

ARTICLE V

(Ord. 11-05)

USES PERMITTED IN EACH ZONING DISTRICT AND ADDITIONAL REQUIREMENTS AND CLARIFICATIONS FOR USES PERMITTED IN EACH ZONING DISTRICT.

SECTION 1 USES PERMITTED IN EACH ZONING DISTRICT.

The table below shows which uses (listed in the left hand column) are allowed in which zoning district(s) (columns labeled RA5 through HI). If there is an X in the column it means the use is allowed as a matter of right. If there is a C in the column it means the use may be considered as an allowed use subject to the provisions of the conditional use article (ARTICLE X) of this ordinance. If there is a number in the column there are additional provisions and/or clarifications that apply to that use in that zoning district which will be found in the appropriately numbered paragraphs listed under Section 2 of this Article:

USES	ZONING DISTRICT										
	RA5	SR43	SR	MHS	R1	R2MR	R3	C1	C2	LI	HI
Residential											
Dwelling Unit	X	X	X	X	X	X	X	X1	X1	X1	X1
Boarding House							X	X	X		
Manufactured Home	X	X	X	X	X	X					
Mobile Home	X	X	X	X		X					
Mobile Home Park			C2			C2		X2	X2		
Modular Home	X	X	X	X	X	X					
Multi-Family Dwelling							X				
One-Family Dwelling	X	X	X	X	X	X					
Recreational Vehicle		C9	X	X		X					
Recreational Vehicle Park			C3			C3		X3	X3		
Two-Family Dwelling						X	X				
Agriculture											
General Agriculture	X4		X4								
Roadside Stands	X5		X5								
Stables	C6		C6								
Other											
Accessory Uses	X7	X7	X9	C8	X7	X7	X7	X10	X10	X10	X10
Airport	C									C	C
Cemetery Human/Pet	X	X	X	C	X	C					
Church	X11	X11	X11	X11	X11	X11	X11	X11	X11		
Commercial, General									X12		

	RA5	SR43	SR	MHS	R1	R2MR	R3	C1	C2	LI	HI
Commercial Neighborhood									X24	X24	
Congregate Care								C	X	X	
Day Care Center	C	C	C	C	C	C	C	X	X		
Domestic Animal	X13	X13	X13	X13	X13	X13	X13				
Group Home	X14	X14	X14	X14	X14	X14	X14				
Hospital							C	C	C		
Industrial Heavy											X15
Kennel/Boarding	C		C							C	C
Light Industrial										X16	X16
Outdoor Storage									X25	X25	X25
Public Use	X17	X17	X17	X17	X17	X17	X17	X17	X17	X17	X17
Public Utility	X18	X18	X18	X18	X18	X18	X18	X18	X18	X18	X18
Radio/TV Studio								X19	X19	X19	X19
Radio/TV Towers								C	C	C	C
Recycle Yard										C	C
Sales Office Subdivision	C20	C20	C20	C20	C20	C20	C20				
Schools, Private	X21	X21	X21	X21	X21	X21	X21	X21			
Shelter Care							C	X	X		
Signs	X22	X22	X22	X22	X22	X22	X22	X22	X22	X22	X22
Swap Meet	C							X23	X23		
Medical Marijuana Dispensaries									X26	X26	
Medical Marijuana Dispensaries offsite Cultivation										X26	

SECTION 2 THE FOLLOWING ARE ADDITIONAL REQUIREMENTS AND/OR CLARIFICATIONS FOR USES PERMITTED IN EACH ZONING DISTRICT.

Paragraph 1 Dwelling Unit

A. A dwelling unit in a commercial or industrial zoning district shall be limited to one single-family dwelling unit occupied exclusively by the operator or caretaker of the business on the site only as an accessory use to the principle permitted use and only if located in the rear yard or on the second floor. The type of dwelling unit is limited to conventional, manufactured, modular or mobile. Recreational vehicles, tent trailers and tents are not allowed.

Paragraph 2 Mobile Home Park may be permitted subject to the requirements for mobile home parks in Article VIII, of this ordinance.

Paragraph 3 Recreational Vehicle Park may be permitted subject to the requirements for recreational vehicle parks in Article IX of this ordinance.

Paragraph 4 General Agriculture includes:

A. Nurseries, greenhouses, orchards, aviaries, apiaries, raising of field crops, tree crops, berry and bush crops, vegetable and herb gardening, and irrigation systems public and private.

B. Farm animals that are maintained so as not to create or cause a nuisance and are limited to future farmers, 4-H or similar livestock projects conducted by the occupants of the premises. Three (3) animals may be kept on two acres plus two (2) animals for each additional acre and all livestock and poultry kept shall be kept confined to the premises by erection and maintenance of a stock-tight fence and necessary cattle guard and notwithstanding any other provision only one (1) hog may be kept on the premises.

C. All other agriculture uses requires a conditional use including a guest ranch.

Paragraph 5 Retail sales structures of less than one thousand (1,000) square feet which are located on the premises where the products are raised or produced and offered for sale.

Paragraph 6 Horse riding, training and boarding stables on a minimum lot size of ten (10) acres.

Paragraph 7 Fences and walls (as described below), garage, enclosed storage, barn, satellite earth station, swimming pool, a mature radio tower, game court (unlighted), home occupation (described below), yard sales limited to not longer than seventy two (72) hours at a time and held no more frequently than one (1) time every thirty (30) days, and household pets.

1. Fences and walls that are no higher than six feet six inches (6'6"). Fences or walls in the front yards that are higher than three feet (3') shall be see through for that portion of fencing that exceeds three feet (3') above grade. Open wire fences exceeding the above heights are allowed around schools and other public or quasi-public uses when necessary for the safety or restraint of the occupants thereof.

2. No fence may contain barbed wire, electrical current, broken glass or other hazardous material; except storage areas in

industrial zoning districts may use barbed wire provided the barbs are a minimum of six (6) foot above grade.

3. In the commercial and industrial zones a six (6) foot high approved solid wall or fence shall be constructed and maintained along the property lines adjoining a residential zone.

A. Home occupations are limited to occupations or professions customarily conducted within a dwelling unit and carried on only by a member of the family residing therein meeting the following criteria:

1. the home occupation is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes,
2. the home occupation is conducted entirely within the dwelling unit or other allowed accessory building(s),
3. the home occupation does not change the character of the dwelling unit or zoning district,
4. the home occupation has no employees other than an immediate member of the family residing in the dwelling unit, and
5. the home occupation has no mechanical equipment except for that which is customarily used for domestic, hobby, or household purposes.

Paragraph 8 All Items listed in paragraph 7 plus one (1) additional recreational vehicle by conditional use permit provided the following standards are met:

- A. Maximum number of permanent principal uses per parcel or lot cannot exceed one (1).
- B. Minimum lot area per dwelling unit including permanent and temporary must meet or exceed 6,000 square feet.
- C. All lots or parcels must front on a public dedicated road or other dedication which provides legal access for occupants, visitors and emergency personnel.
- D. Sewer, water, electricity, trash collection and telephone shall be provided for the permanent principal use. Any sewer, water or electrical hookup shall be approved by the Town and/or other required agencies. In addition, each dwelling unit must meet installation requirements of the Town.
- E. All dwelling units that are not permanent principal uses will be temporary uses and will be allowed between September 1 and May 31 only, each year. All

temporary dwelling units shall be removed from the site between June 1 and August 31 each year.

F. All driveways, parking areas and access ways on the site shall be clearly marked and maintained.

G. All temporary dwelling units shall be set back a minimum of twenty-five (25) feet from all streets and from all property lines.

H. All temporary dwelling units shall be located no closer than fourteen (14) feet to any other dwelling unit on or adjacent to the site.

I. All dwelling units shall confine all noise to the interior of the dwelling unit between the hours of 10:00 pm and 6:00 am.

J. All electrical hook ups shall meet the requirements of the Town and temporary hookups shall only be allowed between September 1 and May 31, each year.

K. Each dwelling unit shall have its own individual outlet of electricity to be used. No extension cords for the purpose of sharing outlet boxes is allowed.

L. Sewer and water hook ups for temporary dwelling units are not allowed. The source of water and sewage disposal methods shall be noted and approved by the Town.

Paragraph 9 All Items listed in paragraph 7 plus two (2) additional single-family dwelling units of any type are allowed. Additional dwelling units are allowed by conditional use permit provided the following standards are met:

A. Maximum number of permanent principal uses one (1) and two (2) temporary uses per parcel or lot cannot exceed three (3).

B. Minimum lot area per permanent principal use must meet or exceed one-third (1/3) acre (14,520 square feet).

C. All primary lots or parcels must front on a public dedicated road or other dedication which provides legal access for occupants, visitors and emergency personnel.

D. Sewer, water, electricity, trash collection and telephone shall be provided for each permanent principal use. Any sewer, water or electrical hookup shall be approved by the Town and/or other required agencies. In addition, each dwelling unit must meet installation requirements of the Town.

E. All dwelling units that are not permanent principal uses will be temporary uses and will be allowed between September 1 and May 31 only, each year. All temporary dwelling units shall be removed from the site between June 1 and August 31 each year not to exceed three (3).

F. All driveways, parking areas and access ways on the site shall be clearly marked and maintained.

G. All temporary dwelling units shall be set back a minimum of twenty-five (25) feet from all streets and from all property lines.

H. All permanent or temporary dwelling units shall be located no closer than fourteen (14) feet to any other dwelling unit on or adjacent to the site.

I. All dwelling units shall confine all noise to the interior of the dwelling unit between the hours of 10:00 pm and 6:00 am.

J. All electrical hook ups shall meet the requirements of the Town and temporary hookups shall only be allowed between September 1 and May 31, each year. Each dwelling unit shall have its own individual outlet of electricity to be used. No extension cords for the purpose of sharing outlet boxes is allowed.

K. Sewer and water hook ups for temporary dwelling units are not allowed. The source of water and sewage disposal methods shall be noted and approved by the Town.

L. There shall be a minimum lot area per dwelling unit including permanent and temporary units of no less than one thousand (1,000) square feet.

M. A conditional use permit must be issued by the Zoning Administrator and is required. The conditional use permit may be issued if the property owner delivers a signed statement to the Zoning Administrator that these standards have been reviewed and will be complied with and enforced by the property owner. The owner agrees, if any formal written complaints are received by the Town concerning the site, all violations(s) shall be corrected by the owner of the site within twenty-four hours of notification. Failure to correct all violations in this manner will be cause for the cancellation of the conditional use permit provided the owner is notified in writing no less than five (5) working days prior to expiration or termination. The owner may appeal the termination to the Board of Adjustment within five (5) working days of notice of expiration or termination.

Paragraph 10 Limited to uses customary and incidental to the principal use of the property.

Paragraph 11 Churches and church schools (but not dormitories) provided that all buildings are located not less than thirty (30) feet from any lot line.

Paragraph 12 Commercial, General zoning district includes indoor and other business uses serving the daily needs of the immediate neighborhood as well as community level needs including the following and similar uses:

- A. Appliance, furniture and household equipment rentals.
- B. Assembly including assembly halls, ballrooms and theaters.
- C. Automobile service station.
- D. Automotive services including automobile service station, commercial parking lot, automotive repair but, except body or radiator.
- E. Bank and other financial institutions such as credit unions, loan companies and savings and loan associations.
- F. Bars, taverns or other on-premises alcoholic beverage sale provided it is not within five hundred (500) feet of any residential district, a church or school and limited to the serving of food or beverages inside a building, live entertainment including music or dancing, but no adult entertainment.
- G. Billiard parlors.
- H. Bowling alleys.
- I. Business schools.
- J. Charitable organizations.
- K. Churches.
- L. Day care center.
- M. Emergency medical care facility.
- N. Golf driving range.
- O. Governmental services, public utility offices and exchanges, excluding storage or repair services.
- P. Hotels and motels.

- Q. Indoor recreation facilities such as gymnasiums and health clubs.
- R. Live entertainment including music or dancing, but no adult entertainment.
- S. Lodges or fraternal associations.
- T. Miniature golf course.
- U. Office including: accounting, administrative, blue print, business, clerical, dental, executive, medical, newspaper, professional, real estate, stenographic, stock brokerage firms, veterinarians, writing.
- V. Parking garages.
- W. Personal services including: appliance repair shop, barber shop and beauty parlor, custom dressmaker, dry cleaning outlet, interior decorator, laundry establishments, locksmith, milliner, minor household appliance repair, mortuaries, photographer, self service laundry, shoe repair shop tailor.
- X. Plant nursery, including wholesale and retail sales.
- Y. Recreational vehicle storage facilities.
- Z. Restaurant.
- AA. Retail store including: apparel, appliance sales and rentals, bakery, books, clothes, confections, drugs, dry goods, florist shop, food, furniture sales and rentals, garden supplies, gift shop, glass, graphic art, grocery store, hardware store, hobby supplies, home and office furnishings, household equipment rental, household supplies, jewelry, liquor, magazines, music supplies, novelties, office supplies, paint, pawn shop, rummage sales, second hand stores, shoes, specialty store, sporting goods, stationery, thrift stores, tobacco, toys, used furniture store, variety store, wallpaper.
- BB. Self storage warehouse.
- CC. Shelter care facilities.
- DD. Skating rinks.
- EE. Slenderizing Salons.
- FF. Theaters
- GG. Truck stop.

HH. Vehicle sales including: automobile, truck, trailer and recreational vehicle sales and/or leasing facilities where all vehicles are displayed and stored within an enclosed building.

II. Vehicle sales where including: automobile service station, commercial parking lot, vehicle repair; new or used automobile, motorcycle, boat, truck and recreation vehicle sales and repair; vehicle repair garage provided the storage or parking of wrecked motor vehicle shall be within an enclosed building or a compound yard enclosed by a six (6) foot high solid wall, except for driveway openings.

JJ. Y.M.C.A.

KK. Y.W.C.A.

All uses shall be operated entirely within an enclosed building unless screened from view from any residential or commercial zoning district and/or any public right of way by a solid six foot (6') screen, wall or fence. A commercial use abutting a residential zone shall be screened by a six (6') foot high wall or fence.

Paragraph 13 Provided that such animals are household pets and that kennels are not maintained.

Paragraph 14 Group homes and supervisory care facilities are permitted provided that no exterior change altering the residential character shall be made to the exterior of the building(s) and the grounds except those require to meet the requirements of the Americans Disability Act.

Paragraph 15 Heavy Industrial uses including any kind of scientific research, manufacturing, compounding, assembling, processing, treatment, provided that:

A. All uses shall be operated entirely within an enclosed building, unless screened from view from any residential or commercial zoning district and/or any public right of way by a solid six (6) foot screen wall or fence, except that a recycle yard operation shall be completely enclosed with a solid masonry wall and not material or other storage items are stacked higher than the height of the wall.

B. Dust, fumes, odors, refuse matter, smoke, vapor, noise, lights and vibrations shall be confined to the heavy industrial zone or otherwise controlled in accordance with Town, county, state and federal environmental laws.

Paragraph 16 Light industrial uses as listed below including any kind of scientific research, manufacturing, compounding, assembling, processing,

treatment, provided that all uses shall be operated entirely within an enclosed building unless screened from view from any residential or commercial zoning district and/or any public right of way by a solid six (6) foot screen wall or fence; and dust, fumes, odors, refuse matter, smoke, vapor, noise, lights and vibrations shall be confined to the premises or otherwise controlled in accordance with Town, county, state and federal environmental laws; and travel and parking portions of the lot shall be dust proof.

- A. Auction yard.
- B. Bakery for the wholesale distribution of baked goods such as breads and other dough or pastry items.
- C. Printing and newspaper office.
- D. Blacksmith shop.
- E. Bottling works.
- F. Builders supply yard.
- G. Cabinet making shop.
- H. Carpenter shop.
- I. Commercial dairy.
- J. Commercial laundry.
- K. Dairy processing and distribution plant.
- L. Dry cleaning plant.
- M. Electric shop.
- N. Frozen food locker (no slaughtering on the premises).
- O. Furniture upholstering where the cover of existing furniture is removed and/or replaced with a new cover.
- P. Greenhouses and plant nurseries for wholesale and retail distribution of plants grown on the premises.
- Q. Heavy equipment sales and service.

- R. Ice and cold storage plants.
- S. Lumber yards.
- T. Machine shops.
- V. Propane storage and sales.
- W. Public utility facilities.
- X. Publishing plant.
- Y. Roofing shops.
- Z. Sheet metal shops.
- AA. Tire vulcanizing where existing tires are re-treaded and sold for reuse.
- BB. Transportation depots.
- CC. Veterinary clinic including kennels and boarding.
- DD. Veterinary hospitals.
- EE. Warehouse but not including storage of explosive, corrosive or noxious materials that could be dangerous to man or property.

Paragraph 17 Limited to:

- A. Public schools (limited to elementary, junior high and high school – other public schools are a conditional use).
- B. Public parks and playgrounds.
- C. Public golf courses including clubhouses and practice driving tees.
- D. Other publicly owned and operated buildings or properties require a conditional use in all zoning districts other than the commercial and industrial zoning districts.
- E. All publicly owned and operated buildings or properties are allowed as a use by right in the commercial and industrial zoning districts provided all outdoor storage or operations are screened from all residential zoning districts and public rights of way.

- Paragraph 18** Public utility facilities required for local service, provided that there are no offices, Æ repair or storage facilities, Æ outdoor storage or full time employees related to the site.
- Paragraph 19** Radio and TV studios, provided that no mast or towers used for transmission or broadcasting purposes are erected on the premises.
- Paragraph 20** Including model home(s), temporary sales office and construction trailer.
- Paragraph 21** Limited to elementary, junior high and high school but not dormitories. Other private schools are a conditional use.
- Paragraph 22** Signs are subject to the sign article, Article XIII, of this ordinance.
- Paragraph 23** Swap meets are allowed subject to review and approval by the Town consistent with administrative rules and procedures adopted by the Town Council.
- Paragraph 24** Commercial, Neighborhood includes indoor and other business uses serving the daily needs of the immediate neighborhood including the following and similar uses.
- A. Appliance, furniture and household equipment rentals.
 - B. Automobile service station.
 - C. Bank and other financial institutions such as credit unions, loan companies and loan associations.
 - D. Charitable organizations.
 - E. Churches.
 - F. Day care center.
 - G. Governmental services, public utility offices and exchanges, excluding storage and repair services.
 - H. Indoor recreation facilities such as gymnasiums and health clubs.
 - I. Lodges or fraternal associations.
 - J. Miniature golf courses.

K. Office including: accounting, administrative, blue printer, business, clerical, dental, executive, medical, newspapers, professional, real estate, stenographic, stock brokerage firms, veterinarians, writing.

L. Personal services including: appliance repair shop, barber shop and beauty parlor, custom dressmaker, dry cleaning outlet, dry cleaning, interior decorator, laundry establishments, locksmith, milliner, minor household appliance repair, mortuaries, photographer, self service laundry, shoe repair shop, tailor.

M. Restaurant.

N. Retail store containing a maximum of one thousand two hundred fifty square feet (1,250 sq. ft.) including: apparel, appliance sales and rentals, bakery, books, clothes, confections, drugs, dry goods, florist shop, food, furniture sales and rentals, garden supplies, gift shop, glass, graphic art, grocery store, hardware store, hobby supplies, home and office furnishings, household equipment rental, household supplies, jewelry, liquor, magazines, music supplies, novelties, office supplies, paint, pawn shop, rummage sales, second hand stores, shoes, specialty store, sporting foods, stationary, thrift stores, tobacco, toys, used furniture store, variety store, wallpaper.

O. Y.M.C.A.

P. Y.W.C.A.

All uses shall be operated entirely with an enclosed building unless screened from view from any residential or commercial zoning district and/or any public right of way by a solid six (6) foot high wall or fence.

Paragraph 25 Outdoor storage of boats, recreational vehicles, motor homes and other items shall be screened from any adjacent residential zoning district with a masonry wall or adequate planting or solid material fence of six (6) feet in height.

Paragraph 26 Medical Marijuana dispensary and nonprofit medical marijuana dispensary offsite cultivation location subject to the requirements of the Medical Marijuana, Article XVI of the Quartzsite Town Zoning Code.

That if any section, subsection, sentence, clause or phase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Quartzsite Common Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phases be declared unconstitutional.