manager's residence may be located within the park. The manager's residence shall be of modular, manufactured home (compliant with Sections 37.H.1 through 37.H.4), or site-built construction. *(Changed with BOS Ordinance No. 2016-02)*
- 8) Open lot storage is prohibited. The park owner/manager shall be responsible for enforcement of this prohibition.
- 9) The park shall meet all applicable state and federal agency requirements.
- 10) The park shall meet all applicable sections of the Americans with Disabilities Act (A.D.A.).

b. Space Improvements. Each space shall:

- 1) Be provided water from a County approved water system,
- 2) Be provided sewage disposal from a County approved sewage disposal system,
- 3) Be provided electricity,
- 4) Be provided on-space vehicle parking spaces as required in

## Section 37.G RV PARKS - GENERAL PROVISIONS (continued)

### Section 37.G.2.g,

- 5) Be provided a graveled or paved RV pad which is a minimum of ten (10) feet in width by a minimum of forty (40) feet in length, extending to the internal private drive. Where drive-through spaces are provided, RV pads shall extend across the space from drive to drive.

#### c. Minimum Space Size

- 1) Minimum space area shall be 1,500 square feet; each space shall have a minimum average width of twenty-five (25) feet.
- 2) Up to twenty percent (20%) of the spaces within the park may be allowed an up to thirty percent (30%) reduction in minimum space area, provided the spaces also meet setback requirements. Minimum space width shall not be reduced.

#### d. Setbacks. Setbacks for all structures, RVs, and/or park models shall be as follows:

- 1) Minimum ten (10) feet from park property boundaries and boundary access easements.
- 2) Minimum five (5) feet from the front space line.
- 3) Minimum three (3) feet from the side space line; minimum five (5) feet when side abuts an interior drive; minimum ten (10) feet when side abuts a park property boundary or boundary access easement.
- 4) Minimum five (5) feet from the rear space line; minimum five (5) feet for a drive-through space; minimum ten (10) feet when rear abuts a park property boundary or boundary access easement.
- 5) Setback distances shall be measured to include slide-outs or tip-outs when expanded to their full extent.
- 6) Setback measurements may exclude the tongue of the unit.
- 7) For purposes of measuring building setbacks, the property on which a support facility building and/or caretaker's residence is located shall be considered a space.

#### e. Park Area Coverage

- 1) A maximum of 50% of the each RV space may be covered with structures.
- 2) A maximum of 50% of the park support facility area may be

## **Section 37.G RV PARKS - GENERAL PROVISIONS (continued)**

covered with structures.

### **f. Park Private Drives**

- 1) All park streets shall be private drives and maintained by the owner.
- 2) Park entrances shall be designed to minimize congestion and traffic hazards through designated driveways and allow free traffic movement on adjacent streets.
- 3) A minimum of two (2) vehicular entrances shall be provided for each park. One (1) entrance may be kept closed to the general public when provision is made for emergency access (such as a crash gate).
- 4) Each space shall be accessible from an internal private drive only.
- 5) No space shall have direct access to a public street or way.
- 6) Park private drives shall be at least twenty-four (24) feet in width when two-way and twenty (20) feet in width when one-way.
- 7) All private drives shall meet the surfacing requirements described in Section 36.
- 8) For parks with drives serving more than twelve (12) spaces, the drives shall be continuous return to a public road or way.
- 9) Dead-end private drives shall serve no more than twelve (12) spaces and shall have a turnaround with an outside roadway diameter of at least sixty (60) feet at the closed end.

### **g. Parking**

- 1) A minimum of one (1) vehicle parking space shall be located on each RV space. Tandem parking spaces may be allowed.
- 2) Accessory parking for use by visitors and residents shall be provided at a rate of one (1) space for every six (6) RV spaces. This parking shall be provided in locations convenient to the RV spaces and/or uses they are intended to serve.
- 3) No on-street or private drive parking shall be allowed within the RV Park.
- 4) The minimum number of parking spaces for park support facilities open to the general public shall meet the requirements of Section 36.
- 5) All parking spaces shall meet the minimum size and surfacing

## **Section 37.G RV PARKS - GENERAL PROVISIONS (continued)**

requirements described in Section 36.

h. Recreational Area Development Standards

- 1) In all parks accommodating or designed to accommodate five (5) or more spaces, there shall be one (1) or more recreational or improved open space area(s).
- 2) The size of such recreational area shall be based upon a minimum of 250 square feet for each space. No recreational area shall contain less than 2,500 square feet.
- 3) Floor area of enclosed or open recreation halls and/or recreational amenities may be included in the requirement.
- 4) The recreation open area requirement may not include parking, streets, or incidental landscaped or open parcels not suitable or intended for recreational use.

i. Refuse Disposal

- 1) The storage, collection and disposal of refuse in the RV Park shall be so conducted as to create no health hazards.
- 2) The refuse storage and collection areas shall be located no more than three hundred (300) feet from any space that they are intended to serve.

j. Screening Requirements. All RV parks shall be provided with screening, such as solid fences or shrubbery of at least five (5) feet in height, along the property lines if needed to enhance or preserve the character of the area or insure public safety.

3. Recreational Vehicle Park Application Procedure

- a. A pre-application meeting with the applicant and Development Services Department is highly recommended to determine when any other zoning applications are needed to process the proposal. A pre-application meeting may also reduce the level of application submittal requirements. Submittal of a conceptual park plan proposal for staff to review prior to this meeting is also highly recommended.
- b. When a zone change or Special Use Permit is required, the necessary applications, fees, and other materials may be submitted for processing simultaneously with the park plan. When desired or appropriate, the developer/applicant may elect to have any zoning action processed and heard by the Planning and Zoning Commission and Board of Supervisors prior to submittal of the engineered park plans.
- c. When a Plan complies with the design and improvement standards

## **Section 37.G RV PARKS - GENERAL PROVISIONS (continued)**

provided in this Section and the requirements of an approved Special Use Permit, if any, the Plan may be approved by the Director. Plans submitted with deviations from these park regulations may be accompanied by a Petition of Exception as described in Section 37.G.6.

- d. The applicant and project engineer will be notified in writing when a corrected submittal is required.
- e. Once corrections have been made to the satisfaction of the County, Development Services will notify the applicant in writing of park approval.
- f. Changes in design after park plan approval may require the revised plan to be reviewed as a new park plan proposal depending upon the extent of the changes.

4. Application Submittal Requirements. All applications for RV parks shall contain the following, unless reduced as a result of a pre-application meeting:
  - a. One (1) set of park plan drawings as described in Section 37.G.5, measuring at least 11" by 17", sealed by a licensed Arizona professional engineer,
  - b. Two (2) copies of a drainage report,
  - c. Two (2) copies of a Traffic Impact Analysis, if required.
  - d. Ownership verification – title report or deed, a Petition of Exception request when applicable,
  - e. A digital copy of each of the above items,
  - f. Appropriate review fee.
5. Park Plan Information. The following information shall be included on the park plan, unless reduced as a result of a pre-application meeting:
  - a. Owner's and preparer's contact information (including mailing address, phone number, and e-mail address),
  - b. Sealed by a licensed Arizona professional engineer,
  - c. Property address, assessor parcel number(s), parcel size, legal description, and dimensions,
  - d. Current, proposed, and/or conditional zoning and resolution numbers as applicable,
  - e. Special Use Permit resolution numbers as applicable,
  - f. Zoning and land use for the adjacent parcels,

## Section 37.G RV PARKS - GENERAL PROVISIONS (continued)

- g. North arrow, drawing scale, and vicinity map,
- h. The complete boundary of the park.
- i. Area and dimensions of the tract of land,
- j. Site access including names and right-of-way widths of abutting roadways,
- k. The design concept of the traffic circulation system of the park.
- l. Location, size, and type of all easements,
- m. Space locations and dimensions, including minimum setbacks and RV pad dimensions
- n. Each space shall be numbered,
- o. Density measured in number of spaces per gross acre,
- p. Location and dimensions of existing and/or proposed uses, structures, and outdoor activities,
- q. Building location, use, dimensions, height and setbacks from property and space lines, for all buildings to be constructed within the park, including recreation areas,
- r. Location, size, and description of the recreation area(s) or other amenities.
- s. Service providers for fire district and utilities (electric, water, wastewater, solid waste, telephone, gas as applicable),
- t. Location, dimensions and standards of utilities (electric, water, wastewater, septic system, solid waste, telephone, gas),
- u. Topographical 2-foot contours, source and date of topographic information (field or aerial survey method),
- v. Drainage arrows,
- w. Drainage considerations in the form of runoff retention as described in the Mohave County Drainage Design Manual,
- x. Phase map or description when project will be developed in phases,
- y. Location, type and height of existing/proposed/required fences or screening,
- z. Location, dimension, and surfacing of off-site driveway entrances,
- aa. Dimensions, locations, and surface materials of parking stalls and internal drives,

## **Section 37.G RV PARKS - GENERAL PROVISIONS (continued)**

- bb. Parking space calculations showing the number of parking spaces required and the number provided,
- cc. Parking for individuals with disabilities, access aisle, slope, signage, and path of travel to all Americans with Disabilities Act (A.D.A.) accessible buildings and/or uses.

6. Exceptions. Any plans submitted with deviations from these park regulations may be accompanied by a Petition of Exception.

- a. Any person seeking exception(s) to the requirements of this Section shall file a signed petition with the Development Services Department.
- b. The petition must be a request for an exception contained on the plan. Petitions shall not be in the abstract, but shall include the specific reason for each exception requested. Development Services shall receive the petition request and initiate or continue the processing of the plan review.
- c. The Director may approve the Petition of Exception request when the following criteria is met:
  - 1) There are special circumstances or conditions affecting the property; and
  - 2) The granting of the exception(s) will not be detrimental to the public welfare or injurious to other property in the area of the park; and
  - 3) The granting of the exception(s) will not have the effect of nullifying the intent and purpose of the Mohave County General Plan, Area Plans, or Mohave County Zoning Ordinance.

## **SAMPLE**

### **A SUGGESTED FORM PETITION OF EXCEPTION TO SECTION 37.G MOHAVE COUNTY ZONING ORDINANCE**

I have (submitted) (plan to submit) a recreational vehicle park plan to the Development Services Department for approval which includes requirement(s) of Section 37.G. the Mohave County Zoning Ordinance.

(List and specify each one as required by the Zoning Ordinance, Section 37.G)

This petition is submitted as a request that the Director an exception from the above Sections of the Mohave County Zoning Ordinance, as outlined in Section 37.G. be granted for the following reasons:

(Clearly delineate each item separately or related groups of items as stated above. Do not group your requests or exception under one reason.)

1. The granting of this petition will not be detrimental to the public welfare or injurious to other adjacent properties because....(describe why here)

2. This request will not nullify the intent or purpose of the County General Plan, or other regulations because....(describe why here)

3. The special circumstances or conditions affecting said property are as follows.... (list all circumstances that you believe apply).

---

Signature of Applicant

---

Address of Applicant

Signed this day \_\_\_\_\_ of \_\_\_\_\_

Legal Description: \_\_\_\_\_

Assessor Parcel No.: \_\_\_\_\_

NOTE: AN INCOMPLETE PETITION WILL BE RETURNED TO THE APPLICANT.



## **Section 37.H MANUFACTURED HOME REQUIREMENTS**

### **H. Manufactured Home Requirements**

1. Manufactured homes sited/placed in Mohave County shall comply with the following:
  - a. The manufactured dwelling unit built shall have been built after June 15, 1976 and be built to standards established by the U.S. Department of Housing and Urban Development (HUD) and have an affixed "HUD" label, as per [24 CFR 3280.11](#), or a verifiable data plate as per [24 CFR 3280.5](#), certifying that the unit was manufactured in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture. *(Changed with BOS Ordinance No. 2016-02)*
2. A building permit is required for all manufactured home installations. Building permit applications for manufactured homes shall include the insignia number issued by the applicable state of Arizona agency the license number of the manufactured home installer, and the "HUD" number from the "HUD" label or data plate, and shall not be issued unless the applicant furnishes the insignia number, the "HUD" number and the installer's license number. *(Changed with BOS Ordinance No. 2016-02)*
3. All manufactured homes shall have state-approved skirting within ninety (90) days of installation. *(Added with BOS Ordinance No. 2016-02)*
4. Non-Conforming Units
  - a. Effective January 3, 1991, all manufactured homes sited/placed within the Board of Supervisors approved Urban/Building Overlay Zones shall have been manufactured after June 15, 1976, and have an affixed "HUD" label, as per [24 CFR 3280.11](#), or a verifiable data plate as per [24 CFR 3280.5](#), certifying that the unit was manufactured in conformance with the Federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture. All mobile homes sited/ placed prior January 3, 1991 are considered to be non-conforming.
  - b. Effective April 1, 2005, all mobile homes manufactured prior to June 15, 1976 are not to be placed in Mohave County. All mobile homes sited/placed prior to April 1, 2005, are considered to be non-conforming.
  - c. Manufactured homes that were permitted prior to April 7, 2016, are not required to comply with the skirting requirements. *(Changed with BOS Ordinance No. 2016-02)*
5. Outside storage of materials shall comply with the provisions in Section 37.O.



## **Section 37.I ESTABLISHMENT OF SWAP MEETS**

### **I. Establishment of Swap Meets**

1. Swap meets are allowed in the C-2 (General Commercial) and C-2H (General Commercial-Highway Frontage) zones with a Special Use Permit.
2. Swap meets conducted in Mohave County shall comply with the following:
  - a. A site plan complying with Section 37.N shall be approved prior to conducting the swap meet.
  - b. Permanent vendor stalls and/ or buildings shall comply with the adopted building code, and all electrical and water facilities shall comply with the adopted codes.
  - c. All signage shall comply with the adopted building codes and the Mohave County Zoning Ordinance.
  - d. Sanitary and wastewater facilities shall comply with adopted codes and all Mohave County requirements.
  - e. All food vendors shall have permits from the Mohave County Environmental Health Division.
  - f. Recreational vehicles may be brought in by the vendors for their use. All such recreational vehicles must be independent units and may be on site no longer than three (3) days at a time. A recreational vehicle park, per Section 37.G, is required to accommodate longer stays.
  - g. Required parking shall be as follows:
    - 1) Parking provided shall be on one (1) space for each potential vendor stall plus on one (1) space for every four hundred (400) square feet of display area. The Director may approve overflow parking as a method of obtaining no more than 20% of the required parking. Overflow parking must be within 500 feet of the swap meet.
    - 2) All required handicapped parking shall be provided in the primary parking area and not in the overflow parking.
    - 3) The primary parking must comply with Section 36. Overflow parking may be surfaced in a manner approved by the Director.



## **Section 37.J ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC**

### **J. Establishment of a Kennel, Cattery, or Veterinary Clinic**

#### **1. General Provisions**

- a. The residents of a residentially zoned property may keep up to four (4) dogs and four (4) cats as personal pets as an accessory residential use of the property.
- b. This Section does not replace, supersede or otherwise affect the requirements of other state, county, or local authorities including, but not limited to, the Mohave County Environmental Health Division and Mohave County Animal Control Division, and does not limit the applicability of the statutory or common law of nuisance.
- c. A kennel approval shall not be issued to an owner who has been convicted of a violation of [A.R.S. §13-2910](#) (cruelty to animals) or (dog fighting), or any other state, county, or municipal animal welfare law, except violations of leash laws.
- d. The maximum number of animals on a property at any time, including personal pets of the owner, may not exceed the number allowed by permit or by the design capacity as indicated by the site plan, whichever is less.
- e. Except where specifically allowed by zoning, a Special Use Permit is required for all kennels or catteries housing more than ten (10) dogs or ten (10) cats, and may be approved for kennels or catteries housing fewer animals if requested by the owner.
- f. A Site Plan, conforming to Section 37.N, is required for all kennels that require a Zoning Use Permit and for all kennels located on properties zoned commercial or industrial. The Development Services Department may reduce the level of Site Plan requirements as provided in Section 37.N.5. A Site Plan may not include more pens or runs than the maximum number of animals allowed by the permit.
- g. In the event of a conflict between the provisions of this Ordinance and other County ordinances, the more restrictive shall apply.
- h. A summary is provided in Table 1 to further illustrate the type of permit required by this Section to comply with zoning based upon parcel size and the number of animals.

**Section 37.J ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC  
- GENERAL PROVISIONS (continued)**

<b>Table 1</b>		
	Zoning Ordinance, dogs/cats allowed by right	Zoning Ordinance, additional dogs/cats allowed by SUP <sup>§</sup> or Limited Permit <sup>†</sup>
<b>Residential</b>		
<0.5 acres	4/4	Not available
0.5-0.99 acres	4/4	5/5 LP <sup>†</sup> , SUP <sup>§</sup> not available
1.0-2.49 acres	4/4	10/10 LP <sup>†</sup> , SUP <sup>§</sup> not available
2.5 acres +	4/4	10/10 LP <sup>†</sup> , >10/10 SUP <sup>§</sup>
<b>Non-residential</b>		
<0.5 acres	4/4	Not available
0.5-0.99 acres	4/4	Not available
1.0-2.49 acres	4/4	6/6 LP <sup>†</sup> , SUP <sup>§</sup> not available
2.5 acres +	4/4	10/10 LP <sup>†</sup> , >10/10 SUP <sup>§</sup>

<sup>†</sup> A Limited Permit is an administratively issued permit that does not require approval by the Planning and Zoning Commission and Board of Supervisors.

<sup>§</sup> A Special Use Permit may be issued after hearing by the Board of Supervisors with a recommendation from the Planning and Zoning Commission. The number of animals allowed with a Special Use Permit is determined on a case-by-case basis.

2. Limited Kennels and Catteries

a. Limited Residential Animal Permit

- 1) The Development Services Department may issue a limited permit to allow more than four dogs and four cats on a property as an accessory residential use subject to the following:
  - a) The owner completes a Kennel Permit application.
  - b) All animals are owned and kept as personal pets.
  - c) Any required licenses and vaccinations shall be kept current at all times.
  - d) The owner may not offer any animal boarding, breeding, adoption or long-term care services to others, with or without compensation.
  - e) The permit shall be renewed annually.

**Section 37.J ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC  
- GENERAL PROVISIONS (continued)**

- f) The use shall not become a nuisance to neighboring property owners.
- 2) Property Size
  - a) 0.5 to 0.99 acre, up to 5 dogs and 5 cats.
  - b) 1.0 acre or more, up to 10 dogs and 10 cats.
- b. Limited Commercial Animal Permit
  - 1) The Development Services Department may issue a limited permit to allow small boarding or breeding kennels on residential properties zoned A, A-R, RO-A or R-E subject to the following:
    - a) The owner completes a Kennel Permit application.
    - b) Any required licenses and vaccinations shall be kept current at all times.
    - c) The owner shall comply with permitting requirements of the Mohave County Environmental Health Division.
    - d) A Site Plan, conforming to Section 37.N, is required. The Development Services staff may reduce the level of Site Plan requirements as provided in Section 37.N.5.
    - e) The kennel may not offer grooming services except as incidental to the boarding or breeding. No more than ten percent (10%) of the enclosed portion of the kennel facility may be devoted to grooming services.
    - f) The permit shall be renewed annually.
    - g) The use shall not become a nuisance to neighboring property owners.
  - 2) Property Size
    - a) 1 to 2.49 acres, up to 6 dogs and 6 cats.
    - b) 2.5 acres or more, up to 10 dogs and 10 cats.
- c. Expiration or Revocation of Limited Permits
  - 1) A holder of an expired permit may reapply after expiration subject to a penalty fee established by the Board of Supervisors, provided that the permit has not been revoked as provided below.
  - 2) A limited residential or commercial animal permit is subject

**Section 37.J ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC  
- GENERAL PROVISIONS (continued)**

to revocation upon thirty (30) days written notification by the Development Services Department staff if, in their opinion, the continued use of the permit is contrary to the public health, safety and welfare, violates the conditions of approval, or if the number of animals on the property exceeds the number allowed under the permit. The notice shall be sent by certified mail to the owner's address provided on the application for the limited residential animal permit. The owner may appeal the staff's decision to revoke the permit to the appropriate Board of Adjustment as provided in Section 30 of the Mohave County Zoning Ordinance. The holder of a permit revoked under this paragraph may not be issued another limited residential or commercial animal permit but may apply for a Special Use Permit.

- 3) A petition signed by a minimum of fifty-one percent (51%) of the property owners or persons residing on properties within 300 feet of the property may be submitted to the Department stating that the continued use of the permit is contrary to the public health, safety and welfare, violates the conditions of approval, or the number of animals on the property exceeds the number allowed under the permit. The petition will initiate a public hearing to consider revoking the limited residential or commercial animal permit. The hearing will be conducted by the appropriate Board of Adjustment as provided in Section 30 of the Mohave County Zoning Ordinance. The holder of a permit revoked under this paragraph may not be issued another limited residential or commercial animal permit but may apply for a Special Use Permit.
- 4) A limited residential or commercial animal permit is subject to immediate revocation upon the finding of a court that the continued use constitutes a public or private nuisance. The holder of a permit revoked under this paragraph may not be issued another limited residential or commercial animal permit for the same property.
- 5) A limited residential or commercial animal permit is subject to immediate revocation upon conviction of the owner by a court for a violation of A.R.S. §13-2910 (cruelty to animals) or (dog fighting), or any other state, county or municipal animal welfare law, except violations of leash laws. The holder of a permit revoked under this paragraph may not be issued another limited residential or commercial animal permit for any property.
- 6) Upon expiration or revocation, the number of animals on the property shall be reduced to no more than four dogs and four cats within 30 days.

**Section 37.J ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC  
- GENERAL PROVISIONS (continued)**

3. Other Kennels and Catteries and Veterinary Clinics
  - a. Veterinary clinics, kennels housing more than ten (10) dogs, and catteries housing more than ten (10) cats, with no outside runs or facilities, are allowed in any commercial zone except Neighborhood Commercial (C-1) zone, any industrial zone, or in an A (General) zone where the predominant existing use of neighboring property is commercial. Veterinary clinics, kennels are not an allowed use in an A-D (Airport Development) zone.
  - b. Veterinary clinics, kennels housing more than ten (10) dogs, and catteries housing more than ten (10) cats, with outside runs or facilities, are allowed in an A (General) zone where the predominant existing use of neighboring property is commercial and in all commercial or industrial zones except Neighborhood Commercial (C-1) and General Commercial (C-2) zones. In a C-2 zone, these uses may be allowed with approval of a Special Use Permit. Kennels are not an allowed use in an A-D (Airport Development) zone.
  - c. Kennels housing more than ten (10) dogs and catteries housing more than ten (10) cats, with or without outside runs or facilities, are required to have an approved Special Use Permit in A-R (Agricultural-Residential), R-E (Residential Recreation), and A (General) zones where the predominant existing use of neighboring property is vacant or residential. The minimum parcel size for a kennel housing more than ten (10) dogs and catteries housing more than ten (10) cats is 2.50 acres.
4. Pet Stores and Pet Grooming Facilities
  - a. Pet stores and pet grooming facilities up to 1,000 square feet may be established in all commercial or industrial zones.
  - b. Pet stores and pet grooming facilities exceeding 1,000 square feet may be established in all commercial or industrial zones, except C-1 (Neighborhood Commercial).
  - c. Pet grooming facilities may be established as an accessory use associated with a kennel with a Special Use Permit in an A-R (Agricultural- Residential) zone. However, no more than ten percent (10%) of the enclosed portion of the kennel facility may be devoted to grooming services, and advertising of grooming services, except as incidental to boarding or breeding, is prohibited.
5. Setbacks
  - a. Permanent shelters, runs, pens and other kennel structures may not be placed within any easements or building setbacks.

**Section 37.J ESTABLISHMENT OF A KENNEL, CATTERY, OR VETERINARY CLINIC  
- GENERAL PROVISIONS (continued)**

- b. Outdoor shelters, runs, pens and other kennel structures must be located at least one-half (1/2) foot, for each dog to be maintained on the kennel property, from the general building setbacks for the zone. This additional distance may be reduced if adequate buffering of sound is provided, or when the adjacent property is vacant land. Outdoor shelters, runs, pens and other kennel structures must be at least one (1) foot for each dog to be maintained on the property from any occupied residential structure not located on the kennel property. Compliance with setbacks and maximum noise levels does not preclude a civil action by neighboring property owners that the time and duration of barking or other noise from the facility constitutes a nuisance.
- c. For purposes of this Section, a "kennel property" may include multiple contiguous lots or parcels. When multiple contiguous lots or parcels are designated as a kennel property, the total combined area may be used to determine the maximum number of animals allowed, and the perimeter setbacks shall be based upon the perimeter lot lines of the combined lots or parcels, but no aggregation of lots, or parcels so combined shall have more than one kennel permit. Only whole lots or parcels may be aggregated for this purpose. When aggregated lots or parcels are owned by more than one owner, all owners must sign the application, and the animals of all owners shall be aggregated to determine the number of animals included in the permit. Permanent structures shall comply with the setbacks from lot lines of record within the kennel property, and shall not be placed within any easements located within the kennel property.

## **Section 37.K ESTABLISHMENT OF RECREATIONAL VEHICLES AND PARK MODEL UNITS**

### **K. Establishment of Recreational Vehicles and Park Model Units**

#### **1. Recreational vehicles**

##### **a. Incidental uses**

1) A recreational vehicle temporarily parked and occupied on residentially zoned property where the zoning district allows placement of recreational vehicles and that is not part of a recreational vehicle park or recreational vehicle subdivision will be considered a *de minimis* use that does not require a special permit under the following circumstances:

- a) No more than one (1) recreational vehicle is parked and occupied on the property at any time, the period of time does not exceed a cumulative total of more than thirty (30) days during any calendar year, and no single period of occupancy exceeds fourteen (14) consecutive days.
- b) Recreational vehicles parked temporarily on residentially zoned property shall be connected to an approved wastewater system, or regularly taken to an approved dump station prior to the holding tank reaching capacity.

2) If a recreational vehicle is occupied on a property that is not part of a recreational vehicle park or recreational vehicle subdivision more than fourteen (14) consecutive days or more than thirty (30) cumulative days during any calendar year, the recreational vehicle shall be connected to an approved wastewater disposal system, and a special permit is required by this Section.

- b. A recreational vehicle may be issued a zoning permit as a single family dwelling (permanent residence) in an R-RV (Single Family Residential/ Recreational Vehicle) zone, in RV parks and in portions of manufactured home parks approved for recreational vehicles. Recreational vehicles are not permitted as permanent residences in any other zone or under any other circumstances.
- c. A recreational vehicle may be issued a special permit as a temporary residence for one (1) year in conjunction with the construction of a permanent residence or commercial structure (as evidenced by obtaining a building permit for the permanent construction) in any zone. Six (6) month extensions of time may be granted by showing good cause.
- d. A recreational vehicle may be issued a zoning permit as a temporary

## **Section 37.K ESTABLISHMENT OF RECREATIONAL VEHICLES AND PARK MODEL UNITS - GENERAL PROVISIONS (continued)**

residence for one (1) year (renewable annually) in A-R (Agricultural-Residential) or R-E (Residential Recreation) zones.

- e. An unoccupied recreational vehicle may be parked on a lot or parcel with all utilities disconnected where a principal residence (not to include a garage or storage shed) is established. A recreational vehicle parked on a lot shall not be used for living, sleeping or housekeeping purposes. An unoccupied recreational vehicle may be connected to electricity for the sole purpose of prevention of damage from excessive heat or freezing temperatures.
- f. Notwithstanding any other provision in this Ordinance, a recreational vehicle allowed as detached accessory residences may be approved as provided in Section 37.P.
- g. Recreational vehicles shall not be used as storage sheds.
- h. It shall be the responsibility of the property owner to renew a temporary permit.

2. Except as provided in Paragraphs 1.a and 1.b above, recreational vehicles that are not located within a recreational vehicle park shall meet the following requirements:

- a. A temporary zoning permit shall be obtained prior to locating the recreational vehicle on the lot or parcel.
- b. Recreational vehicles permitted as temporary or permanent residences shall be equipped with kitchen and bathroom facilities.
- c. Recreational vehicles permitted as temporary or permanent residences shall be connected to an approved wastewater disposal system.
- d. No attached structural additions are allowed or permitted, except with park model homes if designed by the manufacturer to accommodate attached additions.
- e. Recreational vehicles permitted as temporary residences shall remain roadworthy. If a recreational vehicle does not meet the above uses or requirements, the recreational vehicle shall be considered in violation of the Mohave County Zoning Regulations and is subject to removal.
- f. Recreational vehicles located within a Special Flood Hazard Area shall comply with the Mohave County Flood Control Ordinance and any additional permitting requirements required thereunder.

## **Section 37.K ESTABLISHMENT OF RECREATIONAL VEHICLES AND PARK MODEL UNITS - GENERAL PROVISIONS (continued)**

3. Establishment of Park Model Units
  - a. A dependent park model unit may be issued a zoning permit as a single family dwelling (permanent residence) in a recreational vehicle subdivision, an R-RV (Single Family Residential/Recreational Vehicle) zone, in RV parks or in manufactured home parks where allowed by Park Management. Dependent park models may also be permitted as a temporary residence or as an accessory residence in the manner provided for a recreational vehicle with required on-site facilities, including septic.
  - b. An independent park model unit may be established in the manner provided for a travel trailer.
4. Recreational Vehicle Subdivisions
  - a. Recreational vehicle subdivisions may be established as provided in the Mohave County Land Division Regulations in R-RV (Single Family Residential/Recreational Vehicle) zone.
  - b. The minimum lot size in a recreational vehicle subdivision is 2,500 square feet.
  - c. Enclosed accessory structures on a recreational vehicle subdivision lot may not exceed a total of the greater of 250 square feet or ten percent (10%) of the lot area.



## **Section 37.L HOME OCCUPATION**

*(As amended by BOS ORD 2018-01 on 3-5-18)*

1. Purpose and Intent. The purpose of these regulations is to permit home occupations that will not change the character of the residential areas in the County. The intent of these regulations is to promote aesthetic considerations, conserve property values, as well as protect the residential neighborhoods from excessive noise, excessive traffic generation, nuisances, and health and safety hazards as a result of a home occupation conducted in the residential zones.

2. Definitions: The following definitions apply to Home Occupations.

Clinic: A place where medical specialists practice as a group.

Immediate Family: A spouse, child, sibling, parent, grandparent, grandchild, stepparent, stepchild or stepsibling whether related by adoption or blood.

On-Street Parking Congestion: On-street parking in front of a property that is not associated with the home occupation business or in a manner that is hazardous to the public safety.

3. General Provisions

- a. A home occupation is permitted in the following zones: A (General), A-R (Agricultural- Residential), R-E (Residential Recreation), R-1 (Single Family Residential), R-2 (Single Family Medium Density/Multi-Family Low Density), R-O (Single Family/Manufactured Homes Prohibited), R-OA (Single Family Residential/Manufactured Homes Prohibited/Limited Animal Use), R-M (Multiple-Family Residential), and R-MH (Residential Manufactured Homes).
- b. A Zoning Permit and appropriate fees are required. A home occupation shall only be allowed after obtaining an approved Zoning Permit issued by the Development Services Department. A Zoning Permit for a home occupation permit is issued to the applicant and is nontransferable. Appropriate fee as adopted by the Board of Supervisors.
- c. The use of the dwelling unit as a home occupation shall be clearly incidental and subordinate to its use for residential purposes. Any activity related to the home occupation shall be conducted within the enclosed portion of the principal building.
- d. Except child care and adult care, the home occupation must be conducted in an area not to exceed twenty-five percent (25%) of the principal residence.
- e. Child care and adult care are limited to no more than four (4) individuals for compensation.
- f. A home occupation shall not be conducted in any accessory building or structure

## Section 37.L HOME OCCUPATION - GENERAL PROVISIONS (continued)

except for storage. A detached garage or accessory structure may be used for storage purposes but the storage area shall not exceed a total of two hundred (200) square feet. No storage of materials and/or supplies, including vehicles, which is hazardous to surrounding neighbors or detrimental to the residential character of the neighborhood is allowed.

- g. No person(s), shall be engaged in the activities of the home occupation other than the following: members of the immediate family, residents of the primary dwelling, and no more than two (2) individuals who are not immediate family or residents of the primary dwelling.
- h. There shall be no exterior displays, no exterior storage of equipment, including unlicensed equipment and materials, and no exterior indication of the home occupation which may change the outside appearance of the principal residence or change the residential character of the building.
- i. An unlit non-permanent sign no larger than twenty-four inches by twenty-four inches (24" x 24") is allowed on the premises during business hours. Window areas must not purposely or intentionally be used as display areas or offer merchandise for sale. All other signs are prohibited.
- j. Home occupations generating a substantial increase in traffic or on-street parking congestion exceeding the standards in this section, are prohibited.
- k. A Tax Identification number is required in conjunction with the home occupation and in accordance with the Arizona Department of Revenue.
- l. No open lot storage as defined by the Zoning Ordinance shall be permitted in connection with a home occupation beyond the storage requirement permitted for a residential use.
- m. The home occupation shall not generate substantial pedestrian or vehicular traffic in greater volumes than would normally be expected in a residential area.
- n. Any need for parking as a result of the home occupation shall be located on-site and comply with Section 36 (Parking Requirements) of this Ordinance.
- o. No home occupation requiring any equipment or processing which creates noise, vibration, glare, fumes, smoke and dust which disturb neighbors and alters the residential character of the premises shall be permitted.
- p. Delivery trucks shall not operate out of a residential area as a function of a home occupation.

4. Prohibited Home Occupations. The following occupations, professions, and business activities of similar nature are prohibited as home occupations as defined in this Ordinance, but not limited thereto:
  - a. Clinics, Hospitals, Animal/Veterinary Clinics,

## **Section 37.L HOME OCCUPATION - GENERAL PROVISIONS (continued)**

- b. Restaurants, cafes, coffee shops,
- c. Auto/Truck/RV Repair Service,
- d. Licensed Day Care Facility,
- e. Building Contractor/Construction Activities,
- f. Ambulance Service, Taxi Service,
- g. Beauty Salon or Barber Shops, which are not connected to sewer.
- h. Auto/Car Sales,
- i. Commercial and Large or Major Residential Appliance Repairs (air conditioners, furnaces, washing machines, dishwashers, refrigerators, freezers, and similar appliances, and any appliance manufactured for commercial use).

5. Offices for certain home occupations, professions, and business activities may be permitted as home occupations, provided they adhere to the general provisions of this Ordinance and they do not violate any performance standard prescribed herein.
6. Occasional personal use involving sales on the internet, sale of a personal vehicle owned by the occupant, bringing work home from the primary work location or similar activity incidental to a residential use and does not violate the general provisions of this Section are not considered home occupations.
7. Enforcement and Revocation.
  - a. A home occupation permit is subject to revocation upon thirty (30) days written notification by the Development Services Director if, in their opinion, the continued use of the home occupation is contrary to public health, safety, and welfare and violates the provisions of the performance standards. The notice shall be sent via certified mail to the owner's address written on the application for home occupation permit. The owner may appeal the department's decision to revoke the permit to the appropriate Board of Adjustment in accordance to the provisions of Section 30 of the Mohave County Zoning Ordinance.
  - b. A petition signed by fifty-one (51%) percent of the property owners residing within 300 feet of the home occupation may be submitted stating the alleged violation of one (1) or more specific performance standard(s) and initiate a public hearing to consider revoking the home occupation permit. The hearing will be conducted by the appropriate Board of Adjustment and the appeal process will be conducted in accordance with the provisions of Section 30 of the Mohave County Zoning Ordinance.



## **Section 37.M COTTAGE INDUSTRIES**

### **M. Regulations for Cottage Industries**

#### **1. General Provisions**

- a. A Cottage Industry may be allowed in the A-R (Agriculture-Residential) zone with a Special Use Permit.
- b. A minimum lot size of one (1) gross acre is required for any Cottage Industry.
- c. The entrepreneur of the Cottage Industry shall reside on the property.
- d. The number of persons employed in connection with the Cottage Industry and who are not residents of the Dwelling shall not exceed three (3) full- time employees or the equivalent part-time.
- e. The Cottage Industry may be conducted either within the Dwelling or an Accessory Structure, or both, provided that not more than fifty percent (50%) of the combined floor area shall be used in the conduct of the Cottage Industry.
- f. One (1) non-illuminated sign two feet by three feet (2 ft. x 3 ft.) is allowed.
- g. Adequate off-street parking shall be provided according to the provisions of Section 36, Off Street Parking. There shall be a maximum of five (5) parking spaces. At least one parking space and the travel way to the structure where the cottage industry is located must be ADA compliant.
- h. Any outdoor storage shall be as permitted by the underlying zone or as specified by the Board of Supervisors. Outdoor storage shall be completely enclosed with a solid six (6) foot high fence or wall.
- i. Parking of commercial vehicles shall be limited to one (1), or as specified by the Board of Supervisors. Commercial vehicles cannot be in sufficient number or parked in such a manner as to damage the rural residential character.
- j. Property on which the Cottage Industry would be located shall front on and have direct access to a public road.
- k. Outdoor lighting shall be typical of lighting in the surrounding area.
- l. Direct sales of products if such sales are specifically provided for in the Special Use Permit are allowed.
- m. The business shall not generate any noise, vibration, smoke, dust, odor, heat, glare, or electrical interference with radio or television

## **Section 37.M COTTAGE INDUSTRIES - GENERAL PROVISIONS (continued)**

reception that would exceed that normally produced by a single family dwelling.

- n. The Board may grant a Special Use Permit for up to three (3) years. If all requirements of this Section and of the use permit have been consistently met, and if no complaints have been filed with the Development Services Department, the use permit may be renewed for a period determined by the Board.

### **2. Site Plan/Plot Plan Required**

- a. A site plan is required in conformance with Section 37.N. Development Services may allow lesser standards as potential impact when impact on the surrounding area is limited.

### **3. Enforcement and Revocation**

- a. A Special Use Permit for a Cottage Industry is subject to revocation upon sixty (60) days written notification by the Board of Supervisors, if, in their opinion, the continued use of the Cottage Industry is contrary to public health, safety, and welfare and violates the provisions of this Section. The Board shall receive a recommendation from the Planning and Zoning Commission. The notice shall be sent via certified mail to the owner's address written on the application for Cottage Industry permit.
- b. A petition signed by fifty-one (51%) percent of the property owners residing within 300 feet of the Cottage Industry may be submitted stating the alleged violation of one (1) or more specific performance standards and initiate a public hearing to consider revoking the Cottage Industry's permit. The hearing will be conducted by the Board of Adjustment.

## **Section 37.N SITE PLAN REQUIREMENTS**

### **N. General Requirements.**

Non-residential and/or multiple-family uses require an approved site plan prior to Building Permit issuance.

1. An exception to the site plan approval requirements may be granted by the Development Services Department Director for projects that:
  - a. Are minor changes to existing structures and/or uses that do not have significantly more intensive development standards (such as not requiring additional parking or adding additional traffic, etc.),
  - b. Are a minor expansion of a typically non-occupied customer or employee space (such as storage areas, equipment areas, etc.),
  - c. Are typically un-manned projects (such as utility substations, cell towers, etc.).
2. Site Plan Conditions. A site plan shall not be approved unless it demonstrates that the use will be served by adequate public facilities and is compatible with adjoining uses. Approval of the site plan may be conditioned on the following:
  - a. The development may be phased to assure that the density or intensity of the development is coordinated with the provision of adequate public facilities.
  - b. Dedication of necessary rights-of-way or easements may be required.
  - c. Setbacks or buffers may be required in addition to those required in the district to separate the use from incompatible adjacent uses.
3. Site Plan Review. The site plan will be reviewed by the Development Services Department and, if found necessary based on the proposed level of development, will be circulated for review and comments to the Public Works Department, Flood Control District, Division of Environmental Quality and to the appropriate agencies, utility, and public safety providers.
4. Certificate of Occupancy. Prior to actual use, a certificate to occupy will not be issued by the County until satisfactory compliance of the conditions of approval for the site plan has been met.
5. Site Plan Pre-application Meeting. A site plan pre-application meeting with the applicant and Development Services may reduce the level of site plan application submittal requirements based on the following criteria:
  - a. Level of development in the area,
  - b. Major street or route location,

## **Section 37.N SITE PLAN REQUIREMENTS - GENERAL PROVISIONS (continued)**

- c. Grading requirements,
- d. Drainage considerations,
- e. Adjacent conditions.

6. Site Plan Application Submittal Requirements. A complete site plan application shall consist of the following, unless reduced as a result of a pre-application meeting:

- a. One (1) site plan as described in Section 27.N.7, sealed by a licensed Arizona professional engineer or architect (unless exempted by State Statute),
- b. Two (2) copies of a drainage report,
- c. Ownership verification (title report or deed),
- d. A digital copy of each of the above items,
- e. Appropriate review fee.

7. Site Plan Information. The following information shall be included on the site plan, unless reduced as a result of a pre-application meeting:

- a. Owner's and preparer's contact information (including mailing address, phone number, and e-mail address),
- b. Seal and signature of a licensed Arizona professional engineer or architect (unless exempted by State Statute),
- c. Property address, assessor parcel number(s), parcel size, legal description, and dimensions,
- d. Current, proposed, and/or conditional zoning and resolution numbers as applicable,
- e. Special Use Permit resolution numbers as applicable,
- f. Zoning and land use for the adjacent parcels,
- g. North arrow, drawing scale, and vicinity map,
- h. Location and dimensions of existing and/or proposed uses, structures, outdoor activities, and utilities (electric, water, wastewater, septic system, solid waste, telephone, gas),
- i. Building height and setbacks from property lines,
- j. Site access including names and right-of-way widths of abutting roadways,

## **Section 37.N SITE PLAN REQUIREMENTS - GENERAL PROVISIONS (continued)**

- k. Location, size, and type of all easements,
- l. Service providers for fire district and utilities (electric, water, wastewater, solid waste, telephone, gas as applicable),
- m. Topographical 2-foot contours,
- n. Drainage arrows,
- o. Drainage considerations in the form of runoff retention as described in the Mohave County Drainage Design Manual,
- p. Phase map or description if project will be developed in phases,
- q. Location, type and height of existing/proposed/required fences or screening,
- r. Location, dimension, and surfacing of off-site driveway entrances,
- s. Dimensions, locations, and surface materials of parking stalls, backing aisles, driving lanes, and off-street loading areas,
- t. Number of parking spaces required and number provided,
- u. Parking space calculations based on uses,
- v. Parking stall setback from street right-of-way,
- w. Handicap parking, access aisle, slope, signage, and path of travel to all ADA accessible buildings and/or uses.



## **Section 37.O OPEN LOT STORAGE STANDARDS**

### **O. Open Lot Storage Standards**

#### **1. Residential Outside Storage Standards**

a. Personal property of the owner or resident of a residential property, including registered and operable vehicles, or portions of vehicles, wood (excluding wood for heating), operable machinery or appliances, miscellaneous debris, wrecked or dismantled mobiles, or manufactured homes or trailers may be stored outside of an enclosed structure subject to the standards and provisions in this Section. Discarded items, household trash and vegetative cuttings are not considered outside storage and shall not be stored on the property.

#### **b. Setbacks**

- 1) Lots five (5) acres or less in size, outside storage of materials must comply with the setback requirements for ancillary structures.
- 2) Lots greater than five (5) acres in size, outside storage of materials must comply with the following setbacks from all property boundaries:

Amount of Storage	Setbacks
Less than 3000 sq. ft.	Setbacks for ancillary structures
3000 - 3999 sq. ft.	300 ft.
4000 - 4999 sq. ft.	400 ft.
5000 sq. ft. or more	500 ft.

#### **c. Residential Bulk Limitations**

- 1) For residential lots of one-half (1/2) acre or less, outside storage of no more than 200 square feet is allowed.
- 2) For residential lots greater than one-half (1/2) acre to two (2) acres, outside storage of no more than 500 square feet is allowed.
- 3) For residential lots greater than two (2) acres to three (3) acres, outside storage of no more than 1,000 square feet is allowed.
- 4) For residential lots of more than three (3) acres to five (5) acres, outside storage of no more than 2,000 square feet is allowed.

## **Section 37.O OPEN LOT STORAGE STANDARDS - GENERAL PROVISIONS (continued)**

- 5) For residential lots more than five (5) acres outside storage of no more than two percent (2%) of the lot area is allowed.
- d. Residential View Obscuring Requirements
  - 1) For lots without an established residence, all outside storage shall be view-obsured from the roadway and adjacent properties.
  - 2) For residential lots of one-half (1/2) acre or less and having an established residence, all outside storage shall be view-obsured.
  - 3) For residential lots greater than one-half (1/2) acre to 36 acres and having an established residence, outside storage in excess of four hundred (400) square feet shall be view-obsured and placed to the rear of the residence.
  - 4) For residential lots of 36 acres or greater in size having an established residence, outside storage in excess of 5,000 square feet of storage shall be view obscured. Storage on such lot shall be concentrated into one area and the storage that would be visible from the public right of way or easements, or private ingress and egress easements shall be view-obsured.
  - 5) All such outdoor storage shall be located to the rear of the property and screened from the view of neighboring properties and roadways by a view-obsuring device.
- e. Storage under an awning or carport shall also be screened according to Section 37.E.5 of this Ordinance.

2. Commercial and Industrial Open Lot Storage Requirements
  - a. Open lot storage directly associated with the primary business or activity conducted on the property is allowed in C-MO (Commercial-Manufacturing/Open Lot Storage), M-1 (Light Industrial), M-2 (General Manufacturing), and M- X (Heavy Manufacturing) zones, subject to the provisions of this Section.
  - b. All open lot storage must be view-obsured with a view-obsuring device.
  - c. Open lot storage adjacent to residentially zoned or used property must comply with residential setbacks as stated in Section 35 of this Ordinance.

## **Section 37.P ACCESSORY RESIDENCE REQUIREMENTS**

### **P. Accessory Residence Requirements**

1. Purpose: The purpose of these standards is to ensure that Accessory Residences placed in Mohave County are adequately served by necessary public facilities, public services and/or the property is capable of supporting the necessary on-site systems.
2. General Provisions
  - a. At least one attached Accessory Residence and one detached Accessory Residence in addition to the primary residence are allowed on any lot or parcel where single family dwellings are permitted.
  - b. Lots that allow single family dwellings and are one (1) acre or larger are allowed one (1) additional detached Accessory Residence.
  - c. Accessory Residences allowed by subsections a and b are allowed by right, without size limitation, on residential lots five (5) gross acres or more.
  - d. Development Services may issue an Accessory Residence Permit administratively when the proposed Accessory Residence complies with all provisions of this Section, does not exceed 75% of the Primary Residence, and is on property less than five (5) gross acres.
  - e. Special Use Permits are required for all Accessory Residences on lots or parcels less than five (5) gross acres, and exceed 75% of the Primary Residence.
  - f. Accessory Residences are subject to the setbacks required in the base zone in which the Accessory Residence will be built. Buffers may be required to separate this use from incompatible adjacent uses
  - g. The Accessory Residence shall have a living room of not less than 120 square feet of habitable floor area. An additional 70 square feet of habitable floor area shall be provided for each occupant of such residence in excess of two.
  - h. The Accessory Residence shall contain or be provided with a separate closet.
  - i. Accessory Residences that are not attached to or within the primary residence shall be provided with a kitchen sink, cooking appliance, and refrigeration facilities, each having a clear working space of not less than 30 inches in front.
  - j. The Accessory Residence shall be provided with a separate bathroom containing a sink, water closet, or lavatory, and bathtub or shower.

## **Section 37.P ACCESSORY RESIDENCE REQUIREMENTS - GENERAL PROVISIONS (continued)**

- k. Accessory Residences shall have a five (5') foot side yard and rear yard setback.
- l. No additional off-street parking is required for an accessory residence.
- m. For the purposes of this section, a Primary Residence shall be a site built or modular single-family residence or a manufactured home.
- n. This section applies to all zones that allow for single-family residences, including special development zones, and regardless of prior approvals and as allowed by A.R.S.11-810.01.
- o. Minimum lot size for lots which will require a second septic, leach system, and water supply will be 26,500 square feet. Additional lot area may be required by the Mohave County Environmental Quality Division and/or the Arizona Department of Environmental Quality.
- p. The Accessory Residence shall be proportionate to the lot size. Mohave County Environmental Quality Division may require additional lot area or an additional septic tank.
- q. When the newer residence has a larger square footage of living area than the existing residence, the newer residence shall be considered the primary residence.

3. Plot Plan Requirements. Plot plans submitted with the application for a Building Permit shall contain the following information. Plot Plans shall be 8.5" x 11".

- a. North arrow and scale of plan;
- b. Location and names of all streets adjacent to the lot;
- c. Property boundaries, dimensions, and area of the lot;
- d. Location and dimensions of primary residence and Accessory Residence;
- e. If primary residence and Accessory Residence are separate structures, the distance between the structures must be shown on the plan;
- f. Location of all existing and proposed accessory structures, including but not limited to garages, sheds, and workshops;
- g. Location of all existing and proposed septic systems including the leach fields;
- h. Setbacks from the property boundaries from all existing and proposed structures;

**Section 37.P ACCESSORY RESIDENCE REQUIREMENTS - GENERAL PROVISIONS  
(continued)**

- i. Setbacks for all existing and proposed septic systems from the property boundaries and the distance between all septic systems, and existing and proposed buildings;
- j. Location of any domestic wells;
- k. Location of required off-street parking.

## **Section 37.Q CHILD CARE FACILITIES IN RESIDENTIAL ZONES**

### **Q. Child Care Facilities in Residential Zones**

1. Purpose: This Section provides standards for child care facilities in residential zones insuring that the facilities are consistent with residential uses, state statutes, and function as needed.

#### **a. Site Plan Conditions**

Prior to issuance of any building permit for a Child Care Facility authorized as permitted use in a zone or by a Special Use Permit:

- 1) A plot plan that demonstrates that the facility is adequate for use as a Child Care Home as defined by Arizona Department of Economic Security (DES) pursuant to [A.R.S. §36-895](#) or the Arizona Department of Health Services (DHS) pursuant to [A.R.S. §36-897](#) (1-10 children) as a residential location where child care services may be provided.
- 2) A site plan pursuant to Section 37.N is required for commercial Licensed Day Care.

#### **b. Certification of Licensure**

Prior to issuance of any Building Permit for a Child Care Facility authorized as permitted use in a zone or by a Special Use Permit, the applicant will submit proof that the Arizona Department of Economic Security (DES) has certified pursuant to [A.R.S. §36-895](#) or the Arizona Department of Health Services (DHS) has certified/licensed pursuant to [A.R.S. §36-897](#) (01-10 children) as a location where child care services may be provided.

#### **c. Child Care Standards**

- 1) Child care of four (4) or fewer children for compensation is allowed in all residential zones.
- 2) Child care of five (5) but no more than ten (10) children for compensation is allowed with a Special Use Permit in all residential zones.
- 3) Child care in group homes of more than ten (10) children for compensation is allowed only as a commercial operation in all specified zones. (Licensed Day Care only.)





## **Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES**

### **R. Wireless Communication Towers and Facilities**

1. Purpose: The standards of this Section are performance standards for wireless communications facilities, so as to provide for such facilities in a safe, efficient and orderly manner. To maximize the use of existing facilities, to encourage the co- location of facilities to reduce the number of new communication towers that are needed to provide service and to minimize the adverse visual effect of such towers through careful design and siting.
2. Definitions: The following definitions apply to Wireless Communication Towers and Facilities.

**Amateur Radio Antennas:** Antennas being used for the non-commercial transmission and/or reception of Amateur (HAM) Radio, or Citizens Band Radio signals by federally licensed amateur radio or Citizens Band Radio operators.

**Alternative Tower Structure:** Vertical components not generally designed for use as antenna support structures including, but not limited to, structures such as church steeples, ballpark light poles and water towers.

**Antenna:** The arrangement of wires, poles, rods or similar devices used in the transmitting and/or receiving of electromagnetic signals.

**Antenna Height:** The overall vertical height of the antenna support structure of the communication tower as measured from the established average finished grade within five feet of the structure.

**Antenna Support Structure:** Any structure, mast, pole, tripod or tower utilized for the purpose of supporting an antenna or antennas for the purpose of transmission and/or reception of electromagnetic signals.

**Camouflage:** The integration of a communication facility with an existing building or structure such that the communication facility is concealed.

**Conceal:** To place out of sight or to prevent recognition or disclosure of the true character of an object.

**Co-location:** A condition that exists when more than one wireless communication provider mounts equipment (antennas, dishes or similar devices) on a single communication tower or antenna support structure

**Communication Tower:** A mast, pole, monopole, guyed tower, lattice tower, free- standing tower or other similar structure designed and primarily used as an antenna support structure for wireless communication purposes, such as cellular, PCS or other telephone service, paging, microwave, short wave, video and/or television signals.

## **Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)**

FAA: The Federal Aviation Administration.

FCC: The Federal Communications Commission.

PCS: Personal Communications Services.

Wireless Communication: A commercial system designed and operated by a provider(s) for the transmission and reception of electromagnetic signals to and from multiple transmitter locations to multiple reception locations.

Wireless Communication Facility: A facility that transmits and/or receives electromagnetic signals used for commercial wireless communications. The communication equipment may include, but is not limited to, antenna support structures, communication towers with attached appurtenances, equipment buildings and ground-mounted satellite dishes and antenna used by a wireless communication provider.

3. Exemptions. The provisions of the Wireless Communication Facilities Section shall not apply to Amateur Radio or Citizens Band Radio signals by federally licensed amateur radio or Citizens Band Radio Antennas being used for the non-commercial transmission and/or reception of Amateur (HAM) Radio operators.
4. General Provision.
  - a. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses to the principal use of the property.
    - 1) Singular monopoles are encouraged. Structures which require the use of guy wires are discouraged.
    - 2) Commercial communication towers should be located away from residential properties.
    - 3) Commercial communication towers should avoid locations that are immediately adjacent to a public right-of-way.
  - b. Lot Size. For the purposes of determining whether the installation of a tower or antenna complies with district development regulations including, but not limited to, setback requirements, lot-coverage requirements and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on a separately leased portion of the lot.
  - c. Appearance.
    - 1) Improvements comprising a wireless communication facility shall, to the extent possible, use materials, colors, textures,

## **Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)**

screening and landscaping to blend them into the natural and surrounding setting. Mechanical equipment should not be visible from beyond the boundaries of the site.

- 2) Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the application shall contain a list of optional light devices and a statement of the reason for selection of the light device specified over each option. Economy and serviceability are among acceptable criteria for selection.
- 3) All towers, antennae and wireless communication facilities must meet or exceed the standards and regulations of the FAA, the FCC and any other agency of the state or federal government with authority to regulate them or their components.
- 4) Towers, antennae and wireless communication facilities shall be maintained in compliance with standards contained in applicable state or local building codes and the applicable health and safety standards established by the FCC or other bodies having jurisdiction, as amended from time to time. Towers, antennae and wireless communication facilities which are not in compliance shall be removed at the owner's expense if not brought into compliance within 30 days after written demand by Mohave County.
- 5) Setbacks and separation distances shall be calculated and applied irrespective of municipal and County jurisdictional boundaries.
- 6) Towers, antennae and wireless communication facilities shall be regulated and permitted pursuant to this Section and shall not be regulated or permitted as essential services, public utilities or private utilities.
- 7) No advertising signs or banners shall be allowed on towers, antennae and wireless communications facilities.
- 8) Except as provided in this Section all buildings, use processes and requirements, including height restrictions, of the applicable zone shall apply to towers, antennae and wireless communications facilities.
- 9) Building mounted or roof top mounted equipment shall be placed in such a manner as to be compatible with the existing structure. There should be as little contrast as possible between the architecture of the structure and the communications equipment. Integration of the communications equipment into the architecture of the structure is encouraged.

## **Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)**

- d. Proximity to residences. The limitation on location of towers within 300 feet of residences in Section 37.R.5.a.7 does not apply to residences that are located on properties in commercial or industrial zones.
- 5. Special Use Permits.
  - a. General. The following provisions shall govern the issuance of Special Use Permits for towers, antennae and wireless communication facilities:
    - 1) If the tower or antenna is not a permitted use, then a Special Use Permit shall be required for the construction of a tower, antennae and wireless communication facilities in all zoning districts.
    - 2) Applications for Special Use Permits for a wireless communication facility shall be subject to the procedures and requirements for Special Use Permits generally, except as modified in this Section.
    - 3) Appropriate fee as adopted by the Board of Supervisors.
    - 4) In granting a Special Use Permit, Mohave County may impose conditions to the extent that such conditions carry out the purposes of this section.
    - 5) Any information of an engineering nature that the applicant submits, whether civil, mechanical, structural or electrical, shall be certified by a professional engineer licensed in the State of Arizona.
    - 6) Any modification to an existing facility shall require the existing facility to comply with all terms of this Section and all other Federal, State, and Mohave County Codes and Ordinances.
    - 7) No new facilities within 300 feet of any residences, including single and multiple family residences and residential facilities such as group homes and nursing homes shall be permitted unless otherwise allowed in paragraph D of this Section.
  - b. Performance Criteria. The following characteristics are deemed to be consistent with the purposes of this Section and will afford favorable weight in considering the Special Use Permit application:
    - 1) Existing structures will be preferred over new structures.
    - 2) New structures that appear to be structures commonly found within that zone are preferred over apparent wireless structures.

## **Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)**

- 3) Towers, antennae and wireless communication facilities that cannot be readily observed from adjacent street are preferred.
- 4) A Board of Adjustment may approve a variance for a tower exceeding the height limitation for the zone if it finds that the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.
- 5) Co-location of multiple uses on a wireless communication facility will have significant favorable weight in evaluation of the Special Use Permit application.
- 6) Suitability of the location for co-location of governmental public service wireless communication facilities.

c. Application. Each application shall be on the Special Use Permit form provided by Mohave County and shall be accompanied by:

- 1) The completed Mohave County Special Use Permit application.
- 2) The setback distance between the proposed wireless communication facility and (1) the nearest residential unit and (2) the residentially zoned properties within 300 feet of the wireless communication facility.
- 3) The separation distance from other towers described in the inventory of existing sites, their type of construction and the owner's name and address.
- 4) Certification that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations.
- 5) A map of all wireless communication towers, the coverage and gap in coverage within an area of not less than two (2) miles. Area must be of sufficient size to demonstrate need for an additional tower.

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

6. Co-Location. The policy of this Section is to encourage co-location to

## **Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)**

the maximum extent possible so as to keep the number of towers in Mohave County to a minimum.

7. Setbacks. The following setback requirements shall apply to all wireless communication facilities:

- a. Towers must meet the building setbacks for the zoning district as outlined in the Mohave County Zoning Regulations, Section 35.B, Setbacks and Area Requirements. In residential areas towers must be set back from the property line a distance equal to twice the height of the tower.
- b. Guy wires and accessory structures must satisfy the minimum zoning district setback requirement.

8. Removal.

- a. Towers and antennae shall be removed, at the owner's expense, within 180 days if not used for a permanent use within that time, unless this period is extended pursuant to this Section.
- b. An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Development Services Director may extend the time for removal or reactivation up to 60 additional days upon showing a good cause. Any extension of greater than 60 days must be granted by the Mohave County Board of Supervisors. If the tower or antennae is not removed in a timely manner, Mohave County may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, Mohave County may cause removal at the cost to the owner.
- c. Upon removal of the wireless telecommunication facility, the site shall be returned to a vegetated state and topography, consistent with the natural surroundings.

9. Modification. Existing wireless telecommunications facilities may be changed or modified as follows:

- a. The change or modification is required by a change in user or technology.
- b. The addition of other users (co-location) is not considered a change.
- c. The change does not increase the height of the tower above the height approved in the Special Use Permit.
- d. At the conclusion of the change or modification the facility complies with all requirements of the Mohave County Development Services Department.

## Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)

e. The change or modification is required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC).

### ZONING, TOWER HEIGHT LIMITATION, LOCATION AND SETBACK REQUIREMENTS

APPLICABLE ZONE	HEIGHT PERMITTED WITHOUT SPECIAL USE PERMIT	HEIGHT REQUIRING A SPECIAL USE PERMIT	SETBACKS (FEET FROM PROPERTY LINE TO TOWER HEIGHT)
General (A) established	40 Feet	41 to 150 Feet	1 FT. FOR 1 FT.
General (A) established	50 Feet	51 to 195 Feet	SECTION 35.B
Airport Development (A-D)	60 Feet and must meet FAA Requirements	61 to 250 Feet and must meet FAA Requirements	SECTION 35.B
Agricultural/Residential	40 Feet	41 to 195 Feet	1 FT. FOR 1 FT.
Residential-Recreational	40 Feet	41 to 100 Feet	1 FT. FOR 1 FT.
Commercial-Recreational	60 Feet	61 to 150 Feet	1 FT. FOR 1 FT.
Single-Family Residential	40 Feet	41 to 100 Feet	1 FT. FOR 1 FT.
Single-Family			
Residential/Manufactured	40 Feet	41 to 100 Feet	1 FT. FOR 1 FT.
Single-Family			
Residential/Manufactured Homes and Recreational	40 Feet	41 to 100 Feet	1 FT. FOR 1 FT.
Single-Family			
Residential/Manufactured Homes Prohibited/Limited	40 Feet	41 to 150 Feet	1 FT. FOR 1 FT.
Medium Density Residential	40 Feet	41 to 150 Feet	1 FT. FOR 1 FT.
Single-Family			
Residential/Manufactured	40 Feet	41 to 150 Feet	1 FT. FOR 1 FT.
Multiple-Residential (R-M)	40 Feet	41 to 150 Feet	1 FT. FOR 1 FT.
Neighborhood Commercial	40 Feet	41 to 150 Feet	1 FT. FOR 1 FT.
Commercial-Office-Residential	50 Feet	41 to 195 Feet	SECTION 35.B
General Commercial (C-2)	50 Feet	51 to 195 Feet	SECTION 35.B
General Commercial Highway	50 Feet	51 to 195 Feet	SECTION 35.B
Commercial-			
Manufacturing/Open Lot	50 Feet	51 to 195 Feet	SECTION 35.B
Light Manufacturing (M-1)	120 Feet	121 to 250 Feet	SECTION 35.B

**Section 37.R WIRELESS COMMUNICATION TOWERS AND FACILITIES - GENERAL PROVISIONS (continued)**

General Manufacturing	120 Feet	121 to 250 Feet	SECTION 35.B
Heavy Manufacturing (M-X)	120 Feet	121 to 250 Feet	SECTION 35.B

## **Section 37.S ASSISTED LIVING FACILITIES IN RESIDENTIAL ZONES**

### **S. Assisted Living Facilities in Residential Zones**

1. Site plan conditions. Prior to issuance of any zoning or building permit for an Assisted Living Facility authorized as a permitted use in a zone or by a Special Use Permit:
  - a. A plot plan is required that demonstrates that the facility is adequate for use as an Assisted Living Facility as defined by the Arizona Department of Health Services (DHS) pursuant to [A.R.S. §36-401](#) or the Arizona Department of Health Services (DHS) pursuant to [A.R.S. §36-421](#) and [A.R.S. §36-422](#) (1-10 residents) as a residential location where adult care services may be provided.
  - b. A site plan is required pursuant to Section 37.N for commercial facilities (Assisted Living Centers).
2. Certification or Licensure. Prior to issuance of any zoning or Building Permit for an Assisted Living Facility authorized as a permitted use in a zone or by a Special Use Permit, the applicant will submit proof that the Arizona Department of Health Services has certified/licensed the facility pursuant to Title 9, Chapter 10, Article 10 of the Arizona Administrative Code.
3. Assisted Living Facilities Requirements.
  - a. Adult Foster Care facilities have four (4) or fewer residents for compensation and are allowed in all residential zones with a Home Occupation Permit. An Adult Foster Care facility is prohibited on any lot or parcel that has a Secondary Residence or a Guest House.
  - b. Assisted Living Homes are for ten (10) or fewer residents for compensation and are allowed with a Zoning Use Permit in all residential zones. An Assisted Living Home is prohibited on any lot or parcel that has a Secondary Residence or a Guest House.
  - c. Assisted Living Centers are greater than ten (10) residents for compensation and are allowed only as a commercial operation in all commercial zones, and other zones as specified.



## **Section 37.T GARAGE/YARD SALES**

Garage/yard sales shall be permitted in any residential zone subject to the following provisions:

1. No more than four (4) garage/yard sales shall be conducted on the same premises in any calendar year.
2. Each garage/yard sale shall not be conducted for longer than three consecutive days.
3. Garage/yard sales must be conducted on the resident's property. Multiple-family sales are permitted if they are held on the property of one of the participants.
4. No goods purchased for resale may be offered for sale.
5. No consignment goods may be offered for sale.
6. Garage/yard sales shall be conducted only during daylight hours.
7. At times other than during the garage/yard sale, all items offered at the sale and other items incidental to occupancy of the dwelling shall be contained within an enclosed garage or accessory storage building.
8. All signs used to advertise the garage/yard sale and direct traffic to a garage/yard sale may be displayed only for the duration of the garage/yard sale and shall be removed immediately thereafter by the persons conducting the garage/yard sale.
9. Signs used to advertise the garage/yard sale may be located on the premises on which the garage/yard sale takes place or on other property with written consent of the property owner or resident thereof.
10. No directional or advertising sign may be larger than two by three (2 x 3) feet.



## **Section 37.U ENERGY PROJECTS**

### **U. General Provisions**

1. Definitions.
  - a. **Off-Site Use Generation**: For purposes of this section, means renewable electricity production that is directly interconnected to a utility distribution system intended to be sold and used at a different location. Liquid hydrogen production is not considered an off-site use generation energy project as part of this section and is only allowed in the M-X zone with a Special Use Permit, per Section 34.D.2 and 34.D.3.
  - b. **On-Site Use Generation**: For purposes of this Ordinance, means renewable electricity production that is intended to be used on-site and is not directly connected to a utility distribution or transmission system. The metering and use of on-site use generation by a local energy utility is allowed. Liquid hydrogen production is not considered an on-site use generation project, and is only allowed in the M-X zone with a Special Use Permit, per section 34.D.2 and 34.D.3.
2. On-site use generation systems that serve a single property or facility may be constructed in any zone with an approved Building Permit subject to:
  - a. Solar panels mounted on a building may not exceed the maximum building height for the zone. Solar panels mounted on poles or on the ground are allowed in any zone. The total height of pole-mounted solar panels shall not exceed the height of the highest architectural feature of the residence, and the pole shall be located so that if it were to fall, its reclining length would be contained on the parcel.
  - b. Wind turbines may exceed the maximum building height for the zone, but must be placed on the property at a location more than 110% of the total height of the machine including the blade from the property line.
  - c. On-site use generation systems shall meet all applicable codes.
3. On-site use generation systems not included in Paragraph 2 may be constructed after approval of a Special Use Permit. The Director may waive supplemental application requirements listed in Paragraph 5 upon request of the applicant.
4. Off-site use generation projects may be constructed:
  - a. In the M-2 (General Manufacturing) zone and M-X (Heavy Manufacturing) zone. Properties that previously have received the E (Energy Overlay) zone will allow for the type of project for which they were originally approved.
  - b. In an E (Energy Overlay) zone.

## Section 37.U ENERGY PROJECTS - GENERAL PROVISIONS (continued)

5. Development Standards and Conditions – General.
  - a. National Codes and Standards. To address safety and power quality issues, national codes and safety organizations have developed guidelines for equipment manufacture, installation, and operation. The major code and safety organizations that apply to generation projects are the National Fire Protection Association (NFPA), Underwriters Laboratories (UL) and Institute of Electrical and Electronics Engineers (IEEE). Each of these organizations covers different aspects of the development in the context of their organizational missions.

Energy projects must comply with these and any other applicable national codes and standards in effect at the time the project is constructed, unless more stringent standards are required by the utility receiving the generated energy.
  - b. Height and Setbacks. Except as noted below, all structures and generating units shall meet the height and setback requirements as required in Section 35.
    - 1) No solar panels, wind turbines, or any other generating unit, or battery storage shall be located within 100' of a neighboring residentially zoned property.
    - 2) Wind turbines may exceed the maximum building height for the zone but must be placed on the property at a location more than 110% of the total height of the machine including the blade from the property line.
  - c. Grading of a project site may not commence until required state and federal approvals are in place and assurances for site restoration are provided.
  - d. If a project is abandoned for more than twelve (12) consecutive months, the project shall be removed, and the site restored in accordance with the decommissioning plan.
  - e. Equipment and reserve parts shall be stored in a centralized location and view obscured. Disabled equipment and scrapped materials shall not be allowed to accumulate on the site but may be temporarily stored in a view obscured location pending disposal, not to exceed one (1) year.
  - f. Projects in the vicinity of an airport or landing field shall comply with any applicable regulations of the Federal Aviation Administration.
6. Documentation and information required at the time of the site plan review:
  - a. All applicable requirements of Section 37.N, Site Plan Requirements.
  - b. The location of the proposed interconnection to a utility, the utility

## **Section 37.U ENERGY PROJECTS - GENERAL PROVISIONS (continued)**

company to which the project will connect, and the voltage of the power line to which the project will connect. If the proposed interconnect site is not on the project property, include the distance between the property and the interconnect site and the location of the easements or power lines to provide the necessary connections.

- c. A letter from the utility company indicating that the proposed interconnect location is acceptable to the utility and that the existing power lines are sufficient to carry the proposed production.
- d. A list of permits, approvals, or other actions that the applicant has received from other government agencies, and from public or privately owned utility companies.
- e. For projects that propose to connect to federally administered transmission lines, the applicant shall provide a letter or report from the responsible agency regarding the status of their review.
- f. Decommissioning Plan, which shall include:
  - 1) The anticipated life of the project.
  - 2) The estimated decommissioning costs less salvage value in current dollars.
  - 3) The method of ensuring that funds will be available for the decommissioning and restoration.
  - 4) The anticipated manner in which the project will be decommissioned, and the site restored.

## **Section 37.V MEDICAL MARIJUANA AND MARIJUANA ESTABLISHMENTS**

*Updated with BOS Ordinance 2021-01*

### **V. Medical Marijuana and Marijuana Establishments**

1. Purpose. The purpose of this Section is to address the enactment of A.R.S. Sections 28.1 and 28.2.
2. Authority. A.R.S. §36-2806 A.R.S. §36-2857 authorizes counties to enact reasonable zoning regulations that limit the use of land for registered non-profit medical marijuana dispensaries and other marijuana establishments to specified areas.
3. Intent. The intent of this Section is:
  - a. To acknowledge the primary authority of the Arizona Department of Health or its successor agency for enforcement of A.R.S. §36-2801, and A.R.S. §36-2850, and the authority of law enforcement agencies in all other circumstances.
  - b. To acknowledge that, except as allowed by A.R.S. §36-2801, and A.R.S. §36-2850, the cultivation, use, and sale of marijuana is a law enforcement issue, and shall continue to be handled by the agencies having primary enforcement authority.
  - c. To establish reasonable zoning regulations that limit the use of land for registered non-profit medical marijuana dispensaries and marijuana establishments as contemplated by A.R.S. §36-2801 and A.R.S. §36-2850.
4. Definitions contained in A.R.S. §36-2801 and A.R.S. §36-2850 are adopted by reference.
5. Investigation and enforcement. A complaint to the Development Services Department based upon a violation of the medical marijuana and marijuana establishments provisions of this Zoning Ordinance shall be referred to the agency having enforcement authority under A.R.S. §36-2806 and A.R.S. §36-2857. Due to the confidentiality of registration information, no investigation or enforcement action may be pursued independently by the Development Services Department, but a zoning violation may be asserted by the enforcing agency in conjunction with an enforcement action based upon violation of A.R.S. §36-2806 and A.R.S. §36-2857, or criminal actions that may be associated with the alleged zoning violation.
6. A non-profit medical marijuana dispensary, a marijuana establishment and any associated cultivation location allowed under a state-issued registration certificate for that dispensary or marijuana establishment, does not violate this Zoning Ordinance if it meets the conditions listed below. The Development Services Department will verify the zoning of a parcel upon request of an applicant

## **Section 37.V MEDICAL MARIJUANA AND MARIJUANA ESTABLISHMENTS -- GENERAL PROVISIONS (continued)**

or enforcement agency. All other information shall be verified by the applicant or enforcement agency.

- a. It is operated in accordance with a valid registration certificate for the location; and
- b. It is located in a permanent building; and
- c. It is a minimum distance from any public or private school as provided in state law or regulation; and
- d. It is located in a C-MO (Commercial-Manufacturing/Open Lot Storage) zone, M-1 (Light Manufacturing) zone, M-2 (General Manufacturing) zone, or M-X (Heavy Manufacturing) zone; or
- e. It is located in a C-2 (General Commercial) zone, C-2H (Highway Commercial) zone, or COR (Commercial-Office Residential) zone with a Special Use Permit; or
- f. It is a grow facility, or a marijuana establishment, located in a C-MO (Commercial-Manufacturing /Open Lot Storage) zone, M-1 (Light Manufacturing) zone, M-2 (General Manufacturing) zone, M-X (Heavy Manufacturing) zone, or the A-D (Airport Development) zone.

7. When a medical marijuana dispensary or a marijuana establishment is proposed to be located near the city limits of an incorporated city, the setbacks outlined in Paragraph 6 shall also be measured from uses and zones located within the corporate limits of the city, and the more stringent county or city setbacks will apply.
8. Measurement of Distance. The distance between any dispensary or a marijuana establishment and school shall be measured as provided by state law or regulation. In the event that a method of measurement is not provided in state law or regulation, the distance shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line where the dispensary or a marijuana establishment is located to the nearest property line of the school.

## **Section 37.W INDUSTRIAL PERFORMANCE STANDARDS**

### **W. Industrial Performance Standards (Added with BOS Ordinance No. 2016-03)**

1. Purpose and Intent. The purpose of these standards is to ensure that industrial development benefits Mohave County without subjecting it to conditions that adversely affect the public health, safety and general welfare. Residential zones and uses should experience minimal affects from industrial uses. These standards apply to C-M (Commercial Manufacturing), C-MO (Commercial Manufacturing-Open Lot Storage), E (Energy Overlay), M-1 (Light Manufacturing), M-2 (General Manufacturing), and M-X (Heavy Manufacturing).
2. Standards
  - a. Industrial uses shall comply with all pertinent Federal and state laws, regulations and rules. Enforcement of Federal and state laws, regulations and rules shall be enforced by the appropriate Federal or state agency.
  - b. Any lighting used to illuminate an off-street parking area, sign, or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets.
  - c. No heat from furnace processing equipment or other devices shall be sensed at the lot line or property line to the extent of raising the temperature of air or materials more than five degrees Fahrenheit.
  - d. No activity shall create any electrical disturbance, or which otherwise causes, creates, or contributes to the interference with electronic signals (including television and radio broadcasting transmissions) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.
  - e. All loading areas shall have sufficient maneuvering room to accommodate all loading and maneuvering procedures. Public roadways shall not be used in loading or maneuvering.
  - f. No noise or vibration (other than normal vehicular traffic) shall be permitted which is discernible on neighboring residential sites, to the unaided human senses for three minutes or more duration in any one hour of the day between the hours of 7:00 a.m. to 7:00 p.m. or of thirty seconds or more duration in any one hour between the hours of 7:00 p.m. to 7:00 a.m. The property owner making a claim that noise and vibration is present, is responsible for conducting any study to show such claim.
  - g. No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the site.
  - h. No emission shall be permitted which can damage health, animals or vegetation, or other forms of property, or which can cause any nuisance

**Section 37.W INDUSTRIAL PERFORMANCE STANDARDS - GENERAL PROVISIONS  
(continued)**

or hazard.

## **Section 37.X AGRICULTURAL EXEMPTIONS**

### **X. Regulations for Agricultural Exemptions (Added with BOS Ordinance No. 2016-06)**

1. Purpose and Intent. The purpose of these regulations is to define Mohave County's methodology for applying agricultural exemptions per A.R.S. 11-812.A and A.R.S. 11-865.A.1. Mohave County's purpose is to ensure that land use and structures established in Mohave County further the public health, safety and welfare while recognizing the importance of agriculture in the County's economy and the exemptions in state statute.
2. General Provisions
  - a. Nothing contained in these regulations shall prevent, restrict or otherwise regulate the use or occupation of land or improvements for grazing, or general agricultural purposes, if the tract/s concerned is/are five (5) or more contiguous commercial acres in size (note: one commercial acre = 35,000 square feet).
  - b. Only properties of five (5) contiguous commercial acres or larger, classified as agriculture by the Mohave County Assessor, and certified by the Development Services Director as land used for grazing or general agricultural purposes are eligible for an agricultural exemption. If a property has been so classified, the property is exempt from the Mohave County Zoning Ordinance and Building Codes.
  - c. A property shall be considered exempt from the Mohave County Zoning Ordinance and Building Codes when the Department of Development Services issues a certificate of exemption for that property. In order to secure a certificate of exemption, an applicant shall submit an application and a certificate from the Assessor's Office showing the code classification for the subject property, along with a plot plan showing the dimensions and percentages of land designated as agricultural or grazing by the Assessor's Office with any supporting documentation.
  - d. The exemption will only apply to areas classified as an agricultural or grazing use by the Mohave County Assessor, and all other areas with other uses will be subject to the requirements of the Mohave County Zoning Ordinance and Building Codes.
  - e. All buildings and structures not used for agricultural or grazing purposes will be subject to the requirements of the Mohave County Zoning Ordinance and Building Codes.
  - f. All habitable structures, except habitable structures that are occupied solely by persons that are engaged in the agricultural or grazing purposes, will be subject to the requirements of the Mohave County Zoning Ordinance and Building Codes.

## **Section 37.X AGRICULTURAL EXEMPTIONS-- GENERAL PROVISIONS (continued)**

- g. If the Assessor or the Development Services Director revokes the classification described in Subsection 2.b, the property will no longer be exempt and shall be subject to the requirements of the Mohave County Zoning Ordinance and Building Codes.
- h. All agricultural exemptions, including exemptions given prior to the adoption of this Ordinance, will be reviewed annually by the Department of Development Services to ensure compliance with these provisions.
- i. Any building or structure built under a previous agricultural exemption issued prior to the Board's adoption of this Ordinance will continue to be valid and no additional permitting will be required.
- j. A fee of \$250 will be required for the processing of an agricultural exemption request. The fee will take effect upon completion of all legal requirements to assess new fees per A.R.S. 11-251.13 and A.R.S. 11-251.8. Such fee will be evaluated annually by the Board of Supervisors.

## **Section 37.Y EXEMPTION PERMIT**

### **Y. Regulations for an Exemption Permit (Added with BOS Ordinance No. 2016-07)**

1. Purpose. The purpose of these regulations is to reduce unnecessary regulatory burden for property owners constructing residential accessory structures on properties of five (5) contiguous acres in size or larger. Each structure that receives an Exemption Permit will be exempt from the Mohave County's Building and Zoning Codes.
2. In order for a structure to be eligible to receive an Exemption Permit the following provisions must apply.
  - a. The structure must be located on a property that is five (5) contiguous acres in size or larger.
  - b. The structure can only be used for non-habitable residential accessory purposes.
  - c. Any structure built wholly or in part for habitation is not eligible to receive the Exemption Permit.
  - d. Each structure that receives an Exemption Permit requires an application and a signed waiver that releases the County of liability.
  - e. A fee of \$50 will be required for the processing of each Exemption Permit application. The fee will take effect upon completion of all legal requirements to assess new fees, per A.R.S. 11-251.13 and A.R.S. 11-251.8. Such fee will be evaluated annually by the Board of Supervisors.
3. Height requirements.
  - a. All structures built under an Exemption Permit must have minimum setbacks from all property lines of thirty (30) feet, and a maximum wall height of ten (10) feet.





## **Section 37. Z SPECIAL EVENTS – GENERAL PROVISIONS**

### **Z. Special Events**

1. The purpose of these regulations is to protect the health, safety, and welfare of visitors, event participants, and the general public as well as prescribing a uniform permitting process for Special Events. These regulations provide for the planning and operation of Special Events for the benefit of enhancing event patron and participant experience while minimizing adverse impacts to non-patrons including area residents and businesses, emergency service providers, and the traveling public.
2. General Provisions
  - a. A Special Event is any temporary activity held indoors or outdoors, on public or private property, in which persons are encouraged or invited to watch, listen, participate or purchase goods and/or services with or without charge. A Special Event shall not include private weddings, family reunions, funeral ceremonies, meetings at established places of worship, elections, private yard sales, or private parties in residential or residential yards among family and friends, charity car washes, school activities on school property, organized league sport activities and activities such as nonprofit merchandise promotions that could otherwise be lawfully conducted in accordance with the provisions of the zoning ordinances in the district where such promotion takes place.
  - b. A Special Event Permit is required for any Special Event expected to have 100 or more persons in attendance at one time. A Special Event expecting 250 or more persons in attendance at one time must also be approved by the Board of Supervisors. Events on locations or in facilities that have been zoned and developed to accommodate the event and public attendance associated with the event, do not require a Special Event Permit.
  - c. For events expecting less than 250 persons in attendance at one time, the applicant shall submit a complete application for a Special Event Permit no later than 15 days prior to the start date of the event. For events expecting 250 or more persons in attendance at one time, the applicant shall submit a complete application for a Special Event Permit no later than 45 days prior to the start of the event. An expedited special event permit application is required if the application is submitted less than 45 days prior to the start of the event for more than 250 persons or is submitted less than 15 days prior to the start of the event for less than 250 persons. For expedited reviews of events expecting more than 250 persons, the application will need to be submitted at least 15 days prior to the last scheduled BOS Meeting prior to the start of the event.
  - d. A Special Event Permit may be approved for one Special Event lasting no more than four (4) consecutive days within a six (6) month period. If multiple Special Events are planned or anticipated for the same property, or the Special Event is expected to extend more than four (4) consecutive days in duration, the applicant shall obtain a Special Use Permit (SUP) or rezone the property to an appropriate zone prior to the second event.

## **Section 37. Z SPECIAL EVENTS – GENERAL PROVISIONS (continued)**

e. The applicant shall submit an application for the proposed Special Event. The application shall include a summary of the activity and the day(s)-of-event operations, including the following information and data as applicable. Reference relevant historical data where possible:

1. Identify the property proposed for the event by legal description and Assessor's Parcel Number.
2. Event hours of operation, and venue opening and closing times.
3. Anticipated daily number of participants, spectators, and onsite event support staff.
4. Periods of peak arrival and departure demand, parking demand, vehicle occupancy, and types/use of travel modes other than personal passenger car vehicles.
5. Patron admission such as general/reserved seating and free versus fee-based.
6. Location of venue access points, onsite parking areas, and overflow (offsite) parking areas.
7. Event type, market area, description of event performance(s) and/or fair/festival theme(s).
8. Number of event vendors and type of products served/sold including food, alcohol, and tobacco.
9. When outdoor public address systems or musical entertainment will be provided, describe the level of amplification and the description, number and location of speakers.
10. Describe any other reasonably anticipated noise levels that are likely to occur and the anticipated decibel level at the property boundary.
11. Describe any proposed dust control measures.
12. Identify the existing restroom and septic capacity as well as any additional portable toilets proposed.

f. The applicant shall obtain and submit copies of written acknowledgments confirming Special Event notification coupled with any special requirements or conditions from the following stakeholders:

1. Mohave County Sheriff's Office.
2. Mohave County Public Works Department.
3. Mohave County Public Health Department.

## **Section 37. Z SPECIAL EVENTS – GENERAL PROVISIONS (continued)**

4. Mohave County Environmental Health Department
5. Mohave County Environmental Quality Department.
6. Local Fire Department or Fire District.
7. Local Emergency Medical Services.
8. Arizona Department of Public Safety and Arizona Department of Transportation (If a State highway facility provides primary ingress/egress to the Special Event venue).

g. The applicant shall obtain and submit copies of written commitments confirming provision of onsite security, sanitary, and transportation services supporting Special Event operations. Service providers may include the following entities:

1. Private security company and/or off-duty law enforcement officers.
2. Event management company and/or transportation consulting firm.
3. Portable toilet vendor.
4. Solid waste clean-up and removal vendor.
5. Traffic control contractor.
6. Parking operations contractor.

h. Neighborhood and business notification via first-class mail is required if the applicant proposes to have off-site parking, outdoor amplified sound, or street closures. In no instance may the Special Event block access to businesses or residences without the respective property or business owner's written permission. The notice must include:

1. A description of the event.
2. Contact person and a phone number that people can call prior to, during, and after the event.
3. Set up and tear down times, and the anticipated attendance for the event.
4. A sample notice will be submitted with the application. Staff must approve the event notice before it is sent out. Notification must be sent out two (2) weeks prior to the event. The Department will provide the applicant with a list of property owners within the 300 foot notification boundary.

i. Use of land in violation of this section shall constitute a public nuisance. Any person, firm, or corporation violating this section is guilty of a class 2 misdemeanor. Each day during which the illegal maintenance or use continues is a separate offense. The Mohave County Sheriff's Office shall enforce any criminal violations.

## **Section 37. Z SPECIAL EVENTS – GENERAL PROVISIONS (continued)**

Development Services shall enforce according to this ordinance.

- j. Pursuant to A.R.S. § 11-815, if any land is or is proposed to be used in violation of this Section, the Board of Supervisors by and through its authorized agent, the Development Services Director, as well as the Mohave County Attorney's Office, are authorized to institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the unlawful use. The County is authorized to use any lawful means to enforce this Section.

## **Section 38 OUTDOOR LIGHT CONTROL**

A. Purpose. This section is intended to control the use of outdoor artificial illuminating devices emitting rays into the night sky, per [A.R.S. 49-1101 et seq.](#), which have a detrimental effect on astronomical observation. It is the intention of this section to encourage good lighting practices such that lighting systems are designed to respect astronomical observation, while increasing nighttime safety, utility, security and productivity.

B. Conformance with Applicable Codes

1. All outdoor artificial illuminating devices shall be installed in conformance with the provision of this Section and any building code in effect at the time of installation.
2. Where any provision of the Arizona State Statutes, or any federal law, or any local ordinance conflicts with the requirement of this Section, the most restrictive shall govern.
3. The provisions of this Section are not intended to prevent the use of any material or method of installation not specifically prescribed herein.
4. As new lighting technology develops which is useful in reducing light above the horizontal, consideration shall be given to the use of state of the art technology in keeping with the intent of this section.

C. Definition. For the purpose of this section, specific words are defined as follows:

1. Outdoor Light Fixtures means outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices include, but are not limited to, search, spot or flood lights for:
  - a. Building and structures.
  - b. Recreational areas.
  - c. Parking lot lighting.
  - d. Landscape lighting.
  - e. Billboards and other signage (advertising or other).
  - f. Street lighting.
  - g. Outdoor residential lights.

D. Installed means the initial installation of outdoor light fixtures defined herein following the effective date of this Ordinance, but shall not apply to those outdoor light fixtures installed prior to such date.

## Section 38 OUTDOOR LIGHT CONTROL (continued)

### E. General Requirements

1. Shielding: All exterior illuminating devices, except those exempt from this section and Section 38.E.3 shall be fully or partially shielded as required in Section 38.E.4.
  - a. "Fully Shielded" means that those fixtures so designated shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point of the fixture where light is emitted.
  - b. "Partially Shielded" means that those fixtures so designated shall conform to the classification of "Cutoff", defined as:
    - 1) A luminaire light distribution is designated a cutoff when the candle- power per 1,000 lamp lumens does not numerically exceed 25 lumens (two and one-half percent) at an angle of 90 degrees above horizontal, and 100 lumens (ten percent) at a vertical angle of 80 degrees above horizontal. This applies to any lateral angle around the luminaire.
2. Off-site sign (billboard) external lighting:
  - a. Lighting shall be installed such that the sign is illuminated from top down to prevent glare and light trespass.
  - b. Light fixtures shall be fully shielded.
  - c. Shall consist of no more than four (4) individual fixtures (or lamps) per sign face and produces a maximum of 40,000 lumens per fixture.
3. Filtration: Those outdoor light fixtures requiring a filter in Section 38.E.4 shall have glass, acrylic or translucent enclosures. Quartz glass does not meet this requirement.
4. Requirements for Shielding and Filtering: The requirements for shielding and filtering light emissions from outdoor light fixtures shall be as set forth in the following table:

Fixture Lamp Type	Shielded	Filtered
Low pressure sodium	None	None
High pressure sodium	Fully	None
Metal halide <sup>3</sup>	Fully	Yes
Florescent <sup>5</sup>	Fully <sup>4</sup>	Yes
Quartz <sup>1</sup>	Fully	Yes
Incandescent greater than 150 watts	Fully	None
Incandescent, 150 watts or less	None	None
Mercury vapor <sup>4</sup>	Fully <sup>4</sup>	Yes <sup>4</sup>

## Section 38 OUTDOOR LIGHT CONTROL (continued)

Fossil Fuel	None	None
Glass tubes filled with neon, argon and krypton		
LED	Fully	None
Other sources	As approved by the Zoning Inspector	

*Footnotes:*

1. *For the purposes of this Section, quartz lamps shall not be considered an incandescent light source.*
2. *Outdoor advertising signs of the type constructed of translucent material and wholly illuminated from within do not require shielding.*
3. *Metal halide display lighting shall not be used for security lighting after 11:00 pm (or after closing hours if before 11:00 pm) unless fully shielded. Metal Halide lamps shall be in enclosed luminaries.*
4. *For existing fixtures. Installation of Mercury Vapor Fixtures is prohibited.*
5. *Outdoor advertising signs may use florescent fixtures. These fixtures must be mounted at the top of the sign structure and may be partially shielded, but not filtered.*

### F. Prohibition

1. Searchlights: The operation of searchlights for advertising purposes is prohibited.
2. Recreational Facilities: No outdoor recreation facility, public or private, shall be illuminated by non-conforming means after 11:00 pm, except to conclude specific recreation or sporting event or any other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 pm.
3. Outdoor Building and Landscaping Illumination: The unshielded outdoor illumination of any building, landscaping, signing or other purpose is prohibited, except with incandescent fixtures of 150 watts or less, 150 watt or less equivalent for LED or CFL fixtures, or low pressure sodium fixtures.
4. Light produced on a property shall not affect a neighboring property such that activities conducted on the neighboring property are adversely affected or experience unreasonable interference.
5. Mercury Vapor: The installation of mercury vapor fixtures is prohibited.

### G. Permanent Exemptions

1. Non-Conforming Fixtures: All outdoor lighting fixtures installed prior to July 1, 1987 that are equipped with a permanent automatic shut-off device may remain unchanged, except that the subject light fixtures shall not be operated between the hours of 11:00 pm and sunrise. All outdoor light fixtures installed

## Section 38 OUTDOOR LIGHT CONTROL (continued)

prior to July 1, 1987 that are not equipped with an automatic shut-off device may remain unchanged. With respect to all outdoor light fixtures installed prior to July 1, 1987, whether with an automatic shut-off device or not, there shall be no change in use, replacement, structural alteration, or restoration after discontinuance of use for a period of 12 consecutive months, unless the fixture thereafter conforms to the provisions of this Section.

2. Fossil Fuel Light: Produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.

### H. Other Exemptions From Outdoor Lighting Provisions

1. Bottom-Mounted Outdoor Advertising Lighting: Outdoor advertising sign boards which exceed 301 square feet per sign face and are illuminated by an approved bottom-mounted outdoor advertising fixture shall be equipped with an automatic device which shuts off the fixture between midnight and sunrise.
2. Low Intensity Fixtures: Any outdoor lighting fixture which has a maximum candle power of less than 1,000 candelas is exempt from these provisions, if equipped with an automatic device which shuts off the fixture between the hours of midnight and sunrise.

### I. Procedure for Compliance

1. Applications:
  - a. Any individual applying for a Building Permit or use permit and intending to install outdoor lighting fixtures shall, as a part of said application, submit evidence that the proposed work will comply with this Section.
  - b. Utility companies providing a notarized affidavit in which they agree to comply with the provisions of these regulations shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.
2. Contents of Application or Submission: The submission shall contain, but shall not necessarily be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in this Ordinance upon application for the required permit:
  - a. Plans indicating the location on the premises, the type of illuminating devices, fixtures, lamps, supports and other devices, etc.
  - b. Description of the illuminating devices, fixtures, lamps, supports and other devices, etc. This description may include, but is not limited to, manufacturers' catalog cuts and/or drawings (including sections where required).
  - c. The above required plans and descriptions shall be sufficiently complete

## **Section 38 OUTDOOR LIGHT CONTROL (continued)**

to enable the Zoning Inspector to readily determine whether compliance with the requirements of this Section will be secured. If such plans and descriptions cannot enable this determination by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.



## **Section 39 USE PERMITS**

- A. Purpose. This Section describes the type and processing requirements for each use permit.
- B. Conditional Use Permit
  - 1. Use and Designation. The Board of Supervisors, upon recommendation from the Planning and Zoning Commission, may designate land uses that would be compatible with other allowed uses in a zoning classification only when specified performance standards are required.
  - 2. Method of Designation. Uses allowed under a Conditional Use Permit shall be designated in the Zoning Ordinance and the designation shall include the performance standards required for approval of each use.
  - 3. Application. Application for a Conditional Use Permit shall be made to the Development Services Department for evaluation and decision. All applications shall comply with these regulations and demonstrate compliance with the required performance standards for the use proposed. Applications shall include:
    - a. A form provided by the Development Services Department, fully completed.
    - b. A Plot Plan of the proposed use when appropriate.
    - c. Appropriate fees.
  - 4. Department Action. Upon receiving a complete application for a Conditional Use Permit, the Department shall review the application for compliance with the performance standards.
  - 5. Appeal of Department Action. Applicants receiving denial may appeal to the Board of Supervisors, via the Planning and Zoning Commission. All appeals of Conditional Use Permits shall be processed in the same manner as Special Use Permits. Appropriate fee applies.
  - 6. Enforcement and Revocation.
    - a. A Conditional Use Permit is subject to revocation upon thirty (30) days written notification by Development Services if, in their opinion, the continued use of the use is contrary to the performance standards. The notice shall be sent via certified mail to the owner's address written on the permit application. The owner may appeal the staff's decision to revoke the permit to the appropriate Board of Adjustment in accordance with the provisions of Section 41 of the Mohave County Zoning Ordinance.

## **Section 39 USE PERMITS (continued)**

- b. A petition signed by fifty-one (51%) percent of the property owners residing within three hundred (300) feet of the property containing the Conditional Use Permit may be submitted stating the alleged violation of one (1) or more specific performance standards and initiate a public hearing to consider revoking the permit. The hearing will be conducted by the appropriate Board of Adjustment and the appeal process will be conducted in accordance with the provisions of Section 41 of the Mohave County Zoning Ordinance.

### **C. Special Use Permits**

1. Use and designation. The Board of Supervisors may designate land uses that are not typically compatible with other land uses allowed in a zone, as being allowed with a Special Use Permit issued by the Board, upon a recommendation from the Commission.
2. Method of Designation. Uses allowed under a Specific Use Permit shall be designated in the Zoning Ordinance.
3. Application. Application for a Special Use Permit shall be made to the Mohave County Development Services for evaluation by the Planning and Zoning Commission. All applications shall comply with provisions of these regulations. The application shall include:
  - a. A form provided by the Development Services Department, fully completed.
  - b. A Plot Plan of the proposed use when appropriate.
  - c. Completed letters notifying property owners within three hundred (300) feet of the property when proposed Special Use Permit is to be located, accompanied by addressed, stamped envelopes. Letter must include the property location and a description of the proposed use, time and date of public hearing.
  - d. Appropriate fees.
4. Commission Action. When all information requested for an application for a Special Use Permit is submitted to the Development Services Department the request shall be advertised for at least fifteen (15) days prior to the public hearing.
5. Public Hearing. The Commission shall recommend approval, disapproval or conditional approval of the application. Conditions attached by the Commission shall be enumerated in the recommendation. The Commission's recommendation shall be transmitted to the Clerk of the Board of Supervisors in writing for scheduling according to the Board's schedule.

## **Section 39 USE PERMITS (continued)**

6. Board Action. After the Commission decision is received by the Clerk of the Board of Supervisors, the Clerk shall set the matter for action by the Board of Supervisors at its next regularly scheduled meeting. The Board may affirm or reverse the action of the Commission decision or alter or add conditions. If the action of the Board is for approval or conditional approval, the Special Use Permit shall be in effect at once.
7. Re-Application. No person shall apply for a Special Use Permit for the same use on the same plot or lots within a period of twelve (12) months from the date of final decision or denial of such previous application



## **Section 40 ZONING INSPECTION AND ENFORCEMENT**

- A. Administration and Enforcement. Administration of Mohave County zoning regulations shall be through a County Zoning Inspector and Deputy Zoning Inspectors. Enforcement shall be administered by withholding of issuance of building and zoning permits and through such methods provided in [A.R.S. §11-815](#) and this Section.
- B. Permit Required.
  - 1. It shall be unlawful to erect, construct, reconstruct, alter or use any land, building or other structure within a zoning district covered by the Ordinance without first obtaining a Building Permit from the inspector and for the purpose the applicant shall provide the inspector with plans of the proposed construction containing sufficient information to show compliance with the Zoning Ordinance and adopted building codes. The inspector shall recognize the limitations placed on their authority by State laws, and shall issue the permit when it appears that the proposed erection, construction, reconstruction, alteration or use fully conforms to the Zoning Ordinance and adopted building codes. In any other case, the inspector shall withhold issuance of the permit. A permit shall be good for six (6) months from the date of issuance. A renewal permit or continuance shall be granted for an additional six (6) months for cause. Except, that a permit is not required for repairs or improvements of a value not exceeding five hundred dollars (\$500), as established by the Building Official or Zoning Inspector.
  - 2. Those industries which process, handle or store hazardous materials requiring permits from the Arizona Department of Environmental Quality in accordance with the Arizona Hazardous Waste Management Act and those industries which must comply with Air Quality Regulations as set by the Arizona Department of Environmental Quality must obtain an installation permit prior to Mohave County issuing a Building/Zoning Permit. Once construction of the permitted structure or facility has been completed, an operational permit must be obtained prior to the issuance of a permanent Certificate of Occupancy for that industry. Those industries which must comply with groundwater quality regulations set by the Arizona Department of Environmental Quality must obtain the required groundwater permit(s) prior to the issuance of the Certificate of Occupancy for that industry.
- C. Penalty Permit. Property owners shall be notified that they have not obtained proper permits or that they are in violation of a specific section of the Zoning Ordinance. The owner will be given thirty (30) days to contact the Development Services Department to take or to initiate action to correct the violation. If corrective action has not been taken within the allotted time, a \$250.00 penalty fee shall be required in addition to the regular permit fee.
- D. Enforcement.
  - 1. It shall be unlawful, and considered a public nuisance per se, to make use of any lot, parcel, or piece of property in such a way as to conflict with the

## **Section 40 ZONING INSPECTION AND ENFORCEMENT (continued)**

provisions of this Ordinance. Likewise, it shall be a violation of this Zoning Ordinance to erect, construct, reconstruct, alter or use any building or other structure that does not conform to the criteria set forth in the Ordinance.

2. The Board of Supervisors, County Attorney, County Sheriff, County Clerk, County Administrator, Director of Development Services, and all Development Services employees charged with the issuance of licenses or permits shall enforce the provisions of this Ordinance. Any permit, certificate, or license issued in conflict with the provisions of this Ordinance shall be void. To provide for the enforcement of this Ordinance, the County shall withhold all Building Permits and zoning permits for properties on which a use of the property, building or any other structure exists which does not meet the standards of this Ordinance.

### **E. Violation Inspection Procedure.**

1. The County Zoning Inspector, or their designee, shall review all alleged violations of this Ordinance. Upon receiving a report of a violation, the inspector shall inspect the site of the alleged violation. During the inspection the inspector shall take careful and comprehensive notes as to the condition and existing uses of the subject property, location, name of the property owner and/or the alleged violator, the address of the property where the alleged violation occurred, and specific Section(s) of the County Zoning Ordinance corresponding to the alleged violation.
2. Should the inspector determine that a violation is occurring on the subject property, they shall personally serve, or cause to be served, notice to the property owner and the alleged violator of the violation. The notice of the violation shall set forth the specific nature of the violation, the section of the County Ordinance being violated, a specific statement of the facts constituting the alleged violation, notice of possible penalties for the violation, procedures necessary to bring the subject property into compliance with the planning and zoning regulations, and a specific date by which all necessary actions shall be taken to correct the alleged violation(s) set forth in the notice.
3. Re-inspection shall occur within thirty (30) days after the date set forth in the notice of violation for correction of the alleged violations. If the alleged violation has not been corrected at the time of the re-inspection and the inspector finds evidence that a reasonable attempt is being made to correct the alleged violation(s) the inspector may, in writing, grant an extension of time, not to exceed thirty (30) calendar days, for completion of the correction(s) of the alleged violation(s) as set forth in the notice.
4. If the alleged violator fails to correct the alleged violation(s) within the time set forth in the notice, or the extension of time granted by the inspector, then the inspector shall file the notice of alleged violation(s) with the hearing office or the Justice Court as appropriate.
  - a. Should the case be pursued as a civil case, the hearing officer shall set

## **Section 40 ZONING INSPECTION AND ENFORCEMENT (continued)**

a hearing date and time, neither less than 30 days nor more than 60 days after such filing, for the hearing and presentation of all evidence and testimony pertaining to the alleged violations(s).

### **F. Methods of Enforcement**

1. Each day of continuance of the violation constitutes a separate violation.
2. Any case pursued under subsection F.3 of this section cannot be subject to criminal charge arising out of the same facts.
3. Civil Penalties
  - a. At the request of the Development Services Director, the Board of Supervisors may appoint hearing officers in each of the supervisorial districts to hear and determine zoning violations in civil proceedings. Except as provided in this Section, cases within a district will be assigned to the hearing officer appointed for that district. Should a hearing officer in a district be unable to hear a case, the Director may assign the case to another hearing officer.
  - b. Civil penalties for zoning violations shall not exceed the maximum penalties for a Class 2 misdemeanor.
  - c. For cases pursued as civil cases, the hearing officer shall hold a hearing after notice of the hearing is served on alleged violator.
  - d. The Zoning Inspector shall attempt to personally serve the notice at least five (5) days before the hearing. If the Zoning Inspector is unable to personally serve the notice, the notice may be served in the same manner prescribed for alternative methods of service by the Arizona Rules of Civil Procedure at least thirty (30) days before the hearing.
  - e. At the hearing, the Zoning Inspector shall present evidence showing the existence of a zoning violation and the alleged violator or the alleged violator's attorney or other designated representative shall be given a reasonable opportunity to present evidence. The county attorney may present evidence on behalf of the Zoning Inspector.
  - f. At the conclusion of the hearing, the hearing officer shall determine whether a zoning violation exists and, if a violation is found to exist, may impose civil penalties pursuant to subsection F.3.b. of this Section.
  - g. Either the Zoning Inspector or the alleged violator, or their representatives, may request a review of the hearing officer's decision. Such reviews shall be heard by the appropriate Board of Adjustment.
4. Criminal Penalties

## **Section 40 ZONING INSPECTION AND ENFORCEMENT (continued)**

- a. Notwithstanding any other provision of this Ordinance, the County Attorney, Director of Development Services, or his designee, may in his discretion, pursue any violation of the Mohave County Zoning Ordinance as a Class 2 misdemeanor in the criminal justice system, as authorized in A.R.S. §11-815.

### **G. Civil Penalty Procedure.**

1. Commencement. Every action or proceeding brought before the hearing officer for an alleged violation of the Mohave County Zoning Ordinance shall be commenced by the filing of a written report from the Zoning Inspector, a copy of the notice of the alleged violation(s), a copy of any written extension of time for the required correction(s), and all such other documents as pertain to the matter in question.
2. Hearing.
  - a. The alleged violator and the inspector must appear before the hearing officer on the date, time, and at the place designated for such hearing for adjudication of the alleged violation.
  - b. The alleged violator may admit responsibility for the alleged violation, in writing, on a form to be provided by the hearing officer, in lieu of a personal appearance before the hearing officer, prior to the date set for the hearing of the alleged violation. The execution of such form, by the alleged violator, shall constitute a complete admission of all facts set forth in the citation. The hearing officer shall assess the violator such penalty as the hearing officer deems appropriate, not to exceed the equivalent of a maximum fine of a Class 2 misdemeanor for each violation pursuant to A.R.S. §11-815.
3. Counsel. If any party desires to be represented by counsel at hearing, that party shall be required to notify the hearing officer and the opposing party not less than ten (10) days prior to the date set for the hearing. Notwithstanding the ten-day requirement, upon notice that any party intends to be represented by counsel at hearing, any other party shall have not less than three (3) days to notify the hearing officer and opposing party of an intention to be represented by counsel at hearing.
4. Rules for Hearing Procedure.
  - a. The Arizona Rules of Evidence shall not apply. All relevant evidence may be admitted, subject to the discretion of the hearing officer.
  - b. Transcripts or recordings of all hearings, by video or audio recording shall be made and kept on file at the hearing office for a period of three (3) years. A copy of the recording or transcript of any hearing held by the hearing officer shall be available to the public for a reasonable fee. The cost of preparation of a written transcript shall be borne by

## Section 40 ZONING INSPECTION AND ENFORCEMENT (continued)

the person or agency requesting it.

- c. If the alleged violator does not appear at the date and time specified in the notice of hearing, the hearing officer may continue the case in the interest of justice, or may find the alleged violator in default, thereby admitting all relevant facts set forth in the notice of violation, find for the County and impose a civil sanction not to exceed the equivalent of a maximum fine of a Class 2 misdemeanor for each violation pursuant to [A.R.S. §11-815](#).
- d. If the inspector does not appear at the date and time specified in the notice of hearing, the hearing officer may continue the case in the interest of justice, or may find the County in default, thereby admitting that no violation exists, and impose a sanction against the County in an amount sufficient to reimburse the alleged violator for expenses incurred in the preparation for and appearance at the hearing.
- e. The hearing officer shall call the case and briefly describe the procedures to be followed. The hearing officer may question any or all witnesses or parties to the action.
- f. The parties shall stipulate all facts not in dispute.
- g. County inspector's statement.
- h. Respondent's statement.
- i. Testimony of the inspector's witnesses.
- j. Respondent's cross-examination of inspector's witnesses.
- k. Testimony of the respondent's witnesses.
- l. Inspector's cross-examination of respondent's witnesses.
- m. Testimony, at the hearing officer's discretion, of other witnesses relevant to the matter(s) at issue.
- n. Respondent's closing statement.
- o. Inspector's closing statement.
- p. At the discretion of the hearing officer, cross-examination shall be limited to matters relevant to witnesses' testimony.
- q. The hearing officer may render his/her decision immediately after the presentation of all evidence and testimony by the parties thereto, or not more than seven (7) days thereafter by certified mail addressed to the last known address of the parties thereto. A decision of the hearing officer shall include all findings of fact and conclusions of law.

## **Section 40 ZONING INSPECTION AND ENFORCEMENT (continued)**

5. Judgment.
  - a. Any determination by the hearing officer may include: judgment for the County and a penalty not to exceed the equivalent of a maximum fine of a Class 2 misdemeanor for each violation pursuant to [A.R.S. §11-815.](#)
  - b. At the discretion of the hearing officer, they may continue any hearing for a period of not more than 60 days if it appears the interests of justice shall be served.
  - c. The alleged violator, if found responsible for the zoning violation and penalized with a civil sanction, shall not be relieved of the responsibility of correcting the prohibited condition. Unless appealed to the Board of Adjustment within ten (10) working days from the date of the hearing, the violator shall correct the zoning violation(s) within 30 calendar days from the date of the hearing officer's decision.
  - d. If the violator shall be found in violation of any of the zoning regulations ordered to be corrected within 30 calendar days, the hearing officer, upon affidavit by the inspector that the corrections ordered have not been completed, shall order a civil sanction of a fine of not more than the maximum fine for a Class 2 misdemeanor for each day the violation shall continue thereafter.
6. Review of Hearing Officer.
  - a. Any party to the hearing may appeal the decision of the hearing officer.
  - b. All such appeals shall be to the Mohave County Board of Adjustment.
  - c. Notice of review shall be given to the hearing officer not more than ten (10) working days after the hearing officer has rendered their judgment. The notice shall set forth all relevant facts, conclusions of law, the judgment being reviewed and the reasons therefore.
  - d. All reviews shall be on a form provided by the hearing officer accompanied by a refundable \$100 cash bond. All alleged violators who shall substantially prevail on review to the Board of Adjustment shall receive a refund of the bond.
  - e. Upon receipt of the notice of review the hearing officer shall, within 30 calendar days, prepare and transmit the complete record to the Board of Adjustment and schedule the review.
  - f. The Director shall notify all parties of the date, time and place of the review hearing, by certified mail to the last known address of the parties, at least ten (10) days prior to the date of the hearing.

## **Section 40 ZONING INSPECTION AND ENFORCEMENT (continued)**

- g. All reviews to the Board of Adjustment shall be upon the record. The Chairperson of the Board shall preside at all appeal hearings and shall decide on all questions pertaining to procedure. Each party shall be allowed five (5) minutes to present oral arguments. All members of the Board shall be allowed to question all parties appearing before them. Decisions to uphold or deny the hearing officer's judgment shall be decided upon motion and majority vote of the members of the Board.
- h. The Board of Adjustment may uphold the hearing officer's decision, reverse the hearing officer's decision, modify the hearing officer's civil sanction to a lesser amount, or remand for further proceedings.
- i. Any appeal arising from a decision of the Board of Adjustment shall be subject to judicial review pursuant to A.R.S. Title 12, Chapter 7, Article 6.



## **Section 41 BOARD OF ADJUSTMENT**

A. Boards of Adjustment Established. There is hereby created, as provided by [A.R.S. §11- 816](#), a Board of Adjustment for Mohave County. The Board of Adjustment shall be composed of five (5) members, one (1) member who is a resident from each of the supervisorial districts. The members of each such Board shall be appointed for staggered terms of four (4) years each, except the first members shall be appointed for terms of two (2), three (3), and four (4) years

The Board of Adjustment shall meet as needed, for the transaction of business. It shall elect its own officer, and establish its own rules. Any finding, ruling, or decision of said Board relating to the administration of the Zoning Ordinance and Regulations shall be an order of business as either a regular or special meeting of said Board, and shall be fully reported in the minutes of the Board.

B. Powers and Duties. The jurisdiction of The Board of Adjustment shall be limited to unincorporated areas of the County. The authority of said Board, in each instance, shall extend to the interpretation of the Zoning Ordinance and Regulations, to the granting of variances and to the adjustment of the application of these Regulations to overcome practical difficulties and prevent unnecessary hardship in the application of regulations so contained herein.

The Board of Adjustment shall have power to:

1. Interpret the Zoning Ordinance and Regulations when the meaning of any word or phrase or Section is in doubt, when there is dispute as to such meaning between the appellant and the enforcing officer, or when the location of a zone boundary is in doubt.
2. Allow a variance from the terms of the Ordinance and Regulations when, owing to peculiar conditions, a strict interpretation would work an unnecessary hardship, if in granting such variance the general intent and purpose of the Zoning Ordinance will be preserved.
3. If authorized by the board of supervisors, review decisions by a hearing officer who hears and determines zoning violations pursuant to [A.R.S. §11-815](#) and render a final decision. Judicial review of the final decision by the board of adjustment shall be pursuant to Title 12, Chapter 7, Article 6

C. Variance - Definition.

1. As used in these Regulations, a variance may be authorized for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by a variance, nor shall a variance be granted because of the presence of nonconforming uses in the zoning district or adjoining zoning districts.
2. A variance may also be authorized for no more than a ten percent (10%) decrease in parking spaces required by Section 36 and no more than a ten (10%) percent increase in the size of signage allowed by Section 42.I and

## **Section 41 BOARD OF ADJUSTMENT (continued)**

### **Section 42.J.4.a.**

#### **D. Application for Variance.**

1. **Who submits:** An application for a variance may be submitted by the property owner or an agent authorized in writing to act on the owner's behalf, in the supervisorial district in which said variance is desired, to the Development Services Director (hereafter "Director").
2. **Application:** Application for any permissible variance of regulations, as provided herein, shall be made by the owner or his representative to the Board of Adjustment in the supervisorial district in which said variance is desired, in the form of a written application, which is to be sent to the Director, and shall be accompanied by:
  - a. An accurate plot plans and descriptions of the property involved and the proposed use with preliminary outline plans of all existing and proposed buildings.
  - b. A narrative identifying justification for the requested variance to be granted, based on the criteria for approval, as specified in section 41.F.
  - c. Evidence of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans after issuance of permit.
  - d. A list showing the names and addresses of all persons, firms, or corporations appearing on public record as owning property within the area proposed to be affected and within 300 feet of any part of the property for which a variance is requested. The list must include the names of all persons purchasing land under recorded contracts of sale, and must be certified as to completeness by the applicant or some person otherwise qualified by knowledge of the public records. The Director shall determine the completeness of the list before accepting it for filing.
  - d. Appropriate fee as adopted by the Board of Supervisors.

#### **E. Procedures for Variance.**

1. The Director shall submit his/her report containing the County staff's findings and recommendations on each application for a major variance to the Board of Adjustment.
2. The Board of Adjustment shall hold a public hearing not later than forty-five (45) days after a complete application is received. Published and personal notice of the public hearing shall be given in the manner provided in Section 46.C.

## Section 41 BOARD OF ADJUSTMENT (continued)

### F. Approval Standards for Variances.

1. The Board of Adjustment shall not approve a variance unless it finds:
  - a. That there are special circumstances or conditions, applicable to the property referred to in the application, that do not prevail on other property in that zone;
  - b. That the strict application of the regulations would result in an unnecessary hardship and that the granting of the application is necessary for the preservation and enjoyment of substantial existing property rights;
  - c. That the granting of such application will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
  - d. That substantial conformity to standards previously established in the zone may be secured and that detriment of injury to the neighborhood will not result from the granting of a variance as applied for.

### G. Decision on Variance. The Board of Adjustment shall approve, approve with conditions or deny the application for variance.

1. Action on applications. The Board may approve, conditionally approve, or deny the issuance of said variance and transmit notice of its action to the Director.
2. Conditional approval. In approving any variance, the Board of Adjustment may attach such conditions as will, in its opinion, substantially secure the objectives of the regulation or provisions to which such variance is granted, and to provide adequately for the maintenance of the integrity and character of the zone in which such permit is granted.
3. Guarantees. Where necessary, the Board of Adjustment may require guarantees, in the form of a Performance Bond, Trust Agreement, or Unconditional Guarantee, from a local bank or Federally Insured Savings and Loan Association, to insure that the conditions designated in connection therewith are being, or will be, complied with.
4. Disapproved applications. In the event the Board of Adjustment disapproved an application for a variance, no permit shall be issued pending further action thereon by an appeal to the Superior Court within thirty (30) days from the date said disapproval is officially entered on the minutes of the Board, if said Court shall overrule the action of the Board, then the department shall issue the requested permit without further action by the Board, unless the Court orders the Board to hold a further hearing to permit the Board to fix conditions or require guarantees.

## Section 41 BOARD OF ADJUSTMENT (continued)

5. Violation of conditions. If the Director, after inspection by County staff, determines that there are reasonable grounds to find that any condition under which a variance has been granted is violated, he/she shall set a hearing before the Board of Adjustment for a final decision. If the Board determines that any condition under which a variance has been granted is violated, the variance shall cease to exist, and any permit issued pursuant to the variance shall become null and void.

### H. Limitations on Variance.

1. No variance shall be granted that allows a land use prohibited in the zoning district in which it is located or that changes any boundary of the district, nor shall any variance be granted that changes the density of residential use by more than five (5) per cent. Any variance so granted is null and void, and any activities undertaken pursuant to such variance shall be deemed in violation of this title.
2. The Board of Adjustment, in approving a variance, shall impose the following conditions:
  - a. Commencement of construction within six (6) months and completion within one (1) year of the granting of the variance; and
  - b. Conformance to plans approved as a part of the variance.

- I. Appeals. Any person aggrieved in any manner by an action of The Board of Adjustment may, within thirty (30) days, appeal to the Superior Court, and the matter shall be heard de novo as appeals from Justice Court.
- J. Limits on Code Enforcement. If the application for a variance is to clear or relieve a zoning violation which has pending enforcement action, that action shall be suspended upon the submission of the application and the determination that the application is complete, unless the violation is considered by the Director prior to Board action or the Board of Adjustment following action to be a nuisance or a hazard to the surrounding area.

## **Section 42 SIGN ORDINANCE**

A. Purpose. The purpose of this section is to provide fair, comprehensive, and enforceable regulations that will ensure the public health, safety and welfare; provide a good visual environment for Mohave County while providing for the advertisement of goods and services without encumbering free speech. Signs are regulated to:

1. Protect property values in the County;
2. Preserve the beauty and unique character of the County's scenic routes;
3. Provide an improved visual environment for the residents of, and visitors to, Mohave County;
4. Protect the safety of motoring and pedestrian traffic from hazards, distractions or obstructions caused by improperly located or unpermitted signs;
5. Promote travel and the free flow of traffic within the county;
6. Prevent undue visual competition;
7. Facilitate signs advertising businesses, goods and services, and signs containing other statements protected by the First Amendment to the Constitution of the United States.
8. Regulate the time, place and manner in which the sign can be displayed.

B. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Alter or Alteration: The changing in structural components or decrease or increase in size, height and location or a change in electrical loads.

Animated Sign: A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical or electronic means. Animated signs, which are differentiated from changeable signs as defined herein, include the following types:

- 1) Environmentally Activated: Animated signs or devices motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or devices or displays that respond to naturally occurring external motivation.
- 2) Mechanically Activated: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
- 3) Electronically Activated. Animated signs producing the illusion of movement by means of electronic, electrical or electromechanical input and/or illumination capable of simulating movement through the employment of the characteristics of one or both

## Section 42 SIGN ORDINANCE (continued)

of the classifications noted below:

- a) **Flashing:** Animated signs or animated portion of signs whose illumination is characterized by a repetitive cycle in which the illumination period is either the same as, or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds four (4) seconds.
- b) **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

**Balloon:** An inflatable device greater than thirty-six (36) inches in diameter at its largest dimension.

**Banner Sign:** A temporary sign composed of lightweight material, either enclosed or not enclosed in a rigid frame, secured and/or mounted so as to allow movement of the sign caused by movement of the atmosphere.

**Billboard:** A large sign with a total area not to exceed six hundred seventy-two (672) square feet fronting State Highways (93, 68, 66, 95, Interstate 15 and Interstate 40) and is only allowed with a Special Use Permit and proper zoning.

**Building Sign:** Any sign attached to a building.

**Canopy or Marquee:** A permanent roof-like shelter, extending from part or all of a building face and constructed of some durable material such as metal, wood, glass, plastic, or canvas.

**Canopy or Marquee Sign:** Any sign attached to or constructed in or on a canopy or marquee.

**Changeable Copy Sign (Manual):** A sign on which copy is changed manually in the field, i.e., reader boards with changeable letters or changeable pictorial panels.

**Changeable Copy Sign (Automatic):** A sign such as an electronically or electrically controlled message center or reader board, where different copy changes are shown on the same lamp blank.

**Copy (Permanent and Temporary):** The wording on a sign surface either in permanent or removable letter form.

**Erected:** This term shall mean attached, altered, built, constructed, reconstructed, enlarged, or moved, and shall include the painting of wall signs, but does not include copy changes on any sign.

**Exempt Signs:** Signs exempted from normal permit requirements. **Face of Sign:** The entire area of sign on which copy could be placed. **Fascia Sign:** see "Wall Sign."

## Section 42 SIGN ORDINANCE (continued)

Exempt Signs: Signs exempted from normal permit requirements.

Face of Sign: The entire area of the sign on which copy could be placed.

Fascia Sign: see "Wall Sign."

Flag: A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope.

Flag (feather): An elongated piece of cloth or similar material, typically in a feather shape, attachable by one edge to a pole.

Flashing Sign: Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source

Freestanding Signs: A sign principally supported by one or more columns, poles, or braces placed in or upon the ground. May also be referenced as a "Ground" or "Monument Sign".

Frontage: The length of the property line of any premises parallel to and along each public right-of-way it borders.

Height of Sign: The vertical distance measured from the adjacent street grade or upper surface of the nearest street curb, other than an elevated roadway, which permits the greatest height to the highest point of said sign.

Illegal Sign: Any sign not in accordance with or authorized by these Regulations.

Indirectly Illuminated Sign: Any sign that reflects light from a source intentionally directed upon it, i.e., by means of floodlights or fluorescent light fixtures.

Interior Property Line: Property lines other than those fronting on street, road, or highway.

Lot: A legally defined and delineated parcel of land exclusive of easements for road purposes having direct access to a dedicated public road, or way.

Maintenance (Maintain): The replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear, or damage beyond the control of the owner. The word maintenance shall not include, however, any act that requires that a permit be obtained.

Message: The wording or copy on a sign.

Monument Sign: Freestanding signs with a maximum height of six (6) feet. The base of the sign is either placed entirely upon the ground or no more than twelve (12) inches above the ground.

Mural: Any picture, scene, or diagram painted on any exterior walls or fence.

Nonconforming Sign (Legal): Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of these Regulations and

## Section 42 SIGN ORDINANCE (continued)

any amendments thereto, and which fails to conform to all applicable regulations and restrictions of these Regulations, or a nonconforming sign for which a special permit has been issued.

Owner: Any individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity having a vested or contingent interest in the property in question.

Parapet or Parapet Wall: That portion of a building wall that rises above the roof level.

Person: Any individual, corporation, association, firm, partnership, and the like, singular or plural.  
Pole Sign: see "Freestanding Sign."

Portable Sign: Any sign not permanently attached to the ground or a building.

Premises: An area of land with its appurtenances and building which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Projecting Signs: A sign, other than a wall sign, which is attached to and projects from a structure or building face. The area of double-faced projecting signs is calculated on one (1) face of the sign only, provided the same message appears on both sides.

Public Right-of-Way Width: The perpendicular distance across a public street, measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the County Engineer.

Repair: see "Maintenance."

Roof Sign: Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building. All support members shall be free of any external bracing, guy wires, cables, etc. Roof signs shall not include signs defined as wall signs.

Rotating Signs: Any sign or portion of a sign that moves in a revolving or similar manner.

Sign: Any identification, description, illustration, or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public. For the purpose of removal, signs shall also include all sign structures.

Sign Area: The area of the largest single face of the sign within a perimeter which forms the outside shape, including any frame that forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled.

Sign Structure: Any structure that supports, has supported, or is capable of supporting a sign, including decorative cover.

Temporary Sign: Any sign, banner, pennant, valance, or display intended to be viewed on a non-permanent basis.

Under Canopy or Marquee Sign: A sign suspended below the ceiling or roof of a canopy or

## Section 42 SIGN ORDINANCE (continued)

marquee.

Unlawful Sign: A sign which contravenes these Regulations or which the Director may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment, or a nonconforming sign for which a permit required under a previous ordinance/regulation was not obtained.

Wall Sign (or Fascia Sign): A sign attached to or erected against the wall of a building with the face in a parallel plane to the plane of the building wall, and extending no further than six (6) inches from the wall.

Window Sign: A sign installed inside a window to view from outside the premises. This term does not include merchandise located in a window.

### C. Permits.

1. Requirements. Except as otherwise provided in these Regulations, it shall be unlawful for any person to erect, construct, enlarge, move, structurally alter or convert any sign in the County, or cause the same to be done, without first obtaining a sign permit for each such sign from the County Development Services Department as required by these Regulations.
2. Routine Maintenance Exempt. A permit shall not be required for the change in copy or wording including the business and/or product advertised, the reprinting, cleaning and other normal requirements of maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way.
3. Expiration of Permits. Every sign permit issued by the Mohave County Development Services Department shall become null and void if construction is not commenced within one hundred eighty (180) days from the date approved, and if construction is not completed within two hundred forty (240) days.
4. Fees. At the time of application for a sign permit, the applicant shall pay the permit fee based on the then applicable fee schedule. In addition, when any sign is hereafter erected, placed, installed or otherwise established on any property prior to obtaining permits as required by these Regulations, the fees specified hereunder shall be doubled but the payment of such double fee shall not relieve any person from complying with other provisions of these Regulations or from penalties prescribed herein.

Fee Schedule. The fees for signs shall be according to an appropriate fee or as adopted by the Board of Supervisors.

### 5. Application Forms.

- a. Applications shall be submitted on forms obtained from Mohave County Development Services Department, must include the following information:

## Section 42 SIGN ORDINANCE (continued)

- 1) Assessor's Parcel Number or complete legal description of the lot or parcel of land on which the sign will be erected;
- 2) the size, the location; i.e., if it is to be placed on a building or to be freestanding;
- 3) identification of the type of sign structure;
- 4) a plot plan, drawn to scale, showing the location of the sign on the lot and, if appropriate, building; and
- 5) all other information defined on the application form.

- b. The submittal of an application does not authorize commencement of the erection of any proposed sign; erection shall not commence until proper review and approval have been made.

6. Issuance or Denial of Permit. Development Services shall issue a permit for the erection, structural alteration, or relocation of a sign within the County when an application has been properly made and the sign complies with all appropriate laws and regulations of the County and State. When a sign permit is denied, the applicant shall be given written notice of the denial, together with a brief written statement of the reason(s) for the denial. No permit for a sign issued hereunder shall be deemed to constitute a defense in an action to abate an unlawful sign.

### D. Exempt, Prohibited, and Nonconforming Signs.

1. Exempt Signs. The following signs shall be exempt from the provisions of these Regulations but are not exempt from building code requirements:
  - a. Signs required by federal or state law and signs required by the County.
  - b. Flags.
  - c. Street numbers and name plates.
- d. Interior signs. Signs located within the interior of any building or theater that are not visible from the public right-of-way or other outdoor areas.
- e. Notice bulletin boards. Notice bulletin boards not over twenty-four (24) square feet in area for medical, public, charitable, or religious institutions where the same are located on the premises of said institution.
- f. Temporary Signs. Signs in any zone, including banners, pennants, A-frame signs, portable signs, feathered flags, and balloons, that are unlit, and do not exceed a total of twenty-four (24) square feet per parcel or lot. Temporary Signs shall not be placed in the public right-of-way or in required parking areas and shall not be placed in a manner that will obscure site distance for traffic. Commercial parcels or lots that contain more than one business shall be allowed one (1) six (6) square foot temporary sign per business, or a total of twenty-four (24) square feet, which-

## Section 42 SIGN ORDINANCE (continued)

ever is greater.

- g. Permanent window signs. may be painted on or otherwise displayed from the inside or outside surface of any window, showcase or other similar facilities. Said signs shall be in addition to those signs permitted under the other provisions of these Regulations.
- h. Arena signage that faces inward toward spectators and cannot be seen from any roadway, right-of-way or roadway easement.
- i. Neighborhood signs in any zone. A sign, masonry wall, landscaping and other similar materials or features, may be combined to form a display for neighborhood development or subdivision identification, not to exceed seventy-two (72) square feet. Only one neighborhood sign is allowed per entrance, and each sign must comply with all site distance regulations.
- j. Murals.

2. Prohibited Signs.

- a. Signs that imitate or resemble official traffic lights, signs or signals or signs that interfere with the effectiveness of any official traffic light, sign or signal.
- b. Signs containing strobe lights, except as otherwise provided in these regulations.
- c. Miscellaneous signs and posters. Except as otherwise provided in these Regulations, the tacking, pasting or otherwise affixing of miscellaneous signs, visible from a public way, located on the walls of buildings, barns, sheds, on trees, posts, fences, or other structure, is prohibited.
- d. Mechanically moving signs. Except as otherwise provided in these Regulations, an environmentally activated sign or other display with actual mechanical motion powered by natural, manual, mechanical, electrical or other means, including but not limited to pennant strings, streamers, spinners, propellers, and search lights.
- e. Vehicles and trailers used as signs. No unregistered or un-roadworthy vehicle or trailer shall be parked or located on public or private property so as to be visible from a public right-of-way for the basic purpose of signage. This section is intended to prohibit the location or parking of vehicles or trailers as signs or in lieu of conventional signs and is not intended to regulate vehicles or trailers which are regularly used for the transportation of persons or goods and which only incidentally bare a sign.
- f. Public areas. Except as otherwise provided in these Regulations, no sign shall be permitted which is placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare.
- g. Mirrors. No mirror device shall be used as part of a sign.

## Section 42 SIGN ORDINANCE (continued)

- h. Unclassified signs. The following signs are also prohibited, which:
  - 1) bear or contain statements, words or pictures of an obscene, pornographic, immoral character;
  - 2) operate or employ any stereopticon or motion picture projection or media in conjunction with any signage, or have visible moving parts or give the illusion of motion except as permitted in these Regulations;
  - 3) emit audible sound, odor, or visible matter.
3. Legal Nonconforming Signs.
  - a. Any legally sited sign located within the County on the date of adoption of these Regulations, is as a "legal nonconforming" sign, and is allowed, provided it also meets the following requirements:
    - 1) the sign was covered by a Zoning (Building) Permit on the date of adoption of these Regulations, if one was required under applicable law; or
    - 2) if no Zoning (Building) Permit was required, under applicable law for the sign in question, the sign was in all respects in compliance with applicable law on the date of adoption of these Regulations.
  - b. Loss of legal nonconforming status. A legal nonconforming sign shall immediately lose its legal nonconforming designation if:
    - 1) the sign is altered in any way in structure;
    - 2) except as provided by these Regulations, the sign is relocated;Any sign that loses its legal nonconforming designation shall be immediately brought into compliance with these Regulations and a new permit secured, or shall be removed.
  - c. Nonconforming signs and billboards that must be relocated due to a governmental action such as, but not limited to, roadway or highway widening, can be relocated without losing the nonconforming status provided that each sign complied with the regulations when originally constructed. To relocate a nonconforming billboard to another parcel, a Special Use Permit must be obtained and the replacement sign must comply with the regulations in effect when the original sign was constructed.
  - d. Legal nonconforming sign maintenance and repair. Legal nonconforming signs must adhere to the provisions of these Regulations regarding safety, maintenance, and repair of signs. Maintenance and / or repair must not make the sign more nonconforming, or the sign may lose its legal nonconforming status.

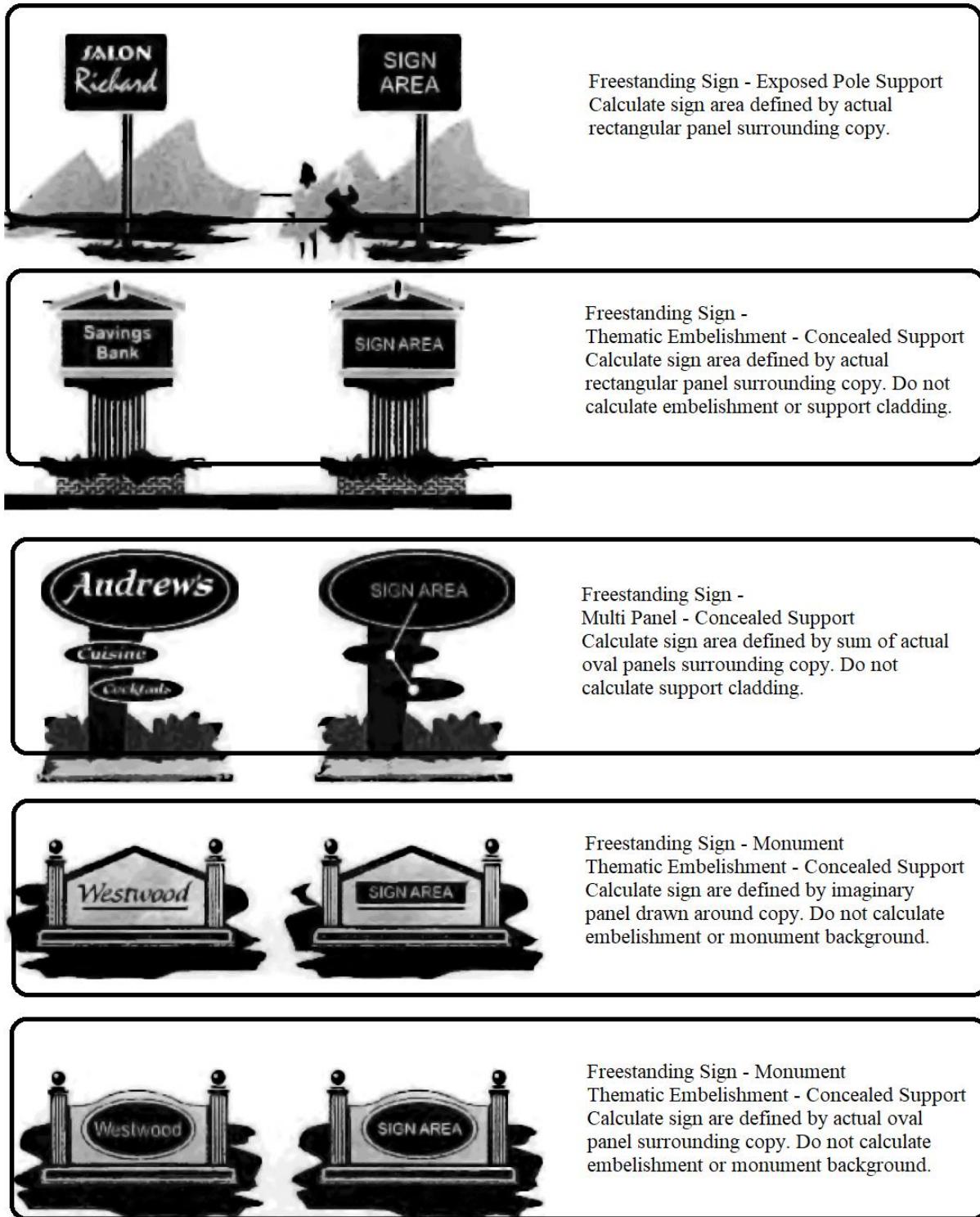
E. Enforcement. This section shall be enforced according to Section 40 of these Regulations.

## Section 42 SIGN ORDINANCE (continued)

### F. Sign Area Computational Methodology.

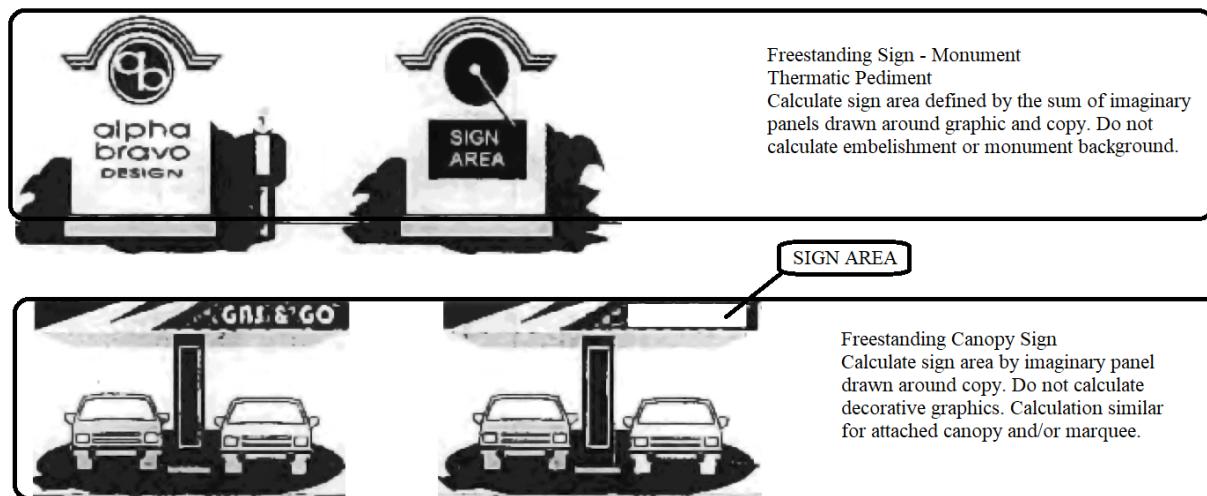
#### 1. Area of Ground Signs shall be calculated per Figure 1.

Figure 1



Source: United States Sign Code Council

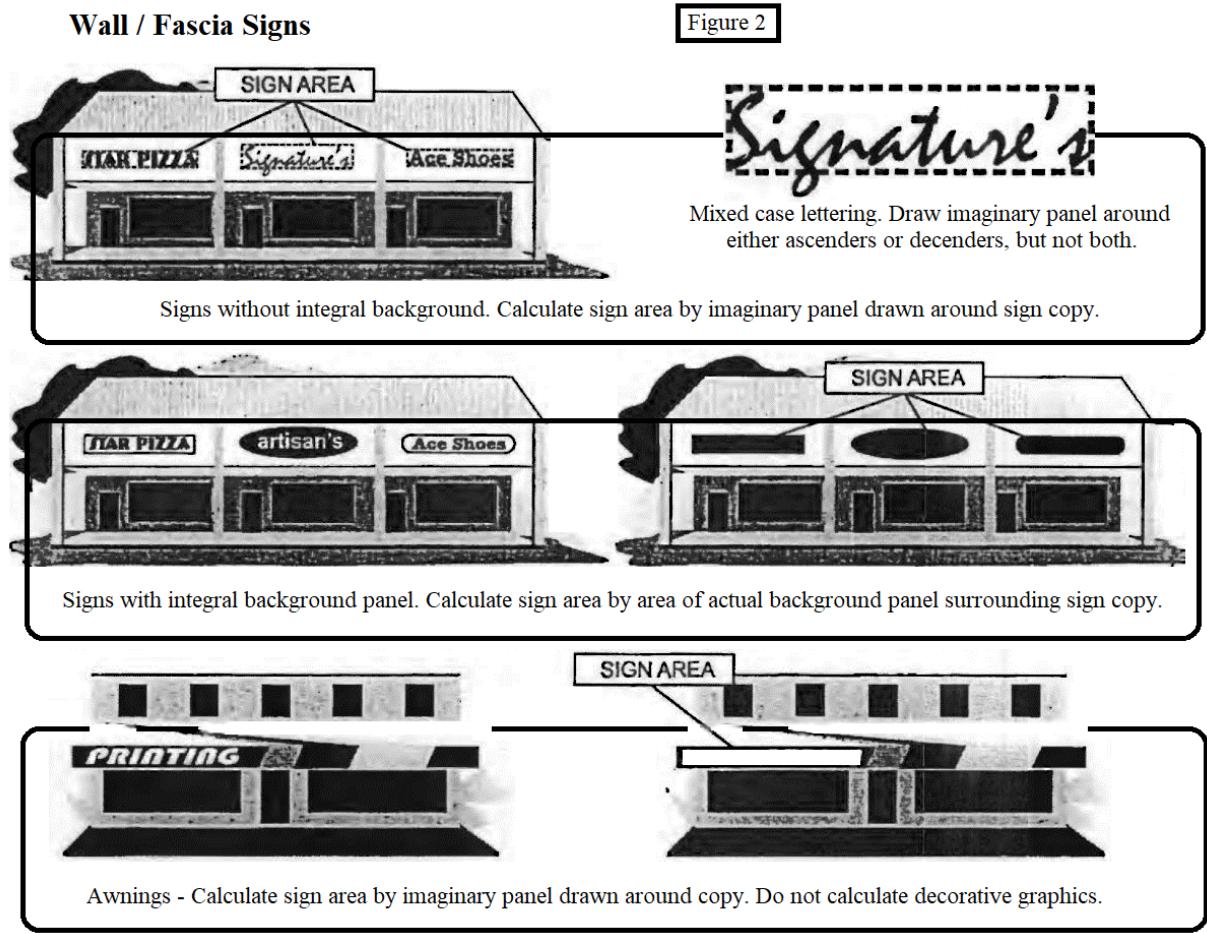
## Section 42 SIGN ORDINANCE (continued)



Source: United States Sign Code Council

2. Area of Wall, Roof and Fascia Signs shall be calculated per Figure 2.

Figure 2



Source: United States Sign Code Council

## Section 42 SIGN ORDINANCE (continued)

G. General Provisions. Regulations and limitations of permitted signs for all commercial and industrial zones.

### 1. Freestanding (Ground Signs).

- a. Except as provided below, one (1) ground sign that has a face for each direction of traffic and complies with the height and area limitations in Table 1, is permitted for each premises having frontage on a public right-of-way and has an established business on site.
- b. Where a parcel has in excess of three hundred (300) feet of frontage, one (1) additional freestanding sign that has a face for each direction of traffic, and complies with the height and area limitations in Table 1, may be erected for each additional three hundred (300) feet of street frontage in excess of the first three hundred (300) feet of street frontage abutting the developed portion of said parcel.
- c. The occupant may elect to combine the allowable area of two (2) or more ground signs, where permitted, into one (1) ground sign with a maximum allowable area not to exceed one (1) square foot for every one (1) linear foot of frontage along the same right-of-way, up to a maximum up to twice the maximum established in Table 1 of this section. If a sign has more than one (1) face, the total permitted area may not exceed twice the area permitted for one (1) face.
- d. Where a premises fronts on more than one (1) public right-of-way or street, excluding alleys and service ways, the provisions of Paragraph 1.a. of this section and Table 1 shall apply to each frontage.
- e. No freestanding sign may exceed in height the distance measured from any portion of the sign to the center of the adjoining public right-of-way, provided, however, that the maximum height of any portion of any freestanding sign or sign structure shall be in accordance with Table 1.

Table 1

PUBLIC RIGHT- OF-WAY WIDTH	TRAFFIC SPEED	AREA EACH FACE	MAXIMUM HEIGHT
60 ft. or less	15- 30	75 sq. ft.	25 ft.
	35-45	150 sq. ft.	30 ft.
	50-	200 sq. ft.	40 ft.
More than 60 ft.	15-30	150 sq. ft.	30 ft.
	35-45	200 sq. ft.	40 ft.
	50-	250 sq. ft.	45 ft.

## Section 42 SIGN ORDINANCE (continued)

- f. An increase to maximum allowable area and/or height may be allowed with a Special Use Permit along federally identified Interstates.
- g. Rotating freestanding signs are only permissible when a rotating sign replaces or substitutes for two (2) other freestanding signs
- h. Minimum clearance. Where a freestanding sign projects over a vehicular traffic area, such as a driveway or parking lot aisle, the minimum clearance between the bottom of the sign and the ground shall be sixteen (16) feet.
- i. Freestanding signs may be allowed to set back from the interior property lines a distance of one (1) foot. In no instance shall a sign be erected less than one (1) foot from any interior property line, nor shall any sign be erected in such a manner as to allow any portion of any sign to encroach upon or overhang above any adjacent property.
- j. Freestanding signs shall be located so as to provide a clear view of vehicular and pedestrian traffic. However, no sign may project into or over an abutting public right-of-way except as otherwise provided for in these Regulations.
- k. Animated and intensely lighted signs and moving signs may be permitted as one of the allowed signs in a commercial zone upon the approval of a Special Use Permit. However, these signs shall comply with the following:
  - 1) Animated and intensely lighted signs and moving signs are prohibited along interstate, primary and secondary highways, including but not limited to, State Highways 95, 93, 68, 66, 389, Interstate 40 and Interstate 15.
  - 2) All animated signs, intensely lighted signs and moving signs shall be located to comply with the front and side street yard setbacks required of a building on the same parcel or lot.
  - 3) Signs shall not interfere with traffic or distract drivers or pedestrians. Moving or flashing lights shall be white or clear.
  - 4) Signs shall be a minimum of one hundred (100) feet from residentially zoned property.
  - 5) Signs shall comply with Section 38, Outdoor Light Control.
  - 6) The Special Use Permit application shall include a plot plan showing the location of all signage on the lot or parcel; a rendering of the sign showing colors of the sign and lights, and areas of the sign that will blink, move or flash.

2. Building Signs.

- a. Building signs include wall or fascia signs, roofs signs, and signs otherwise permanently applied to walls or other building surfaces.

## Section 42 SIGN ORDINANCE (continued)

- b. The total area of all parallel wall signs applied to any given façade shall not exceed twenty-five (25) percent of the building elevation façade.
- c. In the case of a shopping center or group of stores or other business uses on a lot held in single ownership, the provisions of this section relating to the total area of signs permitted on premises shall apply with respect to each building, separate store, separate storefront, or separate use. Only wall signs shall be permitted for individual establishments in a shopping center or on a property with more than one use, entity or business (multi-use or multi-tenant properties; these properties may also have one (1) free standing sign per street frontage).
- d. Graphic treatment in the form of striping or patterns shall be permitted on the face of any building, freestanding canopy, marquee or architectural projection, and the area of the graphic treatment shall not be calculated as a component of the permitted copy area.
- e. Roof Signs.
  - 1) The height of any roof sign above the highest architectural point of the building to which it is mounted shall not exceed the percentage of the vertical dimension of the building façade parallel to the sign in accord with the following. Measurements shall be computed from the highest building point to the top of the sign.
    - a) Commercial Zones — Twenty-five (25) percent.
    - b) Industrial Zones — Forty (40) percent.
  - 2) The area calculation for any roof sign whose orientation on a roof may be other than parallel to an individual building façade shall be computed with reference to the building façade that most closely parallels the orientation of such sign.
3. Projection Signs.
  - a. Any one (1) tenant with frontage on a public right-of-way is permitted to have one (1) projecting sign along that public right-of-way. The projecting sign may exist instead of, but not in addition to, a freestanding sign or roof sign. Where a premises is allowed two (2) freestanding signs, the occupant may elect to substitute a projecting sign for one (1) of the freestanding signs. If a premises has at least three hundred (300) feet of frontage along any one (1) right-of-way, the occupant may have two (2) projecting signs.
  - b. Projection signs shall not project into the public right-of-way.
  - c. No projecting sign may rise more than six (6) feet above the top of a parapet.
  - d. Minimum clearance. Projecting signs shall have a minimum clearance of ten (10) feet between the bottom of the sign and the ground.

## Section 42 SIGN ORDINANCE (continued)

- e. Cantilever supports may rise twelve (12) inches above the parapet; however, where there is a space between the edge of the sign and the building face, such cantilever must be enclosed.
4. Canopy Signs (also Marquee Signs and Signs on Architectural Projections). Where canopy signs are allowed, such signs shall be subject to the following conditions:
  - a. Canopy Signs, Marquee Signs and Signs on Architectural Projections are signs that are mounted to either structures that project off the face of the building more than eighteen (18) inches or signs that are mounted to a freestanding structure not attached to a building that creates a canopy or covering over an area below.
  - b. Signs affixed or applied in an essentially flat plane to the face of a building, canopy, marquee or architectural projection shall not exceed forty percent (40%) of the area of the canopy, marquee or architectural projection face.
  - c. No portion of a canopy sign can be closer than two (2) feet to a vertical line from the back of curb.
  - d. A freestanding sign supported by a sign structure, which is embedded in the ground and independent of a canopy for structural support, may project above and over a canopy but may not project over, in whole or in part, the roof of the building.
5. Signs on awnings. Signs not exceeding an area of twenty-five (25) percent of the building façade may be painted, placed, or installed upon the hanging border only of any awning erected and maintained in accordance with these Regulations.
6. Sloping roof signs. A sign may be attached to the fascia of a structure, or located on the sloping roof of a structure, but may not be located so as to extend more than four (4) feet above the fascia of the said sloping roof, but the top of the sign must be a minimum of one (1) foot below the top of the roof line.

### H. Signs Permitted in Residential Zones.

1. The following signs are permitted in residential zones:
  - a. Multi-family residential uses may have one (1) indirectly lighted or unlighted sign of a maximum of thirty (30) square feet in area, placed on a wall of the building and one monument sign not to exceed seventy-two (72) square feet at the entrance.
  - b. Subdivision signs. Subdivisions and planned communities may have one monument sign not to exceed seventy-two (72) square feet at each entrance.
2. A manufactured home park and / or RV park shall be allowed one (1) freestanding sign not to exceed seventy-two (72) square feet.

### I. Billboards. The intent of this regulation is to permit billboards within established

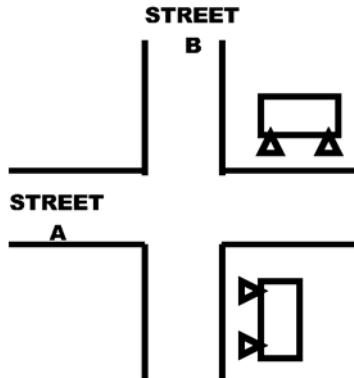
## Section 42 SIGN ORDINANCE (continued)

commercial and industrial areas. The purpose of this regulation is to establish basic standards and criteria pertaining to the manner, place, and maintenance of billboards in Mohave County. Billboards shall be permitted in accordance with the specific standards set forth in this section as well as to include the general provisions for freestanding signs.

1. Except as provided in these Regulations, it is the policy of the Board of Supervisors and Planning and Zoning Commission of Mohave County to permit billboards to be located in viable commercial areas and to discourage the rezoning of lots and parcels for the sole purpose of installing billboards.
2. Required Special Use Permit and state approval. Sign locations for billboards shall be allowed only with an approved Special Use Permit for billboards fronting State Highways (93, 68, 66, 95, Interstate 15 and Interstate 40), approval of sign locations by the Arizona Department of Transportation is required after the issuance of the Special Use Permit and prior to sign permit approval by the County.
3. Required zoning classifications. Billboards shall be permitted only on lots and parcels properly zoned C-2H (Highway Commercial), C-M (Commercial Manufacturing), C-MO (Commercial Manufacturing/Open Lot Storage), M-1 (Light Manufacturing) M-2 (General Manufacturing), and M-X (Heavy Manufacturing), unless the area has been designated as a sign free area as per Section 42.I.4.g.2 of these Regulations.
4. Standards and criteria for billboards. Billboards proposed for installation shall conform with the standards and criteria set forth in the following:
  - a. Sign area. In all cases, billboards shall have a maximum sign area of six hundred seventy-two (672) square feet per face.
  - b. Sign height. The maximum height for billboards is forty-five (45) feet above the grade of the highway. The maximum sign height includes any portion of the sign structure, sign face, and any decorative embellishments attached to the sign structure.
  - c. Setback and vertical clearance. The minimum setback of any portion of the sign area or structure for a billboard shall be twenty (20) feet from the edge of the public right-of-way. These signs shall have a minimum vertical clearance of eighteen (18) feet.
  - d. In the event that a lot or parcel fronts on more than one (1) public right-of-way, only one (1) billboard shall be allowed on either street frontage.
  - e. Spacing. A minimum of five hundred (500) feet between billboards facing the same traffic flow in the same street or freeway shall be required in all cases. At the intersection of two (2) streets, double-faced signs at right angles to and facing traffic at Street "A" may be situated closer than five hundred (500) feet to a similarly positioned sign across the street at right angle to and facing traffic on Street "B" (see Figure 3).

## Section 42 SIGN ORDINANCE (continued)

**FIGURE 3**

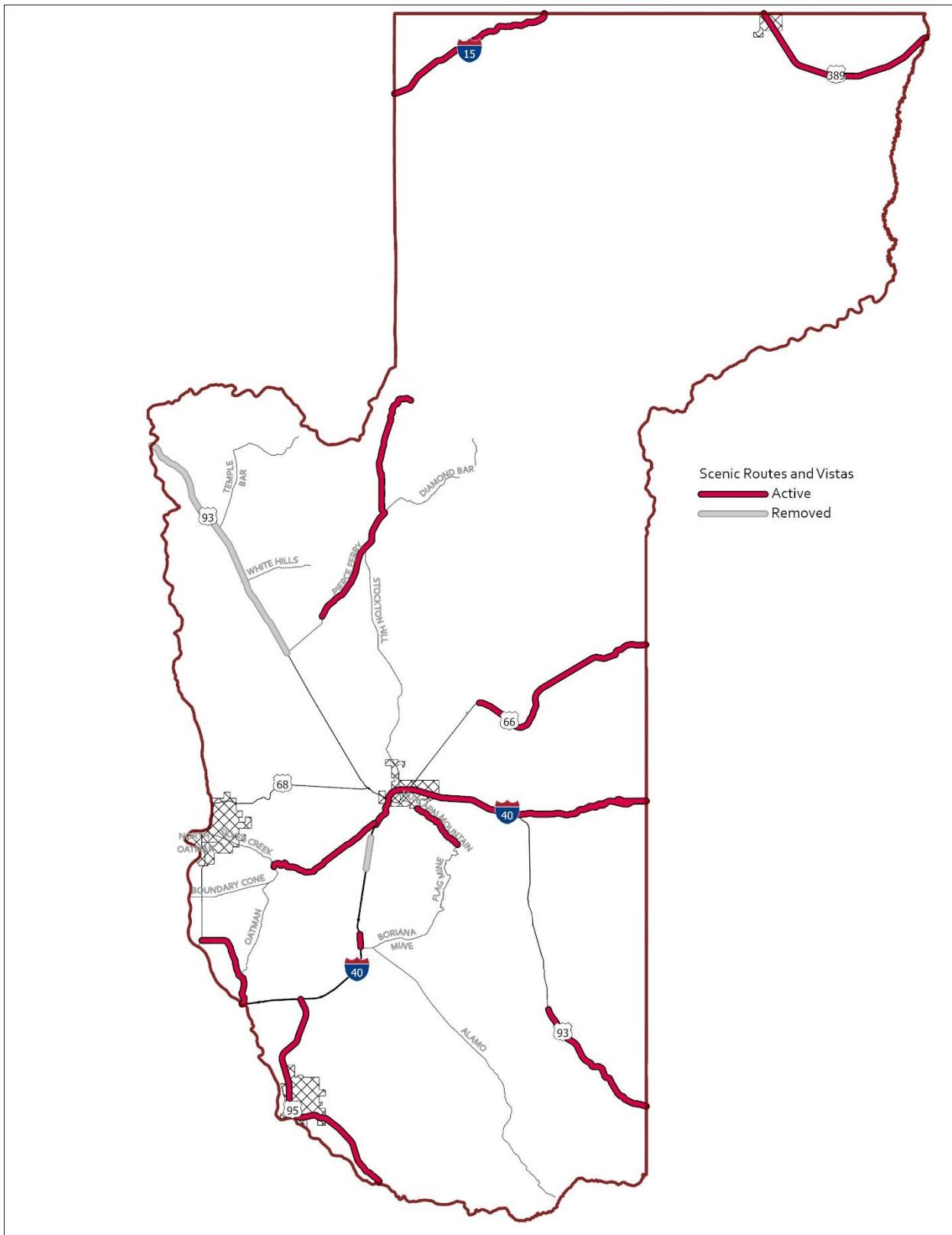


In the event that a billboard is located at the corner of a lot or parcel with two (2) street frontages, the sign is counted twice for the purpose of establishing the spacing for billboards in each street frontage. All billboards shall have a minimum spacing of fifty (50) feet from any other sign structure located along the same linear street frontage.

- f. Prohibited signs. All prohibited signs outlined in Section 42.D.2 of these Regulations will be applied accordingly. Billboards are also prohibited within public rights-of-way and in other zones, except as provided by these Regulations.
- g. Prohibited areas. Except as provided in these Regulations, all billboards shall be prohibited at any of the following locations:
  - 1) Less than one hundred (100) feet measured from the nearest residential zoning.
  - 2) Designated "Sign Free" areas (see Figure 4) where gradual and eventual elimination rather than expansion of nonconforming billboards and structures will be undertaken and no new signs will be installed as follows: designated areas on Highway 95 approaching Lake Havasu City, along Interstate 40 in the Yucca area (Sections 12 and 13, Township 17 North, Range 18 West), and in any area designated in the Mohave County General Plan as a Scenic Route or Vista, except Highway 93 north of Pierce Ferry Road, Interstate 40 between the Griffith Interchange and the northern section line of Section 19, Township 20 North, Range 17 West.

## Section 42 SIGN ORDINANCE (continued)

FIGURE 4



## Section 42 SIGN ORDINANCE (continued)

- 3) Within five hundred (500) feet at the beginning or end of the pavement of the exit or entrance of a traffic interchange.
- 4) Less than one thousand (1,000) feet from the exterior boundary of any Federal, State, County, or City historic district, park or monument.
- 5) Additional areas may be designated by the Board of Supervisors in a similar manner as an amendment to these Regulations.

h. Method of installation. Each billboard shall be erected as a freestanding sign or placed on a water or fuel tank as defined in these Regulations. No billboard shall be erected on the wall or roof of a building

### J. General Provisions

1. Maintenance. Every sign shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, repainting, cleaning and other acts necessary for the maintenance of the sign. Any sign or sign structure that is damaged or deteriorated to the extent that the replacement cost of repair equals fifty (50) percent or more of the replacement value of the sign if sound, shall either be rebuilt or replaced in conformance with the standards and requirements of these Regulations, or be removed all together. Any sign which is not maintained or replaced if damaged more than fifty (50) percent or more of the replacement value shall forfeit its Special Use Permit after thirty (30) days of written notice.
2. Sign removal. The Zoning Inspector shall cause the repair or removal of any sign that endangers the public safety, such as a materially dangerous, electrically, or structurally defective sign. Should the Zoning Inspector determine that the sign or sign structure causes imminent danger to the public safety, contact shall be made with the owner to require immediate removal or correction.
3. Manual changeable copy signs are permitted.
4. Automatic changeable copy signs are permitted in commercial and manufacturing zones, provided that no message on an electronic changeable copy sign shall blink, flash or simulate animation. The transition between messages is permitted but such transitions may only fade, scroll, or dissolve, and the transition shall not exceed a duration of two seconds. Messages displayed shall remain static for at least ten (10) seconds.

## Section 42 SIGN ORDINANCE (continued)

5. The intensity of the illuminated display shall not exceed the levels specified in the chart below:

Intensity Level (nits)*		
Color	Daytime	Nighttime
Red Only	3,150	1,125
Green Only	6,300	2,250
Amber Only	4,690	1,675
Full Color	7,000	2,500

\* The nit is the unit of luminance and is defined as a candela per square meter. The unit could be written as  $\text{cd}/\text{m}^2$  or  $\text{lm}/\text{m}^2 \text{ sr}$ . It is most often used to characterize the "brightness" of flat emitting or reflecting surfaces.



## **Section 43 ADDRESSING AND ROAD NAMING REGULATIONS**

### **A. Purpose and Establishment**

It is the purpose of this Section to provide for uniformity in road naming and numerical addressing; elimination of inconsistencies and duplication of road names; provide a unique address for each lot and parcel in the County; facilitate emergency vehicle response; establish a uniform road name and address numbering system; development standards; display standards; official addressing maps; elimination of non-conforming road names and addresses; and establishing the authority for the creation of naming roads, addressing and other items related to County roads, properties, and improvements within the jurisdictional boundaries of the County and outside the boundaries of incorporated cities.

It is the responsibility of property owners to exercise due diligence to determine the status of access rights to their property. The access rights may be in the form of recorded or unrecorded instruments, including grants or reservations of easements contained in deed and other instruments, or claims of access based on easements by prescription or necessity that are not readily accessible to Department staff. The Department staff does not have the expertise to research the records for applicants or the authority make such determinations. The Department discourages trespass on the property of others, and does not intend that issuance of an address or road name be construed as authorization for trespass.

### **B. Definitions**

For the purposes of this Section, the following terms are defined:

**Address:** A number, directional prefix, primary street name, and suffix, and an occupant identifier when required. The structure address is also called the situs (or main) address.

**Address Number:** The numerical part of an individual address that designates a specific number located at a certain point along an addressing gridline from a baseline that starts at zero.

**Addressing Coordinator Technician:** An authorized County employee charged with the duties to implement road naming, addressing, renumbering, and other tasks of the Addressing Standards, as assigned by the Addressing Official.

**Addressing Grid:** An x-y coordinate grid, or north-south/east-west grid, which designates the location of sequentially ascending address numbers at a specific interval from a zero baseline, such as 101, 103, 105/102, 104, 106, increasing the numbers, even and odd, to the grid limit.

**Addressing Official:** The Mohave County Development Services Director.

**Addressing Range:** For Mohave County, the application of one unique number approximately every 21 feet from a zero baseline, adding up to 250 odd and 250 even numbers per linear mile. Addressing ranges may vary in length depending on location, terrain, direction of the road, length of the road, combinations of the above and other factors.

**Administrative Address:** An address (usually temporary) assigned by the County for management of records, permits, addressing anomalies, construction, and other purposes, such as

## **Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)**

coordinate addresses, until a permanent situs address can be assigned. Administrative addresses are not intended to be permanent.

Baseline: A north-south or east-west axis used as the zero starting point for assigning address numbers.

Building: A structure designed for human occupancy or use.

Calibrated Number(ing) Line (or Calibration Line, or Number Line): An imaginary line referencing a particular addressing range and separated into equal increments to which odd and even address number pairs are assigned (e.g., the line can be the length of a grid block, or shorter, as in a tenant space line in a shopping center.)

Commercial: A development intended for commerce and not for residential single-family dwellings.

Cul-de-sac: A short street having one end open to traffic and being terminated at the other end by a vehicular turnaround.

Directional Prefix: A prefix letter or word used before a road name that describes the compass direction of the road from the baseline, as in: N. or North, S. or South, E. or East, W. or West.

Directional Signs: Address information signs.

Documented Access: For 911 emergency addressing purposes, any traversable vehicle access or ingress and egress shown on the Mohave County Assessor Maps which is a minimum width as prescribed by the County Public Works Department and approved by that Department as an access to residential or commercial lots and parcels.

Entrance Signs: Address information located at access points.

Emergency Service Numbering Area (ESN): Emergency response districts within Grid Numbering Areas relating to police, fire and ambulance district coverage.

Grid Numbering Area: An area within the County that has its own point of origin, or x-y zero line coordinate system for addressing. Currently, there are five Grid Numbering Areas within the County: Kingman area, Mohave Valley area/Bullhead City area, Lake Havasu City area, Virgin River Communities area, and Town of Colorado City area, and when extended cover the entire County.

Grid Numbering Block: Ascending from the point of origin, from one section corner perpendicularly or horizontally to the next section corner and including 250 odd and even addressing number pairs within that prescribed distance.

Occupant Identifier: A specific address number that delineates individual unit locations within a single situs address. This number shall be used following the situs address (e.g., 5000 N. Stockton Hill Road, Apartment 143, or 3675 N. Highway 66, Suite 101).

Point-of-Origin: The intersection of the north-south and east-west axes (addressing baselines)

## **Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)**

establishing the number zero at the intersection.

Primary Access: Principal point of ingress-egress. It may be different than the recorded documented access to the parcel.

Primary Street Name: Principal component of a road name, not including the suffix or directional prefix, e.g., Stockton Hill, Boundary Cone, Jagerson.

Residence or Residential: A structure or location used for human dwelling purposes.

Situs Address: An assigned address for a structure. The number on the Grid Numbering Block that corresponds to the structure location on a parcel of land that adjoins a recognized public or private roadway right-of-way or easement.

Street Name: The primary name given to a private or public thoroughfare, including its suffix. It does not include the directional prefix (N., S., E., W., etc., e.g., Boundary Cone Road, Aztec Road).

Street Sign: Displays any combination of the following: directional prefix, primary name, suffix, any compass direction indicators and/or addressing range.

Suffix: A word following the primary street name used to indicate the type of road, e.g., Boulevard, Road, Drive, Avenue, Circle, etc.

Tenant, Commercial: Space within a building, under separate control, which has primary access to exterior or interior public spaces and is used for business activity.

Tenant, Residential: Space within a commercial residential development used for dwelling purposes, and which is rented or leased.

### **C. General Provisions**

#### **1. Authority**

The Development Services Director is hereby designated as the Mohave County Addressing Official, and shall be responsible for the administration of these regulations.

- a. The Addressing Official shall prepare, for the approval of the Board of Supervisors, the official road naming and property addressing requirements through amendment to the zoning regulations.
- b. The Addressing Official shall prepare or have prepared Official Addressing Maps, the Official Numbering Grid Base Maps, Indexes, and other pertinent records, and shall maintain those records and make them available to the public.
- c. The provisions of this authority are extended to include the addressing and road naming of all public and private roads, easements and other means of ingress and egress associated with the necessity to assign an

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

official address for 911 purposes.

- d. The Addressing Official is authorized to approve, modify, or reject road names submitted according to these regulations to eliminate duplication or confusion, and shall assign road names and addresses in accordance with approved requirements and policies. The Addressing Official is authorized to permit a variance for new addresses only in cases of unresolvable address conflicts or extreme hardship.
- e. The Addressing Official may delegate the authority to perform the functions described herein and in the Addressing Policies to the Addressing Coordinator Technician within the department, but shall be responsible for the administration of these regulations.
- f. Address numbers and road name assignment are a function of Mohave County and are assigned to properties according to the requirements of the 911 emergency response system and for the convenience of property owners and residents. A property owner or resident has no vested right in a road name or address number.
- g. Addresses may not be transferred from one location to another.
- h. Addressing information contained in the County 911 addressing and road naming system that is considered classified by the Bureau of the Census,

U.S. Department of the Interior, shall not be available for public access except by authorization of the Census Bureau, 13 US Code.

- i. Technically, only structures may be addressed, and the address is not assigned until permits to construct a structure are issued or the structure already exists. This procedure locates the exact position of the structure along the Calibration Line within the Grid Numbering Area in order to apply the appropriate number that is assigned along the Line.
- j. Addresses will not be assigned until all the conditions of a rezone have been satisfied. Addresses will not be assigned to property except under unique circumstances, or the lot or parcel is the smallest indivisible division of a subdivision.

### D. Procurement of an Address

It shall be the responsibility of the owner of each structure within the County for which an application for a zoning, or building permit has been made to procure the correct physical address(es) assigned by the Addressing Official and to immediately display said number(s) as detailed by the Addressing Requirements and Policies. Documents with proper legal information may be required from any person, firm, or corporation in order to properly assign an address.

1. These standards shall regulate all lots, parcels, structures, occupant identifiers, and roads within the unincorporated areas of Mohave County.

## **Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)**

2. Only the Addressing Official (or authorized representative), may assign, approve, or change an address.

### **E. Address Maps and Indexes**

1. The Addressing Official shall establish and maintain the following maps and indexes:
  - a. Grid maps describing addressing ranges for all portions of unincorporated Mohave County, less pairs for short sections, more pairs for longer sections, for each Addressing Grid Numbering Area in the County, and delineating points of origin.
  - b. Map sets delineating each assigned address for subdivided land and unsubdivided parcels.
  - c. An index of approved, current street and road names.
  - d. An index of approved, reserved street and road names.
  - e. All maps and indexes shall be kept on file with the Addressing Technician in the Development Services Department, and shall be available for inspection during normal working hours.
  - f. Maps and indexes may be created, updated, stored and viewed in electronic media.

### **F. Development Information**

The Public Works Department shall provide the Development Services Department maps and legal descriptions of the following proposed right-of-way developments and modifications:

1. Amendments to the major roads and scenic routes plan, if any.
2. Rights-of-way dedications.
3. Realignments of existing rights-of-way.
4. Abandonments of existing rights-of-way.
5. Changes in access to property, caused by road changes or improvements.

### **G. Application Information**

Any person or entity requesting a new address, or to correct an address on the official addressing list, or requesting to name a public or private road, easement or right-of-way, shall file an application through the Development Services Department.

1. Fees. Fees shall be adopted by the Board of Supervisors in a fee schedule to cover the administration and enforcement of these standards. A fee will not be charged for address changes that are a result of an error or omission by the

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

County. An appropriate fee as adopted by the Board of Supervisors.

### H. Addressing, Road Names, and Grid Development

1. Address Numbering Concept. The address numbering concept used herein is point- of-origin on an axis. North-south and east-west baseline/axis lines shall be established for each address system. The intersection of the north-south and east- west baseline/axis lines shall be the point-of-origin. Numbering shall increase in the north, south, east, and west directions from the point of origin.
2. Grid Numbering Areas. Discrete areas of the County shall be given their own baseline axes, points of origin, numbering grids radiating from the points of origin, and street numbers.
  - a. Grid Numbering Areas shall be established only in areas which will not overlap other address systems. Portions of Grid Numbering Areas may be split off to create new Grid Numbering Areas if no addressing assignments exist in the new portion and the new Grid Numbering Area would be a logical division for 911 purposes.
  - b. If one existing Grid Numbering Area expands to overlap another address system where no addresses have been assigned, a dominant system shall be selected, or a new Grid shall be created. Otherwise:
    - 1) The non-dominant system shall be abandoned and re-addressed to conform to the dominant system, or
    - 2) The dominant system shall have limits established to restrict further expansion.
  - c. A Grid shall be based upon the standard land-surveying construct of section, township, and range.
  - d. The section (one square mile) shall be the primary Grid division, with:
    - 1) Each section line divided into increments of one even and one odd number every 21 feet, for a total of 250 pairs of odd and even numbers.
    - 2) Existing sections with nonconforming hundred blocks shall remain unchanged.
    - 3) Existing, unimproved sections with hundred block designations shall comply with these standards, upon any residential or commercial development.
3. The following Address Systems (Grid Numbering Areas) are established in the unincorporated areas of the County, and not including any area within a municipality:
  - a. Kingman area
  - b. Mohave Valley-Bullhead City area

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- c. Lake Havasu City area
- d. Virgin River Communities area
- e. Colorado City area
- f. Special Addressing Grids (SAG)
  - 1) Eligibility. Notwithstanding the other provisions in this Ordinance, Special Addressing Grids may be established by the Board of Supervisors. If the Board approves the establishment of a Special Addressing Grid, it shall be in conjunction, and concurrently with planned development of at least one section of land (approximately one square mile) or more, that also meet all of the following:
    - a) All of the interior roadways of the development are private.
    - b) No private roadway alignment or name included as a part of the development extends into adjacent grids.
    - c) All internal roadways shall have a name unique (unused elsewhere) within the County, as determined by the Addressing Coordinator.
    - d) The proposal for a Special Addressing Grid is made by the applicant as a part of the planned development, with the inception of the development processing.
    - e) All units and phases of development subject to a Special Addressing Grid shall be compact and contiguous.
    - f) The applicant shall obtain and provide to the County, at the time of the initial submittal of the development plan, written statements from all E-911 service providers, postal and delivery services, and other related jurisdictions, acknowledging the proposed Special Addressing Grid, as proposed in the application to the County, and expressing support for, or no objection, to the proposal.
    - g) Address numbering and road naming within Special Addressing Grids shall otherwise adhere to the requirements of this Ordinance, and in any instance be compatible with E- 911 and other emergency service standards, without jeopardizing the health, safety and welfare of the public.
    - h) Subdivision proposals not processed (in the determination of the Development Services Director) as a planned development, but which have had a Preliminary Plan approved or conditionally approved prior to March 1, 2006, may use Special Addressing Grids if those

## **Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)**

proposals are otherwise compliant with the eligibility requirements outlined herein.

- i) The application and enforcement of these provisions shall be through the Mohave County Development Services Director, or Addressing Coordinator.

- 2) Dissolution of Special Addressing Grids.

- a) A Special Addressing Grid, having been established by approval of the Board of Supervisors as a part of a planned development proposal, may be dissolved by action of the Board, if no subdivision Final Plats have been recorded for the planned development project within five (5) years of the date of original Board approval of the planned development plan.

### **4. Road and Street Names.**

- a. Any governmental agency, utility, or property owner whose permanent documented access may be affected may request establishment of a road or street name for any unnamed existing or proposed road, or the renaming of any road. The requesting person or agency shall submit proposed names and follow the standards for road naming, detailed in the Addressing Policies for road naming procedures. New road names shall be established on, and by, the recordation of a subdivision plat, parcel plat, or other county- approved development plat, with those names having first obtained approval from the Addressing Official.

- 1) Mohave County may correct road names when necessary, without consent of the property owners along the road alignment, if it involves correcting a 911 emergency response problem.

- b. Proposals to re-name a road shall require an application from the person proposing the road re-naming, to the attention of the Addressing Official, for their consideration.

Such application shall include a map that shows the location of the road, its extent, and shall be accompanied by appropriate re-naming fees, and letters from all utilities, service providers (i.e., fire district, etc.), and all property owners who would be affected by the name change.

It shall be the responsibility of the person proposing the road re-naming to contact all utilities, service providers and property owners as a part of their application to re-name a roadway.

If all utility companies, service providers, and all property owners express written approval of (or written “no objection” to) the proposed road name change, the Addressing Official may approve the proposal administratively.

If the proposal is opposed by any utility, service provider or property

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

owner, the proposal shall be brought forward with a recommendation from the Addressing Official, for the consideration of the Commission and Board.

- c. Road names shall be composed of at least the following:
  - 1) A primary name. The primary name may be composed of one or two words and each primary shall be considered unique. Foreign language names are included as long as they are appropriate to the locale and community road name patterns.
  - 2) A directional prefix. That which denotes the predominant direction of the road.
  - 3) A suffix. An identifier that denotes the road type. The following are common suffixes, and the abbreviations shall be used on road signs when full spelling of the road name limits sign space:

<u>English</u>	<u>Spanish [usually with 'de' or 'del']</u>
Alley	= Al
Avenue	= Ave
Bay	= Bay
Beltway	= Bwy
Bend	= Bnd
Boulevard	= Blvd
Circle	= Cir
Corral	= Cor
Court	= Ct
Cove	= Cv
Drive	= Dr
Gulch	= Gul
Highway	= Hwy
Hill	= Hl
Hollow	= Hlw
Lane	= Ln
Loop	= Lp
Parkway	= Pkwy
Pass	= Ps
Path	= Pth
Place	= Pl
Plaza	= Plz
Point	= Pt
Ridge	= Rdg
Road	= Rd
Square	= Sq
Street	= St
Terrace	= Tr
Trail	= Trl
Way	= Way

- d. Review criteria for acceptance of street and road names.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- 1) Non-duplication
- 2) Alignment
- 3) Correct spelling
- 4) Reasonableness
- 5) Phonetics
- 6) Length of name
- 7) Same language used
- 8) Foreign language compliance

e. Foreign language usage.

- 1) Any person submitting a request to name a road where the name is a foreign word or the meaning of the road name is unclear shall provide a verification of the meaning, or a translation from a reputable dictionary of the language of the name, or another source fluent in the foreign language, before a road name application shall be processed.
- 2) Meanings of Indian names requested for road names shall be verified by a member of the relevant tribe or other authority.
- 3) Foreign language name review shall include:
  - a) Proper gender and number (generally used version; avoid exceptions).
  - b) Appropriate definite article, if any.
  - c) Commonly used meanings.
  - d) Proper use and placement of diacritical marks, if any.
  - e) English translation (or as close as possible).
  - f) Language type.
- 4) Subdivision and development plan names shall also conform to the foreign language format.

f. General restrictions on street and road names (unless otherwise permitted by these standards).

- 1) A new road falling on the alignment of an existing named road shall not assume a different name than the existing aligned road, regardless of distance or jurisdiction.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- 2) A new road falling on an alignment with multiple names shall assume the predominate or closest proximity road name.
- 3) Perpendicular directions for the same road name shall not be permitted.
- 4) Existing names shall not be assigned to any other alignment.
- 5) Each name shall not have more than one version of spelling.

g. Phonetically unsuitable or potentially confusing names shall be avoided in the same Grid Numbering Area; examples:

- 1) Homonyms or homophones (e.g., Nixon, Nickson).
- 2) Names that tend to be slurred (e.g., French, colloquial, dialects).
- 3) Names which are likely to be run together (example: Golden Rod).
- 4) Names which are likely to be mispronounced and, therefore, hard to find by emergency services (e.g., Spanish, German, French, Polish, Russian).

h. The primary name, plus its suffix and abbreviations, shall be limited in length:

- 1) Public rights-of-way. Sixteen letters and spaces; seventeen, if the name has an "I" in it, for a standard length sign and standard letter height. Longer names may be allowed by permission of the Mohave County Sign Department.
- 2) Private rights-of-way. The same as public roads when the road name sign is provided by the County. Where the sign is provided by someone other than the County, the sign may contain as many letters that will fit within the length of the road sign whose maximum length has been approved by the Mohave County Public Works Department, Road Sign Division.

i. Offensive language shall not be used. Where interpretation of the road name is in question or its meaning may be suggestive or potentially offensive for any reason, it shall be rejected and another road name shall be chosen.

j. Directional prefixes in primary names.

- 1) Directional prefixes should not be used as a primary name, either in whole or in a compound form, except in special circumstances (e.g., North St., East Road).
- 2) Derivative forms of directional prefixes are permissible (e.g., Northern Ave, Southern Star Lane).

k. A primary road name may be duplicated for a cul-de-sac street which

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

is shorter than 150 feet, or a knuckle street with five (5) lots or less, as long as it has:

- 1) The same primary name as the road it intersects perpendicularly, and includes the suffix of Place, Court, Bay, Hollow or Way, etc.
- 2) Cul-de-sacs 150 feet or longer and knuckles with six (6) or more lots shall have unique names.

- l. Abbreviations and slang terms shall not be used.
- m. All east-west roads on section or mid-section lines shall use the suffixes of Street or Drive. Exceptions: Through road area connectors, such as highways, boulevards, thoroughfares and major arterials, and state or federal roads.
- n. All north-south roads on section or mid-section lines shall use the suffixes of Road or Avenue. Exceptions: As noted in m, above.
- o. Fractional address numbers shall not be used (e.g., 22½ Smith Street).
- p. No primary road name shall be duplicated in another Address System, if possible.
- q. Suffix Identifier. The following suffixes shall be restricted, where practical, to specific road directions or configurations. Foreign equivalent prefixes and suffixes shall be approved on an individual basis by the Addressing Technician.
  - 1) Avenue: Generally, a road with a north-south direction; specifically, a section or half-section road running in a north-south direction.
  - 2) Beltway: An arterial or highway encircling a large area, usually a city, with limited access.
  - 3) Boulevard: A major thoroughfare, usually with four or more lanes and having islands in the middle with turn lanes, and with a minimum length of one mile and limited access.
  - 4) Circle: An oval-shaped road having one intersection with a primary road and not accessing or intersecting another road.
  - 5) Drive: Specifically, an east-west section or mid-section line road, and generally a residential through road.
  - 6) Highway or Expressway: A major thoroughfare, usually limited to federal, state, and county designated roads.
  - 7) Interstate: A name limited to a federally designated highway.
  - 8) Loop: A horseshoe-shaped road having two distinct intersections with the same primary road.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- 9) Parkway: A sometimes meandering road or arterial, usually a major thoroughfare collecting traffic from local and collector roads, and extending for a mile or more.
- 10) Place, Court, Hollow, Way, Bay, Lane, Trail: Usually restricted to residential cul-de-sacs, small knuckles or streets less than 800 feet long.
- 11) Road: Generally, at least a collector or higher classification road running in a north-south direction, specifically for section and half- section roads running in a north-south direction.
- 12) Route: Ordinarily, an arterial or higher classification road.
- 13) Street: Generally, a road with an east-west direction; specifically, for section and half-section roads with an east-west direction.

r. Criteria and configurations for road alignment.

- 1) Alignment. A road shall be considered aligned and will have one name if:
  - a) The road is designated a major road, route or arterial; or,
  - b) The road connects with, or has reasonable potential of connecting with, an existing road or an extension of the original line of an existing road; or,
  - c) The road predominantly follows a section line, quarter-section line, or sixteenth-section line.
- 2) Offset alignments.
  - a) Section and mid-section line roads with less than a 330-foot centerline to centerline offset shall be considered aligned for road naming and addressing purposes, except for existing configurations.
  - b) Other roads with less than a 150-foot centerline to centerline offset shall be considered aligned for road naming and addressing purposes, except for existing configurations and problems of terrain.
    - (1) Roads of any classification with unusual or questionable alignments shall be approved on a case- by-case basis by the Public Works Department.
  - c) Multiple road offsets deviating from the original alignment without returning to the original alignment shall not be considered aligned and shall comply with other provisions of these standards.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- 3) Circle streets. Shall require a different primary name than the road with which it aligns and shall require two names when required addresses exceed available numbers within the grid.
- 4) A “T” cul-de-sac. One which has an initial road segment perpendicular to the intersected road and the remaining segments parallel with the intersected road. One primary name may be used if the perpendicular road segment is less than 100 feet. A different name than that of the cul-de-sac shall be used for the perpendicular road segment exceeding 100 feet in length.
- 5) Loop street. Shall have a unique name and shall not assume the name of any aligned road, and shall only occur on one side of the intersected road.
- 6) Major arterial alignment and realignment.
  - a) For name continuity along the entire length of a major arterial which deviates from its original alignment and connects with another road alignment, the arterial may retain one name as approved by the Addressing Official.
  - b) The Addressing Official may require existing road alignments and established road names to be changed to facilitate the establishment of one road name involving a newly constructed major arterial that deviates from its primary alignment among the established road alignments.
- 7) Frontage (service) roads. A frontage road parallels an interstate highway, freeway, or other major arterial, and provides access to property isolated by access controls from the freeway or arterial.
- 8) A frontage road may assume the name of the freeway or through road it services, along with a suffix, or it may have a unique name.

5. Situs (Main Address) Numbering Assignment.

- a. All recorded lots and parcels of land, subdivided or unsubdivided, and all proposed or built structures shall have an address assigned at the time of application for a Building Permit.
- b. An address for a lot or parcel without frontage on a named road or easement may be assigned an administrative address as provided in this Section.
- c. An address for a lot or parcel fronting on a named road or easement shall be assigned based upon primary physical access from a named road and not documented access, if defined differently. Frontage may not be required if recorded documented access is less than 300 feet to a named road.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- d. General assignment requirements.
  - 1) The Addressing Official shall assign official addresses upon compliance with subsection F.1 (to follow) and:
    - a) Final Plat recordation; or,
    - b) Approval of a development plan and the submittal of building details (floor plans), as required; or,
    - c) Submittal of an approved site plan and building details (floor plans), as required; or
    - d) A request by an individual, subject to compliance with these standards or subject to the development of a structure.
  - 2) In the case of conflict regarding the proper address, the Addressing Official or authorized representative shall make the final determination.
  - 3) Requests to name new roadways in new subdivisions or other developments shall occur at the time of the submittal of the subdivision preliminary plans or parcel plats or other county-approved, recorded development plans. When new road names are created, the road naming shall not become effective until plat recordation following approval of the Addressing Official.
- e. An address shall not be issued to a lot, parcel, or structure until the following documents have been submitted:
  - 1) For already-subdivided property.
    - a) The Assessor's parcel number, or sufficient legal description.
    - b) Subdivision name, block number and lot number.
    - c) If a corner lot, a building footprint (plot plan) locating structures and frontage.
    - d) If multiple buildings or tenants, an approved site plan.
  - 2) Unsubdivided parcels.
    - a) Assessor's parcel number or tax statement and copy of assessor's map of the property.
    - (b) A County approved site plan showing the ingress and egress from the closest public access road and/or a building or septic permit.
  - 3) Projects requiring subdivision design or site plan review,

## **Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)**

including condominiums and multiple tenant buildings.

a) For a building address. A site plan stamped and signed by a registered engineer and approved by the County; additional copies of a site plan may be required for multiple-story projects.

b) For an administrative address. The name of the development and site, or tract number assigned to a subdivision under review.

4) Projects not requiring subdivision design or site plan review -- single building or tenant.

a) The Assessor's parcel number for the parcel or lot.

b) An appropriate legal description or a title report issued within the last ninety (90) days.

c) A copy of the lot or plot plan with a septic or building permit.

d) If a structure is being added to an existing multi-building site, an approved copy of a site plan for the total site shall be required, with all buildings and addresses currently displayed at the site, appropriately labeled.

5) Projects not requiring subdivision design -- multi-tenant or multi- buildings.

a) The Assessor's parcel number for the parcel or lot.

b) An appropriate legal description or a title report issued within the last ninety (90) days.

c) A copy of an approved site plan. Initially, only an administrative address shall be issued.

d) Upon final approval of the site plan.

1) A copy of an approved and signed site plan; additional copies of the site plan may be required for multiple-story projects.

2) Copies of the maximum tenant space layout, if known, for each building, including the floor or space assigned.

6) Tenant improvements; new buildings or existing buildings having an approved development plan or site plan on file with the planning division.

a) Address of building.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- b) Site plan showing tenant improvements.
- c) Development name and case number.

7) Tenant improvements; existing buildings not having an approved development plan or site plan on file with the planning division.

- a) Descriptive site plan showing all existing structures and addresses as displayed on the site and tenant improvements dimensionally tied to the building shell.
- b) Development name.
- c) Assessor's parcel number.
- d) Appropriate legal description.

8) Type and quality of required documents. All map documents required shall be photo Mylar or other acceptable reproducible, unless otherwise specified. Documents required shall be of sufficient image quality and density to make legible prints and to produce smaller images.

f. Criteria for address numbering.

- 1) Even or odd number location along a road. All roads will be determined to have either a north-south direction or east-west direction for addressing purposes. **Heading north** on a road, all lots, parcels, buildings, and tenants on the right (east) side of the road shall have even numbers and the left (west) side, odd numbers. **Heading east** on a road, all lots, parcels, buildings and tenants on the right (south) side of a road, shall have even numbers and the left (north) side, odd numbers. Heading west, odd numbers will be on the right and even numbers on the left. Heading south odd numbers will be on the right and even numbers on the left.
- 2) Address determination.
  - a) One odd or even number ascending from the baseline is available approximately every twenty-one (21) linear feet of distance from the baseline, depending on location either side of the access, terrain or other determinant. These numbers increase until the limit is reached at the County line; until the boundary line of any address system grid is reached; or it reaches ungridded territory.
  - b) Address numbers shall be determined by primary property entrance (access) from a named road and mean property road frontage, and may include building location or orientation.
  - c) Property entrances mean property frontages, or building locations which are directly across the street from one

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

another, shall generally be one unit apart in the ascending numerical value of the address number (e.g., 1234 would be across from 1235).

d) With the exception of multi-tenant commercial buildings, one address shall be assigned to each property representing a legal entity; that is, there shall be one address for each legal description and deed. However, multiple road access points to multiple structures may require multiple addresses.

3) Corner lots.

- a) The address shall be assigned to the primary access (entrance) road.
- b) Corner lot access points on subdivision plats shall be indicated.
- c) Corner lots shall have only one primary address.

4) Building orientation, ingress and egress. If buildings will occupy all or a major portion of a lot, the structure orientation and the primary ingress and egress of the building shall determine the property address. The primary entrance used by the public shall be considered the primary entrance; secondary doors, such as employee entrances, back or side doors, or delivery doors, shall not be considered a primary access point for numbering.

5) The order of address determination shall be:

- a) Vehicular access for multiple parking; building orientation and site layout may be considered.
- b) Vehicular street frontage parking, if there is no on-site parking or drop-off point.
- c) Primary pedestrian site access.
- d) Structure orientation and general public building ingress and egress.

6) Circle street. The address shall be assigned in a counterclockwise direction beginning at the intersection. Number availability within a Numbering Line shall determine if multiple names are required.

7) Loop road. The address shall be assigned based on the overall direction of the road layout in relation to the intersected road.

8) Directional prefix. At the time the address is assigned, the road shall have a directional prefix assigned to facilitate address numbering.

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

- 9) Number restrictions. A fractional unit of a number or occupant identifier, or alphabetic letters with a number or occupant identifier, or any combination thereof, shall not be used. (Examples: 101½ E. State Street; or 101 E. State Street, Unit 100½; or 101A E. State Street.)

### I. Duty to Produce and Display Numbers

1. It shall be the duty of the owner of any house or other building now existing, or which shall be erected, or shall become located upon any parcel in the County, to produce the correct number(s) assigned by the Addressing Official for any structure requiring an address under these requirements, including commercial tenant spaces, and to immediately display the address number(s) assigned. No permit required by the County shall be issued for any structure requiring an address as so defined herein until the owner has procured from the Addressing Official or their designate the proper address(es) assigned to the premises.
2. Temporary address signs may be located prior to and used during any construction, and those shall be displayed in a location clearly visible from the road. Any construction inspection may be withheld or rejected until temporary address signs are displayed, and final approval of any house or other building relocated, erected, repaired, altered, or modified within the County may be withheld until the address number(s) assigned to the premises have been permanently displayed pursuant to the provisions contained herein. On-site inspections by the Addressing staff of permanent address numbers may be performed prior to finalization on all single and multi-tenant commercial developments or fractions thereof.
3. Mohave County will not be responsible for the physical display of addresses. Failure to display an address according to these regulations by a property owner means the property owner assumes full risk and responsibility for such failure.
4. The physical address number dimensions, composition and correct procedure for display are to be found in Articles 11 through 16 of the Mohave County Addressing Policies.

### J. Mohave County Addressing and Road Naming Policies

The Mohave County Addressing and Road Naming Policies and the addressing sample diagrams describe the process for the technical assignment of addresses and road names to all relevant structures, lots, or parcels in the unincorporated areas of the County. The procedures describe the method for physical addressing- numbering grid sequences for all Addressing Grids in Mohave County. These Standards are instructions to provide and maintain a county-wide standardized method for the assignment of addresses and road names for all roads and structures in the County 911 emergency response system, and to implement the Mohave County Addressing and Road Naming ordinance. The Mohave County Addressing and Road Naming Policies, as amended, exist as addressing policy by reference herein, and may be amended from time to time by the Addressing Official as necessary to ensure 911 emergency response compliance, provide technical corrections, and incorporate amended and/or new 911 emergency procedures as adopted by emergency

## Section 43 ADDRESSING AND ROAD NAMING REGULATIONS (continued)

service providers and federal or state law. **NOTE:** Mohave County's policies and technical standards for addressing and road naming are separate from this Ordinance, administered by the Addressing Official in support of the Ordinance requirements.

## **Section 44 ADULT ORIENTED BUSINESS**

- A. Purpose and Intent. It is the purpose and intent of this Section to regulate adult oriented businesses to promote the health, safety, morals, and general welfare of the citizens of Mohave County and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of adult oriented businesses within the County, thereby reducing or eliminating the adverse secondary effects from such businesses. The provisions of this Section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this Section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Section to condone or legitimize the distribution of obscene material.
- B. Definitions. For the purposes of this Section, definitions contained in [A.R.S. §11-811.D](#) apply for this Section.
- C. Establishment and Classification of Businesses Regulated. The establishment of an Adult Oriented Business shall be permitted only in C-2H, C-M, C-MO, M-1, M-2 and M-X zones and shall be subject to the following restriction:
  - 1. No person shall cause or permit the establishment of any adult oriented businesses, as defined above, within 1,000 feet of another such business, or within one-fourth of a mile of any child care facility, religious institution, a private, public or charter school, public playground, public recreational facility, a residence, boys' club, girls' club, or similar existing youth organization, or public park or public building.
  - 2. An adult oriented business lawfully operating in conformity with this Section does not violate this Section if a child care facility, a private, public or charter school, a public playground, a public recreational facility, a residence or a place of worship subsequently locates within one-fourth mile of the adult oriented business.
- D. Measurement of Distance. As regarding Section 3, paragraph A, distance between any two adult oriented businesses shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business. The distance between any adult oriented business and any religious institution, public or private elementary or secondary school, boys' club, girls' club, or similar existing youth organization, or public park or public building or any properties zoned for residential use or used for residential purposes shall also be measured in a straight line, without regard to intervening structures or objects from the nearest portion of the building or used as part of the premises where the adult oriented business is conducted, to the nearest property line of the premises of a religious institution, public or private elementary or secondary school, boys' club, girls' club, or similar existing youth organization, or public park or public building or any properties zoned for residential use or used for residential purposes.

## Section 44 ADULT ORIENTED BUSINESS (continued)

### E. Regulations Governing Existing Adult Oriented Businesses.

1. Any adult oriented businesses lawfully operating on May 17, 1995, that is in violation of this Section shall be deemed a nonconforming use. Nonconforming uses shall be governed by Section 45 of this Ordinance. If two or more adult oriented businesses are within 1,000 feet of one another and otherwise in a permissible location, the adult oriented business which was first established and continually operating at the particular location is the conforming use and the later established business(es) is nonconforming.
2. An adult oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant of an adult oriented business permit, of a church, public or private elementary or secondary school, public park, public building, residential district, or residential lot within 1,000 feet of the adult oriented business.

### F. Regulations Pertaining to Exhibition of Sexually Explicit Films or Videos in Video Booths.

1. A person who operates or causes to be operated an adult oriented business, other than a sexually oriented motel/hotel, which exhibits on the premises, in a viewing room of less than 150 square feet of floor space, a film, video cassette or other video production which depicts specified sexual activities or specified anatomical areas, shall comply with the following requirements:
  - a. Upon application for Building Permit, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street and should be drawn to a designated scale with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six inches.
  - b. The application shall be sworn to be true and correct by the applicant.
  - c. No viewing room may be occupied by more than one person at any one time. A door may be attached or installed on any viewing room.
  - d. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access and an illumination of not less than two foot candle as measured at the floor level.
  - e. It shall be the duty of the owners and operator and it shall also be the duty of any agents and employees present on the premises to insure that the illumination described above is maintained at all times that any patron is present on the premises.

## Section 44 ADULT ORIENTED BUSINESS (continued)

### G. Advertising Regulations.

1. The permittee shall not allow any depiction of specified sexual activities or specified anatomical areas to be visible from the exterior of the premises.
2. All off-street parking areas and premise entries of the adult oriented business shall be illuminated from dusk to closing hours of operation with a lighting system which provides an average maintained horizontal illumination of one foot candle of light on the parking surface and/or walkways. This required lighting level is established in order to provide sufficient illumination of the parking areas and walkways serving the adult oriented business for the personal safety of patrons and employees. The lighting shall be shown on the required sketch or diagram of the premises.

H. Hours of Operation. It shall be unlawful to operate, permit or cause to be operated an adult oriented business contrary to [A.R.S. §13-1422.B.](#)

I. Severability. If any Section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining Sections, subsections and clauses shall not be affected thereby.

J. Conflicting Section Repealed. If two or more Ordinance provisions are or appear to be in conflict, the more restrictive shall apply.



## **Section 45 NON-CONFORMING USES**

- A. Continuation of Use. Existing structures or uses of land and/or structures which were in compliance with prior zoning regulations on the effective date of these Regulations or any change or amendment to these Regulations, or Rezone, may be continued notwithstanding any nonconformance to provisions of these Regulations.
- B. Prohibition on Expansion of Use or Structure. No nonconforming use or structure may be expanded or enlarged except as set forth below:
  - 1. A nonconforming commercial or industrial use within a district may be expanded up to 100% of the area of the original commercial or industrial use. Any expansions in the structure must conform to current County Ordinances, Regulations and codes.
  - 2. Any existing residential structure, including manufactured homes, authorized in the district at time of construction but made nonconforming as to dimensional or area standards may be expanded provided the expansion does not contribute to nor increase the specific nonconforming dimensional or area requirement. Any expansions in the structure must conform to current County Ordinances, regulations and codes.
- C. Change in Nonconforming Use. A nonconforming use may not be changed to another nonconforming use. If the intended change in use is to a use permissible within the district, but all requirements of the district cannot reasonably be complied with, the use may be established only by Zoning Use Permit. Once a nonconforming use has been converted to a conforming use, the property shall not revert to nonconforming status.
- D. Repairs and Maintenance and Restoration. Nonconforming structures may be repaired, or may be restored or reconstructed, in the event of destruction by fire, explosion or other disaster, consistent with Section 34.B. of the Regulations.
- E. Abandonment and Discontinuance. When a nonconforming use is discontinued for a consecutive period of 180 days, the property may thereafter be used only for conforming purposes. Conforming use of the property shall be established pursuant to these Regulations.
- F. Lots and parcels that met the minimum lot size required by this Ordinance at the time they were created, and became deficient due to changes in the Ordinance, or due to contributions to right-of-way need for a government project are lots of record that are able to benefit from a building permit when a plot plan demonstrates that the lot or parcel will accommodate the proposed development and the use complies with this Ordinance.



## **Section 46 AMENDMENTS TO ZONING DISTRICTS (REZONES)**

### **A. Initiation.**

1. A person desiring to change the zoning district boundaries within an area previously zoned shall file an application requesting the change with the Board of Supervisors. Upon receipt of the application, the Board shall submit it to the Commission for a report.
2. The Planning and Zoning Commission may initiate a change by a positive vote of members present.

### **B. Public Hearing.**

1. After a rezone is properly initiated under this Section, the Commission, after giving notice as required in Section 46.C, shall hold at least one (1) public hearing on the proposed amendment.
2. The Commission may have as many additional hearings or continued hearings on any initiated change as may be deemed necessary for public necessity, convenience, and general welfare, provided that each and every public hearing complies with the notice requirements of Section 46.C.
3. Upon the approval or disapproval of any initiated zoning change, the Commission shall make a report of its findings and recommendation to the Board of Supervisors within thirty (30) days after completion of the said hearing.

### **C. Notice.**

1. The Commission shall cause notice by first class mail to be sent to each real property owner as shown on the last assessment of the property within three hundred (300) feet of the proposed amendment or change, except that notice shall be sent to each real property owner within one (1) mile of a proposed amendment or change to the M-X (Heavy Manufacturing) zone. Notice shall also be sent to each county and municipality which is contiguous to the proposed change. At a minimum, the notice shall include the following:
  - a. The date, time, and place of the public hearing,
  - b. A general explanation of the matter to be considered,
  - c. A general description of the area of the proposed change,
  - d. An explanation of how the property owner within the zoning area may file approval or protests to the proposed change,
2. Prior to holding a public hearing, the commission shall give notice thereof by at least one (1) publication in a newspaper of general circulation in the County seat and a newspaper of general circulation in the area of the proposed change.

## **Section 46.1 AMENDMENTS TO ZONING ORDINANCE REGULATIONS (continued)**

3. The Commission shall post the area included in the proposed change. The posting shall be in no less than two places with at least one notice for each quarter mile of frontage along perimeter rights-of-ways so that the notices are visible from the nearest public right-of-way or as required by State Statute.
4. The Commission shall post the proposed change on the Mohave County website: [www.mohavecounty.us](http://www.mohavecounty.us)

**D. Action by the Board of Supervisors.**

1. Upon receipt of the Commission's recommendations, the Board shall hold a public hearing, wherein at least fifteen (15) days' notice of which shall be given by one (1) publication in a newspaper of general circulation in the County seat, and by posting the area included in the proposed change. After holding the hearing, the Board may adopt the change.
2. Should twenty percent (20%) of the property owners representing twenty percent (20%) of the land area within three hundred (300) feet of the area proposed for change object to the change, a four-fifths (4/5) vote of the Board is required for approval, or as described in [A.R.S. §11-814.E](#)

**E. Reapplication.**

No person, including the original applicant, shall re-apply for the same change of zone on the same plot or lots within a period of one (1) year from the date of the final decision or denial of such previous application except in cases where extraordinary circumstances have caused a need for reevaluation of all property in the general area.

## Section 46.1 AMENDMENTS TO ZONING ORDINANCE REGULATIONS

### A. Initiation.

1. For all amendments to these regulations, other than those controlled by Section 46, the Commission may initiate an amendment by a positive vote of members present. A person desiring an amendment to the Zoning Ordinance may request, in writing to the Commission, that the Commission propose such an amendment.
2. A person requesting an amendment to the Zoning Ordinance shall also present a petition of no fewer than one hundred (100) property owners, who are registered voters in Mohave County, supporting the proposed amendment.
3. A member of the Commission or the Board, of their own volition, may initiate an amendment of the Zoning Ordinance.

### B. Public Hearing.

1. After an amendment is properly initiated under Section 46.1.A, the Commission shall hold at least one (1) public hearing on the proposed amendments after giving notice according to Section 46.1.C.
2. The Commission may have as many additional hearings, or continued hearings, on any initiated amendments as may be deemed necessary for public necessity, convenience and the general welfare, provided that each and every public hearing comply with the notice requirements of Section 46.1.C.

### C. Notice.

1. Prior to holding a public hearing, the Commission shall give notice thereof by at least one (1) publication in a newspaper of general circulation in the County seat.
2. In proceedings involving one or more of the following proposed changes or related series of changes in the standards governing land uses, notice shall be provided in the manner prescribed by Section 46.1.C.3:
  - a. A ten percent (10%) or more increase or decrease in the number of square feet or units that may be developed.
  - b. A ten percent (10%) or more increase or reduction in the allowable height of buildings.
  - c. An increase or reduction in the allowable number of stories of buildings
  - d. A ten percent (10%) or more increase or decrease in setback or open space requirements.
  - e. An increase or reduction in permitted uses.

## **Section 46.1 AMENDMENTS TO ZONING ORDINANCE REGULATIONS (continued)**

3. In proceedings governed by Section 46.1.C.2, the county shall provide notice to real property owners pursuant to the following notification procedures:
  - a. Notice shall be placed on the Mohave County Development Services website.
  - b. The County shall publish such changes prior to the first hearing on such changes in a newspaper of general circulation in the County seat. The changes shall be published in a “display ad” covering not less than one- eighth of a full page.
4. If notice is provided pursuant to Section 46.1.C.3.b, the County shall also send notice by first class mail to persons who register their names and addresses with the County as being interested in receiving such notice. The County may charge a fee not to exceed five dollars per year for providing this service.

### **D. Action by the Board of Supervisors.**

1. Upon receipt of the Commission’s recommendations, the Board shall hold a public hearing, wherein at least fifteen (15) days’ notice of which shall be given by one (1) publication in a newspaper of general circulation in the County seat and by posting the area included in the proposed change. After holding the hearing, the Board may adopt the amendment.

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS**

### **A. Review of the General Plan.**

1. Mohave County is required by Arizona law to establish a General Plan, and to periodically review or evaluate it to determine if the plan needs to be updated. The law also requires that in any event the General Plan must be updated not less than every ten (10) years. The Board of Supervisors may choose to update the plan more frequently.
2. So that the General Plan may be as current and accurate as possible, the plan may be maintained to update statistics and data, or to correct errors or omissions. Such updates may be made as a Minor Plan Amendment when the updated information does not alter land use designations, goals or policies.

### **B. Amendments to the General Plan or an adopted Area Plan.**

1. The General Plan or an adopted Area Plan may be amended from time to time in the manner provided for in this Section, for the purposes of ensuring that the plan reflects the needs of County residents.
2. Initiation of an Amendment
  - a. Member of the public not proposing a development. A person desiring an amendment to the policies or land use diagrams in the General Plan, shall initiate such an amendment by filing an application and a petition containing no fewer than one hundred (100) signatures of Mohave County tax payers to the Development Services Department requesting this change with the Planning and Zoning Commission.
  - b. Member of the public proposing a development. A person desiring an amendment in the General Plan, shall initiate such an amendment by filing an application to the Development Services Department requesting this change with the Planning and Zoning Commission.
  - c. By Commission or Board. The Planning and Zoning Commission or the Board of Supervisors may initiate an amendment by a positive vote of the members present.
3. Actions considered a Minor Amendment
  - a. The following changes are considered Minor Amendments to the General Plan, including Area Plans:
    - 1) A change in the land use boundaries, in the land use diagrams, where those changes are consistent with the adjacent area designations, adjacent land use and the General Plan goals and policies.
    - 2) The adoption or amendment of an Area Plan where the Area

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

Plan and the changes are consistent with the General Plan and do not substantially alter the mix of land use designations in the General Plan.

- 3) Changes to goals and policies that clarify intent or correct inconsistencies. Also, updates to data in the plan that do not alter land use designations, goals or policies.
- 4) Amendments not determined to be Major Amendments as provided in Section 46.2.B.4.
- 5) Actions that the Board of Supervisors considers to be minor.

4. Actions considered a Major Amendment

- a. The following proposed amendment actions will be considered Major Amendments:
  - 1) A proposed change to the General Plan or an adopted Area Plan which causes a substantial alteration of the land use mixture or balance established for a defined area in the land use element of the General Plan or adopted Area Plan as follows:
    - a) For development proposals other than alternative energy projects, projects 1,800 acres and larger will typically require Major Amendments; however, the Board of Supervisors will consider each proposal and make that determination prior to processing the actual amendment item.
    - b) Any proposed amendment in an Urban Development Area or a Suburban Development Area for an alternative energy proposal consisting of 1,800 gross acres or more.
    - c) Any proposed amendment in a Rural Development Area (RDA) for an alternative energy project consisting of 3,800 acres or more. For alternative energy proposals in RDAs involving both public and private lands, only the private lands will be counted toward the acreage in determining whether the proposal requires a Major or Minor Amendment (if any) to the General Plan.
    - d) The Board of Supervisors may determine that any proposal requiring an amendment to the General Plan constitutes a Minor Amendment if it finds, consistent with [A.R.S. 11-805](#), that the proposal is beneficial to the County, and does not present a substantial alteration of the County's land use mixture or balance to the land use element for that area of the County as depicted in the

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

General Plan.

- b. Creation of new Elements of the General Plan or an Area Plan.
- c. Text changes that substantially alter the land use mixture or balance.
- d. The adoption of an Area Plan where the Area Plan is not consistent with the land use categories, or goals and policies of the General Plan or where the Area Plan changes the balance of land use in the Area Plan or General plan. Area Plans can be adopted where the proposed area covered by the Area Plan is under one ownership or where all property owners within the area concur in writing to the proposed Area Plan.

### **C. Minor Amendment Process.**

#### **1. Pre-application Meeting.**

Any member of the public initiating a Minor Amendment should attend a pre- application conference to determine feasibility and probable time frame.

#### **2. Application.**

Minor Amendments may be considered upon submission of an application to the Development Services Department or as deemed necessary by the Planning and Zoning Commission or the Board of Supervisors.

#### **3. Public Notice.**

- a. Notice of the time and place of a hearing and availability of studies and summaries related to the hearing shall be given at least fifteen (15) and not more than thirty (30) calendar days before the hearing by:

- 1) Publication at least once in a newspaper of general circulation in the County seat, or
  - 2) Publication at least once in a newspaper of general circulation in the area to be affected, or adjacent to the area to be affected, if the area affected is other than the county seat

- b. The county shall cause notice to be given to real property owners pursuant to at least one of the following notification procedures:

- 1) For map amendments, all property owners within the area of the proposed change and within three hundred (300) feet of the boundary of the proposed change shall be sent notice by first class mail.
    - 2) For text amendments, the changes shall be published in one (1) "display ad" covering not less than one-eighth of a full page

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

in a newspaper of general circulation in the County seat prior to the first public hearing on the changes. If the only text change is to address errors or omissions, no amendment is required.

- c. The county shall cause notice to be sent by first class mail to persons who register their names and addresses with the county as being interested in receiving such notice. The county may charge a fee not to exceed five dollars (\$5.00) per year for providing this service.
- d. All notices required in this subsection shall contain the following information, at a minimum:
  - 1) The date, time, and place of the public hearing;
  - 2) A general explanation of the matter to be considered;
  - 3) A general description of the area of proposed changes;
  - 4) An explanation of how comments or objections may be filed with Mohave County.

### **4. Public Hearing**

- a. Public hearings for Minor Amendments shall be held in the following manner:
  - 1) After an amendment is properly initiated and after any required public meeting, the Commission shall hold at least one (1) public hearing on the proposed amendments, after giving notice according to Section 46.2.C.3.
  - 2) The Commission may hold as many additional hearings on any amendment as may be deemed necessary for public necessity, convenience, and general welfare. If during a properly noticed hearing an amendment request is continued to a fixed date, time, and place, only publication of the meeting agenda is required. If an amendment request is continued prior to the scheduled hearing or without a fixed date, time, and place, notice shall comply with the notice requirements of Section 46.2.C.4.

### **5. Availability of Draft Plans and Amendments**

Minor Amendment draft plans will be available at the Development Services Department offices in Kingman ten (10) days prior to the Planning and Zoning Commission public hearing and posted on the Department's web page.

## Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)

### 6. Action by the Board of Supervisors

Upon receipt of the Commission's recommendations, the Board shall hold at least one public hearing after giving notice according to this Section. After holding the hearing, the Board may adopt, deny the amendment, or change the amendment. Any changes to the amendment shall be referred back to the Planning and Zoning Commission for a report. In developing and considering the amendment, the Commission shall follow the Public Hearing and Public Notice requirements in this Section.

### D. Major Amendment Process.

#### 1. Pre-application Meeting

- a. Any member of the public initiating a Major Amendment should attend a pre-application conference to determine feasibility and probable time frame.

#### 2. Application

Proposed Major Amendments will be analyzed for suitability and feasibility. The Board will consider the following in determining the suitability of an application for a Major Amendment:

- a. All applications for a Major Amendment must be submitted to the Development Services Department between the first business day in January and the first Friday in May of a given calendar year in order for those applications to be heard by the Board of Supervisors at a public hearing in the calendar year the application is submitted.

All applications for a Major Amendment received after the first Friday in May will not be accepted nor processed until the first business day in January of the next calendar year.

- b. Applications proposing changes in General Plan goals and policies must include a petition signed by no fewer than one hundred (100) property owners, who are registered voters in Mohave County, supporting the proposed amendment.

- c. All proposed Major Amendments to the General Plan or an adopted Area Plan that requires a Major Amendment to the General Plan shall be heard at a single public hearing of the Board of Supervisors during the calendar year the amendment applications are submitted.

- d. Any application for a Major Amendment, where the amendment has not been heard and approved or denied by the Board within the calendar year the application was submitted, shall be forwarded to the next calendar year for processing, according to [A.R.S. 11-805](#).

- e. The applicant must demonstrate a perceived benefit or need to the area

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

affected by the Major Amendment.

- f. The result of the proposed Major Amendment should provide reasonable continuous support, access, and service to the location of the amendment so it can be reasonably accessed. The location of development as a result of the amendment should not be so remote that stated goals and policies within predicted time development increments cannot be attained.
- g. For proposed Major Amendments, the applicant shall demonstrate how future land uses and proposed development, as a result of the amendment will provide a cohesive, self-supporting community that would be capable of incorporating, or is an expansion on an existing developed area.
- h. For amendments in or to Urban or Suburban Development Areas, the amendment will need to describe future land use development with full infrastructure in a logical development pattern with prescribed time frames for completion or the preliminary development steps to be taken leading toward incorporation.
- i. An application for a Major Amendment to the General Plan or Area Plan land use diagrams or maps shall include the following information.
  - 1) A vicinity map showing the general area including, but not limited to, the general road network.
  - 2) A map of the area to be changed, indicating the current and the proposed development area and land use designation.
  - 3) A statement justifying the change that includes, but is not limited to, a description of the following:
    - a) How the change benefits and/or affects the County,
    - b) Public infrastructure and public services that are available or will be provided,
    - c) A description of the change of the character of surrounding neighborhoods,
    - d) An explanation that the change is consistent with the goals and policies of the General Plan and applicable Area Plan, and
    - e) An explanation of changing events or circumstances that makes the amendment appropriate.

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

### **3. Citizen Participation Plan**

- a. Prior to beginning any Major Amendment process, the applicant shall adopt a Citizen Participation Plan that provides for the following:
    - 1) Early and continuous participation by the public affected by the plan; such participation may be through citizen advisory committees, numerous and frequent public meetings, or other methods or combination of methods.
    - 2) Methods by which cities, counties, state and federal agencies, utilities, school districts, regional planning agencies, and civic, educational and professional organizations are included in the participation process.
    - 3) Public notice of public meetings and public hearings being held by the Development Services Department, the Planning and Zoning Commission and the Board of Supervisors; notice must, at a minimum, comply with these regulations, [A.R.S. 11-805](#).
    - 4) Public meetings in sufficient number and location to inform the public of the proposed action and its effect.
    - 5) Public hearings that comply with these regulations, [A.R.S. 11-805](#), and provide the public with ample opportunity to address the Commission and Board.
    - 6) A method for reporting and addressing citizen comments received at the public meetings and hearings. The report shall be part of the adopted plan or updated plan.

### **4. Consultation and Coordination**

- a. Consultation and coordination with cities, counties, state and federal agencies, utilities, school districts, regional planning agencies, and civic, educational and professional organizations shall occur according to the Citizen Participation Plan and this Section.
  - b. At least sixty (60) days before the required notice for the Planning and Zoning Commission public hearing, the new plan, plan update or Major Amendment shall be transmitted to the following agencies, organizations and persons:
    - 1) Each municipality in the County;
    - 2) Each other county that is contiguous to the County;
    - 3) The regional planning agencies in the County;

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

- 4) The Department of Commerce or any other state agency that is subsequently designated as the general planning agency for the state;
- 5) The State Land Department; and
- 6) Any person, organization or agency that requests, in writing, to receive the proposal.

5. Public Neighborhood Meeting
  - a. The party initiating the Major Amendment shall hold a public meeting in the area of the proposed Plan Amendment when:
    - 1) A Major Amendment to the General Plan or an adopted Area Plan is proposed.
    - 2) A new Area Plan is proposed.
  - b. A report prepared by the party initiating the amendment shall be included with the Development Services Department's report to the Commission. The report must cover the comments received at the public meeting and either how those comments were addressed or reasons for not addressing them.
6. Availability of Draft Plans and Amendments
  - a. Draft Major Amendments will be available sixty (60) days prior to any required notice for the Planning and Zoning Commission public hearing and thirty (30) days prior to the Board of Supervisors public hearing at the Office of the Clerk of the Board of Supervisors, the Development Services Department offices, and Mohave County libraries in Kingman, Bullhead City, and Lake Havasu City, and other appropriate places as determined by the Director of Development Services
7. Public Notice
  - a. Notice of all public hearings for plan adoption, review or update shall be made in accordance with the approved Citizen Participation Plan, State Statute and this Section.
  - b. Notice of the time and place of a hearing and availability of studies and summaries related to the hearing shall be given at least fifteen (15) and not more than thirty (30) calendar days before the hearing by:
    - 1) Publication at least once in a newspaper of general circulation in the County seat
    - 2) Publication at least once in a newspaper of general circulation

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

in the area to be affected, or adjacent to the area to be affected, if the area affected is other than the County seat

- c. The county shall cause notice to be given to real property owners pursuant to at least one of the following notification procedures:
  - 1) For map amendments, all property owners within the area of the proposed change and within one-half (1/2) mile of the boundary of the proposed change shall be sent notice by first class mail.
  - 2) For text amendments, the changes shall be published in one (1) "display ad" covering not less than one-eighth of a full page in a newspaper of general circulation in the county seat prior to the first public hearing on the changes.
- d. The county shall cause notice to be sent by first class mail to persons who register their names and addresses with the county as being interested in receiving such notice. The county may charge a fee not to exceed five dollars (\$5.00) per year for providing this service.
- e. All notices required in this subsection shall contain the following information, at a minimum:
  - 1) The date, time, and place of the public hearing;
  - 2) A general explanation of the matter to be considered;
  - 3) A general description of the area of proposed changes;
  - 4) An explanation of how comments or objections may be filed with Mohave County.

### **8. Public Hearing**

- a. All public hearings held for a Major Amendment shall be held in accordance with the approved Citizen Participation Plan and state statute.
- b. Public hearings for Major Amendments to the General Plan or any adopted Area Plan shall be held in the following manner:
  - 1) After an amendment is properly initiated and after any required public meeting, the Commission shall hold at least one (1) public hearing on the proposed amendments, after giving notice according to Section 46.2.D.7.
  - 2) The Commission may hold as many additional hearings on any amendment as may be deemed necessary for public necessity, convenience, and general welfare, provided that each and every public hearing is not a continuation of a previous hearing, and

## **Section 46.2 AMENDMENTS TO THE GENERAL PLAN AND AREA PLANS (continued)**

complies with the notice requirements of Section 46.2.D.7.

- 3) The Commission may continue hearings on any amendment as may be necessary provided that hearings are continued to a fixed date, time, and place. Hearings continued without announcing a fixed date, time, and place shall be noticed according to Section 46.2.D.7.

### **9. Action by the Board of Supervisors**

- a. Upon receipt of the Commission's recommendations, the Board shall hold at least one public hearing after giving notice according to this Section. After holding the hearing, the Board may adopt, deny the amendment, or change the amendment. Any changes to the amendment shall be referred back to the Planning and Zoning Commission for a report. In developing and considering the amendment, the Commission shall follow the public hearing and notice requirements in this Section.
- b. The adoption of any Major Amendment, shall be by affirmative vote of at least two-thirds of the members of the Board.

### **E. Reapplication.**

No person, including the original applicant, shall reapply for the same amendment for the same area within a period of one (1) year from the date of the final decision or denial of such previous application, except in cases where extraordinary circumstances have caused a need for reevaluation of all property in the general area.