

NAVAJO COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 56-94

A RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS
ADOPTING AN AMENDMENT
TO THE NAVAJO COUNTY ZONING ORDINANCE

The Navajo County Board of Supervisors does resolve as follows:

SECTION 1. The Board of Supervisors does hereby declare and determine the following recommended amendment was duly given and published, that a Public Hearing was duly held on the 17th day of October 1994, and that the public necessity, convenience and general welfare and good zoning practice require that the following amendment and change be made.

SECTION 2. The Board of Supervisors hereby adopts the change and amendment to the text of Articles 14, 15, 22, 25 & 30, of the Navajo County Zoning Ordinance to read as follows:

SEE ATTACHED

APPROVED AND ADOPTED this 17th day of October, 19 94

Marlin F. Gillespie
Marlin F. Gillespie, Chairman
Navajo County Board o Supervisors

ATTEST:

Sharon R. Keene-Wright
Sharon R. Keene-Wright
Clerk of the Board

NAVAJO COUNTY PUBLIC WORKS DEPARTMENT

PLANNING & BUILDING DIVISION



**PROPOSED AMENDMENTS TO THE NAVAJO COUNTY
ZONING ORDINANCE**

ARTICLES, 14, 15, 22, 25 & 30

ARTICLE 14 - (R-3) MULTIPLE-FAMILY RESIDENTIAL ZONING DISTRICT.

Section 1401 - Purpose.

The principal purpose of this zoning district is to provide for multiple-family housing along with certain transient residential and non-residential neighborhoods in locations which are suitable and appropriate taking into consideration existing conditions, including present use of land, future land use needs and the availability of public utilities. The minimum parcel size required is six thousand (6,000) square feet in area and the minimum area required for each dwelling unit is one thousand (1,000) square feet. Principal uses permitted in this zoning district include high-density housing, hospitals and institutions of an educational, religious, charitable or philanthropic nature, private clubs and fraternal organizations, resort hotels, Manufactured home subdivisions and Manufactured Home Parks.

Section 1402 - Use Regulations.

A building or premises shall be used only for the following purposes:

- 1) Any use permitted in the "R-2" zoning district, subject to all the regulations for such "R-2" zoning district unless otherwise regulated in this Article.
- 2) Hospitals and institutions of an educational, religious, charitable or philanthropic nature.
- 3) Private clubs and fraternal organizations, excluding such uses for which the chief activity is a service customarily conducted as a business.
- 4) Resort hotels, provided there are no outside entrances for business purposes.
- 5) Manufactured Home subdivisions, subject to the following:
 - a) The number of Manufactured Homes, Park Model Trailers, mobile homes or Recreational Vehicles shall be limited to one (1) on each lot in such subdivision.

- b) The height, yard, intensity of use, and parking regulations of the "R-3" zoning district shall apply to Manufactured Homes, Park Model Trailers, Mobile Homes or Recreational Vehicle's located on lots in such subdivision.
- 6) Manufactured Home Parks, subject to securing a use permit and the following:
- a) Each Manufactured Home space shall have an area of not less than three thousand (3,000) square feet and a width of not less than thirty-six (36) feet, and each Recreational Vehicle space shall have an area of not less than one thousand (1,000) square feet and width of not less than twenty-five (25) feet, except that the number of spaces designed or used for Recreational Vehicles shall not exceed twenty percent (20%) of the total number of spaces provided in such Manufactured Home parks.
 - b) Manufactured Homes shall be located on Manufactured Home spaces so as to provide a minimum setback from the nearest edge of any interior drive or roadway of not less than eight (8) feet and so as to provide a minimum setback from any Manufactured Home space boundary not in common with the edge of any interior drive or roadway of not less than five (5) feet, except that in the case of Manufactured Home spaces having boundaries in common with two (2) or more interior drives or roadways the minimum setback from the nearest edge of interior drives or roadways shall be not less than twenty (20) feet on the Manufactured Mobile Home's entry side and not less than five (5) feet on the Manufactured Home's non-entry side.
 - c) Recreational Vehicles shall be located on Recreational Vehicle spaces so as to provide a minimum setback from the nearest edge of an interior drive or roadway of not less than four (4) feet and so as to provide a minimum setback from any Manufactured Home space boundary not in common with the edge of an interior drive or roadway of not less than three (3) feet,

except that in the case of Recreational Vehicle spaces having boundaries in common with two (2) or more interior drives or roadways the minimum setback from the nearest edge of interior drives or roadways shall be not less than twenty (20) feet on the Recreational Vehicle's entry side and not less than three (3) feet on the Recreational Vehicle's non-entry side.

- d) Recreational Vehicles may be located on Manufactured Home spaces but the minimum setbacks required of Manufactured Homes shall be provided.
- e) The location of Manufactured Homes on Recreational Vehicle spaces is prohibited.
- f) The minimum distance between Manufactured Homes or Recreational Vehicles in the same Manufactured Home park shall be fifteen (15) feet.
- g) The minimum distance between Manufactured Homes or Recreational Vehicles and buildings in the same Manufactured Home park shall be ten (10) feet.
- h) Each Manufactured/Modular, Park Model Trailer Mobile Home or Recreational Vehicle shall set back from all lot lines a distance of not less than eight (8) feet.
- i) Service buildings to house toilet, bathing and other sanitation facilities and utilities shall be provided as required by the Navajo County Health Department.
- j) Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a Manufactured Home or Recreational Vehicle, or from the patio cover, carport, cabana, ramada or similar appurtenances.
- k) The Manufactured Home park shall be screened from adjoining lots by a solid fence or wall, or suitable planting of not less than three and one-half (3-1/2) feet in height, nor more than six (6) feet in height.

- l) The height, yard, and intensity of use regulations of the (R-3) zoning district shall apply to buildings located in Manufactured Home parks but not to the Manufactured Homes or Recreational Vehicles, except that the area and width of the lot occupied by a Manufactured Home park shall not be less than that required for lots occupied by other uses.
 - m) In order to permit flexibility in the development of Manufactured Home parks, the strict application of regulations pertaining directly to an individual Manufactured Home space or Recreational Vehicle space and to the location thereon of Manufactured Homes and Recreational Vehicles need not be applied provided any variance therefrom is consistent with the purpose of this Ordinance, open space is maintained at a ratio of two (2) square feet for each square foot of covered space, and the average area per Manufactured Home space or Recreational Vehicle space in the Manufactured Home park is not less than three thousand (3,000) square feet, except that there shall be no variation in required minimum distance between Manufactured Homes, Recreational Vehicles, and buildings, and front lot lines.
7. Accessory buildings and uses customarily incidental to the above uses.

Section 1403 - Sign Regulations.

The sign regulations are as provided in Article 23 hereof.

Section 1404 - Yard Regulations.

The required yards are as follows:

1. Front Yard:

- a) There shall be a front yard having a depth of not less than twenty (20) feet.
- b) For through lots, a front yard shall be provided along both front lot lines.

- c) Yards along each street side of corner lots shall have a width equal to but not less than one-half (1/2) the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards.

2. Side Yard:

There shall be a side yard on each side of a building having a width of not less than five (5) feet.

3. Rear Yard:

There shall be a rear yard having a depth of not less than fifteen (15) feet, or in the case of a legally recorded undersized lot or parcel fifteen percent (15%) of the total lot depth.

Section 1405 - Intensity of Use Regulations.

The intensity of use regulations are as follows:

1) Lot Area:

Each lot shall have a minimum lot area of six thousand (6,000) square feet.

2) Lot Width:

Each lot shall have a minimum width of sixty (60) feet.

3) Lot Area Per Dwelling Unit:

The minimum area per dwelling unit shall be one thousand (1,000) square feet.

4) Lot Coverage:

The maximum lot coverage shall be fifty percent (50%) of the lot area.

5) Distance Between Buildings:

The minimum distance between buildings on the same lot shall be fifteen (15) feet.

Section 1406 - Parking Regulations.

The parking regulations are as provided in Section 2510 hereof.

ARTICLE 15 - (C-1) NEIGHBORHOOD COMMERCIAL ZONING DISTRICT

Section 1501 - Purpose.

The principal purpose of this zoning district is to provide for shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods and wholesaling or distribution activities in locations where there is adequate access to major streets or highways. Principal uses permitted in this zoning district include retail and wholesale commerce, commercial entertainment, and some uses of a light manufacturing nature.

Section 1502 - Use Regulations.

A building or premises shall be used only for the following purposes:

- 1) Any use permitted in the "R-3" zoning district subject to all the regulations specified in the use regulations for such "R-3" zoning district unless otherwise regulated in this article.
- 2) Antique stores.
- 3) Art and dance instruction and art galleries.
- 4) Art metal and ornamental iron shops.
- 5) Automobile laundries, provided steam cleaning is confined to a completely enclosed building.
- 6) Automobile parts and supplies.
- 7) Automobile repair shops and garages, provided all operations are conducted within a completely enclosed building.
- 8) Automobile sales and rentals including display room.
- 9) Awning and canvas stores.
- 10) Banks.

- 11) Bakeries and candy stores, including the manufacturing of bakery and candy products for on-site retail sales only.
- 12) Barber and beauty shops.
- 13) Bars and liquor stores.
- 14) Baths, turkish, including masseurs.
- 15) Blueprinting and photostating establishments.
- 16) Boat sales.
- 17) Book, stationary and gift stores.
- 18) Bowling alleys.
- 19) Catering establishments.
- 20) Cabinet and carpenter shops.
- 21) Clock and watch repair shops.
- 22) Clothing and costume rentals.
- 23) Clothing and dry goods stores.
- 24) Craft shops which include ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, dress designing, sculpturing and wood carving.
- 25) Dance halls and night clubs.
- 26) Day nurseries and nursery schools.
- 27) Delicatessen stores.
- 28) Drive-in restaurants and refreshment stands.
- 29) Drug stores and soda fountains.
- 30) Electrical shops.
- 31) Equipment rentals and sales.
- 32) Feed stores.

- 33) Florist shops.
- 34) Funeral homes and chapels.
- 35) Furniture stores.
- 36) Frozen food lockers.
- 37) Gasoline service stations.
- 38) Grocery stores and meat markets, provided there is no slaughtering of animals or poultry on the premises.
- 39) Hardware and appliance stores.
- 40) Hotels and motels.
- 41) Ice cream stores.
- 42) Ice distributing stations.
- 43) Jewelry stores.
- 44) Key and gun shops, including incidental repair work.
- 45) Laboratories, medical and dental.
- 46) Laundry agencies and self-service laundries.
- 47) Lumber yards, including operations incidental to piece sales.
- 48) Milk depots.
- 49) Miniature golf courses.
- 50) Manufactured Home and Recreational Vehicle sales.
- 51) Music conservatory and music instruction.
- 52) Offices.
- 53) Paint and wallpaper stores.
- 54) Parking lots.

- 55) Pet shops, not involving the treatment or boarding of cats or dogs.
- 56) Photographers and artists studios.
- 57) Plumbing shops.
- 58) Pool halls.
- 59) Printing, lithography and publishing establishments.
- 60) Private schools operated as a commercial enterprise.
- 61) Precision and musical instrument repair shops, including optical repair.
- 62) Public garages.
- 63) Radio and television broadcasting stations and studios, but not including transmitter towers and stations.
- 64) Radio and television stores and repair shops.
- 65) Restaurants and cafes.
- 66) Retail stores.
- 67) Shoe repair shops.
- 68) Stone monument shops.
- 69) Tailor shops.
- 70) Taxidermists.
- 71) Tinsmith shops.
- 72) Trade schools.
- 73) Upholstery shops.
- 74) Used car and truck sales lots.
- 75) Variety stores.
- 76) Wholesale stores.

- 77) Accessory buildings and uses customarily incidental to the above uses.
- 78) Manufactured Home Parks, subject to securing a use permit and the following:
- a) Each Manufactured Home space shall have an area of not less than three thousand (3,000) square feet and a width of not less than thirty-six (36) feet, and each Recreational Vehicle space shall have an area of not less than one thousand (1,000) square feet and width of not less than twenty-five (25) feet.
 - b) Manufactured Homes shall be located on Manufactured Home spaces so as to provide a minimum setback from the nearest edge of any interior drive or roadway of not less than eight (8) feet and so as to provide a minimum setback from any Manufactured Home space boundary not in common with the edge of any interior drive or roadway of not less than five (5) feet, except that in the case of Manufactured home spaces having boundaries in common with two (2) or more interior drives or roadways the minimum setback from the nearest edge of interior drives or roadways shall be not less than twenty (20) feet on the Manufactured Home's entry side and not less than five (5) feet on the Manufactured Home's non-entry side.

- c) Recreational Vehicles shall be located on Recreational Vehicle spaces so as to provide a minimum setback from the nearest edge of an interior drive or roadway of not less than four (4) feet and so as to provide a minimum setback from any Manufactured Home space boundary not in common with the edge of an interior drive or roadway of not less than three (3) feet, except that in the case of Recreational Vehicle spaces having boundaries in common with two (2) or more interior drives or roadways the minimum setback from the nearest edge of interior drives or roadways shall be not less than twenty (20) feet on the Recreational Vehicle's entry side and not less than three (3) feet on the Recreational Vehicle's non-entry side.
- d) Recreational Vehicles may be located on Manufactured Home spaces but the minimum setbacks required of Manufactured Homes shall be provided.
- e) The location of Manufactured Homes on Recreational Vehicle spaces is prohibited.
- f) The minimum distance between Manufactured Homes and Recreational Vehicles in the same Manufactured Home park shall be fifteen (15) feet.
- g) The minimum distance between Manufactured Homes or Recreational Vehicles and buildings in the same mobile home park shall be ten (10) feet.
- h) Each Manufactured Home or Recreational Vehicle shall set back from all lot lines a distance of not less than eight (8) feet.
- i) Service buildings to house toilet, bathing and other sanitation facilities and utilities shall be provided as required by the Navajo County Health Department.

- j) Minimum distance or setbacks required herein shall be the shortest of horizontal dimensions measured from the nearest portion of the sidewall of a Manufactured Home or Recreational Vehicle, or from the patio cover, carport, cabana, ramada or similar appurtenances.
- k) The Manufactured Home park shall be screened from adjoining lots by a solid fence or wall, or suitable planting of not less than three and one-half (3-1/2) feet in height, nor more than six (6) feet in height.
- l) The height, yard, and intensity of use regulations of the (C-1) zoning district shall apply to buildings located in Recreational Vehicle parks but not to the Manufactured Homes or Recreational Vehicle's, except that the area and width of the lot occupied by a Recreational Vehicle park shall not be less than that required for lots used for dwelling purposes.
- m) In order to permit flexibility in the development of Recreational Vehicle parks, the strict application of regulations pertaining directly to an individual Manufactured Home space or Recreational Vehicle space, and to the location thereon of Manufactured Homes and Recreational Vehicles, need not be applied provided any variance therefore is consistent with the purpose of this Ordinance, open space is maintained at a ratio of two (2) square feet for each square foot of covered area and the average area per Manufactured Home space or Recreational Vehicle space in the Recreational Vehicle park is not less than three thousand (3,000) square feet, except that there shall be no variation in required minimum distance between Manufactured Homes, Recreational Vehicles and buildings, and front lot lines.

Section 1503 - Sign Regulations.

The sign regulations are as provided in Article 23 hereof.

Section 1504 - Height Regulations.

The height of building shall not exceed thirty (30) feet or two stories.

Section 1505 - Yard Regulations.

Yards are not required except as follows:

1) Front Yard:

Where the frontage between two (2) intersecting streets is located partly in a Rural or Residential zoning district there shall be a front yard equal to the front yard required in the adjoining Rural or Residential zoning district but such yard need not exceed twenty (20) feet in depth.

2) Side Yard:

- a) If a lot is occupied by a dwelling, there shall be a side yard on each side of the dwelling having a width of not less than five (5) feet.
- b) Where a lot is adjacent to Rural or Residential zoning district, there shall be a side yard on the side of the lot adjacent to such Rural or Residential zoning district having a width of not less than ten (10) feet.
- c) Where a corner lot abuts a Rural or Residential zoning district whether or not separated by an alley, there shall be a side yard on the street side of such corner lot having a width of not less than ten (10) feet.
- d) If a side yard is otherwise provided it shall have a width of not less than three (3) feet.

3) Rear Yard:

- a) If a lot is occupied by a dwelling, there shall be a rear yard having a depth of not less than fifteen (15) feet, or, in the case of legally recorded undersized lot or parcel fifteen percent (15%) of the total lot depth.
- b) Where a lot abuts a Rural or Residential zoning district whether or not separated by an alley, there shall be a rear yard having a depth of not less than twenty (20) feet.

Section 1506 - Intensity of Use Regulations.

The intensity of use regulations are as follows:

1) Lot Area:

Any lot used for dwelling purposes shall have a minimum lot area of six thousand (6,000) square feet.

2) Lot Width:

Any lot used for dwelling purposes shall have a minimum width of sixty (60) feet.

3) Lot Area Per Dwelling Unit:

The minimum lot area per dwelling unit shall be one thousand (1,000) square feet.

4) LOT COVERAGE

The minimum lot coverage shall be fifty percent (50%) of the lot area.

Section 1507 - Parking Regulations.

The parking regulations are as provided in Section 2510 hereof.

Section 1508 - Loading and Unloading Regulations.

The loading and unloading regulations are as provided in Section 1811 hereof.

Section 1509 - Additional Regulations.

The additional regulations are as follows:

- 1) A building or premises shall not be used for dwellings or other places of domicile, Manufactured Home parks, Recreational Vehicle parks, Manufactured Home subdivisions, hotels, resort hotels and motels.
- 2) Any use including incidental or accessory storage, not within a completely enclosed building shall be screened from lots in adjoining Rural or Residential zoning districts by a solid fence or wall at least six (6) feet in height.
- 3) Any lighting shall be placed so as to reflect the light away from adjoining Rural or Residential zoning districts.

ARTICLE 22 - RECREATIONAL VEHICLE PLACEMENT.

Section 2201 - Purpose.

The purpose of this Article is to allow temporary use of a Recreational Vehicle (RV) while protecting the environmental, aesthetic and quality of life considerations of Navajo County and to conserve and promote the public health, safety, convenience and general welfare of Navajo County due to its recreational attractions. Navajo County would discourage use of Recreational Vehicles as permanent dwellings due to the fact that their safety cannot be assured by standard methods that can be applied to site built or conventional mobile homes. This Article regulates placement of an Recreational Vehicle outside an approved Recreational Vehicle park and shall not regulate an Recreational Vehicle within an approved Recreational Vehicle park. This Article also does not regulate placement of an Recreational Vehicle within the boundaries of the National Forests, National Parks, State Parks or County Park properties. This Article provides for temporary placement of an Recreational Vehicle of up to thirty (30) days without a permit or up to one (1) year with a Temporary Use Permit.

Section 2202 - Definitions.

For the purpose of this Article, the following definitions shall apply:

Recreational Vehicle (RV): A RV means a vehicular unit, which is: a portable camping trailer, motor home, travel trailer and portable truck camper. This definition also includes vans as defined in R4-43-102 as adopted by the Arizona Board of Manufactured Housing. Recreational Vehicles shall not be considered as permanent dwellings. No Recreational Vehicle's overall length shall exceed forty (40) feet nor shall the vehicles width exceed eight (8) feet.

Placement of a Recreational Vehicle: The location of an Recreational Vehicle on a parcel for a period of twenty-four (24) hours or longer.

Recreational Vehicle Park: Any parcel of land upon which two (2) or more Recreational Vehicles, for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodations.

Section 2203 - General Provisions.

1. The placement of a single Recreational Vehicle is allowed, subject to compliance with the other provisions of this Article, in the following districts only: A-General, Rural (RU) Zoning Districts, Single Family (R1) Zoning Districts and Special Development Zoning Districts where the site plan has a provision for Recreational Vehicle placement.
2. A Recreational Vehicle shall not be placed in the following Zoning Districts: I-1, I-2, C-1 or Multi-Family Residential Zoning Districts, except in an approved Recreational Vehicle park. An application for variance to this provision can be made to the Board of Adjustment who will determine, on a case by case basis, the merits of the request.
3. The placement of a Recreational Vehicle shall not be deemed as permanent.
4. No Recreational Vehicle shall be placed on a lot for storage without the existence of a principal dwelling. The application for a variance to this provision can be made to the Board of Adjustment who will determine, on a case by case basis, the merits of the request.
5. The Recreational Vehicle shall not be used as a rental or leased.
6. The placement of a Recreational Vehicle where the Deed Restrictions or Covenants, Conditions and Restrictions disallow their placement is discouraged. However, enforcement of deed restrictions is not the responsibility of Navajo County.
7. Placement of a Recreational Vehicle must comply with the zoning district requirements, including setbacks. In addition to the setback requirements, an additional ten feet (10') shall be required, for placement of a Recreational Vehicle, from all property lines.

8. Recreational Vehicle placement is subject to the Navajo County Flood Plain Ordinance.
9. Dumping or disposing of sewage or garbage shall not be allowed in other than an approved system and is subject to a fine.
10. No permanent or temporary site built additions or improvements shall be attached to the Recreational Vehicle. Buildings such as a snowshed, porch, deck or carport shall be free standing. Building permits are required.
11. Violation of any provision of this article, except #6 of the General Provisions is a class 2 misdemeanor, subject to a fine of \$750.00 and/or four (4) months imprisonment. Also, each day a violation exists is a separate offense.

Section 2204 - Thirty Day Placement.

Placement of a single Recreational Vehicle may be allowed for a period not to exceed thirty (30) consecutive days per calendar year, without a permit, and subject to the General Provisions of this Ordinance.

Section 2205 - Temporary Placement.

Temporary placement of a single Recreational Vehicle for a period not to exceed one (1) year, after such time applicant may resubmit his application for an additional one (1) year only subject to the General Provisions of this Ordinance and the following:

1. A Temporary Use shall be obtained from the Navajo County Board of Adjustment, who will determine, on a case by case basis, the merits of the request.
2. Placement shall not be permitted without installation or evidence of an approved septic system or hookup to a sanitary sewer.
3. Any utility hookups shall originate from the parcel that the Recreational Vehicle is placed on. Utilities may be connected, subject to securing the appropriate permits, after evidence of a proper sewage disposal system.

4. The applicant shall provide a notarized letter, stating that the Recreational Vehicle shall be removed from the parcel within seven (7) days after the expiration of the permit. Violations may result in a fine or imprisonment per Article 31, Section 3102 of this Ordinance

Section 2206 - Special Event Placement

Temporary Placement of Multiple Recreational Vehicles for a period not to exceed 14 days are subject to the General Provisions of this Ordinance and the following.

- 1.) A Special Event Permit will be required for a non-commercial use from 1 to 4 days with review and issuance by the Planning & Building Department Staff. The permit will run for a four (4) day period and will be allowed once in a thirty (30) day period and will require a thirty (30) day period between permit renewals. The fee for the Staff issued Special Event Permit will be \$25.
- 2.) A Special Event Use Permit for a period of 14 days for commercial use and 5-14 days for non-commercial use shall be obtained from the Navajo County Board of Adjustments, who will determine, on a case by case basis, the merits of the request.
- 3.) Any special event shall not be permitted without evidence of adequate sanitary facilities.
- 4.) Any special event shall not be permitted without evidence of adequate arrangements to provide for the public health, peace, safety and general welfare of the citizens of Navajo County
- 5.) In the case of a 14 day commercial\non-commercial Special Event Use Permit the Board of Adjustment may require the Applicant to obtain a bond in an amount which they determine necessary to provide for cleanup of the Special Event Site. The Special Event Site will then be inspected by a Navajo County Building & Safety Inspector to insure that all of the conditions of the Special Event Use Permit have been met. As with all Use Permit applications a Use Permit application fee will be required as currently set by the Navajo County Board of Supervisors. See Section 2906 of this Ordinance.

- d) Unless such use permit is renewed, such office shall be removed for the property being subdivided upon the expiration of the previously approved use permit or when the lots in said property are sold, whichever occurs first.
- 4) Temporary uses such as circuses, carnivals, Christmas tree sale lots, revivals, horse shows, rodeos, and charity events, subject to securing a use permit. Any use permit approved for such use shall be limited to a period of time not to exceed sixty (60) days from the date of such approval.

Section 2514 - Storage of Manufactured Homes, RV's, Aircraft, or Boats.

Unless permitted under the regulations set forth in Section 2513 or in Section 2001 hereof, or unless permitted by the use regulations for a specific zoning district, the location or storage of Manufactured Homes and Recreational Vehicles outside of Manufactured Home parks, Recreational Vehicle parks and Manufactured Home subdivisions, and the location or storage of aircraft, boats, Recreational Vehicles shall be subject to the following:

- 1) At no time shall the Manufactured Home, Recreational Vehicle, aircraft, or boat, be occupied or used for living, sleeping or housekeeping purposes.
- 2) If a Manufactured Home, Recreational Vehicle, aircraft, or boat, is located or stored outside of a garage or carport, it shall be placed in the rear yard of the lot, except that placement in other than the rear yard for loading and unloading purposes may be permitted for a period of time not to exceed twenty four (24) hours. An application for a variance to this provision can be made to the Board of Adjustment who will determine, on a case by case basis the merits of the request.
- 3) No Manufactured Home or Recreational Vehicle shall be stored on a parcel without the existence of a principle dwelling. An application for a variance to this provision can be made to the board of Adjustment who will determine, on a case by case basis the merits of the request

ARTICLE 30 - DEFINITIONS.

Section 3001 - General Rules for Construction of Language.

All words used in the present tense shall include the future tense. All words in the singular number shall include the plural number, and all works in the plural number shall include the singular number. The word "structure" includes the word "building" the word "shall" is mandatory and not directory, and the word "may" is permissive.

Section 3002 - Definitions.

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

- 1) Airport: A landing area used regularly by aircraft for receiving or discharging passengers or cargo.
 - a) Heliport: A landing area solely for the use of helicopters. A heliport may include one or more helipads.
 - b) Landing Area: Any locality, either land or water, including airports, and landing fields, which is used or intended to be used for the landing and take-off of air craft, or for receiving or discharging passengers or cargo.
 - c) Landing Area Boundary: The outer limit of the land or water of a landing area.
- 2) Alley: A passage or way open to public travel which affords generally a secondary means of vehicular access to abutting lots and is not intended for general traffic circulation.
- 3) Alley Line: The boundary which separates the right-of-way of an alley from the abutting property.
- 4) Area of Jurisdiction: That part of the county without the corporate limits of any municipality.

- 5) Automobile Graveyard: Any establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.
- 6) Basement: That portion of a building between floor and ceiling that the vertical distance from grade to floor below is less than the vertical distance from grade to ceiling.
- 7) Board of Supervisors: The Board of Supervisors of Navajo County.
- 8) Boarding House: A building where, for compensation and by prearrangement for definite periods, meals, or lodging and meals, are provided for three (3) or more persons, but not exceeding twenty (20) persons.
- 9) Building Area: The portion of a lot which is within the envelope formed by the required yards. See "Yard Required".
- 10) Building: A structure having a roof supported by columns or walls for housing, shelter or enclosure of persons, animals, chattels or property of any kind.
- 11) Building, Accessory: A building or structure which is subordinate to, and the use of which is incidental to that of the principal building, structure or use on the same lot.
- 12) Building, Community: A public building designed or used for community activities of an educational, recreational or public service nature.
- 13) Building Height: The vertical distance from grade to the highest point of the coping of a flat roof; to the deck line or a mansard roof; or the average height of the highest gable, hip or gambrel roof.

- 14) Building, Principal: A building in which is conducted the principal use of the lot on which it is situated. In a residential zoning district any dwelling is deemed to be the principal building on the lot on which it is situated.
- 15) Carport: A roofed structure with two (2) or more open sides under which a vehicle may be driven.
- 16) Cellar: That portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to floor below is greater than the vertical distance from grade to ceiling.
- 17) Church: A building in which people participate in or hold religious services, meetings and other related activities. The "church" shall include buildings in which the religious services of any denomination are held. For the purpose of this definition, a "church" shall be required to maintain a tax exempt status per ARS 42-271.
- 18) Commission: the Planning and Zoning Commission of Navajo County.
- 19) Corral: A pen or enclosure for confining animals.
- 20) Director: The Director of Navajo County Planning and Building Department.
- 21) Dwelling: A building or portion thereof designed or used exclusively for residential occupancy, including single-family, two-family and multiple-family dwellings, but not including hotels, boarding and lodging houses.
- 22) Dwelling Group: A group of three (3) or more buildings which occupy a parcel of land in one (1) ownership and have a yard in common.
- 23) Dwelling Multiple: A building or portion thereof designed for occupancy by three (3) or more families.

- 24) Dwelling, Single-Family: A building designed for occupancy by one (1) family, including Manufactured Homes but not Recreational Vehicle's.
- 25) Dwelling, Duplex: A building designed for occupancy by two (2) families.
- 26) Dwelling Unit: One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having its own cooking and sanitary facilities.
- 27) Family: One (1) or more persons occupying a premises and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, or hotel as herein defined.
- 28) Farm: An are of not less than two (2) contiguous acres which is used for the commercial production of farm crops such as vegetable, fruit trees, grain and other crops and their storage on the area, as well as the rasing thereon of farm poultry and farm animals, such as horses, cattle, sheep and swine for commercial purposes. The term "farm" includes the operating of such an area for one (1) or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce, provided that the operation for any such accessory uses is secondary to that of the farm activities, and provided further that the farm activities do not include commercial pen feeding or commercial feed lots, or the commercial feeding of garbage or offal to swine or other animals.
- 29) Feed Lot, Commercial: A livestock feeding or handling facility operated for the purpose of accommodating the needs of others in whole or in part for a fee or fees paid to the operator or owner for the accommodations, materials and services received.

- 30) Floor Area: The sum of the gross horizontal areas of every floor of all buildings on the lot measured from the exterior faces of the exterior walls or from the center line of walls separating the buildings, including basement floor area, elevator shafts and stairwells at each floor, floor space used for mechanical equipment, penthouses, attic space whether or not a floor is actually been laid and having headroom for seven (7) feet or more, interior balconies and mezzanines, and enclosed porches, but not including any space devoted to parking, or to loading or unloading.
- 31) Garage, Private: An accessory building or portion of a principal building designed or used for the parking or temporary storage of motor vehicles of occupants in the building to which such garage is accessory, but not including the parking or temporary storage of delivery or truck motor vehicles having a capacity in excess of one (1) ton.
- 32) Garage, Public: A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.
- 33) Grade:
- a) For buildings having walls adjoining one (1) street only, the elevation of the sidewalk at the center of the wall adjoining the street, or if there be no sidewalk, then the elevation of the roadway at the center of the wall adjoining the street.

- b) For buildings having walls adjoining more than one (1) street, the average of the elevation of the sidewalk at the centers of all walls adjoining the streets, or if there be no sidewalks, then the average of the elevation of the roadway at the centers of all walls adjoining the street.
 - c) For buildings having no walls adjoining the street, the average level of the finished surface of the ground adjacent to the centers of all exterior walls of the building.
 - d) Any wall parallel or nearly parallel to an not more than five (5) feet from a street line is to be considered as adjoining the street.
- 34) Guest: Any transient person who rents or occupies a room for sleeping purposes.
 - 35) Guest Ranch: A building or group of buildings containing two or more guest rooms, other than a boarding house, hotel or motel, and including outdoor recreational facilities such as but not limited to, horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities, intended for the use primarily by guests of the guest ranch, but not including bars and restaurants which cater primarily to other than guests of the guest ranch.
 - 36) Guest Room: A room which is designed for occupancy by one or more guests for sleeping purposes, but having no cooking facilities and not including dormitories.

- 37) Home Occupation: Any occupation or profession which can be conducted entirely within a dwelling unit and carried on by a member of the family residing therein, and which occupation or profession is clearly incidental and subordinate to the use of the dwelling unit for dwelling purposes and does not change the character thereof in any manner and in connection with which there is no employees other than a member of the immediate family residing in the dwelling unit. Any occupation or profession which can be considered offensive, obnoxious, noisy, or which creates a nuisance in any way or which requires additional parking area, outside storage, accessory buildings in conjunction with the occupation or profession, outdoor advertising, or any other outside alteration of the dwelling cannot be considered a home occupation. Any proposed home occupation shall be submitted to the Navajo County Planning and Building Department for review, to insure that the proposed use is in conformance with this Ordinance. (Amended 3/22/92)
- 38) Hospital: An institution for the diagnosis, treatment or other care of human ailments. The term hospital is deemed to include sanitarium, preventorium, clinic, rest home, nursing home, convalescent home and maternity home.
- 39) Hotel: A building in which lodging or boarding and lodging are provided for more than twenty (20) persons and offered to the public for compensation and in which ingress and egress to and from all guest rooms are made through an inside lobby or office.
- 40) Hotel, Resort: A building or group of buildings, other than a motel, boarding house or lodging house, containing individual guest rooms, suites of guest rooms, and dwelling units, and which furnishes services customarily provided by hotels.

- 41) Junk: Any old scrap copper, brass, rope, rags, batteries, paper, trash, wood and rubber debris, waste, or junked, dismantled, or wrecked automobiles, or parts thereof, iron, steel, and other old scrap ferrous or non-ferrous material.
- 42) Junkyard: An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard. The term "junkyard" does not include garbage dumps and sanitary landfills.
- 43) Kennel: Any establishment at which dogs and cats are bred or raised for sale, or boarded, cared for, commercially or on a non-profit basis, exclusive of dental, medical or surgical care, or for quarantine purposes.
- 44) Labor Camp: Any camp or similar place of temporary abode, establishment by or for the care of workmen engaged in construction, repair and alteration work on roads or highway, railroads, or in lumbering or agricultural operations, or in other industrial activities.
- 45) Laundry, Self-Service: A building within which clothes washing and drying machines, and clothes dry cleaning machines, either coin operated or attendant operated, are provided on a rental basis for use by individuals for doing their own laundry and dry cleaning. Self-service laundry does not include outdoor drying facilities.
- 46) Loading and Unloading Space: A permanently maintained space on the same lot as the principal building accessible to the street or alley and not less than ten (10) feet in width, twenty (20) feet in length, and fourteen (14) feet in height.
- 47) Lodging House: A building where lodging only is provided for compensation to three (3) or more persons, but not to exceed twenty (20) persons.

- 48) Lot: Any lot, parcel, tract of land, or combination thereof, shown on a plat of record or recorded by metes and bounds that is occupied or intended for occupancy by a use permitted in this Ordinance, including one (1) principal building together with its accessory buildings, the open spaces and parking spaces required by this Ordinance, and having its principal frontage upon a street or upon an officially approved place.
- 49) Lot Area: The area of a horizontal plane within the lot lines of a lot.
- 50) Lot, Corner: A lot which has an interior angle of one hundred thirty-five (135) degrees or less at the intersection of two (2) street lines. A lot abutting upon a curved street is considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of one hundred thirty-five (135) degrees or less.
- 51) Lot Coverage: The percentage of the area of a lot which is occupied by all buildings or other covered structures.
- 52) Lot Depth: For lots having front and rear lot lines which are parallel, the shortest horizontal distance between such lines; for lots having front and rear lot lines which are not parallel the shortest horizontal distance between the mid-point of the front lot line and the mid-point of the rear lot line; and the triangular shaped lots, the shortest horizontal distance between the front lot line and line within the lot, parallel to and at a maximum distance from the front lot line and 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.
- 53) Lot, Interior: A lot other than a corner lot.
- 54) Lot, Key: A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street which forms the side boundary of the corner lot.
- 55) Lot Line: Any line bounding a lot.

- 56) Lot Line, Front: The boundary of a lot which separates the lot from the street; and in the case of the corner lot, the front lot line is the shorter of the two (2) lot lines separating the lot from the street except that where these lot lines are equal or within fifteen (15) feet of being equal, either lot line may be designated the front lot line but not both.
- 57) Lot Line, Rear: The boundary of a lot which is most distanced from, and is, or is most nearly, parallel to the front lot line; except that in the absence of a rear lot line as is the case of the triangular shaped lot, the rear lot line may be considered as a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.
- 58) Lot Line, Side: The boundary of a lot which is not a front lot line or a rear lot line.
- 59) Lot of Record: A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Navajo County; or a lot, parcel or tract of land, the deed of which has been recorded in the office of the County Recorder of Navajo County.
- 60) Lot, Through: A lot having a pair of opposite lines abutting two streets, and which is not a corner lot. On such lot, both lot lines are front lot lines.
- 61) Lot Width: For rectangular lots, lots having side lot lines not parallel, and lots on the outside of the curve of a street, the distance between side lot lines measured at the required minimum front yard line on a line parallel to the street or street chord; and for lots on the inside of the curve of a street, the distance between side lot lines measured thirty (30) feet behind the required minimum front yard line on a line parallel to the street or street chord.

- 62) Manufactured or Modular Home: A factory built, single family structure that is manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured Housing Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis, and is used as a place of human habitation; but which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and which does not have wheels or axis permanently attached to its body or frame. (Amended 3/8/92)
- 63) Mobile Home: A transportable, factory built home, designed to be used as a year round residential dwelling and built prior to the enactment of the National Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976. (amended 3/8/92)
- 64) Manufactured Home Park: Any parcel of land upon which two (2) or more Manufactured Homes, Park Model Trailers or Mobile Homes occupied for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodations.
- 65) Manufactured Home Space: A plot of ground within a Manufactured Home park or Recreational Vehicle park designed for the accommodation of one Manufactured Home, Mobile Home, Park Model Trailer or Recreational Vehicle together with its accessory structures including carports or other off-street parking areas, storage lockers, ramadas, cabanas, patios, patio covers, awning, and similar appurtenances.
- 66) Manufactured Home Subdivision: A subdivision designed and intended for residential use where residence is in Manufactured Homes, Park Model Trailers or Mobile Homes exclusively.
- 67) Motel: A building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space located on the lot and designed, used, or intended wholly or in part for the accommodation of automobile transients. Motel includes motor courts, motor lodges and tourist courts, but not Manufactured Home parks or Recreational Vehicle parks.

- 68) Non-Conforming Use: The lawful use of any building, lot, parcel or tract of land existing at the time this Ordinance, or amendments thereto, become effective, which does not conform with the use regulations of the zoning district in which it is located.
- 69) Parking Lot: An area, other than a street or alley, devoted to unenclosed parking spaces.
- 70) Park Model Trailer: Any manufactured or modular home wider than 8 feet and under 400 square feet of livable floor space.
- 71) Parking Space: A permanently surfaced area, enclosed or unenclosed, of not less than eight (8) feet, six (6) inches in width and having an area of not less than one hundred eighty (180) square feet, together with a driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.
- 72) Planning and Zoning Commission: The Planning and Zoning Commission of Navajo County.
- 73) Recreational Vehicle (Recreational Vehicle) - A Recreational Vehicle means a vehicular unit, as defined in ARS 41-212, which is: a portable camping trailer, motor home, travel trailer or portable truck camper. This definition also includes vans as described in R4-43-102 as adopted by the Arizona Board of Manufactured Housing. A Recreational Vehicle's overall length shall not exceed forty (40) feet and width shall not exceed 8 feet. A Recreational Vehicle's shall not be considered a permanent dwelling unless located within an approved Recreational Vehicle park. No additions of permanent structures to an Recreational Vehicle is allowed unless the Recreational Vehicle is in an approved Recreational Vehicle park.
- 74) School: An institution of learning, such as elementary and secondary schools, colleges and universities, which offers instruction in branches of learning and study, but not including business colleges, nursery schools, dancing schools, riding academies, or trade or vocational schools.
- 75) Service Stations: A building or use devoted to the retail sale of fuels, lubricants, and other supplies for motor vehicles, including minor repair or activities which are subordinate to the sale of petroleum products.
- 76) Setback Line: A line which defines the future right-of-way of streets.

- 77) Sign: Any device for visual communication, including any structure or natural object apart thereof, that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia of any government or governmental agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization.
- 78) Single Family Residential Commercial: A group of single-family dwellings designed for individual separate ownership with unified management that provides common services and outdoor recreational facilities, but not including public bars, public restaurants or any commercial activity in connection therewith.
- 79) Special Event Use Permit: A form of Use Permit, owing to some Special Event or Activity in which its operation or installation is subject to special requirements, different from those usual requirements for the District in which the Use may be located and addressing those special issues as pertaining to gatherings of people for a period of time exceeding 24 hours. This permit is granted by the Board of Adjustment and is determined on a case by case basis based on the merits of the request.
- 80) Story: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it, or, if there be no floor above it, then the space between the surface of such floor and the ceiling or roof above it.
- 81) Street: All property dedicated or otherwise reserved for public or private street uses, or having thereon a public easement for such use.
- 82) Street Line: The boundary which separates the right-of-way of a street from the abutting property.
- 83) Structural Alteration: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls.
- 84) Temporary Use Permit: A form of Use Permit intended for a limited duration. To extend no longer than a one year period from the granting of the permit by the Board of Adjustment. This Permit is determined on a case by case basis based on the merits of the request

- 85) Structure: Anything constructed or erected which requires location on the ground and attached to something having location on the ground, including mobile homes and manufactured homes, but not including tents, vehicles or travel trailers.
- 86) Time Share Estate: Means of right of occupancy in a time-share project which is coupled with an estate in the real property.
- 87) Time Share Interval: Means a time-share estate, a time-share period.
- 88) Time Share Projects: Means a project in which a purchaser receives the right in perpetuity, for life or for a term of years to the re-current, exclusive use or occupancy of a lot, parcel, unit or segment of real property, annually or on some other periodic basis, for a period time that has been or will be allotted from the use or occupancy periods into which the project has been divided.
- 88) Time Share Use: Means a license or contractual or membership right of occupancy in a time-share project which is not coupled with an estate in the real property.
- 89) Travel Trailer: A mobile home not exceeding eight (8) feet in width nor more than forty (40) feet in length.
- 90) Recreational Vehicle Park: Any parcel of land upon which two (2) or more Recreational Vehicles for dwelling or sleeping purposes, are located regardless of whether or not a charge is made for such accommodations.
- 91) Recreational Vehicle Space: A plot of ground within a Manufactured Home park or Recreational Vehicle park designed for the accommodation of one Recreational Vehicle together with its accessory structures including carports or other off-street parking areas, storage lockers, ramadas, cabanas, patios, patio covers, awnings and similar appurtenances.
- 92) Use: The purpose or purposes for which land or a building is occupied, maintained, arranged, designed, or intended.
- 93) Use, Accessory: A use which is customarily incidental and subordinate to the principal use of a lot or a building, including bona fide servant or caretaker quarters, and located on the same lot therewith.

- 94) Use, Principal: The main use of land or building as distinguished from an accessory use.
- 95) Yard: The open space at grade level between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Ordinance. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the principal building is to be used; however, on any lot wherein a setback line has been established by the regulations of this Ordinance for any street abutting the lot, such measurement is to be taken from the principal building to the setback line. See "Yard, Required".
- 96) Yard, Front: A yard extending across the front of a lot and being the minimum horizontal distance between the street line and the principal building or any projection thereof, other than steps, unenclosed balconies and unenclosed porches. The front yard of a corner lot is the yard adjacent to the designated front lot line.
- 97) Yard, Rear: A yard extending between the side yards of a lot or between the side lot lines in the absence of side yards, and being the minimum horizontal distance between the rear lot line and the rear of the principal building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches. On corner lots and interior lots the rear yard is in all cases at the opposite end of the lot from the front yard.
- 98) Yard Required: The minimum open space as specified by the regulations of this Ordinance for front, rear and side yards, as distinguished from any area in excess of the minimum required. See "Buildable Area".
- 99) Yard, Side: A yard between the building and side lot line of a lot and extending from the front yard to the rear lot line as defined or along the full depth in absence of front and rear yards and being the minimum horizontal distance between a side lot line and the side of the principal building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches. An interior side yard is defined as the side yard adjacent to a common lot line.
- 100) Zoning District: Any portion of the unincorporated area of Navajo County, except land within the boundary of a reservation and outside the authority of Navajo County in which the same zoning regulations apply.

