



Town of Quartzsite, AZ

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ARTICLE I

TITLE, AUTHORITY, PURPOSE, JURISDICTION, REPEALER, SEVERABILITY, CONFLICTS WITH OTHER REGULATIONS AND RELATIONSHIP TO THE GENERAL PLAN.

SECTION 1

TITLE

Paragraph 1 This ordinance shall be known and may be cited as "The Zoning Ordinance of the Town of Quartzsite, Arizona."

SECTION 2

AUTHORITY

Paragraph 1 This ordinance is adopted pursuant to the authority contained in Section 9-462.01 et. seq. of the Arizona Revised Statutes in order to conserve and promote the public health, safety and general welfare.

SECTION 3

PURPOSE

Paragraph 1 To conserve and promote the public health, safety and general welfare by regulating the use of buildings, structures and land and the intensity of land use for agriculture, residence, business, industry and other purposes.

Paragraph 2 To support and implement the adopted General Plan.

SECTION 4

JURISDICTION

Paragraph 1 This ordinance shall be effective within the incorporated boundaries of the Town of Quartzsite, Arizona.

SECTION 5 AND SEVERABILITY

REPEALER

Paragraph 1 Ordinance No. _____, adopted _____, and all subsequent amendments and all zoning laws, regulations, procedures and restrictions in conflict with this ordinance are hereby repealed.

Paragraph 2 This repeal shall not affect any punishment, penalty, suit, prosecution or enforcement incurred before the ordinance was repealed.

Paragraph 3 This repeal shall not affect any existing use that is not in compliance with the repealed ordinance. The use shall remain in non-compliance unless it fully conforms to the newly adopted ordinance.

Paragraph 4 If any part of "The Zoning Ordinance of the Town of Quartzsite, Arizona," is found to be invalid or unconstitutional by any court, such action shall not apply to the ordinance as a whole and it is intended and declared that all parts of said "Zoning Ordinance of the Town of Quartzsite, Arizona," not expressly declared to be invalid or unconstitutional shall continue in full force and effect.

SECTION 6 WITH OTHER RULES OR REGULATIONS

CONFLICT

Paragraph 1 The provisions of this ordinance are minimum requirements except when stated otherwise.

Paragraph 2 This ordinance is not intended to interfere with any existing ordinance of the Town of Quartzsite except when this ordinance imposes greater restrictions or regulations that are imposed or required by an existing ordinance, deed restriction, covenant, easement or agreement between parties, this ordinance shall control.

SECTION 7

RELATIONSHIP TO GENERAL PLAN

Paragraph 1 This ordinance is intended to implement the planning policies adopted by the Planning and Zoning Commission and Town Council as reflected in the General Plan.

Paragraph 2 This ordinance and any amendments are intended to be in conformity with the adopted General Plan.

ARTICLE II

COMPLIANCE, ENFORCEMENT & PENALTIES

SECTION 1 COMPLIANCE

Paragraph 1 Any existing or future building or structure that is erected, constructed, reconstructed, altered, repaired, converted or maintained; and any existing or future use of land shall be in compliance to this ordinance.

Paragraph 2 No building permit may be lawfully issued until all requirements of this ordinance have been met.

SECTION 2 ENFORCEMENT

Paragraph 1 A Zoning Administrator shall be appointed by the Town Manager

Paragraph 2 The Zoning Administrator shall be responsible for the enforcement of this ordinance; and shall develop procedures for said enforcement for review and approval by the Town Council within sixty (60) days of adoption of this ordinance.

SECTION 3 PENALTIES

Paragraph 1 Anyone violating any provision of this ordinance shall be guilty of a Class 1 misdemeanor punishable by a fine or imprisonment or both

Paragraph 2 Conviction shall be punished by a fine of not more than three hundred dollars (\$300.00) or by imprisonment for not more than ninety (90) days, or by both fine and imprisonment.

Paragraph 3 It is a separate offense for each and every day the violation is committed, continued or permitted.

Paragraph 4 The owner, lessee, tenant and/or other person in possession of the property are all and equally responsible for the use violation(s).

Paragraph 5 In addition, the Town may bring civil proceeding in a court of competent jurisdiction to enforce compliance with this ordinance including the prevention, restraining, and/or abatement of the violation(s).

Paragraph 6 In addition, any violation is declared to be a public nuisance and the Town may enjoin or restrain said violation like any other nuisance under authority of any applicable Town and State law.

ARTICLE III

RULES OF CONSTRUCTION & DEFINITIONS

SECTION 1 RULES OF CONSTRUCTION

Paragraph 1 Words in this ordinance shall be interpreted as follows:

A. Words used in the present tense include the future tense; words used in the future tense include the present tense; the singular includes the plural; the plural includes the singular.

B. The word "may" is permissive; the words "shall" and "will" are mandatory.

C. The word "person" includes an individual, or any other group of individuals acting as an entity.

D. The following words can be used interchangeably: Lot, plot or premises; uses or occupied; dwelling, residence; building or structure.

E. The term "Town" shall mean the Town of Quartzsite, Arizona.

F. "Council" shall mean the Town Council.

G. "Commission" shall mean the Planning and Zoning Commission.

H. "Board" shall mean the Board of Adjustment.

SECTION 2 DEFINITIONS

Paragraph 1 **Accessory:** a use, building, structure, part of a building or part of a structure which is subordinate to, and the use of which is customarily incidental to, that of the main building, structure or use on the same lot which does not alter the character of the principal use or adversely affect other properties within the district.

Paragraph 2 **Addition:** is any extension or increase in floor area or height of a building or structure.

Paragraph 3 **Airport:** any landing area, either land or water, which is used or intended to be used for the landing and takeoff of aircraft, whether or not facilities are provided for the shelter, servicing or repair of aircraft, or for receiving or discharging passengers or cargo.

Paragraph 4 **Amendment:** a change in the wording, context, or substance of this ordinance, or an addition or deletion or a change in the zone district boundaries or classifications of the zoning map.

Paragraph 5 **A.R.S.:** Arizona Revised Statutes.

Paragraph 6 **Automobile Repair Garage:** is a structure or part thereof, other than a private garage, where motor vehicles are repaired or painted.

Paragraph 7 **Automobile Service Station:** a facility for the servicing of motor vehicles, including tire repairs, battery charging and changing, storage of merchandise and supplies related to the servicing of motor vehicles, pumps and storage tanks for the sale and dispensing of diesel fuel and gasoline into motor vehicles, sale of lubricants, automobile washing and grease racks, minor engine repair but excluding body and fender work, engine overhauling or other similar activities.

Paragraph 8 **Automobile, Truck & Trailer Sales Lot:** an open area used for the display, sales and/or rental of new or used automobiles, trucks and trailer coaches, but where no repair, repainting or remodeling is performed.

Paragraph 9 **Boarding House:** a dwelling in which three (3), four (4) or five (5) sleeping rooms are provided for compensation which serve as the principal or temporary residence of the occupants. A common dining room may be provided for the residents.

Paragraph 10 **Building:** is any structure used or intended for supporting or sheltering any use or occupancy.

Paragraph 11 **Building, Principal:** a building which houses the principal use of the lot.

Paragraph 12 **Building, Accessory:** a detached building the use of which is customarily accessory and incidental to the main use of the principal building or premises.

Paragraph 13 **Building, Height:** the vertical distance measured from the finished grade level to the highest level of the building.

Paragraph 14 **Building, Permit:** the permit required for the erection, construction, modification, addition to or moving of any building, structure or use in the incorporated area of the Town of Quartzsite.

Paragraph 15 **Building Setback Line:** the required distance between the property line and the closest point of and building or structure.

Paragraph 16 **Carport:** the permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage.

Paragraph 17 Cemetery: the land used or intended to be used for the burial of the dead, and dedicated for such purposes, including columbiums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such premises.

Paragraph 18 Church: the permanently located building together with its accessory buildings and uses commonly used for religious worship fully enclosed with walls (including windows and doors) and having a structurally solid roof. A church is not a "public building."

Paragraph 19 Clinic: the building or part thereof in which ambulatory patients are provided diagnostic, therapeutic, or preventive medical, surgical, dental or optical treatment by a group of doctors acting conjointly, but not providing for overnight residence of patients.

Paragraph 20 Club: the association of persons (whether or not incorporated), religious or otherwise, for social purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

Paragraph 21 Clubhouse: the structure and related facilities for conducting or continuing the social purposes for which the club was organized.

Paragraph 22 Common Property: the parcel or parcels of land, together with the improvements thereon, the maintenance, use and enjoyment of which are shared by the owners and occupants of the development.

Paragraph 23 Conditional Use: a use which requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same district.

Paragraph 24 Condominium: the individual ownership of a dwelling unit in a multi-unit structure and/or development, including an undivided interest in the common areas associated thereto. A condominium may include either a single or multi-story dwelling unit under one ownership.

Paragraph 25 Congregate Care Facility: a long-term residential facility for elderly persons within which are provided living and sleeping rooms, a common dining room, laundry services and room cleaning. Such facilities may also provide other services such as transportation for routine social and medical appointments.

Paragraph 26 Contractor's Yard: the operation where building materials and construction equipment are stocked while waiting to be used for various projects.

Paragraph 27 Day Care Center: the facility in which child care is regularly provided for 5 or more children under the age of 16, not related to the provider and his/her employees for all or any part of a 24 hour day.

A. Must meet all Federal and State licensing requirements. This definition shall not include public or private schools operating in accordance with the laws of this State.

Paragraph 28 Drive-In Establishment: the enterprise, activity or use of land consisting primarily of sales or services rendered to patrons who normally receive the products or utilize the services while in motor vehicles upon the premises, including but not limited to banks, photo developing drop off and pick up, liquor store, restaurants, gas service stations, drive-in laundry and dry cleaning pick-up stations.

Paragraph 29 Dwelling: the building or portion thereof designated for or occupied exclusively for residential purposes, including one-family and multiple dwellings, but not including hotels or motels.

A. Dwelling Unit is one or more rooms designed for occupancy and having its own cooking and sanitary facilities.

B. Single-Family Dwelling is a detached building containing only one (1) dwelling unit.

C. Two-Family Dwelling is a detached building containing two (2) dwelling units. (Duplex)

D. Multiple Family Dwelling is a building, or portion thereof, containing three (3) or more dwelling units.

Paragraph 30 Floodplain: the areas that are included in the Federal Emergency Management Agency Flood Insurance Rate Map(s) and more fully regulated in the Town of Quartzsite Code.

Paragraph 31 Floodplain Regulations: the codes, ordinances and other regulations relating to the use of land and construction within the channel and floodplain areas, including zoning ordinance, subdivision regulations, building codes, housing codes, setback requirements, open area regulations and similar methods of control affecting the use and development of the area.

Paragraph 32 General Plan: the plan developed and adopted by the Planning and Zoning Commission and Town Council as a guide for future growth and development within the Town of Quartzsite.

Paragraph 33 Grade: the highest elevation of the finished ground surface adjacent to the exterior walls of a building or base of a structure, except that in the case of fences or freestanding walls, the grade shall be the finished ground surface along the base of the fence or wall and nearest the point of measurement.

Paragraph 34 Gross Floor Area: the area contained inside the building or

case of a corner lot, a line separating the narrowest street frontage of the lot from the street.

Paragraph 46 **Lot Line Rear:** a lot line which is opposite and most distant from the front lot line and in case of an irregular shaped lot, a line within the lot parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

Paragraph 47 **Lot Line Side:** a lot boundary line not a front lot line or a rear lot line.

Paragraph 48 **Lot Width:** a width of a lot as measured at the minimum required front setback line.

Paragraph 49 **Open Space:** a space which can be enjoyed by people and not used by buildings, parking areas, walkways or driveways or other paved areas.

Paragraph 50 **Manufactured Home:** a structure, manufactured after June 15, 1976, transportable in one or more sections, which in traveling mode, is 8 feet or more in width and 40 feet or more in length and when erected on site, is 320 square feet or more in size and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, including plumbing, heating and electrical systems contained therein. The term "Manufactured Home" does not include recreational vehicles or factory built buildings including Modular or Mobile Homes. (Ord. #96-07)

Paragraph 51 **Manufactured Home or Mobile Housing:** a movable or portable structure, manufactured prior to June 15, 1976, over 400 square feet constructed to be towed on its own chassis and designed to be installed as a dwelling unit with or without a permanent foundation, which may include one or more components, when connected to the required utilities, including plumbing, heating and electrical systems contained therein. The term Mobile Home or Mobile Housing does not include Recreational Vehicle or factory built building including Modular or Manufactured Homes. (Ord. #96-07)

- A. Mobile Homes or Mobile Housing not installed or established as a dwelling unit within Town limits prior to November 1, 1996, shall comply with Rehabilitation Rules as set forth by the State of Arizona, Department of Building and Fire Safety Rules Article 1, R4-34-107.
- B. Any Mobile Home or Mobile Housing installed and established as a dwelling unit within Town limits prior to November 1, 1996, may be relocated within Town limits without compliance with Certified Rehabilitation Rules Article 1, R4-34-107.

Paragraph 52 **Medical Marijuana.** "Marijuana" for "Medical Use" as those terms are defined in A.R.S. §36-2801. (Ord. 11-02)

Paragraph 53 **Medical Marijuana Dispensary.** A nonprofit medical marijuana

dispensary as defined in A.R.S. §36-2801 and duly registered and certified pursuant to A.R.S. §36-2804. (Ord. 11-02)

Paragraph 54 Medical Marijuana Cultivation Location. Any facility, building, or location that grows, cultivates or processes medical marijuana, including but not limited to the following;

(i) a medical marijuana dispensary that cultivates medical marijuana on its site;

(ii) the one additional location, if any, duly identified pursuant to A.R.S. §36-2806 (E) during the process of registering a medical marijuana dispensary where marijuana will be cultivated for sale at a medical marijuana dispensary;

(iii) any location for the cultivation of marijuana by a qualifying patient or designated caregiver permitted under A.R.S. §36-2801*et seq.*; and

(iv) includes a facility that incorporates or processes medical marijuana into a consumable or edible product. (Ord. 11-02)

Paragraph 55 Mobile Home Park: a lot, parcel or tract of land having as its principal use the rental of space for occupancy by four (4) or more mobile homes, including any accessory buildings, structures or uses customarily incidental thereto.

Paragraph 56 Modular Home: a prefabricated or factory built dwelling intended and designed to be attached to a permanent footing at a site and used for human occupancy as a residence.

Paragraph 57 Motel: a building or group of buildings containing six (6) or more guest rooms or apartments, each of which maintains a separate outside entrance, used primarily for the accommodation of automobile travelers, and providing automobile parking space on the premises.

Paragraph 58 Nonconforming Building: a building or portion thereof lawfully existing at the time this ordinance became effective and which was designed, erected or structurally altered for a use which does not conform to the use of the zone in which it is located, or which does not comply with all the height and area regulations of the district in which it is located.

Paragraph 59 Nonconforming Use: a use of a building or land existing at the time of the adoption of this ordinance which does not conform to the regulations for the zone in which it is located, as set forth in this ordinance.

Paragraph 60 Nurseries, Plant: a commercial operation for the growth and/or sale of plants.

Paragraph 61 Nursery School: an institution for the care of children.

Paragraph 62 **Nursing Home:** a structure operated as a lodging house in which nursing, dietary and other personal services are rendered to convalescents, not including persons suffering from contagious diseases, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided.

Paragraph 63 **Office:** a room or rooms and accessory facilities for the managing or conducting of a business.

Paragraph 64 **Off-Street Loading Facility:** a site or portion of a site provided for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, situated on the same lot with a building and entirely outside the right-of-way of any public street or alley, including loading berth, aisles, access drives and landscaped areas.

Paragraph 65 **Off-Street Parking Facility:** a site or a portion of a site devoted to the off-street parking of a motor vehicles including parking spaces, aisles, access drives and landscaped areas.

Paragraph 66 **Outdoor Advertising:** a sign of any type or character whatsoever and of any material whatsoever, placed for outdoor advertising purposes on the ground or on any structure or thing whatsoever.

A. The term "Placed" as used herein shall include erecting, constructing, posting, painting, printing, tacking, nailing, gluing, sticking, carving, or otherwise fastening, affixing or making visible in any manner.

Paragraph 67 **Park:** a public or private parcel of land developed and used for passive or active recreation.

Paragraph 68 **Park Model:** a moveable or portable dwelling containing from three hundred twenty (320) square feet and over to a maximum of four hundred (400) square feet constructed to be towed on its own chassis and designed so as to be installed with or without a permanent foundation for human occupancy as a residence composed of a single unit.

Paragraph 69 **Parking Area, Public:** an open area other than a street or alley used for the temporary parking of more than four (4) automobiles and available for public use whether free, for compensation or as an accommodation for clients or customers.

Paragraph 70 **Parking Space:** a fully accessible space adequate for the temporary parking of vehicles, situated entirely outside the right-of-way of any public street or alley.

Paragraph 71 **Public Building:** a facility for conducting public business.

A. Includes all federal, state, county and town offices and building.

Paragraph 72 Public Utility: any person, firm corporation, municipality or municipal board duly authorized under state or municipal regulations, to furnish to the public electricity, gas, steam, communications, water, drainage, flood control, irrigation, garbage, or trash disposal or sewage disposal.

Paragraph 73 Recreational Vehicle: a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Paragraph 74 Recreational Vehicle Park: facilities for the temporary storage parking and maneuvering of recreational vehicles (motorhomes, travel trailers, campers, etc.) with roads and sites, including sanitary and water facilities.

Paragraph 75 Recycle Yard: an open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, processed or handled; including but not limited to, scrap iron and other metals, paper, rags, rubber tires, and bottles and including motor vehicles stored out doors which are unserviceable for a period of six (6) months or longer.

Paragraph 76 Repair Garage: an establishment where the following services may include those normal activities of a gas service station, general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision services such as body, frame or fender straightening and repair, general painting and under coating of automobiles; high-speed washing; auto, boat or trailer rental; and general sales of auto parts or accessories.

Paragraph 77 Restaurant: an establishment which serves food or beverages.

Paragraph 78 Rest Home: see "Nursing Home".

Paragraph 79 Retail Store: a commercial business for selling goods, services, ware or merchandise directly to the customer.

Paragraph 80 Right-Of-Way: includes any public or private right-of-way and includes any area required for public use pursuant to any general official plan.

Paragraph 81 Rooming House: a building with not more than five (5) guest rooms where, for compensation and by prearrangement for definite periods of time, lodging is provided.

Paragraph 82 Rummage Sale: a residential use in which donated personal property of one or more individuals or organizations is offered for sale by a church, civic, fraternal or other charitable or non-profit association.

Paragraph 83 School Building: a building used for the purpose of instruction.

Paragraph 83 School, Public or Private: building, or group of buildings, used for the purpose of primary or secondary education, meeting all requirements of the compulsory education laws of the State of Arizona.

Paragraph 84 School, Trade: a school offering instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technicians schools and similar commercial establishments.

Paragraph 85 Screen Wall: a masonry wall so constructed as to obscure the view of enclosed activities or uses from outside the wall.

Paragraph 86 Setback: the minimum horizontal distance between a lot line and nearest point of a building, structure, or use, as the context indicates, located on a lot.

Paragraph 87 Shelter Care: a short-term residential care service which provides temporary lodging, meals and counseling to individuals and groups such as the homeless, pregnant teenagers, victims of domestic violence, neglected children and runaways. Short-term residential care is typically less than thirty (30) days.

Paragraph 88 Shopping Center: a cluster or grouping of stores organized in a balanced arrangement for retail trade with adequate provisions for on-site parking.

Paragraph 89 Sign: see "Outdoor Advertising".

Paragraph 90 Street: a public thoroughfare or right-of-way dedicated, deeded or condemned for use as such, other than an alley, which affords the principal of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare.

Paragraph 91 Street, Paved: a street that is paved with concrete or asphalt and in compliance with the town's street construction standards.

Paragraph 92 Street Line: a right-of-way line of a street which abuts a lot line.

Paragraph 93 Structure: any constructed or erected material or combination of materials the use of which requires location on the ground or attachment to something

located on the ground, including buildings, stadiums, radio towers, sheds, storage bins, fences and signs.

Paragraph 94 Swap Meet: a commercial use in which property of two or more individuals is offered for sale to the public.

Paragraph 95 Swimming Pool: is any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, above-ground and on-ground swimming pools; hot tubs; portable or non-portable pools. Swimming pools are required to be adequately fenced with a minimum height of 48

inches.

Paragraph 96 Temporary Structure: any lawfully constructed or erected structure which is readily moveable and to be used for a period of not to exceed 180 days within a twelve (12) month period on the same premises.

Paragraph 97 Trailer, Utility: a vehicle without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code, and to be used only for carrying property.

Paragraph 98 Travel Trailer: a vehicle without motive power, portable structure with wheels built on a chassis, designed as a temporary dwelling for travel, recreation and vacation purposes, having a body width not exceeding eight (8) feet and its body length does not exceed forty (40) feet.

Paragraph 99 Use: the purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered or enlarged or for which either a site or structure is or may be occupied and maintained.

Paragraph 100 Variance: a modification of the literal provisions of the Zoning Ordinance granted by the Board of Adjustment upon a finding that strict enforcement of the Ordinance would cause undue hardship owing to circumstances unique to the individual property for which the variance is granted.

Paragraph 101 Warehouse: building used for the rental of space to the public for the storage of merchandise, commodities or personal property and where access is under the control of the building management.

Paragraph 102 Watercourse: a lake, river, creek, stream, wash, arroyo, channel or other body of water having banks and bed through which water flow at least periodically.

A. The term may include specifically designated areas in which substantial flood damage may occur.

Paragraph 103 Wrecking Yard: see "Recycle Yard".

Paragraph 104 Yard: a required space unobstructed from the ground upward and measured as the minimum horizontal distance from a building or structure to the property line.

A. Front: a yard abutting on a public street and extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the front line of the main building.

B. Rear: a yard extending across the full width of the lot between the main building and the rear lot line; the depth of the rear yard shall be the minimum horizontal distance from the rear part of the main building to the rear lot line.

horizontal distance from the nearest part of the rear lot line to the main building.

C. Side: a yard between the main building and the side lot line; the width of the side yard shall be the minimum horizontal distance from the nearest part of the side lot line to the main building.

Paragraph 105 Yard Sale/Garage Sale: a sale of personal property commonly household goods held on the premises, said sale lasting no longer than seventy two (72) hours at a time and held no more frequently than one (1) time every thirty (30) days.

Paragraph 106 Zone: any area shown on the Zoning Map of the Town of Quartzsite for which there are uniform regulations governing the use of buildings and land and the height and area of buildings.

Paragraph 107 Zoning Map: the map entitled "The Zoning Map of the Town of Quartzsite, Arizona" and maintained and updated in the office of the Town Department of Planning and Zoning. In addition, one original zoning map shall be stored in the office of the Town Clerk.

ARTICLE IV

(Ord. 11-04)

ESTABLISHMENT OF ZONING DISTRICTS, ZONING MAP AND INTERPRETATION OF DISTRICT BOUNDARIES.

SECTION 1 ZONING DISTRICTS

Paragraph 1 RA5-Rural Area Five (Minimum Land Area of Five (5) Acres Per Dwelling Unit)

- A. This district is intended for very low-density residential development and limited agricultural usage. This district is further intended to constitute a "holding" district to retain land in less intensive use until the time is appropriate for more intensive development so as to prevent scattered development and the premature and costly extension of utility mains and services, and to regulate development of the Town so that it occurs in stages according to market need and progresses contiguously out ward from the developed urban area. Regulations are designed to preserve the open space characteristic of the district and to insure the compatibility of limited agricultural uses with residential uses. Access to a public roadway will be required but not public water or sewer or other utilities or services.
- B. Each lot shall be a minimum land area of five acres per dwelling unit.

Paragraph 2 SR43-Suburban Residential One Acre (Minimum Land Area of One (1) Acre Per Dwelling Unit)

- A. This district is intended to promote and preserve residential development limited to conventional framed homes, site built single-family homes and limited agriculture uses. Access to a public roadway and public water or sewer will be required unless otherwise approved by the Town. Other utilities or services are not required. Regulations are designed to stabilize and protect the single-family residential character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. Land use is composed primarily of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood. Certain essential and complementary uses are permitted under conditions and standards, which assure their compatibility with the character of the district.
- B. Each lot shall have a minimum land area of one (1) acre per dwelling unit.

Paragraph 3 SR-Suburban Ranch (Minimum Land Area of One Third (1/3)Acre Per Dwelling Unit)

- A. This district is intended for low density residential development consisting of all types of residential dwelling units including permanent, temporary, conventional, mobile, modular, manufactured, recreational vehicle, campers and tents and limited agricultural and equestrian usage. Access to a public roadway, public water or sewer, and other utilities or services will be required. Regulations are designed to preserve the safety and open space

characteristic of the district and to insure the compatibility of limited agricultural uses with residential uses. Regulations are designed to stabilize and protect the residential character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. Land use is also composed of recreation, religious and educational facilities as the basic elements of a balanced neighborhood. Certain essential and complementary uses are permitted under conditions and standards which assure their compatibility with the character of the district.

- B. Each lot shall have a minimum land area of one-third (1/3) an acre per dwelling unit.

Paragraph 4 MHS-Mobile Home Subdivision (Minimum Land Area of 2,400 Square Feet Lot Area Per Manufactured Home, Park Model or Recreational Vehicle. A Minimum of 4,500 Square Feet Lot Area Per Site-Built Dwelling Unit)

- A. This district is intended to promote and preserve residential development consisting of one (1) single-family residence per parcel; the single family residence shall be limited to a recreational vehicle, manufactured home, park model or site-built home. Regulations are designed to stabilize and protect the single-family residential character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. Land use is composed primarily of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood. Certain essential and complementary uses are permitted under conditions and standards which assure their compatibility with the character of the district. Access to a public roadway will be required and public water and public sewer and other appropriate utilities will be required.
- B. Each lot shall have a minimum land area of 2,400 Square Feet Lot Area Per Manufactured Home, Park Model or Recreational Vehicle or a minimum of 4,500 square feet lot area per site-built dwelling unit).

Paragraph 5 R1-Low Density Residential (Minimum 6,000 Square Feet Lot Area Per Dwelling Unit).

- A. This district is intended to promote and preserve residential development consisting of conventional single-family dwelling units. Regulations are designed to stabilize and protect the single-family residential character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. Land use is composed primarily of individual homes, together with required recreational, religious and educational facilities as the basic elements of a balanced neighborhood. Certain essential and complementary uses are permitted under conditions and standards which assure their compatibility with the character of the district. Access to a public roadway will be required and public water and public sewer and other appropriate utilities will be required.
- B. Each lot shall have a minimum of 6,000 square feet lot area per dwelling unit.

Paragraph 6 R2-M-R-Medium Density Residential (Minimum Under Roof Area Per Dwelling Unit of 3,000 Square Feet On A Minimum Lot Area Of 6,000 Square Feet)

- A. This district is intended for low to medium density residential development consisting of all types of residential dwelling units including permanent, temporary, conventional, mobile, modular, manufactured, park models and recreational vehicles. Access to a public roadway will be required and public water and public sewer and other appropriate utilities will be required. Regulations are designed to preserve the safety and open space characteristic of the district. Regulations are designed to stabilize and protect the residential character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. Land use is also composed of recreational, religious and educational facilities as the basic elements of a balanced neighborhood. Certain essential and complementary uses are permitted under conditions and standards which assure their compatibility with the character of the district.
- B. Each lot shall have a minimum under roof area per dwelling unit of 3,000 square feet on a minimum lot area of 6,000 square feet.

Paragraph 7 High Density Residential (Minimum Under Roof Area Per Dwelling Unit of 2,000 Square Feet On A Minimum Lot Area Of 8,000 Square Feet)

- A. This district is intended to promote and preserve residential development consisting of conventional single family, two-family and multi-family dwelling units. Regulations are designed to stabilize and protect the residential character of the district, to promote and encourage creation of a favorable environment for family life, and to prohibit all incompatible activities. Land use is also composed of recreational, religious and educational facilities as the basic element of a balanced neighborhood. Certain essential and complementary uses are permitted under conditions and standards which assure their compatibility with the character of the district. Access to a public roadway will be required and public water and public sewer and other appropriate utilities will be required.
- B. Each lot shall have a minimum under roof area per dwelling unit of 2,000 square feet on a minimum lot area of 8,000 square feet.

Paragraph 8 C1-Neighborhood Commercial

- A. This district is intended to promote and preserve a full range of neighborhood commercial uses, generating moderate traffic flows and intended to serve the daily needs of the immediate neighborhood.

SECTION 2: ZONING MAP

Paragraph 1: The zoning districts are shown on the map entitled "The Zoning Map of the Town of Quartzsite, Arizona" and maintained and updated in the office of the Town Department of Planning and Zoning is hereby incorporated into this ordinance by reference. In addition, one original zoning map shall be stored in the office of the Town Clerk.

SECTION 3: INTERPRETATIONS OF DISTRICT BOUNDARIES

Paragraph 1: Where the location of any zoning district boundaries are not clear, the following rules shall apply:

- D. District boundaries follow street lines, alley lines, highway or railroad dedicated right-of-way lines and lot lines.
- E. Dimensions are either shown on the zoning map or shall be determined by the use of the scale shown on the zoning map.
- F. Where the application of the above rules does not clarify the zoning district boundary location, the Zoning Administrator shall determine the location.

SECTION 4: ANNEXATION

Paragraph 1: Territory annexed to the Town shall be zoned as "RA5-Rural Area Five Acres" unless and until such time that the Town Council approves a change of zone request.

SECTION 5: 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.

Paragraph 9 C2-Commercial

- A. This district is intended to promote and preserve a full-range of business and commercial use, generating heavy traffic flows and intended to serve the total shopping and service needs of the entire community.

Paragraph 10 LI-Light Industrial

- A. This district is intended to promote light industrial uses which are compatible with all surrounding districts, generating moderate traffic flows.

Paragraph 11 HI-Heavy Industrial

- A. This district is intended to promote heavy industrial uses which are compatible with all surrounding districts, generating heavy traffic flows.

SECTION 2 ZONING MAP

Paragraph 1 The zoning districts are shown on the map entitled "The Zoning Map of the Town of Quartzsite, Arizona" as maintained and updated in the office of the Town Department of Planning and Zoning is hereby incorporated into this ordinance by reference. In addition, one original zoning map shall be stored in the office of the Town Clerk.

SECTION 3 INTERPRETATIONS OF DISTRICT BOUNDARIES

Paragraph 1 Where the location of any zoning district boundaries are not clear, the following rules shall apply:

- A. District boundaries follow street lines, alley lines, highway or railroad dedicated right-of-way lines and lot lines.
- B. Dimensions shown on the maps shall take precedence. When dimensions are not shown, dimensions shall be determined by scaling the map using the scale shown on the map.
- C. Where the application of the above rules does not clarify the zoning district boundary location, the Zoning Administrator shall determine the location.

SECTION 4 ANNEXATION

Paragraph 1 Territory annexed to the Town shall be zoned as "RA5-Rural Area Five Acres" unless and until such time that the Town Council approves a change of zone request.

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
<i>Residential</i>											
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				
<i>Agriculture</i>											
General Agriculture	X4		X4								
Roadside Stands	X5		X5								
Stables	C6		C6								
<i>Other</i>											
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		
Commercial									X24	X24	

Neighborhood											
Congregate Care								C	X	X	
Day Care Center	C	C	C	C	C	C	C	X	X		
Domestic Animal	X13										
Group Home	X14										
Hospital								C	C	C	
Industrial Heavy											X15
Kenel/Boarding	C		C							C	C
<i>Light Industrial</i>										X16	X16
Outdoor Storage									X25	X25	X25
Public Use	X17										
Public Utility	X18										
Radio/TV Studio								X19	X19	X19	X19
Radio/TV Towers								C	C	C	C
Recycle Yard										C	C
Sales Office Subdivision	C20										
Schools, Private	X21										
Shelter Care								C	X	X	
Signs	X22										
Swapmeet	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 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

... shall be 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, repair or storage facilities, 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.

Q. Medical marijuana dispensary, subject to requirements of Paragraph 26, Medical Marijuana Use;

R. Medical Marijuana cultivation location, subject to the requirements of Paragraph 26, Medical Marijuana Uses;

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.

SECTION 3: 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.

**ARTICLE VI.
DENSITY SCHEDULE AND ADDITIONAL REQUIREMENTS**

SECTION 1 DENSITY SCHEDULE (Ord. #97-04/98-03/11-03)

The table on the next page shows which standard (listed in the left column) applies in which zoning district(s) (columns labeled RA5 through HI). If there are dimensions or other requirements listed in the column. If there is a number in the column there are additional provisions and/or clarifications that apply to that use in that zoning district. These provisions and/or clarifications will be found in the appropriately numbered paragraphs listed under Section 2 of this Article.

	RA5	SR43	SR	MHS	R1	R2MR	R3	C1	C2	LI	HI
Minimum Lot Area	5 acres	1 acre	1/3 acre	2,400 Sq. ft.	6,000 Sq. ft.	6,000 Sq. ft.	8,000 Sq. ft.	None	None	None	None
Minimum Lot Width	295 ft.	100 ft.	75 ft.	40 ft.	60 ft.	60 ft.	60 ft.	None	None	None	None
Minimum Front Yard											
Principal Use	40 ft.	25 ft.	25 ft.	10 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.	25 ft. 2	25 ft. 2
Assessory Use	100 ft	25 ft.	25 ft.	10 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.	25 ft. 2	25 ft. 2
Minimum Side Yard											
Principal Use	40 ft.	10 ft.	10 ft.	7 ft. 3	7 ft. 3	5 ft.	5 ft. 4	None 5	None 5	10 ft. 6	10 ft. 6
Assessory Use	50 ft.	10 ft.	10 ft.	7 ft. 3	7 ft. 3	5 ft.	5 ft. 4	None 5	None 5	10 ft. 6	10 ft. 6
Minimum Rear Yard											
Principal Use	40 ft.	25 ft.	25 ft.	10 ft.	20 ft. 7	5 ft. 8	5 ft. 8	10 ft. 9	None 9	None 9	10 ft. 9
Assessory Use	15 ft.	25 ft.	10 ft.	10ft	10 ft. 7	5 ft. 8	5 ft. 8	10 ft. 9	10 ft. 9	10ft. 9	10 ft. 9
Max. Bld. Height											
Principal Use	35 ft.	35 ft.	35 ft.	20 ft	35 ft. 10	35 ft. 10	45 ft.	50 ft.	50 ft.	50 ft.	50 ft.
Assesory Use	35 ft.	35 ft.	35 ft.	20 ft.	35 ft. 10	35 ft. 10	45 ft.	50 ft.	50 ft.	50 ft.	50 ft.
Min. Open Space				50%	60%	50%	50%	5%	5%		
Min. Land Area Per Dwelling Unit				2,400 Sq. ft 4,500 Sq. ft Site-Built	6,000 Sq. ft	3,000 Sq. ft.	2,000 Sq. ft.	0	0	0	0
Min. Separation Between Buildings	30 ft.	20 ft.	10 ft.	10 ft.	10 ft	10 ft.	10ft.				

SECTION 2 ADDITIONAL REQUIREMENTS AND CLARIFICATIONS FOR DENSITY SCHEDULE.

Paragraph 1 Minimum Front Yard.

- A. Where lots are double frontage the required front yard shall be provided on both streets. However, existing lots may be built on and the building width need not be reduced to less than 40 feet.

Paragraph 2 Twenty-five (25) feet minimum plus an additional one (1) foot for each one (1) foot that the structure exceeds twelve (12) feet in height.

Paragraph 3 Side Yard.

There shall be provided a side yard having a width of not less than seven (7) feet except that existing lots may have a side yard of five (5) feet.

Paragraph 4 Minimum Side Yard.

There shall be a side yard of five (5) feet for each story including the first story.

Paragraph 5 The Side Yard setback shall be as follows: (Ord. # 98-03)

- A. Multi-story buildings adjacent to a residential district shall observe a ten (10) foot side yard for each story of the building.
- B. On interior lot lines abutting an adjacent commercial or industrial zone there shall be no required side yards.
- C. Buildings adjacent to a residential zone shall have walls that are parallel to and within twenty (20) feet of that zone soundproofed, to comply with the International Building Codes.
- D. Permanent mechanical equipment that is being used in conjunction with a commercial use, and is adjacent to a residential zone, and is within twenty (20) feet of that zone shall be soundproofed, as the standard is outlined in the International Building Codes.

Paragraph 6 For interior lots, a total of thirty (30) feet of side yard shall be provided with the minimum side yard of ten (10) feet. Where a side yard abuts a residential zone or public street, a minimum twenty-five (25) foot side yard shall be required plus an additional one (1) foot that exceeds twelve (12) feet in height.

Paragraph 7 Minimum Rear Yard.

- A. The rear yard for lots on intersections may be reduced to 10 feet.

Paragraph 8 Minimum Rear Yard.

- A. There shall be a minimum distance of twenty (20) feet between each dwelling unit on the lot or adjacent lots.

Paragraph 9 There shall be a rear yard of: (Ord. #98-03)

- A. Multi-story buildings shall observe an additional ten (10) foot of rear yard for each additional story.
- B. Buildings adjacent to a residential zone shall have walls that are parallel to and within twenty (20) feet of the zone soundproofed, as the standard is outlined in the International Building Code.
- C. Permanent mechanical equipment that is being used in conjunction with a commercial use, and is adjacent to a residential zone, and is within twenty (20) feet of that zone shall be soundproofed, as the standard is outlined in the International Building Code.

Paragraph 10 Or two stories whichever is greater. Exceptions are noted below:

- A. In any district, to church spires, belfries, cupolas and domes not for human occupancy, monuments, water towers, flagpoles, non-commercial radio or television antennas, provided that such structures and antennas shall be so located and constructed that if it should collapse, its reclining length would be contained on the property on which it was constructed (except for amateur ham radio structures and antennas).
- B. In industrial districts, chimneys, smokestacks, derricks, conveyors, grain elevators, or similar structures wherein the industrial process involved customarily require a height greater than otherwise permitted, provided that such structures shall be so located and constructed that if it should collapse, its reclining length would still be contained on the property of which it was constructed.
- C. In any district to solar heating or cooling apparatus.

SECTION 2: 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.

ARTICLE VII

GENERAL PROVISIONS

SECTION 1 INTERPRETATION.

Paragraph 1 The provisions of this ordinance shall be minimum requirements and shall be liberally construed in favor of the Town.

SECTION 2 BUILDING PERMIT AND PLOT PLAN REQUIRED.

Paragraph 1 No building or structure shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the Building Official.

Paragraph 2 Application for a plot plan and building permit shall be made in accordance with the Town's development procedures ordinance.

SECTION 3 USES ALLOWED IN THE VARIOUS ZONING DISTRICTS.

Paragraph 1 Although it is intended that all possible uses are listed it is possible that specific uses may not be listed that should be due to their similarity to other allowed uses.

Paragraph 2 The Zoning Administrator shall have the authority to recommend to the Planning and Zoning Commission approval of uses that are similar to other allowed uses in each of the approved zoning districts. This recommendation shall be in writing and shall include reasons for the recommendations. The Planning and Zoning Commission may approve or deny the similar use but shall show reasons for their decision in the Commission record. Upon approval by the Planning and Zoning Commission the use is allowed. Uses approved by the Planning and Zoning Commission shall be added to this ordinance as an ordinance amendment the next time the ordinance is considered for amendment.

SECTION 4 PRINCIPAL USES.

Paragraph 1 Principal Uses: only those uses specifically designated as "Permitted Uses" in the zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited as principal uses.

SECTION 5 PRINCIPAL BUILDINGS LIMITED TO ONE (1) PER LOT WITHOUT TOWN APPROVED SITE PLAN.

Paragraph 1 **Unless otherwise specifically allowed no more than one (1) principal building shall be permitted on a single lot unless a site plan designating the location of all principal buildings has been approved by the Town Council and had been recorded with the**

Clerk and Recorder of La Paz County.

SECTION 6 ACCESSORY USES AND BUILDING

Paragraph 1 Accessory Uses: uses normally accessory to principal or conditional uses shall be permitted as specified. No accessory use or structure shall be permitted in any district until its principal use or structure is present or under construction unless specifically recommended by the Planning and Zoning Commission and approved by the Town Council.

Paragraph 2 Accessory Buildings: unless otherwise specifically allowed no accessory building shall be used for living or sleeping purposes.

SECTION 7 TEMPORARY CONSTRUCTION BUILDINGS

Paragraph 1 Temporary Buildings: temporary buildings for uses incidental to construction work are permitted. Such buildings shall be removed upon completion or abandonment of the construction work. Such temporary buildings shall not be used as residences except as follows:

A. A travel trailer or mobile home may be used as a residence when the main building is being renovated or remodeled provided the maximum time limit allowed shall be ninety (90) days. Temporary buildings may be used for a night watchman's residence on a construction site.

Paragraph 2 Portable water type structures may be allowed for use as temporary real estate sales offices when associated with a land or housing sales operation at a subdivision.

A. Such structures may not be used for residences nor contain sleeping accommodations.

B. Placement of such structures shall only be done after issuance of a Conditional Use Permits.

SECTION 8 DUMPING OR DISPOSAL

Paragraph 1 The use of land for the dumping or disposal of scrap, debris, obsolete vehicle, iron, junk, garbage, rubbish, refuse, ashes, slag, industrial wastes or by-products, shall be prohibited in every district.

SECTION 9 JOINT USE PROHIBITED

Paragraph 1 No lot, yard, parking, loading, building, or other space required in connection with any building shall be included as part of a yard, area or space required for any other building.

SECTION 10 EXTERIOR LIGHTING

Paragraph 1 All lighting for off-street parking of loading areas or for the external illumination of buildings shall be directed away from and

shielded from any adjacent residential district and shall not detract from visibility on adjacent public or private streets.

SECTION 11 STRUCTURES NEAR AIRPLANE RUNWAY OR LANDING STRIP

Paragraph 1 No building or structure or any portion thereof which exceeds a height of twenty (20) feet shall be erected or structurally altered within five hundred (500) feet of the projected center line of an existing or proposed runway or landing strip for a distance of one thousand (1,000) feet from the end of the existing or proposed runway or landing strip.

Paragraph 2 No building or structure or any portion thereof shall be erected to exceed a height that would interfere with the takeoff or landing of a plane with the glide angle of one (1) foot vertical for every forty (40) feet horizontal, such glide angle to be computed as beginning at a point on the extended center line of the runway two hundred (200) feet beyond and at the same elevation as the end of the runway pavement; or, if runway pavement is not provided, one hundred (100) feet beyond and at the same elevation as the end of the landing strip.

SECTION 12 STREET AND UTILITY REQUIREMENTS.

Paragraph 1 The following restrictions shall apply:

A. All new lots shall abut a public street connecting with public street system.

B. A building permit shall not be issued for a lot which does not have legal access to a dedicated street.

C. A building permit shall not be issued for any new lot(s) created after the effective date of this ordinance for which a suitable and approved sewerage and water supply is not available.

SECTION 13 SITE UNSUITABILITY

Paragraph 1 No land shall be used or structure erected where the land is unsuitable for such use or structure by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low percolation rate or bearing strength, erosion susceptibility or any other features likely to be harmful to the health, safety and general welfare of the community.

Paragraph 2 The Commission, in applying the provisions of this section, shall state in writing the particular facts upon which its conclusions are based.

Paragraph 3 The applicant shall have the right to present evidence contesting such determination to the Council if he so desires, whereupon the Council may affirm, modify or withdraw the determination of the unsuitability.

SECTION 14 MOVING OF BUILDINGS

Paragraph 1 **No building or structure shall be moved to or be placed upon any other premises within the Town until a permit for such relocation shall have been issued by the Zoning Administrator.**

Paragraph 2 **Any such building or structure shall conform to all provisions of this Ordinance in the same manner as any new building or structure.**

Paragraph 3 **No such building or structure shall be used or occupied until a final inspection and notice of approval by the Building Inspector.**

SECTION 15 **PROJECTIONS INTO REQUIRED YARDS**

Paragraph 1 **Residential Districts:**

A. **A chimney may project into any required yard a distance of no more than two (2) feet.**

B. **Open terraces, patios, steps or similar features not over three (3) feet in height above grade, may project into any required yard, provided that projections into required front yards shall not exceed ten (10) feet.**

C. **Solar heating and cooling units, non-commercial solar green-houses and associated apparatus may be located in a rear or side yard provided that such apparatus does not cover more than thirty (30) percent of rear yard and shall be no closer than five (5) feet to any lot line.**

D. **All solar apparatus can only be installed with a building permit and must be inspected and approved before operating.**

E. **Every part of a required yard shall be open to the sky and unobstructed.**

F. **Trees, shrubbery and other landscape features shall not be considered obstructions.**

SECTION 16 **MOBILE HOMES**

Paragraph 1

A. **All mobile homes shall be equipped with tie downs as specified per the Office of Manufactured Housing.**

B. **All mobile homes shall be skirted with weather and termite resistant material within six (6) months of placement of the mobile home and which shall conform to the Uniform Building Code.**

C. **No material may be stored over or against a mobile home.**

D. **Mobile home lots or spaces shall be kept free from open stored materials.**

E. **No flammable materials shall be stored beneath a mobile home.**

SECTION 17 TRASH ENCLOSURES

Paragraph 1 **A container (acceptable to the Town) for temporary storage of garbage, refuse and other waste materials shall be provided for every use in every zoning district.**

Paragraph 2 **In addition, trash enclosures shall be provided for non-residential uses and shall be constructed that contents are not visible from a height of five (5) feet from above grade from any abutting street or property. Trash enclosures shall comply with the following regulations:**

A. Construction: trash enclosures shall be constructed of solid walls with solid concrete floor sloped for drainage and maintenance of sanitary conditions.

B. Enclosures shall be of sufficient height to conceal contents, including containers.

SECTION 18 GRADING.

Paragraph 1 **No person shall strip, excavate or otherwise remove top soil for sale or for use except in connection with a building permit.**

SECTION 19 AUTOMOBILE SERVICE STATION PUMP.

Paragraph 1 **No automobile service station pump shall be located closer than twenty (20) feet to a street property line.**

SECTION 20 STORING AN UNOCCUPIED MOBILE HOME.

Paragraph 1 **An unoccupied mobile home may not be stored in a residential zone.**

SECTION 21 STORING A RECREATION TRAILER.

Paragraph 1 **A recreation trailer may be stored in a rear yard or side yard provided the required side yard remains open.**

SECTION 22 YARD SALES, SWAP MEETS AND RUMMAGE SALES.

Paragraph 1 **Yard sales are permitted in all residential neighborhoods provided that such sales are held on the premises, said sale lasting no longer than seventy-two (72) hours at a time and held no more frequently than one (1) time every thirty (30) days.**

Paragraph 2 **Yard sales held longer than seventy-two (72) hours at a time or held more frequently than one (1) time every thirty (30) days at any single address, are considered to be a swap meet and shall be restricted to commercially zoned area by special use permit. Swap meets are allowed subject to review and approve by the Town consistent with administrative rules and procedures adopted by the Town Council.**

ARTICLE VIII

MOBILE HOME PARK

SECTION 1 PROCEDURE FOR APPROVAL.

Paragraph 1 **Mobile home parks can be approved by the Town as a conditional use permit (see conditional use permit Article X).**

Paragraph 2 **The application shall meet the specifications of this article and shall be processed in accordance with the Town's development procedures ordinance.**

SECTION 2 STANDARDS.

Paragraph 1 **Mobile home parks shall meet the approval of the County and Arizona State Health Code for the establishment of mobile home parks. A letter of approval from the State Department of Health Services shall be submitted with the application.**

Paragraph 2 **The minimum size shall be two and one-half (2.5) acres unless otherwise recommended by the Planning and Zoning Commission and approved by the Town Council.**

Paragraph 3 **The location including the maximum length and width of any mobile home shall be shown on the approved plan for each site.**

Paragraph 4 **No mobile home or accessory building may be located in any area not indicated on the approved plan.**

Paragraph 5 **No mobile home may be located any closer than ten (10) feet from another mobile home.**

Paragraph 6 **No mobile home may be closer than five (5) feet to any property boundary.**

Paragraph 7 **There shall be a minimum distance of twenty (20) feet between the front of the mobile home and any private street.**

Paragraph 8 **There shall be a minimum distance of twelve (12) feet between the side of a mobile home and a private street.**

Paragraph 9 **A minimum distance of twenty-five (25) feet shall exist between any mobile home and a public street.**

Paragraph 10 **Access from any mobile home site shall be limited to private streets provided within the mobile home park.**

SECTION 3 PARKING.

Paragraph 1 **Two (2) parking spaces, nine (9) feet by eighteen (18) feet are required on each site for each unit.**

Paragraph 2 **One (1) guest parking space for each three (3) mobile home sites shall be provided in a common parking area.**

SECTION 4 SCREENING.

Paragraph 1 **All mobile home parks shall be screened from any adjacent property or street with a masonry wall or adequate planting or solid material fence of six (6) feet in height.**

Paragraph 2 **If adjacent to a public street, the wall or fence must be a minimum of ten (10) feet from the street curb.**

SECTION 5 RECREATION AREA.

Paragraph 1 **No less than ten (10) percent of the gross site area shall be devoted to recreational facilities and common areas.**

Paragraph 2 **Recreation areas shall be provided in a convenient location.**

Paragraph 3 **Recreation area may include space for community buildings and community use facilities, such as indoor recreation areas, swimming pools, hobby and repair shops and service buildings.**

Paragraph 4 **All recreation areas shall be landscaped and maintained.**

SECTION 6 PRIVATE STREETS.

Paragraph 1 **All private streets shall be improved with a minimum paved width of thirty-two (32) feet.**

Paragraph 2 **Street construction standards shall be the same as those for public streets and approved by the Town.**

Paragraph 3 **All mobile home parks shall be provided with safe, convenient, paved vehicular access from abutting public streets.**

Paragraph 4 **Access to each site shall be provided by private streets.**

Paragraph 5 **Each mobile home park shall have two (2) direct connections to public streets as approved by the Town.**

Paragraph 6 **No mobile home site shall have direct frontage on or direct access to a public street.**

Paragraph 7 **A mobile home park shall have a minimum frontage on a public street sufficient to provide for access into and out of the mobile home park.**

Paragraph 8 **All private streets shall be properly lighted in accordance with a park lighting plan approved by the Town.**

Paragraph 9 **Each private street curb cut or access point shall be at least one hundred (100) feet from any intersection.**

Paragraph 10 All mobile home parks shall provide safe, convenient, hard surfaced, all season, pedestrian walkways of adequate width (not less than four (4) feet) and allow access from each mobile home site to the recreation area facilities as well as walkways outside the park.

SECTION 7 THE MOBILE HOME SPACE.

Paragraph 1 The approved dimensions of each mobile home site shall be marked on the ground by permanent metal stakes.

Paragraph 2 Each mobile home site shall be improved to provide adequate support for the placement and tie downs of the mobile home.

Paragraph 3 All mobile homes shall be equipped with tie downs as specified per the Office of Manufactured Housing.

Paragraph 4 Each mobile home site shall be provided with an all weather outdoor living and service area exclusive of parking and/or storage areas:

A. Such area shall be improved as necessary to assure reasonable privacy and comfort.

B. The minimum area may not be less than three hundred (300) square feet with the least dimension a minimum of fifteen (15) feet.

Paragraph 5 Each mobile home site which shall include the mobile home, off-street parking spaces, yards and outdoor living spaces, shall not be less than five thousand (5,000) square feet in area.

Paragraph 6 All mobile homes shall be skirted with weather and termite resistant material within six (6) months of placement of the mobile home and which shall conform to the Uniform Building Code.

Paragraph 7 No material may be stored over or against a mobile home.

Paragraph 8 Mobile home lots shall be kept free from open stored materials.

Paragraph 9 No flammable materials shall be stored beneath mobile homes.

Paragraph 10 The maximum height for accessory buildings shall be fifteen (15) feet.

Paragraph 11 No accessory building shall be used for sleeping, living or commercial purposes.

Paragraph 12 Expandable sections of mobile homes shall be considered a part of the mobile home.

Paragraph 13 Every mobile home space shall be connected to electric power, water and a sewage disposal system that meet applicable State of Arizona and Town requirements. Utilities and/or services supplied by the Town will be utilized where available. All utility distribution and service lines shall be installed underground.

SECTION 8

ACCESSORY USES

Paragraph 1 A maximum of one (1) attached carport or enclosed garage, or covered patio and two (2) detached storage rooms per mobile home.

ARTICLE IX

RECREATIONAL VEHICLE PARKS

SECTION 1 PROCEDURE FOR APPROVAL.

Paragraph 1 **Recreation vehicle parks can be approved by the Town as a conditional use permit (see conditional use permit Article X).**

Paragraph 2 **The application shall meet the specifications of this article and shall be processed in accordance with the Town's development procedures ordinance.**

SECTION 2 STANDARDS.

Paragraph 1 **Recreational Vehicle Parks shall meet the approval of the County and Arizona State Health Code for the establishment of recreational vehicle (travel trailer) parks and campgrounds. A letter of approval from the State Department of Health Services shall be submitted with the application.**

Paragraph 2 **Recreational Vehicle Parks shall meet the standards for fire protection in recreation vehicle (travel trailer) parks as cited in the National Fire Codes.**

Paragraph 3 **A Recreational Vehicle Park shall consist of a minimum of two and one-half (2 ½) acres unless otherwise recommended by the Planning and Zoning Commission and approved by the Town Council.**

Paragraph 4 **Each recreational park vehicle space shall have an area of not less than (1,500) square feet and a width of not less than thirty (30) feet. (Ord. No. 01-08)**

Paragraph 5 **No direct access to an individual site shall be permitted from a public street.**

Paragraph 6 **All interior drives and private access streets shall be a minimum width of twenty-four (24) feet.**

Paragraph 7 **All road and drives shall be graded and surfaced with a minimum of three inches of gravel and maintained to be dust proofed.**

Paragraph 8 **Minimum set back of recreational vehicle (trailer and towing vehicle) from any boundary line shall be seven (7) feet, except that minimum set back from any public street shall be twenty-five (25) feet.**

Paragraph 9 **Minimum set back of recreational vehicle (trailer and towing vehicle) from any private access street shall be four (4) feet; minimum distance between adjacent travel trailer shall be fourteen (14) feet.**

Paragraph 10 **All utilities shall be placed underground.**

Paragraph 11 **All recreational vehicle parks shall be screened from any**

adjacent property or street with a masonry wall or adequate planting or solid material fence of six (6) feet in height. If adjacent to a public street, the wall or fence must be a minimum of ten (10) feet from the street curb.

ARTICLE X

CONDITIONAL USE PERMIT

SECTION 1 GENERAL PURPOSE AND INTENT.

Paragraph 1 **Every zoning district contains certain buildings, structures and uses of land which are normal and complementary to Permitted Principal Uses in the district, but which, by reason of their typical physical or operational characteristics, influence on the traffic function of adjoining streets, or similar conditions, are often incompatible with adjacent activities and uses.**

Paragraph 2 **It is the intent of this Ordinance to permit Conditional Uses in appropriate zoning districts, but only in specific locations within such districts that can be designed and developed in a manner which assures maximum compatibility with adjoining uses.**

Paragraph 3 **It is the purpose of this Section to establish principles and procedures essential to proper guidance and control of such uses.**

SECTION 2 GENERAL REGULATIONS.

Paragraph 1 **Zoning district regulations established elsewhere in this Ordinance specify that certain buildings, structures and uses of the land may be allowed as conditional uses in a given district subject to the provisions of this section and to the requirements set forth in district regulations. The Town is empowered to grant and to deny applications for conditional uses and to impose reasonable conditions upon them including hours of operation, lighting, noise, parking, location on the site and time limits.**

Paragraph 2 **Every Conditional Use issued shall be personal to the permittee and applicable only to the specific use and to the specific property for which it is issued. However, upon issuance of an Occupancy Permit for the conditional use, signify that all zoning and site development requirements imposed have been satisfied; the Conditional Use shall run with the land. The maintenance of special conditions imposed as well as compliance with other provisions of the Ordinance, shall be the responsibility of the property owner.**

Paragraph 3 **The Town shall consider not only the nature of the use and the special conditions influencing its location in the particular district, but also the proposed location of buildings, parking and other facilities within the site, the amount of traffic likely to be generated and how it will be accommodated, and the influence that such factors are likely to exert on adjoining properties.**

Paragraph 4 **In order to approve a conditional use the Town must make a finding of fact that the establishment, maintenance or operation of the use of the building applied for will not be detrimental to the public health, safety, peace, convenience, comfort and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to**

property and improvements in the neighborhood or to the general welfare of the Town.

Paragraph 5 **The Town may designate such conditions as it deems necessary to secure the intent and purpose of this Ordinance and may require such guarantees and evidence that such conditions are being or will be complied with.**

SECTION 3 **CONDITIONAL USE PERMIT APPLICATION.**

Paragraph 1 **Application for a conditional use shall be made in accordance with the Town's development procedure handbook.**

SECTION 4 **ACTION, PROCEDURE AND FEES.**

Paragraph 1 **The application shall be processed in accordance with the Town's development procedure handbook.**

ARTICLE XI

NONCONFORMING BUILDINGS, STRUCTURES, USES AND LOTS

SECTION 1 GENERAL.

Paragraph 1 **This section provides for the regulation of nonconforming buildings, structures, uses and lots. These regulations are designed to protect the rights of legally existing nonconforming uses, structures and buildings, but not promote expansion or enlargement.**

Paragraph 2 **Any use or activity lawfully conducted under County zoning regulations at the effective date of annexation or under previous zoning regulations in effect at the adoption of this ordinance, or any amendment, shall be considered a legal nonconforming use under this ordinance.**

Paragraph 3 **The Town Council, by ordinance, may authorize the acquisition of private property by purchase or condemnation for removal of nonconforming uses and structures.**

SECTION 2 NONCONFORMING BUILDINGS, STRUCTURES AND USES.

Paragraph 1 **No structural or physical alteration shall be made to any nonconforming building, structure or lot except when required by law or ordinance. This requirement does not prohibit routine repairs or maintenance.**

Paragraph 2 **No expansion shall be made of any nonconforming building, structure or use unless such expansion conforms to the regulations specified for the district in which it is located. In cases where the nonconforming use occupies a building, structure, or any portion of a site, expanding the use into additional building or land area shall constitute an extension and shall not be allowed.**

Paragraph 3 **Any nonconforming building, structure, or use, or one (1) or more of a group of nonconforming building, structure, or use related to one (1) industry and under one (1) ownership, which has been damaged by fire, flood, explosion, earthquake, war, riot, or act of God, may be reconstructed and used as before, if done within twelve (12) months of such calamity. The Town Council, after review and recommendation by the Planning and Zoning Commission, may determine that such delay in reconstruction was caused by unforeseen circumstances beyond the control of the owner of the premises and permit a reasonable extension of time for reconstruction. Any district requirements may be waived by the Town Council provided the area restored is not more nonconforming than existed at the time of the calamity.**

Paragraph 4 **Any Nonconforming building, structure or use which ceases to be used for a period exceeding one (1) year or is superseded by a conforming use, shall never again be devoted to the nonconforming use except as otherwise provided in the preceding paragraph. A nonconforming use shall not be changed to a different nonconforming use. This shall not**

prevent a name change or change in ownership of the same nonconforming use.

SECTION 3 NONCONFORMING LOTS.

Paragraph 1 Any legal lot existing at the time of the enactment of this ordinance, or any amendment, which does not conform with lot area, lot width, or lot depth for the zoning district in which it is located, may be used for any use permitted in that zone district provided all other applicable regulations of this zoning ordinance are complied with.

SECTION 4 DEVELOPMENT STANDARDS.

Paragraph 1 Development standards relate to the size, configuration and character of development. Development standards include, but are not limited to, items such as parking, landscaping, buffer areas and set back. Developed property may be nonconforming because the development of the property does not meet current zoning ordinance requirements. Property which is nonconforming, due to deficiencies in development standards, shall be regulated as follows:

A. No change of use or change to a building structure shall be permitted which creates a deficit or increases an existing deficit in off-street parking spaces, loading areas or other development standards.

B. Any site which is nonconforming due to deficiencies of development standards and which require review or approval by the Town Council for a conditional use permit, rezoning, site plan or subdivision shall, as a requirement of that review, be brought into conformance including, but not limited to, development standards for parking, circulation, driveways, drainage, storage, screening and landscaping, with the zoning ordinance and other applicable codes before any permit or other request can be approved.

NAME PLATE	X1	X1	X1	X1						
OFF PREMISE								X11	X11	X11
PROMOTIONAL DISPLAY							X12	X12		
TEMPORARY	X5	X5	X5	X5	X5	X5	X 5,6	X 5,6	X 5,6	X 5,6
WALL	X2	X2	X2	X2	X2	X2	X8	X8	X8	X8

SECTION 2 ADDITIONAL REQUIREMENTS AND CLARIFICATIONS.

Paragraph 1 Maximum size two (2) square feet and fixed flat to the main wall of a residence building, not exceeding one (1) per street frontage. Information is limited to the name of the occupant and address.

Paragraph 2 Allowed for nonresidential uses; or at the entrance from a public street to a multiple family residence development, or a mobile home park, or a subdivision. Maximum number is one (1) per street frontage. Information is limited to the name of the facility, building or organization and address number. The maximum size is twenty-four (24) square feet. The maximum height is six (6) feet.

Paragraph 3 When required to assist the flow of traffic in multiple residence development or other permitted uses containing multiple tenants or building groups. Not to exceed six (6) square feet in area and three (3) feet in height.

Paragraph 4 When required in multiple residence development or other permitted uses containing multiple tenants or building groups. Not to exceed twenty-four (24) square feet in area and six (6) feet in height.

Paragraph 5 The following temporary signs are permitted in all zoning districts:

A. For sale, lease or rent:

1. For each single and two-family residential use one (1) free standing for sale, lease or rent sign is allowed on each street frontage and on the lot for which it advertises. The maximum size shall be six (6) square feet in area and five (5) feet in height.
2. For all other uses one (1) free standing for sale, lease or rent sign is allowed on each street frontage and on the lot for which it advertises. The maximum size shall be thirty-two (32) square feet in area and eight (8) feet in height. In addition, one (1) for sale, lease or rent wall sign is allowed per each street frontage. The maximum size shall be twenty-four (24) square feet in area.

B. On site subdivision or development:

1. One (1) ground sign is permitted at each entrance to the subdivision or

development from a public street. The maximum size shall be twenty-four (24)

square feet. Each sign shall be located on the site for which it advertises and not closer than fifty (50) feet to any existing residential dwelling unit outside of the subdivision or development. All signs must be removed when the subdivision or development is sold out or at the end of five (5) years which ever comes first.

C. Off site weekend directional sign:

1. Off site directional signs to a subdivision or development or open house or garage sale or other special event are limited to six (6) square feet in area and a maximum of three in number. The signs shall be free standing and can only be placed on private property with the permission of the property owner and can only be displayed seventy-two (72) consecutive hours.

D. Political signs:

1. One freestanding sign per each street frontage per each candidate or measure is allowed on private property with the property owners approval. The maximum sign shall be twenty-four (24) square feet in size and a maximum of six (6) feet in height. The signs may be displayed no sooner than ninety (90) days prior to the specific election to which they refer and must be removed within ten (10) days after the specific election to which they refer.

Paragraph 6 Limited to allowed temporary signs only.

Paragraph 7 The following free standing signs are permitted in the C1, C2, LI and HI zoning districts:

A. One sign is allowed per each public street frontage per lot.

B. Each sign can be a maximum of seventy-five (75) square feet in area, except for signs for commercial uses within one thousand (1,000) feet of Interstate Highway 10 and one hundred-fifty (150) feet of Interstate Business 10, may be maximum size of three hundred (300) square feet.

C. The maximum height shall not exceed twenty-five (25) feet, except for signs for commercial uses within one thousand (1,000) feet of Interstate Highway 10 and one hundred-fifty (150) feet of Interstate Business 10, may be a maximum height of eighty (80) feet.

D. Limited to a minimum height of ten (10) feet above ground surface immediately below the sign.

E. Each sign shall be no closer than thirty (30) feet to any residential zoning district.

Paragraph 8 The following wall signs are permitted in the C2, LI and HI zoning districts:

A. A maximum of one sign is allowed per each public street frontage per principal building.

B. If the business has a rear parking lot, a sign is also allowed to the rear of the building.

C. Each sign can be a maximum of two (2) square feet for each linear foot of building frontage but in no event shall the sign exceed seventy-five (75) square feet in area.

D. The maximum height shall be no higher than the face of the building.

E. Limited to a minimum height of eight (8) feet above the ground surface immediately below the sign.

F. Each sign may project no more than eight (8) inches from the surface of the wall to which it is attached.

Paragraph 9 Limited to non-residential uses and time and temperature signs only. Each sign shall be located on the site for which it advertises and not closer than fifty (50) feet to any existing residential dwelling unit.

Paragraph 10 Lighting shall be installed so as to avoid any glare or reflection into any residential building or into any street, alley or driveway if such glare or reflection might create a traffic hazard.

Paragraph 11 Off premise signs are allowed subject to the following:

A. They can be located only on lots that front on Interstate 10, Business 10 or State Route

95.

B. The maximum size shall be six hundred seventy two (672) square feet on lots that front on Interstate 10, and three hundred (300) square feet along Business 10 or State Route 95. (Ord. #02-02)

C. The minimum distance between off premise signs shall be five hundred (500) feet.

D. The minimum set back from Interstate 10 shall be one hundred-fifty (150) feet.

E. The minimum set back from Business 10 or State Route 95 shall be twenty-five (25) feet.

F. The maximum height shall be thirty-five (35) feet along Interstate 10 and twenty-five (25) feet along Business 10, or State Route 95.

Paragraph 12 Limited to pennants, banners, balloons, streamers, flags and other attention attracting devices provided all promotional displays must be removed within six (6) days of closure of the business for which they advertise.

SECTION 3 GENERAL PROVISIONS.

Paragraph 1 A sign building permit shall be obtained from the Town prior to the construction of a new sign, or alteration of the size, shape or location of an existing sign, and/or display of any sign.

Paragraph 2 All signs shall be constructed and attached, mounted, supported or erected in conformance with the adopted building codes of the Town including the electrical code.

Paragraph 3 All signs and sign structures shall be maintained to a safe condition. If the Town determines that a sign is not maintained in a safe condition, the Zoning Administrator shall notify the sign owner to repair the sign within forty-eight (48) hours. If the sign is not repaired or removed, the Town Council may cause the sign to be repaired or removed with the cost of same to be assessed to the sign owner.

Paragraph 4 Sign area shall be measured as follows:

A. Each sign may be two-sided and the square footage shall be the measurement of one of the sides.

B. For three (3) or more faces the sign area shall be fifty (50) percent of the sum of the areas of all faces. Spherical, free-form, sculptural or other non-standard shapes shall be determined by the Zoning Administrator.

C. Individual letters or words or graphics mounted on a wall shall be measured by summing the rectangles that surround the individual letters, words or graphics.

D. The square footage of a panel or background made to appear as a panel.

Paragraph 5 Except when specifically allowed otherwise, each sign shall be located on the lot for which it advertises, informs or otherwise attracts attention.

Paragraph 6 When located above or within two (2) feet of a sidewalk the minimum height shall be eight (8) feet above the grade immediately below the sign.

Paragraph 7 When located above a driveway the minimum height shall be fourteen (14) feet above the grade immediately below the sign.

Paragraph 8 Signs shall not project beyond the property lines.

SECTION 4 EXEMPT SIGNS.

Paragraph 1 The following signs are exempt from permit:

- A. Official signs of a public or governmental agency.
- B. Signs on a vehicle operated in the normal course of business.
- C. On premise real estate signs not exceeding six (6) square feet.
- D. On premise agriculture signs not exceeding six (6) square feet.
- E. Signs not visible beyond the lot or parcel on which they are located.
- F. Private and commercial name plates and street address identification signs or no trespassing signs when such signs do not exceed two (2) square feet.
- G. On premise bulletin boards for charitable or religious organizations provided the signs do not exceed thirty-two (32) square feet.
- H. Political signs erected on private property no earlier than sixty (60) days prior to the day of voting and removed within ten (10) days after the day of voting.

SECTION 5 PROHIBITED SIGNS

Paragraph 1 All signs not specifically allowed herein.

Paragraph 2 Signs located within, on or projecting over any public right-of-way.

Paragraph 3 Roof sign.

Paragraph 4 Portable sign.

Paragraph 5 Projecting sign.

Paragraph 6 Pennants, banners, balloons, flags and similar displays except as provided for approved temporary signs.

Paragraph 7 Temporary signs except as allowed.

Paragraph 8 Signs mounted, attached or painted on trailers, boats or motor vehicles when parked, stored or displayed in a manner intended to attract the attention of the public for advertising purposes.

Paragraph 9 Dangerous sign.

Paragraph 10 Abandoned sign.

Paragraph 11 Any sign that interferes with or confuses traffic or presents a traffic hazard.

Paragraph 12 Signs with animation or intermittent illumination except for a time and temperature sign when a conditional use permit has been secured.

Paragraph 13 Signs with audible devices except for freestanding drive-through menu boards.

Paragraph 14 Signs that obstruct any door or fire escape of any building.

SECTION 6 NONCONFORMING SIGNS.

Paragraph 1 Non conforming signs shall be subject to the following provisions:

A. Nonconforming signs shall be maintained in good condition including the repair or replacement of worn or damaged parts in order to return it to original state.

B. Nonconforming signs shall not be altered, reconstructed, replaced or relocated other than to comply with this section, except;

1. Reasonable repair and maintenance limited to a maximum total of fifty (50) percent of the sign's replacement costs.

C. Nonconforming signs shall be removed or brought into conformance with this ordinance when:

1. The sign structure has been taken down, removed, damaged or deteriorated by more than seventy-five (75) percent by any means.

2. The use of the sign or the property on which it is located has ceased, become vacant or been unoccupied for a period of one (1) year or more. The sign shall be removed within thirty (30) days of notice to do so by the Zoning Administrator.

ARTICLE XIII

PARKING REQUIREMENTS

SECTION 1 PARKING REQUIREMENTS BY USE

Paragraph 1 The table below shows by use (use column) the minimum off-street requirement (minimum number of parking spaces column).

USE	MINIMUM NUMBER OF PARKING SPACES	USE	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL		COMMERCIAL	
BOARDING HOUSE	2 PS + 1 PS/BR	BUSINESS SCHOOLS	1 PS/150 SQ. FT.
MOBILE HOME	2 PS/DU	CHARITABLE	1 PS/200 SQ. FT.
MOBILE HOME PARK	2 PS/DU + 1 PS/ 3 DU	EATING & DRINKING	1 PS/150 SQ. FT.
MODULAR HOME	2 PS/DU	FINANCIAL	1 PS/300 SQ. FT.
MULTI FAMILY	1.5 PS/DU	GOVERNMENTAL	1 PS/200 SQ. FT.
ONE FAMILY	2 PS/DU	HOTELS/MOTELS	1 PS/GR
TWO FAMILY	2 PS/DU	OFFICE	1 PS/200 SQ.FT.
RECREATIONAL VEHICLE PARK	2 PS/DU + 1 PS/3DU	SECOND HAND STORE	1 PS/300 SQ. FT.
AGRICULTURE		PERSONAL SERVICES	1 PS/300 SQ.FT.
RETAIL SALES ON-SITE	2 AW PS/ST	PRIVATE RECREATION	1 PS/400 SQ. FT.
RIDING, TRAINING, BOARDING STABLE	1 PS/EA 2 HORSE STALLS	RETAIL	1 PS/200 SQ. FT.

OTHER		SELF STORAGE	3 PS
AIRPORT	2 + 1 PS/200 SQ. FT.	SWAP MEET	1 PS/VENDOR *
ASSEMBLY	1 PS/200 SQ. FT.	VEHICLE LEASING	1 PS/200 SQ. FT.
CEMETERY	30 PS/AW ON-SITE	VEHICLE SERVICES	1 PS/400 SQ. FT.
CHURCH	1 PS/200 SQ. FT.	INDUSTRIAL	
CONGREGATE CARE	1 PS/4 BEDS	ALL INDUSTRIAL	1 PS/EM
DAY CARE CENTER	1 PS/EM		
GOLF COURSE	3 PS/HOLE		
GROUP HOME	1 PS/BED		
USE	MINIMUM NUMBER OF PARKING SPACES	USE	MINIMUM NUMBER OF PARKING SPACES
HOSPITAL	1 PS/BED		
KENNEL	2 PS + 1 PS/EM		
LODGES	1 PS/400 SQ. FT.		
PLANT NURSERY	1 PS/400 SQ. FT. OF		
PUBLIC USES	1 PS/200 SQ. FT.		
SHELTER CARE	1 PS/BED		

*DOES NOT HAVE TO BE PAVED BUT MUST BE DUST PROOFED TO TOWN SPECIFICATIONS

LEGEND

AW MEANS ALL WEATHER

BR MEANS BEDROOM

DU MEANS DWELLING UNIT

EA MEANS EACH

EM MEANS EMPLOYEE

GR MEANS GUEST ROOM

OF MEANS OFFICE

PS MEANS PARKING SPACE

SQ. FT. MEANS GROSS SQUARE FEET OF BUILDING

ST MEANS STRUCTURE

SECTION 2 PURPOSE.

Paragraph 1 Prevent congestion of the public streets.

Paragraph 2 Establish minimum requirements for off-street parking and loading and unloading of vehicles.

Paragraph 3 Relieve public streets of the burden of on-street parking.

Paragraph 4 To provide adequate parking to meet the needs of residents, employees and business patrons.

Paragraph 5 To reduce the scale of parking areas through landscaping and by breaking them into smaller areas.

SECTION 3 GENERAL REGULATIONS.

Paragraph 1 It is the duty of the property owner to plan the use of his property such that the public streets are not required to satisfy parking or loading needs; curb cuts will be minimized; curb cuts will be located and sized to minimize traffic disruption on public streets.

Paragraph 2 Each parking space established shall be at least nine (9) feet wide and eighteen (18) feet deep.

Paragraph 3 Driveways and backup aisles shall be provided for all parking spaces and shall be a minimum of twenty-four (24) feet wide. Curb cuts shall not exceed thirty (30) feet in width.

Paragraph 4 All required parking, loading areas and ingress and egress drives shall be surfaced with concrete, asphalt or paving blocks and clearly striped with permanent paint.

Paragraph 5 Required parking shall be located onsite or on contiguous sites, but no further than three hundred (300) feet from the entrance to the principal use on the site.

Paragraph 6 Square feet shall mean the gross floor area of the building or use.

Paragraph 7 No part of any vehicle may overhang into a public right-of-way and no event closer than five (5) feet to a sidewalk or street curb.

Paragraph 8 All parked vehicles must comply with unobstructed view easement and sight distance requirements at street intersections as determined by the Town.

Paragraph 9 Parking lots shall be designed in groupings no larger than 200 spaces. Larger lots shall be divided by buildings, plazas or significant landscaped area oriented for pedestrian use.

Paragraph 10 The standards of this section shall apply to all development on the site, both existing and planned, at the time that any building permit is required.

SECTION 4 SCREEN WALL REQUIRED.

Paragraph 1 All parking lots abutting a residential zoning district shall be screened from view by the placement of a solid six (6) foot wall or fence between the parking lot and the residential zone.

SECTION 5 LANDSCAPING REQUIRED.

Paragraph 1 Ten (10) percent of the total parking lot area shall be landscaped as approved by the Town.

ARTICLE XIV

BOARD OF ADJUSTMENT

SECTION 1 APPOINTMENT, TERM OF OFFICE AND REMOVAL.

Paragraph 1 A board of adjustment is hereby established which shall consist of five (5) residents of the Town, appointed by the Council, who shall serve without pay.

Paragraph 2 The term of each appointment shall be for five (5) years. Each member may be appointed for as many terms as determined by the Town Council.

Paragraph 3 No new member shall hold any other Town or County Office.

Paragraph 4 Vacancies occurring other than through expiration of the term shall be filled by the Town Council for the remaining portion of the term.

SECTION 2 THE TERM OF ALL MEMBERS.

Paragraph 1 Shall extend until their successors are qualified, provided, however, three (3) successive unexcused or unexplained absences from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, and such action shall be final. Members of the Board may, after a public hearing, be removed by the Council for inefficiency, neglect of duty or malfeasance in office.

Paragraph 2 The Council shall file a written statement of the reasons for the removal.

SECTION 3 COMPENSATION.

Paragraph 1 All members shall serve without pay. However, members may be reimbursed for actual expenses incurred in connection with their duties upon authorization or ratification by the Board and approval of such expenditures by the Council.

SECTION 4 ORGANIZATION, MEETINGS, RULES AND REGULATIONS.

Paragraph 1 The Board shall elect a Chairman and Vice Chairman from among its own members, who shall serve in this capacity for one (1) year and until their successors are elected and qualified.

Paragraph 2 The Vice Chairman shall perform the duties of the Chairman in the Chairman's absence or disability.

Paragraph 3 Vacancies created by any cause shall be filled for the remaining term by a new election.

Paragraph 4 The Board shall adopt rules and regulations for the conduct of its own business, hearings and procedure.

Paragraph 5 The Board shall meet regularly at such times and at such place as shall be prescribed by its rules, but not less frequently than three (3) times per year.

Paragraph 6 All meetings of the Board shall be open to the public.

Paragraph 7 No change shall be made in regular meeting times or place without a published seven (7) day notice.

Paragraph 8 In addition, any three (3) members of the Board may make written request to the Chairman for a special meeting and if such meeting is not called, such members may call a special meeting in such manner as may be provided in the Board rules.

Paragraph 9 The Council shall appoint a secretary who shall keep minutes of the Board's proceedings, showing the action of the Board and the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its official actions, all of which shall be immediately filed in the office of the Town Clerk and shall then be a public record.

Paragraph 10 The presence of three (3) members shall constitute a quorum.

Paragraph 11 The Board shall act by motion.

Paragraph 12 The affirmative vote of the majority of members voting shall be required for passage of any matter before the Board.

Paragraph 13 A member may abstain from voting only upon a declaration that he has a conflict of interest, in which case such member shall not take part in the deliberations on the matter in question.

SECTION 5 ASSISTANCE FROM TOWN DEPARTMENTS.

Paragraph 1 The Board may call on the Town departments for assistance in the performance of its duties, and it shall be the duty of such departments to render assistance to the Board as may be reasonably required.

SECTION 6 APPEALS, NOTICES AND HEARINGS.

Paragraph 1 Appeals to the Board concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by an officer or department of the Town affected by any decision of the Zoning Administrator.

Paragraph 2 An aggrieved person shall be construed to be one having a direct interest in the property affected, such as the owner, mortgagee or lessee.

Paragraph 3 Applications for any matter to be considered by the Board shall be filed with the Zoning Administrator on forms furnished for the purpose within thirty (30) days after the action appealed from, and shall specify the grounds thereof.

Paragraph 4 The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from is taken.

Paragraph 5 The appeal stays all proceedings in the matter appealed from, unless the Zoning Administrator certifies to the Board that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property.

A. In such case, proceedings shall not be stayed, except by a restraining order granted by the Board, or by a court of record on application and notice to the Zoning Administrator.

Paragraph 6 The Board shall fix a reasonable time for hearing the appeal, and shall give notice of hearing by both publication in a newspaper of general circulation in accordance with and posting the notice in conspicuous placed on the property affected.

A. It shall not be the responsibility of the Town to maintain the posting once erected.

B. The appellant, the Zoning Administrator and the parties in the interest shall receive notice of hearing.

Paragraph 7 Any party may appear at the hearing in person or by an agent or by an attorney.

Paragraph 8 Parties in interest shall have the right to present their case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination of witnesses as may be required for a full and true disclosure of the facts; provided that:

A. The submission of documentary evidence shall not, by reason of its written form, prejudice the interest of any party.

Paragraph 9 The Board shall, as a matter of policy, provide for the exclusion of irrelevant, immaterial or unduly repetitious evidence, and in furtherance of this policy, may limit cross-examination.

Paragraph 10 A petition to the Board signed by persons not parties in interest to an appeal, as defined herein, shall not be considered documentary evidence and shall have no bearing on the Board's decision, nor shall any person presenting such petition be considered the agent of its signers.

SECTION 7 POWERS, DUTIES AND LIMITATIONS OF THE BOARD.

Paragraph 1 Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of this Ordinance.

Paragraph 2 Hear and decide appeals for variances from the terms of the zoning Ordinance only if, because of special circumstances applicable to the property, including its size, shape, topography, location or surroundings the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of same classification in the same zoning district.

Paragraph 3 Any variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

Paragraph 4 Reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Zoning Administrator appealed from and make such order, requirement, decision or determination as necessary.

SECTION 8 THE BOARD SHALL NOT:

Paragraph 1 Make any changes in the uses permitted in any zoning district, or make any changes in the terms of this zoning ordinance provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.

Paragraph 2 Grant variance if the special circumstances applicable to the property are self-imposed by the property owner.

Paragraph 3 A variance shall not be granted by the Board unless and until:

A. A written application for variance has been submitted demonstrating: That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.

B. That literal interpretation of the provisions of this Ordinance would deprive the appellant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance.

C. That the alleged hardship caused by literal interpretation of the provisions of this Ordinance includes more than personal inconvenience and financial hardship, and is not the result of action by the appellant.

D. That granting the variance will not confer upon the appellant any special privilege that is denied by this ordinance to other land, structures or buildings in the same zoning district.

E. That Granting the variance will not interfere with or substantially or permanently injure the appropriate use of adjacent conforming properties in the same zoning district.

F. A hearing has been held in accordance with requirements of this section.

G. The Board finds that the reasons set forth in the appeal justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

H. The Board finds that granting of the variance will be in harmony with the general purpose of intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

SECTION 9 CONDITIONS OF APPROVAL.

Paragraph 1 In granting a variance the Board may impose such conditions and safeguards as are appropriate to insure that the purpose of intent of this ordinance will be fulfilled.

Paragraph 2 Failure to comply with such conditions and safeguards, when made a part of the terms under which a variance is granted shall be deemed a violation of this ordinance.

Paragraph 3 No violations of this ordinance by neighboring lands, structures or buildings, in the same zoning district, and no permitted use of lands, structures or buildings in other zoning districts, shall be considered grounds for granting a variance.

Paragraph 4 Every variance granted shall be personal to the appellant therefore and shall be transferable and shall run with the land only after completion of any authorized structure or structures.

Paragraph 5 Nothing herein contained shall be construed to empower the Board to change the terms of this ordinance, to authorize uses which violate any other Town ordinance, to affect changes in the Zoning Map, or to add to the uses permitted in any zoning district.

Paragraph 6 Every decision of the Board shall be based upon finding of fact, and every finding of fact shall be supported in the record of its proceedings.

Paragraph 7 The conditions required by this ordinance to exist on any matter upon which the Board is authorized to pass under this ordinance shall be construed as limitations on the power of the Board to act.

Paragraph 8 A mere finding or recitation of the enumerated conditions, unaccompanied by the findings of specific fact, shall not be deemed finds of fact, and shall not be deemed in compliance with this ordinance.

SECTION 10 APPEALS FROM THE BOARDS.

Paragraph 1 The decision of the Board shall be final; provided, however, that any person aggrieved by a decision of the Board, or a taxpayer or a municipal officer may, at any time within thirty (30) days after the filing of the decision in the office of the Board, petition the court for a writ of certiorari for review of the Board's decision.

Paragraph 2 Allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the Board, and for good cause shown, grant a restraining order, and on final hearing may reverse or affirm, wholly or partly, or may modify the decision reviewed.

SECTION 11 FEES.

Paragraph 1 Upon filing an application for appeal, the appellant shall pay filing fee to the general fund of the Town in accordance with a schedule established by resolution of the Council, and posted in the office of the Zoning Administrator.

Paragraph 2 No part of any such fee shall be returnable after an application is filed and the fee is paid.

Paragraph 3 In the case of an appeal for a variance to more than one provision of this ordinance, the filing fee shall equal the total amount chargeable for all provisions as prescribed by the fee schedule.

Paragraph 4 Payment of the filing fee shall be waived when the appellant is the Zoning Administrator or any other officer or agency of the Town acting in an official capacity.

Footer

ARTICLE XV

ZONE CHANGES OR AMENDMENTS

SECTION 1 GENERAL.

Paragraph 1 The Council may, from time to time as the public necessity, convenience, general welfare or good zoning practice requires, change the district boundaries or amend, change, repeal or supplement the regulations herein established.

SECTION 2 PETITIONS FOR AMENDMENTS.

Paragraph 1 Such change or amendment may be initiated by the Council or the Commission on its own motion, or by petition of one or more owners of real property within the area proposed to be changed.

Paragraph 2 The commission may on its own motion propose any amendments to this ordinance and map.

Paragraph 3 Petitions for change of district boundaries or amendment of regulations shall be made in accordance with the Town's development procedure handbook.

SECTION 3 PROCEDURE.

Paragraph 1 The procedure for change of district boundaries or amendment of regulations shall be made in accordance with the Town's development procedure handbook.

SECTION 4 PUBLIC NOTICE REQUIRED.

Paragraph 1 In proceedings involving one or more of the following proposed changes or related series of changes to this ordinance, notice shall be provided in the manner prescribed in Paragraph 2 of this section:

- A. A ten percent or more increase or decrease in the number of square feet or units that may be developed.
- B. A ten percent 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 or more increase or decrease in set back or open space requirements.
- E. An increase or reduction in permitted uses.

Paragraph 2 In proceedings governed by Paragraph 1 of this section, the Town shall provide notice to real property owners pursuant to at least one of the following notification procedures:

- A. Notice shall be sent by first class mail to each real property owner(s), as shown on the last County assessment, whose real property is directly governed by the changes.
- B. Include notice of such changes with utility bills or other mailings.

C. The Town shall publish such changes prior to the first hearing on such changes in a newspaper of general circulation in the municipality. The changes shall be published in a "display ad" covering not less than one-eighth of a full page.

Paragraph 3 If notice is provided pursuant to subdivisions (b) and (c) of Paragraph 2, the Town shall also send notice by first class mail to persons who register their names and addresses with the Town as being interested in receiving such notice. The Town may charge a fee not to exceed five dollars per year for providing this service and may adopt procedures to implement this provision.

Paragraph 4 Notwithstanding the notice requirements set forth in Paragraph 1 of this section, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the actions of the Town for which the notice was given.

SECTION 5 WRITTEN PROTEST.

Paragraph 1 If the owners of twenty percent or more either of the area of the lots included in a proposed change, or of those immediately adjacent in the rear or any side thereof extending one hundred-fifty (150) feet therefrom, or of those directly opposite thereto extending one hundred-fifty (150) feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by the favorable vote of three-fourths of all members of the Town Council. If any members of the Town Council are unable to vote because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths of the remain membership of the governing body, provided that such required number of votes shall in no event be less than a majority of the full membership of the legally established governing body.

Footer

ARTICLE XVI

LANDSCAPING AND BUFFERING

SECTION 1 MINIMUM ON-SITE LANDSCAPING REQUIRED.

Paragraph 1 The minimum lot area to be landscaped as a percentage of total lot area shall be as follows:

- A. Five (5) percent in the LI and HI districts.
- B. Ten (10) percent in the C2 district.
- C. Fifteen (15) percent for any non-residential use in the RA5, SR, SR43, R1, R2MR and R3 zoning districts.

SECTION 2 LOCATION OF REQUIRED LANDSCAPING.

Paragraph 1 A ten (10) foot side strip of land adjacent and parallel to each street right-of-way line shall be landscaped.

SECTION 3 LANDSCAPE BUFFER REQUIRED.

Paragraph 1 For each multi-family or non-residential use, a fifteen foot wide strip of land adjacent and parallel to any single-family district shall be landscaped.

Paragraph 2 For each non-residential use, a fifteen (15) foot wide strip of land adjacent and parallel to any multi-family district shall be landscaped.

Paragraph 3 For each loading dock or service drive, a twenty-five (25) foot wide strip of land adjacent and parallel to any residential district shall be landscaped.

SECTION 4 REQUIRED LANDSCAPE MATERIALS.

Paragraph 1 The landscape area may be landscaped with living vegetation, decorative rock, bark or other features.

2011-02505

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Requested By: QUARTZSITE TOWN OF
SHELLY D BAKER, RECORDER
OFFICIAL RECORDS OF LA PAZ COUNTY, AZ
05-24-2011 12:44 PM Recording Fee \$14.50

Recording requested by and when
recorded mail to:
Town of Quartzsite
PO Box 2812
Quartzsite, AZ 85346
Attn: Karen Norris

RECEIVED
JUN 16 2011

BY: *SH*

(This space reserved for recording information)

CAPTION HEADING:

Ordinance No. 11-02; Amending Town of Quartzsite Zoning Ordinance by adopting reasonable regulations related to use of land for medical marijuana dispensaries and related uses.

TOWN OF QUARTZSITE

ORDINANCE NO. 11-02

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, AMENDING THE TOWN OF QUARTZSITE ZONING ORDINANCE, BY ADOPTING REASONABLE REGULATIONS RELATED TO USE OF LAND FOR MEDICAL MARIJUANA DISPENSARIES AND RELATED USES.

WHEREAS, Proposition 203, the Arizona Medical Marijuana Act (the "Act"), appeared on the November 2, 2010, statewide ballot and as approved by the voters, provides for certain medical marijuana use, sale and cultivation, to include the establishment of medical marijuana dispensaries in the State of Arizona; and

WHEREAS, the Federal Controlled Substances Act and applicable regulations classify marijuana as a "Schedule I" drug and consequently prohibits its use in any manner, with exceptions only for research purposes; and

WHEREAS, the Federal Food and Drug Administration (the "FDA") continues to support the placement of marijuana as a "Schedule I" controlled substance with no currently accepted medical use in the United States; and

WHEREAS, the Act expressly authorizes cities to enact reasonable zoning regulations that limit the use of land for registered nonprofit medical marijuana dispensaries, but does not permit an outright ban, as currently exists; and

WHEREAS, Arizona law permits cities to enact zoning regulations in order to conserve and promote the public health, safety and general welfare and regulate the use of buildings, structures and land; and

WHEREAS, it is necessary to restrict, or prohibit, the use or division of real property within the Town of Quartzsite in order to protect the public's health by establishing appropriate regulation of medical marijuana dispensaries and cultivation facilities; and

WHEREAS, regulations defining permitted location of medical marijuana dispensaries and cultivation facilities (collectively referred to here as "Facilities") and providing for the minimum separation of such Facilities from uses such as churches, libraries, schools, parks, daycare centers, licensed treatment centers, and other Facilities will reduce or eliminate the threat to public health, safety and welfare potentially caused by medical marijuana uses; and

WHEREAS, the regulations, limitations and prohibitions established in the Ordinance are necessary to protect and preserve the public's health and safety; and

WHEREAS, all due and proper notices of public meetings on this Ordinance held before the Town of Quartzsite Common Council (the "Town Council" were given in the time, form, substance and manner provided by A.R.S. §38-431.02 and in accordance with Town Code Section 2-4-1; and

WHEREAS, the Town Council held a Work Session open for public comment on this Ordinance on March 22, 2011; a Regular meeting open for public comment on this Ordinance on April 12, 2011 and a Special meeting open for public comment on this Ordinance on April 22, 2011.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA as follows:

SECTION 1: The recitals set forth above are hereby incorporated as if fully set forth herein.

SECTION 2: The Town of Quartzsite Zoning Ordinance (The "Zoning Ordinance"), Article III Section 2, Definitions, is hereby amended to add the following new definitions:

MEDICAL MARIJUANA. "Marijuana" for "Medical Use" as those terms are defined in A.R.S. §36-2801.

MEDICAL MARIJUANA DISPENSARY. A nonprofit medical marijuana dispensary as defined in A.R.S. §36-2801 and duly registered and certified pursuant to A.R.S. §36-2804.

MEDICAL MARIJUANA CULTIVATION LOCATION. Any facility, building, or location that grows, cultivates or processes medical marijuana, including but not limited to the following; (i) a medical marijuana dispensary that cultivates medical marijuana on its site; (ii) the one additional location, if any, duly identified pursuant to A.R.S. §36-2806 (E) during the process of registering a medical marijuana dispensary where marijuana will be cultivated for sale at a medical marijuana dispensary; (iii) any location for the cultivation of marijuana by a qualifying patient or designated caregiver permitted under A.R.S. §36-2801 *et seq.*; and (iv) includes a facility that incorporates or processes medical marijuana into a consumable or edible product.

SECTION 3: That certain document known as the "Town of Quartzsite Medical Marijuana Regulations" (the "Regulations") three copies of which are on file in the office of the Town Clerk, which document was made a public record by Resolution No.11-06 of the Town of Quartzsite, Arizona, is here by referred to, adopted and made a part of hereof as if fully set out in this Ordinance.

SECTION 4: The Zoning Ordinance is here by amended by creating a new Article XVII, Medical Marijuana Uses, the text of which shall be the Regulations adopted herein by reference,

SECTION 5: The Zoning Ordinance, Article V, Commercial General and Industrial Zoning Districts, Section 1, Permitted Uses, is hereby amended as follows to add, all other provisions remaining unchanged:

Q. Medical marijuana dispensary, subject to requirements of Paragraph 26, Medical Marijuana Use;

R. Medical Marijuana cultivation location, subject to the requirements of Paragraph 26, Medical Marijuana Uses;

SECTION 6: Unless a specific penalty is set forth herein, any person, firm, organization, entity or corporation found guilty of violating any provision of the Zoning Ordinance or any amendment thereto, shall be guilty of a misdemeanor punishable as set forth in the "Town Code" for the Town of Quartzsite, Article 1-8; a fine of not to exceed two thousand five hundred dollars (\$2500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment and each day of continued violation shall be separate offense, punishable as described.

SECTION 7: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or the Regulations is for any reason to be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 8: The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of the Ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Quartzsite, Arizona this 26th day of April 2011.

ATTEST:


Karen Norris, Town Clerk

APPROVED:


Ed Foster, Mayor

APPROVED AS TO FORM:


Pamela Walsma, Town Attorney

**ARTICLE XVII
MEDICAL MARIJUNANA REGULATIONS**

SECTION 1 DEFINITIONS

Paragraph 1 Medical Marijuana: Means of all parts of the genus cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patients debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Paragraph 2 Medical Marijuana Cultivation: The process by which a person grows a marijuana plant. A facility shall mean a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary.

Paragraph 3 Nonprofit medical marijuana dispensary: An entity as defined in A.R.S. §36-2801(11), as amended.

Paragraph 4 Nonprofit medical marijuana dispensary offsite cultivation location: One additional location, if any, where marijuana may be cultivated by a nonprofit medical marijuana dispensary as referenced in A.R.S. §36-2804(B) (1) (b) (ii) , as amended.

Paragraph 5 Medical Marijuana Infusion (or Manufacturing) Facility: A facility that incorporates medical marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable/edible goods.

Paragraph 6 Medical Marijuana Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition as defined in A.R.S. §36-2801.13.

SECTION 2 MEDICAL MARIJUANA USES

The following minimum requirements shall apply to all medical marijuana dispensary and medical marijuana cultivation location uses permitted under A.R.S. §36-2801 *et seq.* (the "Act") and Section 8.1:

- A. In addition to any other application requirements, an applicant for any medical marijuana dispensary or a medical marijuana cultivation location use shall provide the following:
 - 1. A notarized authorization, executed by the property owner, acknowledging and consenting to the proposed use of the property as a medical marijuana dispensary or a medical marijuana cultivation location.
 - 2. The legal name of the medical marijuana dispensary or medical marijuana cultivation location.

3. If the application is for a medical marijuana cultivation location, the name and location of the medical marijuana dispensary with which it is associated, and, in addition, in the case of designated caregivers or qualifying patients, the names of qualifying patients for which the medical marijuana is being cultivated.
4. The name, address and birth date of each officer and board member of the nonprofit medical marijuana dispensary agent.
5. The name, address, birth date and valid registry identification card number of (a) each medical marijuana dispensary agent if the application is related to a medical marijuana dispensary or a related medical marijuana cultivation location and (b) each designated caregiver and qualifying patient if the application is related to a medical marijuana cultivation location associated with such qualifying patient and designated caregiver.
6. A copy of the operating procedures adopted in compliance with A.R.S. §36-2804(B)(1)(c).
7. A notarized certification that none of the medical marijuana dispensary officers or board member has been convicted of any of the following offenses:
 - a. A violent crime, as defined in A.R.S. §13-901.03(B), that was classified as a felony in the jurisdiction where the person was convicted.
 - b. A violation of state or federal controlled substance law that was classified as a felony in the jurisdiction where the person was convicted except an offense for which the sentence, including any term of probation, incarceration or supervised release, was completed ten or more years earlier or an offense

located within 50 feet of the minimum separation, the drawing, showing actual surveyed separations, shall be prepared by a registered land surveyor.

- B. A medical marijuana dispensary shall have operating hours not earlier than 9:00 a.m. and not later than 5:00 p.m., Monday through Friday.
- C. A medical marijuana dispensary or medical marijuana cultivation location shall meet the following minimum separation requirements, measured in a straight line from the closest boundary of the parcel containing the medical marijuana dispensary or medical marijuana cultivation location to the closest property boundary of the parcel containing any existing uses listed below:
 - 1. 2.5 miles from any other medical marijuana dispensary or medical marijuana cultivation location.
 - 2. 1000 feet from a public, private, parochial, charter, dramatic, dancing or music school, a learning center, or other similar school or educational facility that caters to children.
 - 3. 500 feet from a childcare center.
 - 4. 500 feet from a religious institution.
 - 5. 1000 feet from school bus stop.
- D. Pursuant to the application requirements and provisions under A.R.S §36-2804 and 2806, and except as provided under the Act for qualifying patients and designated caregivers, a medical marijuana cultivation location may only cultivate, process, supply, sell or otherwise provide medical marijuana to medical marijuana dispensaries located in Arizona, and only one medical marijuana cultivation location shall be permitted for the single Arizona medical marijuana dispensary with which it is associated and the Arizona Department of Health Services rules, as amended
- E. The following size limitations shall apply to any medical marijuana dispensary:
 - 1. The total maximum floor area of a medical marijuana dispensary inclusive of any secure storage area shall not exceed 1,499 square feet and shall have a single secure entrance/exit.
 - 2. The secure storage area for the medical marijuana store at the medical marijuana dispensary shall not exceed 500 square feet.
 - 3. For a medical marijuana dispensary that also is a medical marijuana cultivation location, the total maximum floor area that may also be used for cultivation and incorporation or processing of the medical marijuana into consumable or edible

products inclusive of any secure storage area, shall not exceed 3,500 square feet. The secure storage area for the medical marijuana store at a medical marijuana dispensary that also is a cultivation location shall not exceed 1,499 square feet.

- F. The following size limitations shall apply to any medical marijuana cultivation location that is not also a medical marijuana dispensary location
1. The total maximum floor area of a medical marijuana cultivation location inclusive of any secure storage area, shall not exceed 3,000 square feet.
 2. The secure storage area for the medical marijuana stored at the medical marijuana cultivation location shall not exceed 1,000 square feet.
- G. A medical marijuana dispensary or medical marijuana cultivation location shall:
1. Be located in a permanent building and may not be located in a trailer, cargo container, mobile or modular unit, mobile home, recreational vehicle or other mobile vehicle. The facility shall include fire protection measures, including sprinklers, as required by the Quartzsite Fire District.
 2. Install lighting to illuminate the exterior and interior of the building and all entrances and exits to the facility. Exterior lighting shall be five foot candles, measured at ground level, and shall remain on during all hours between sunset and sunrise each day and the medical marijuana dispensary or cultivation location shall illuminate all areas of the premises, including adjacent public sidewalks so that the areas are readily visible by law enforcement personnel. Twenty-four (24) hours each day, the medical marijuana dispensary or cultivation location shall illuminate the entire counter, safe, storage area and any location where people are prone to congregate. The lighting must be of sufficient brightness to ensure that the interior is readily visible from the exterior of the building from a distance of 100feet.
 3. Not have a drive-through service.
 4. Not emit dust, fumes, vapors or odors into the environment.
 5. Not provide offsite delivery of medical marijuana, except to a medical marijuana dispensary served by the medical marijuana cultivation location.
 6. Have no on-site sales of alcohol or tobacco, and no on-site consumption of food, alcohol, tobacco or medical marijuana.

7. Not have outdoor seating areas.
8. Display a current Town of Quartzsite business license, and a State of Arizona tax identification letter.
9. Provide law enforcement and all interested neighbors with the name and phone number of an on-site community relations staff person to notify if there are operational problems with the establishment.
10. On its exterior, be compatible with structures already constructed or under construction within the immediate neighborhood, to ensure against blight, deterioration, or substantial diminishment or impairment of property values in the vicinity.
11. Give unrestricted access to Town Code enforcement officers, police officers or other agents or employees of the Town requesting admission for the purpose of determining compliance with these standards.
12. Comply with all other applicable property development and design standards of the Town of Quartzsite.
13. Detailed internal security measures will be identified and maintained after consultation with the Quartzsite Police Department. For the purposes of this Section, "security guard" shall mean licensed and duly insured security personnel registered pursuant to A.R.S §32-2601 *et seq.* The medical marijuana dispensary or cultivation location operator shall provide all property owners with 500 foot radius of the medical marijuana dispensary or cultivation location with written notification via first class U.S., mail or the security company responsible for providing its security services.
14. Provide, if determined necessary by the Town Manager at any time, a neighborhood security guard patrol for a two-block radius surrounding the medical marijuana dispensary or cultivation location during all or specified hours of operation.
15. Not have any doctor or other person issue a written certification on-site for medical marijuana.

16. Only dispense medical marijuana to qualified patients and their designated caregivers as defined in the Act.
17. Notify patrons of the following verbally and through posting of a sign in a conspicuous location at the medical marijuana dispensary:
 - a. Use of medical marijuana shall be limited to the patient identified on the doctor's written certification. Secondary sale, barter or distribution of medical marijuana is a crime and can lead to arrest.
 - b. Patrons must immediately leave the site and not consume medical marijuana until at home or in an equivalent private location. Medical marijuana dispensary staff shall monitor the site and vicinity to ensure compliance.
18. Not provide medical marijuana to any individual in an amount not consistent with personal medical use, or in violation of state law and regulations related to medical marijuana use.
19. Require any qualifying patient under the age of eighteen (18) be accompanied by a parent or legal guardian to enter the facility. Except for such parent or legal guardian, no persons other than qualifying patients and designated caregivers shall be permitted within a medical marijuana dispensary premises.
20. Not have any sign, advertising, or any other advertising matter used in connection with the medical marijuana dispensary or cultivation location be of any offensive nature and shall in no way be contrary to the Town Code, or obstruct the view of the interior of the premises viewed from the outside.