

**18.12**  
**Rural and Residential Zones**

Sections:

- 18.12.010 Purpose.**
- 18.12.020 Table of permitted uses.**
- 18.12.030 Performance standards.**
- 18.12.040 Development standards.**

**18.12.010 Purpose.**

- A. General purpose of rural zones. The purpose of the rural zones is to:
  - 1. Preserve the character and encourage the orderly growth of rural and semirural areas in the town.
  - 2. Provide for agricultural uses and a limited variety of non-residential uses where appropriate.
- B. General purpose of residential zones. The general purpose of the residential zones is to:
  - 1. Allow for and encourage a wide range of housing types and densities;
  - 2. Preserve the character and encourage the orderly growth of residential areas in the town; and
  - 3. Provide for limited non-residential development where appropriate.

**18.12.020 Table of permitted uses.**

- A. The table of permitted uses in this section sets forth the uses permitted within each residential zone.
- B. Uses Permitted by Right. "P" indicates that a use is permitted as a matter-of-right within the respective zone.
- C. Conditional Uses. "C" indicates that a use is allowed only if reviewed and approved in accordance with the procedures and standards of Chapter 18.97 STC, Conditional Use Procedures.
  - 1. "C1" indicates that a use is subject to a Type 1 conditional use permit per STC 18.97.
  - 2. "C2" indicates that a use is subject to a Type 2 conditional use permit per STC 18.97.
  - 3. "C3" indicates that a use is subject to a Type 3 conditional use permit per STC 18.97.
- D. Additional Use Regulations. Indicates additional regulations that apply to the permitted use in that zone or the location where those additional regulations can be found.

- E. Accessory Uses. "A" indicates that the use is allowed as accessory to a primary use allowed in the zone.
- F. Prohibited Uses. "-" indicates that a use is not allowed in the respective zone unless it is expressly allowed by other regulations of this code.
- G. Nonexpressed Uses. Uses not expressly listed but which are determined by the planning director to be similar to the uses expressly permitted, shall be permitted with the same restrictions as the most similar expressed use as determined by the planning director.

Table 18.12.20-1 – Table of Uses

Zone	Rural Zones			Residential Zones						Additional Use Regulations
	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH	
<b>Land Use</b>										
<b>Residential Use Classifications</b>										
<b>Household Living</b>										
One-family Dwelling – Detached	P	P	P	P	P	P	P	P	-	One house per lot
One-family Dwelling – Attached or Duplex	-	-	-	-	-	-	P	P	-	
Multiple-family Dwelling	-	-	-	-	-	-	P	P	-	
Accessory Dwelling Unit	P	P	P	P	P	P	-	-	-	STC 18.12.030(C)
Mobile or manufactured home on an individual lot	P	P	-	-	-	-	-	-	P	STC 18.38
Manufactured Home R.V. or Tiny Home Park	-	-	-	-	-	-	-	-	P	STC 18.12.030(S)
Tiny Homes (Main House)	P	P	P	P	P	P	P	P	P	STC 18.12.030(W)
<b>Group Living</b>										
Assisted Living Facility	C1	C1	-	-	-	-	-	-	-	
Group Care Home	P	P	P	P	P	P	P	P	P	STC 18.09.020.E
Residential Substance Abuse Diagnostic and Treatment Center	C3	C3	C3	-	-	-	-	-	-	STC 18.12.030(Q)
<b>Public and Semi-Public Use Classifications</b>										
Cemetery or Crematorium	C2	C2	-	-	-	-	-	-	-	Minimum 100' setback for cemetery, 200' for crematorium
Clinic	P	P	-	-	-	-	-	-	-	18.12.030(V)

Zone	Rural Zones			Residential Zones						Additional Use Regulations
	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH	
<b>Land Use</b>										
<b>Community Center</b>	P	P	P	P	P	P	P	P	P	
<b>Government Services</b>	P	P	P	P	P	P	P	P	P	
<b>Membership Organization</b>	C2	C2	C2	C2	C2	C2	-	-	-	18.12.030(U)
<b>Museum</b>	C2	C2	-	-	-	-	-	-	-	Minimum 100' setback
<b>Nature Reserve</b>	P	P	P	P	P	P	P	P	P	
<b>Parks and Recreation Facilities, Public or Private</b>	P	P	P	P	P	P	P	P	P	Athletic fields, sports courts, public playgrounds min. 100' setback from any property line.
<b>Public Safety Facility</b>	P	P	P	P	C3	C3	C3	C3	C3	
<b>Religious Use</b>	P	P	P	P	P	P	P	P	P	Minimum 40' setback except in RH where the setback is 80 feet.
<b>Educational Uses, Public or Private</b>										
<b>K-12 Education, Public and Charter</b>	P	P	P	P	P	P	P	P	P	
<b>K-12 Education, Private</b>	C2	C2	C2	-	-	-	-	-	-	18.12.030(T)
<b>College or University</b>	C2	C2	C2	-	-	-	-	-	-	Minimum site area of 10 acres
<b>Instructional Schools (dance, music, etc.)</b>	C1	C1	C1	-	-	-	-	-	-	
<b>Vocational/Tech Schools</b>	C2	C2	C2	-	-	-	-	-	-	
<b>Lodging</b>										
<b>Minor Resort</b>	-	-	C2	-	-	-	-	-	-	
<b>Bed and Breakfast</b>	P	C2	C2	C2	-	-	-	-	-	

Zone	Rural Zones			Residential Zones						Additional Use Regulations
	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH	
<b>Land Use</b>										
<b>Campground or RV Park</b>	P	-	-	-	-	-	-	-	P	
<b>Commercial Uses</b>										
<b>Artist's Workshop</b>	C2	C2	C2	-	-	-	-	-	-	Maximum Floor area 2000 square feet.
<b>Automobile repair or parts store</b>	C2	C2	-	-	-	-	-	-	-	STC 18.12.030(J)
<b>Pre-school or Child Care Center</b>	P	P	C1	C1	C1	C1	C1	C1	C1	
<b>Contractor's Yard</b>	C2	C2	-	-	-	-	-	-	-	STC 18.12.030(L)
<b>Restaurant</b>	C2	C2	-	-	-	-	-	-	-	Maximum floor area 2000 square ft
<b>Skeet, Trap, or Rifle Range</b>	C2	-	-	-	-	-	-	-	-	Minimum 100' setback from any property line
<b>Grocery or Convenience Store</b>	C2	C2	-	-	-	-	-	-	-	Maximum floor area 4,000 sq. ft.
<b>Retail or Repair Shop</b>	-	C2	-	-	-	-	-	-	-	Maximum 2,000 sq. ft.
<b>Personal Services</b>	C2	C2	-	-	-	-	-	-	-	Maximum 2,000 sq. ft.
<b>Professional and Semi-Professional Services</b>	C1	C1	-	-	-	-	-	-	-	Maximum 2,000 sq. ft.
<b>Bar/Tavern</b>	C2	C2	-	-	-	-	-	-	-	18.12.030(K)
<b>Swimming School</b>	C1	C1	C1	-	-	-	-	-	-	18.12.030(P)
<b>Agriculture and Animal-Related</b>										
<b>General Agriculture</b>	P	-	P	-	-	-	-	-	-	
<b>Agricultural Processing Facility</b>	C2									STC 18.12.030(H)

Zone	Rural Zones			Residential Zones						Additional Use Regulations
	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH	
<b>Land Use</b>										
<b>Community Garden</b>	P	P	P	P	P	P	P	P	P	
<b>Commercial greenhouse/ Plant Nursery</b>	P	P	C2	-	-	-	-	-	-	
<b>Equestrian Facility</b>	P	C2	C2	C2	C2	-	-	-	-	STC 18.12.030(B)
<b>Veterinary Services</b>	P	P	C1	-	-	-	-	-	-	STC 18.12.030(E)
<b>Commercial Kennel</b>	C1	C1	C2	-	-	-	-	-	-	STC 18.12.030(N)
<b>Wildlife Sanctuary</b>	P									STC 18.12.030(X)
<b>Zoo and other animal exhibits</b>	C2									STC 18.12.030(R)
<b>Medical Marijuana Qualifying Patient Cultivation</b>	P	P	P	P	P	P	P	P	P	STC 18.09.020.1.f
<b>Medical Marijuana Designated Caregiver Cultivation</b>	P	P	P	P	P	P	P	P	P	STC 18.09.020.1.e STC 18.12.030(G)
<b>Medical Marijuana Dispensary Off-Site Cultivation</b>	P	-	-	-	-	-	-	-	-	STC 18.42.030(A)(10) and (13)
<b>Retail Sales</b>										
<b>Feed Store</b>	C2	C2	-	-	-	-	-	-	-	STC 18.12.030(I)
<b>Accessory Uses</b>										
<b>Uses Accessory to a Residential Use Classification</b>										
<b>Home-Based Business</b>	P	P	P	P	P	P	P	P	P	STC 18.09.030
<b>Poultry and Small Animals</b>	P	P	P	P	P	P	P	P	-	STC 18.12.030(M)
<b>Farm Animals</b>	P	P	P	P	-	-	-	-	-	STC 18.12.030(O)
<b>Hog raising</b>	P	P	P	-	-	-	-	-	-	STC 18.12.030(A)
<b>Beekeeping</b>	P	P	P	P	P	P	P	P	P	STC 18.07.030(E)

Zone	Rural Zones			Residential Zones						Additional Use Regulations
	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH	
<b>Land Use</b>										
<b>Farm Products Stand</b>	P	P	P	-	-	-	-	-	-	STC 18.12.030(D)
<b>Temporary Uses</b>										
<b>Temporary Dwelling, manufactured home or R.V. for up to 18 months during construction of residence on same property</b>	P	P	P	P	P	-	-	-	-	
<b>Temporary Real Estate Office</b>	P	P	P	P	P	P	P	P	P	STC 18.12.030(F)

**18.12.030 Use-Specific Standards.**

The following use-specific standards shall be applied to uses as indicated in table STC 18.12-1.

A. Hog Raising. All of the following apply:

1. No more than five hogs over six months of age are permitted in the RH zone, and no more than one hog over six months of age per acre in the GR-1 and SR zones;
2. The keeping of hogs shall be in compliance with all health department regulations; and
3. Hog raising projects which exceed the permitted number of hogs and which are sponsored by the 4-H club, Future Farmers of America, or similar organizations are permitted, provided, however, that a letter of authorization from the sponsoring organization is submitted to the Planning Department describing its sponsorship, the length of time of the project, and describing the project.

B. Equestrian Facility. All of the following apply:

1. Minimum site area: 10 acres
2. Minimum setbacks: 100 feet from any property line for buildings, 50 feet from any property line for corrals.
3. A maximum of one equine per 10,000 square feet of land area may be kept.
4. There shall be no outdoor amplification on site except as may be approved through a Type 1 Conditional Use Permit procedure in the RH zone and as part of the Type 2 Conditional Use Permit in the GR-1, SR, R-1 and R-2 zones.

C. Accessory Dwelling Unit. All of the following apply.

1. Only one accessory dwelling per lot shall be allowed.
2. The accessory dwelling unit shall be a maximum of 1000 Square feet.
3. In the RH and GR-1 zones, an accessory dwelling unit may be a manufactured home, a tiny home on wheels or a tiny home that was premanufactured on wheels, where the wheels have been removed and it has been attached to a foundation.

4. A manufactured home, tiny home on wheels or a tiny home that was premanufactured on wheels, where the wheels have been removed may be permitted as an Accessory Dwelling Unit in the SR, R-1 and R-2 zones with an approved Type I Conditional Use only if it is located in the rear of the main house, behind an opaque wall and meets the maximum size requirements. In the SR Zone the Opaque wall can be substituted for another method of screening.
  5. The accessory dwelling shall use the same vehicular access which serves the main dwelling.
  6. One off street parking space must be provided in addition to any parking required for the main residence, unless the homeowner can demonstrate that adequate street parking is available adjacent to the property.
  7. Table 18.12-6 lists the maximum height and setback requirements for detached accessory dwelling units. Attached accessory dwelling units must meet the setback requirements for the main house.
- D. Farm Products Stand. All of the following apply:
1. The stand does not exceed 750 square feet in the RH zone and 300 square feet in the GR-1 and SR zones;
  2. There is a minimum 20-foot street side setback and minimum 30-foot setback from any other property line;
  3. There is a minimum 300-foot setback from any roadway intersection;
  4. A designated parking area is provided and is set back a minimum of 45 feet from the property line;
  5. A designated driveway, no wider than 30 feet, be provided; and
  6. The parking and driveway areas shall be maintained to control dust.
  7. The sale of products is limited to products grown or produced on the premises.
- E. Veterinary services. All of the following apply:
1. No structure, shelter, animal run, or fenced area to be within 100 feet of any abutting property in a rural or residential zone, and all animal runs shall be indoor and enclosed if within 300 feet of an abutting property line.
  2. The minimum site area is five acres.
  3. Maximum site coverage 30 percent.
- F. Temporary Real Estate Office. All of the following apply:
1. Any real estate broker licensed in the state of Arizona may apply for a temporary and revocable permit for a real estate office from the planning director,
  2. Such use shall be terminated at the end of one year from the date of the issuance of the permit for said office,
  3. The planning director may allow additional 12-month extensions as long as sales activity is continued and 10 percent or more of the lots remain unsold,
  4. It is located on a full size lot and meets all zoning requirements applicable to the lot,
  5. Must be located in the subdivision where lots are being sold,
  6. The planning director may require appropriate deed restrictions to ensure that these conditions are complied with,
  7. On or before the date of expiration of the permit period or any extension the real estate office shall be removed from the premises,
- G. Medical marijuana Designated Caregiver Cultivation. In the RH zone, a designated caregiver may cultivate for up to five qualified patients subject to the provisions of STC 18.42.030(A)(10) and (11).



- H. Agricultural Processing Facility All of the following apply:
  - 1. Conditional Use Procedure Type 2
  - 2. Minimum setback: 300 feet from any property line
  - 3. Notification area: 600 feet
- I. Feed Store. All of the following apply:
  - 1. Conditional Use Procedure Type 2
  - 2. Access shall be onto a paved road with collector classification or higher
  - 3. Notification area: 600 feet
- J. Automobile Repair or Parts Store. All of the following apply:
  - 1. Conditional Use Procedure Type 2
  - 2. Maximum floor area: 2,000 square feet
  - 3. Paint spray operations prohibited
- K. Bar/Tavern. All of the following apply:
  - 1. Conditional Use Procedure Type 2
  - 2. Maximum floor area: 2,000 square feet
  - 3. Notification area: 600 feet
- L. Contractor's yard. All of the following apply:
  - 1. Minimum setback: 100 feet from any property line
  - 2. Yard to be completely enclosed by screening a minimum of six feet in height
- M. Poultry and Small Animals. All of the following apply:
  - 1. The keeping of small animals such as rabbits and chickens, not for commercial purposes, is permitted as an accessory use to a home.
  - 2. Cockerels shall only be permitted in RH and GR-1 zones.
  - 3. The number of poultry or small animals in GR-1 is limited to no more than 40 per acre, while R-1 through R-5 are limited to, no more than 24 total.
  - 4. Structures used to house poultry or small animals shall be set back a minimum of 25 feet from any property line.
- N. Commercial Kennel. All of the following apply:
  - 1. Minimum setback: 100 feet from any property line
  - 2. Minimum site area: 5 acres for GR-1 zone, 10 acres for SR
  - 3. In the SR zone, dog runs within 300 feet of any adjacent property shall be within enclosed kennels.
- O. Farm Animals. All of the following apply:
  - 1. The keeping of farm animals, not for commercial purposes, is permitted as an accessory use to a Household Living residential use classification.
  - 2. The number of farm animals over six months of age shall be limited to one per 10,000 square feet of lot area.
- P. Swimming School. All of the following apply:
  - 1. Conditional Use Procedure Type 1
  - 2. Minimum setback to any property line from edge of pool: 50 feet
  - 3. No more than 12 students shall be in attendance at any one time.
- Q. Residential Substance Abuse Diagnostic and Treatment Facility. All of the following apply:

1. Minimum site area: 10 acres
  2. Minimum setback 100 feet from any property line.
  3. Maximum lot coverage: 25 percent
  4. Maximum number of patient rooms: 75
- R. Zoo. All of the following apply:
1. Minimum setback: 100 feet from any property line
  2. Notification area: 1,000 feet
- S. Manufactured Home Park or Subdivision. All of the following apply:
1. Accessory uses including food market, recreational facilities, restaurant, personal services, and gasoline service station, are allowed subject to a Type 1 Conditional Use procedure, provided:
    - a. They are operated primarily for the convenience of the residents of the park or subdivision
    - b. The accessory uses are located a minimum of 100 feet from the boundary of the park or subdivision
  2. A dwelling unit for a manager or caretaker is a permitted use.
- T. Private School. All of the following apply
1. Minimum site area: one acre,
  2. Maximum site coverage: 30 percent,
  3. Minimum setback for playground or athletic field: 50 feet,
  4. All outdoor lighting shall be arranged to eliminate glare towards streets and adjoining properties, and shall meet all conditions of the town lighting code;
- U. Membership Organization. All of the following apply.
1. Minimum 100' setback from any property line, access onto a paved road with "collector" classification or higher.
  2. Minimum site area: one acre,
  3. Maximum site coverage: 30 percent
- V. Clinic. All of the following apply:
1. Minimum 50' setback from any property line,
  2. Minimum site area: two acres,
  3. Shall have frontage on and access from a paved road with "collector" classification or higher.
- W. Tiny Homes: 1. Stick built tiny homes are permitted in any residential zone.
2. Tiny homes that are built on chassis with wheels, where the wheels are removed and the tiny home is attached to a foundation are permitted as the main house in RH, GR-1 and SR. The foundation must use skirting to appear ground-set.
  3. Tiny homes on wheels are permitted in RH, GR-1 and SR with a minimum 100' setback from any property line and must use skirting to appear ground set.
  4. Tiny homes on wheels that are licensed as a vehicle are not considered a tiny home and shall follow the regulations for a recreational vehicle.
- X. Wildlife Sanctuary. All of the following apply:
1. Minimum site area: 10 acres
  2. Minimum setback for animal enclosures: 300 feet from any property line
  3. All captive wild animals shall be secured in wildlife enclosures that promote the animals' health and provide protection to the general public.

**18.12.040 Development standards.**

**Table 18.12-2 Development Standards – Main Buildings – Single-Family Attached and Detached**

	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH
<b>Minimum Lot Area (sq. ft.)</b>	180,000	36,000	144,000	36,000	16,000	8,000	3,500	1,800	1,500 (per dwelling unit)
<b>Maximum Building Height (ft.)</b>	34								
<b>Max. Lot Coverage</b>	-	-	-	-	-	60%* <sup>1</sup>	70%	75%	-
<b>Minimum Setbacks</b>									
	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH-1
<b>Front and Street-Facing Side</b>	50	30	50	30	30	20	20	20	20
<b>Interior Side</b>	20	10	10	10	10	8	5 foot detached/ 0 attached	5 foot detached/ 0 attached	8
<b>Street side</b>			20						
<b>Rear</b>	50	40	50	40	40	25	15	10	25
<b>Additional Requirements</b>				Min. lot width: 100 ft.	Min. lot width: 80 ft.	Minimum lot width: 60 ft.			

<sup>1</sup> Applies to subdivisions platted after July 1, 2023. For subdivisions platted prior to July 1, 2023 the maximum lot coverage is 50%.

**Table 18.12-3 Development Standards - Multi-family**

	<b>R-4</b>	<b>R-5</b>
<b>Minimum site Area (sq. ft.)</b>	7,000	6,000
<b>Min. Area (sq. ft.) per dwelling unit</b>	3,500	1,800
<b>Maximum Building Height (ft.)</b>	34	40
<b>Max. Lot Coverage for main buildings</b>	70%	75%
<b>Minimum site setbacks</b>		
	<b>R-4</b>	<b>R-5</b>
<b>Front</b>	20	20
<b>Side</b>	10	10
<b>Rear</b>	10	10
<b>Minimum distance between main buildings</b>	10	10

**Table 18.12-4 Development Standards – Detached Accessory Structures**

	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5	MH
<b>Maximum Lot Coverage/ Permitted Coverage</b>	10% of the total lot area.								25% of the rear yard
<b>Max. Bldg. Height (ft)</b>	24					16			24
<b>Minimum Building Setbacks (feet)</b>									
<b>Front Property Line (ft.)</b>	50	30	100	60	60	50	35	35	60
<b>To Main Building (ft.)</b>	0								
<b>Side: Non-Animal Uses (ft)</b>	10	10	10, not adjacent to street 50, adjacent to street	10* <sup>1</sup>	4	4	4	4	4
<b>Rear: Non-Animal Uses (ft)</b>	10	10	10, not adjacent to street 50, adjacent to street	10* <sup>1</sup>	4	4	4	4	4
<b>Side: Animal Uses (ft)</b>	50	50	100	50	50	20	–	–	10
<b>Rear: Animal Uses (ft)</b>	50	50	100	50	50	20	–	–	15
<b>Add'l requirements</b>		*2	*2	*2					

<sup>1</sup> Applies to subdivisions platted after July 1, 2023. For subdivisions platted prior to July 1, 2023 the setback is 4 feet from the side and rear property lines.

<sup>2</sup> All horses, cattle, sheep, goats, or other similar animals must be confined within a stock-tight fence (no material shall be permitted not ordinarily used for a stock-tight fence) in an area of no less than 400 square feet per animal. Such fenced-in area shall be set back 10 feet from the rear where it abuts an RH, GR-1, SR, SH, R-1, or R-2 Zone and 40 feet from the rear where it abuts a zone other than GR-1, RH, SR, SH, R-1, or R-2, and 40 feet from a side property line..

**Table 18.12-5 Development Standards for detached Accessory Dwelling Units**

	RH	GR-1	SR	R-1	R-2	R-3	R-4	R-5
<b>Maximum Building Height</b>	16	16	16	16	16	16	16	16
<b>Minimum Setbacks (feet)</b>								
<b>Front</b>	50	30	50	30	30	20	20	20
<b>Side</b>	20	10	10	10	10	8	5	5
<b>Rear</b>	50	30	50	25	15	10	5	5



## Chapter 18.09 GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

Sections:

- 18.09.010 Purpose.**
- 18.09.020 General requirements and exceptions.**
- 18.09.030 Home occupations.**
- 18.09.040 Cluster development option.**
- 18.09.050 Model home permits.**

**18.09.010 Purpose.** 

*Reserved.* [Ord. 2016-107 § 1; Ord. 2015-105 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

**18.09.020 General requirements and exceptions.** 

A. Uses Permitted in All Rural and Residential Zones.

1. The following uses shall be permitted in all rural and residential zones (except as noted in subsection (A)(2) of this section), subject to the requirements of the zone and any special conditions, as may be noted:

- a. Single detached or one-family dwelling;
- b. Accessory building or use;
- c. Religious use, providing the minimum off-street parking requirements, as set forth in Chapter [18.75](#) STC (Off-Street Parking and Loading Standards), are met;
- d. Home based business (refer also to STC [18.09.030](#));
- e. Medical marijuana designated caregiver cultivation location. A designated caregiver may cultivate at their primary residence for a single qualified patient subject to compliance with ARS Title [36](#), Chapter 28.1 and with the following conditions:
  - (1) Medical marijuana cultivation as an accessory use to a primary residence shall not be detectable from the exterior of the building in which the cultivation takes place.
  - (2) Medical marijuana cultivation space shall not exceed 50 square feet.



(3) All cultivation of medical marijuana shall take place in an enclosed, locked facility which shall have a single secure entrance and shall implement appropriate security measures to deter and prevent the theft of marijuana and unauthorized entrance into areas containing marijuana;

f. Medical marijuana qualifying patient cultivation location. A qualifying patient may cultivate at their primary place of residence subject to compliance with ARS Title [36](#), Chapter 28.1 and the requirements of subsection (A)(1)(e) of this section;

g. Public park;

## 2. Exceptions.

c. MH Zone: Uses a,c,e and f of subsection (A)(1) of this section are prohibited;

## B. Parking of Recreational Vehicles.

1. Any recreational vehicle not in use for residential purposes may be stored or parked in any rural or residential zone only if said recreational vehicle is located to the rear of the principal dwelling on the lot, parcel or tract where said recreational vehicle is to be stored, and is stored in a garage or ramada or behind planting of sufficient height to shield said recreational vehicle from view from the adjoining properties; and

2. One such recreational vehicle may be parked on any rural or residential lot, parcel or tract by right.

3. Additional recreational vehicles may be parked on a rural or residential property subject to a Type 1 conditional use permit.

## C. Group Care Homes

1. Homes of six or fewer persons receiving care on a 24-hour per day basis shall be permitted in the same manner as a single-family residence for the purpose of this title. The limitation of six or fewer persons does not include the operator or members of the operator's family or staff.

2. Group care homes as defined in STC [18.03.020](#) shall be permitted in all rural and residential zones subject to the following conditions:

a. If licensing is required by the state of Arizona for the use, proof of such licensure shall be provided to the planning and building department.

- b. The number of residents excluding staff shall not exceed 10.
- c. No group care home shall be located on a lot with a property line within 1,200 feet, measured in a straight line any direction, of the lot line of another such group home.
- d. There shall be no exterior signage or other exterior indication that the property is being used as a group care home.
- e. Large and/or multiple trash receptacles not usually found in a residential area shall be screened from public view.
- f. The group care home must meet all applicable building and fire safety regulations.
- g. The group care home must meet off-street parking requirements as established in [STC 18.75.030](#).

#### D. Operative Builder's Yard Provisions.

1. Any licensed residential building contractor may apply for a temporary and revocable permit for a builder's yard, warehouse, or real estate office, in any subdivision of record in any residential zone in which the applicant owns or controls 10 or more commercial acres, provided the use is used exclusively to service a residential building project in the subdivision of that land.
2. The permit shall be for a period of 12 months, but the permit may be extended or renewed for an additional period of 12 months if 50 percent or more of the project area has been completely developed during the original permit period.
3. At the expiration of the permit period or any extension thereof, the builder's yard, warehouse, or real estate office shall be removed from the premises where located within 60 days from the date of expiration.

#### E. Child Care Center.

1. Child care centers in conjunction with an existing religious use, school or membership organization shall be a Type 1 conditional use permitted in all rural and residential zones, and subject to the issuance of a conditional use permit in accordance with the provisions of Chapter [18.97](#) STC;
2. Requirements.

- a. A decorative masonry wall, fence, or combination, at least four feet in height, shall be provided for the enclosure of the outdoor play area,
- b. Existing off-street parking and loading areas may be utilized; however, they shall be in accordance with Chapter [18.75](#) STC (Off-Street Parking and Loading Standards),
- c. Hours of operation shall be between 6:00 a.m. and 9:00 p.m.,
- d. License. The child care center shall be licensed to operate as a child care center by the Bureau of Child Care Licensing of the Arizona Department of Health Services.

#### **18.09.030 Home Based Businesses.**

A. Purpose. The purpose of the home based business regulations is to allow small commercial ventures that are appropriate in scale and impact to be operated in a residence. Two types of home based businesses are allowed in the town; one is permitted by right and the other requires a conditional use permit. Home occupations must comply with all other local, state or federal regulations for the activity desired.

#### B. Definitions.

1. "Home based business" means a business or commercial activity that is conducted as a secondary use to the principal dwelling.
2. "Child care home occupation" means providing compensated child care from a residence to no more than six children unrelated to the resident child care provider at the same time and shall be permitted through an administrative process subject to the conditions listed in subsection C of this section.
3. "Class I home based business" means a home based business which shall be permitted through an administrative process subject to the conditions listed in subsection C of this section.
4. "Class II home based business" means a home based business which may be permitted if authorized by the zoning administrator as a Type I conditional use, meeting the procedures and requirements in STC [18.97.030\(C\)](#) with the exception of a preliminary development plan, and is subject to the conditions listed in subsection C of this section.

#### C. Conditions. Home based businesses are permitted when:

1. Location of the home based business is restricted as follows:

a. A Class I home based business is conducted entirely from within the principal residence or a portion of an accessory building not exceeding 200 square feet.

b. A Class II home based business will be required if the home business is not conducted entirely from within the principal residence or a portion of an accessory building not exceeding 200 square feet.

c. Child Care Home Occupation. During the hours of activity of the child care use both indoor and outdoor areas may be devoted to the use.

2. There shall be no public display of stock-in-trade upon the premises.

3. No equipment or material associated with the home based business shall be stored outdoors, with the exception of playground equipment for child care business.

4. Not more than one nonresident of the premises is employed.

5. Customer traffic is restricted as follows:

a. A Class I home based business shall not have more than five customers per day.

b. A Class II home based business will be required if there are more than five customers per day.

c. Child-Care home based business. Services shall be provided for no more than six children unrelated to the resident childcare provider at one time.

6. The floor area and accessory building size are restricted as follows:

a. A Class I home based business shall use no more than:

(1) One-fourth of the floor area of the main dwelling; or

(2) Two hundred square feet of a detached home or workshop.

b. A Class II home based business will be required if the use requires more than:

(1) One-fourth of the floor area of the main dwelling; or

(2) Two hundred square feet of a detached home or workshop.

c. Child-Care Home Based Business. During the hours of activity of the childcare use, there is no limit to the amount of floor area devoted to the secondary use.

7. There shall be no alteration of the property's exterior residential appearance and the residential character of the dwelling shall not be changed by said use.

8. Such occupation does not cause any sustained or unpleasant or unusual noises or vibrations, or noxious fumes or odors, or cause any parking or traffic congestion in the immediate neighborhood.

9. No more than one home business related vehicle. This vehicle must be 22 feet or less in overall length and eight feet or less in overall height. The vehicle must be parked on private property, stored in a carport or garage, or shielded from view from adjoining properties by landscaping, fencing or any other suitable material.

10. Signage or identification of the home occupation shall meet the requirements of STC [18.79.020\(H\)](#).

11. A customer vehicle may be parked at the home only when the owner of said vehicle is present on the property.

12. A maximum of one Class II home based business is permitted per address.

13. A Class II home based business will be required if any portion of the house is used for commercial purposes only.

14. No toxic or hazardous wastes shall be generated by the home occupation.

15. Only normal domestic or household equipment shall be used on the premises in relation to the home based business. [Ord. 2013-079 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

#### **18.09.040 Cluster development option.**



##### **A. Purpose.**

1. The purpose of the cluster development option is to provide:

a. Unique opportunities for creative site planning and harmonious design with the natural features and constraints of specific sites, and particularly on sites possessing unique or severe topographic or hydrologic features;

b. Protection of natural habitat, historic structures and areas of cultural significance;

- c. Design innovation;
- d. Flexibility in the siting of structures and roadways;
- e. More cost-effective development due to decreased grading and more efficient servicing of the development with utilities, roads and other essential services;
- f. Additional open space for public and private or community purposes;
- g. Protection of existing neighborhoods through the provision of open space buffers and the location of structures.

B. Definitions. Certain terms used in this section shall be defined, for purposes of this section only, as follows:

1. "Cluster grouping" means a designed group of residential units and their accessory facilities which may be used as a repetitive motif to form a cluster pattern. Each cluster grouping shall be separated by landscaped areas or natural open space to form the larger cluster development.
2. "Cluster open space" means open space, either natural or functional, provided to compensate for lot size reductions from minimum lot area requirements in the applicable zone.
3. *Repealed by Ord. 2016-107.*
4. *Repealed by Ord. 2016-107.*
5. "Functional open space" means designed public and private open space functioning as an amenity for the direct benefit of the residents of the development. Examples of open space include:
  - a. Landscaped areas that provide visual relief, shade, screening, and buffering;
  - b. Trails;
  - c. Playground and/or fitness equipment;
  - d. Athletic fields, e.g., football, baseball, soccer;
  - e. Picnic areas and facilities; and
  - f. Recreation areas and facilities, e.g., swimming pools, tennis courts.

6. "Natural open space" means any area of undisturbed land, essentially unimproved and not occupied by structures or manmade impervious surfaces, that is set aside, dedicated or reserved in perpetuity, in its natural state, for public or private enjoyment as a preservation or conservation area.

C. Applicability.

The cluster development option is permitted in all rural and residential zones;

D. Permitted Uses.

1. Residential and rural subdivided lots and units.
2. Cluster open space, as defined in subsection B of this section.
3. Functional open space provided:
  - a. Manmade impervious surfaces shall not exceed three percent within areas so designated.
  - b. Structures within the functional open space are required to follow the applicable town building codes (STC Title [15](#)).

E. Development Standards.

1. Minimum site area: None.
2. Average site area per dwelling unit as determined by adding the gross site area and dividing by the number of dwelling units proposed. The average site area per dwelling unit must meet the minimum lot area in which the development is located.
3. Minimum area per dwelling unit (minimum allowable lot size): 2,000 square feet.
4. Minimum Setback Requirements.
  - a. At the perimeter of the development, the setbacks of the zoning district apply.
  - b. Minimum distance between cluster groupings: 20 feet.
  - c. Internal structure setbacks: subject to building code requirements.
5. Maximum height: 34 feet.

6. Cluster Groupings.

- a. All residential units may be common-walled or detached.
- b. All common-walled units shall not be formed into cluster groupings that exceed seven common-walled residential units each.
- c. Cluster groupings shall be separated by cluster open space to provide spatial definition between groupings.

F. Open Space Requirements.

1. Cluster Open Space Area and Ratio Requirements. Cluster open space shall comprise at least 30 percent of the gross site area.
2. Cluster open space ownership and control shall include one of the following:
  - a. As part of an individual, private lot with recorded covenants running with the land;
  - b. By a homeowners' association, as specified in this section; or
  - c. By the town of Sahuarita, as legally dedicated to and approved by the town council.
3. Third-party ownership of cluster open space shall not be allowed. The association may enter into contracts or lease agreements to allow third-party operation of uses permitted within functional open space, as defined in this option.
4. Natural open space adjacent to public parks, preserves or town-maintained stream channels may be deeded by the town of Sahuarita as public open space, if approved by the town council.
5. Cluster open space shall be an integral part of the site design and shall be within the boundaries of the cluster development it serves.
6. Phased developments shall provide cluster open space for each phase, so that each phase may stand alone in conformance with subsection I of this section.
7. Cluster open space shall not include public or private streets, driveways, parking areas, channelized drainageways, rip-rap lined detention/retention basins, and disturbed, unvegetated areas.
8. Final plats shall be delineated and annotated to reflect the cluster open space requirements.



G. Cluster. The following shall be submitted to the planning and building department:

1. A tentative subdivision plat for review, in accordance with Chapter [18.69](#) STC;

a. Required fees to the planning and building department, along with the required number of copies of the plat, as prepared in accordance with this subsection G;

b. An evaluation narrative of the effect of the proposed development on adjacent properties, in accordance with the site analysis;

c. Calculations indicating the required minimum open space acreage is provided for cluster and open space calculations;

d. Architectural renderings, elevations and perspectives, as required, to present the style, color, materials and context of proposed structures;

e. Landscape plan, in accordance with Chapter [18.73](#) STC (Landscaping, Buffering and Screening Standards); and

f. Any descriptive data that may be appropriate, including drafts of the proposed covenants, conditions and restrictions that will apply to the cluster project;

g. Approved cluster arrangements and schematic elevations, keyed to the approved cluster site plan; and

h. Documentation outlining the proposed percentage of development to be accomplished prior to the homeowners' association assuming responsibility for the maintenance of common areas and property per subsection (J)(2) of this section;

2. A final subdivision plat for review per Chapter [18.69](#) STC.

H. Review Procedures.

1. Cluster Plat Review.

a. A preapplication meeting with DRC (development review committee) is required.

b. Review by planning staff is required for all proposals prior to the submittal of a cluster tentative plat.

c. The developer is required to host a public neighborhood meeting at least 14 days prior to submittal and invite all property owners within 300 feet of the proposed cluster subdivision.

2. Compliance Review. The planning department shall review the plan for compliance with the cluster subdivision checklist, this section and town code, and shall, in writing, either accept or reject the plan for further review within five working days of plan submittal.

3. Substantive Review. The following criteria, in addition to Chapter [18.69](#) STC standard subdivision criteria, are required:

a. Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural and historic site features and structures to be preserved.

b. Cluster open space shall include irreplaceable natural features if located in the site (such as, but not limited to, stream beds, significant stands of vegetation and trees, individual trees and cacti of significant size, rock outcroppings, peaks, ridges and slopes).

c. Cluster open space intended for a recreation or common use shall be easily accessible to pedestrians, and accessibility shall meet the needs of individuals of all ages and abilities.

d. Manmade impervious surfaces shall not exceed three percent within the areas designated as functional open space.

e. The suitability of cluster open space intended for scenic purposes shall be determined by its visual impact and quality as seen from a significant number of units, buildings or by its visibility along the nearest lengths of public or private streets, and shall be validated in the site analysis.

f. Suitability of individual building types and designs shall be determined by how well they function and relate to the natural constraints of the site.

g. Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view of buildings, and to minimize the land area devoted to motor vehicle access.

h. Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of pollution, noise, lighting and traffic on the residents of the site.

i. Sites, structures and landmarks having a potential for historic preservation shall be identified and, where possible, be integrated into the development plan as a designed feature of the project.

I. Phased Development.

1. Approval may be given for the development of delineated phases of the site, after submittal of a unified cluster site plan for the total project. The phased portions shall be shown on the subdivision plat.

2. Open space requirements for each phase shall be the same as stated in subsection F of this section. Separate homeowners' associations with provisions for expansion or consolidation may be created. Prior to the sale of any lot site, unit or dwelling in a phased portion, the open space and recreation areas in that portion shall be designated, recorded and developed or maintained in conformance with the approved development plan.

J. Homeowners' Association. If common area is proposed by the developer, the applicant shall submit for recording a set of covenants, running with the land, providing for the creation of a homeowners' association. The covenants shall contain the following provisions:

1. A hold-harmless clause assuring that the town of Sahuarita is not responsible for maintenance or liability of the private and common areas of the development, which shall include, but not be limited to:

- a. Cluster open space,
- b. Parks,
- c. Buffers,
- d. Landscaping,
- e. Recreational facilities,
- f. Streets and trails, and
- g. Private sewers, utilities and septic systems.

2. The association's structure and its operating rules and regulations must be documented and approved before any lots or residential units are sold. The developer shall present for staff approval

a plan for the transfer of all common areas and facilities control to the homeowners. The transfer of control may be based on an elapsed time period or the number or percentage of lots sold.

3. All common open space and improvements shall be established and maintained in accordance with the following requirements:

a. The applicant or developer shall provide for and establish a nonprofit organization or other legal entity under the laws of Arizona for the ownership, care, and maintenance of all such lands and improvements.

b. Such organization shall be governed by covenants running with the land and shall be composed of all persons having ownership within the subdivision. Such organization shall be responsible for the perpetuation, maintenance and function of all common lands, uses, and facilities.

c. All common open space and improvements shall be described and identified as to location, size, use, and control in the covenants, and such covenant shall set forth the method of assessment for the maintenance of such land. The covenants shall be written so as to run with the land and be in full force and effect for a period of not less than 25 years, and shall be automatically extended for successive periods of 25 years unless terminated in a manner set forth hereinafter. The covenants shall become part of the deed to each lot or parcel within the development.

d. Such restrictive covenant and organization shall continue in effect so as to control the availability of the facilities and land thereby provided, to maintain the land and facilities for their intended function, and to protect the development from additional and unplanned densities or uses. Such organization shall not be dissolved, nor shall such organization dispose of any common open space, by sale or otherwise.

e. No common open space shall be denuded, defaced, nor otherwise disturbed in any manner not previously approved without the approval of the town council.

f. The covenants shall provide that in the event the homeowners' organization established to own and maintain such common open space and improvements shall at any time after establishment of the development fail to maintain the common open space and improvements in reasonable order and condition in accordance with the approved plans, the town may serve notice in writing upon such homeowners' organization or upon the homeowners within the development setting forth the manner in which the homeowners' organization has failed to

maintain the common open space and improvements in reasonable condition, and said notice shall contain a demand that such deficiencies of maintenance be cured within 30 days thereof, and shall state the date and place of a public hearing thereon which shall be held within 20 days of the notice.

g. At such hearing the town may modify the terms of the original notice as to the deficiencies and may grant an extension of time within which they shall be cured.

h. If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within said 30 days or any extension thereof, the town, in order to preserve the taxable values of the properties within the development and to prevent the common open space and improvements from becoming a public nuisance, may enter upon said common open space and maintain the same for one year.

i. Said entry and maintenance shall not vest in the public any rights to use the common open space and improvements, except when the same is voluntarily dedicated to the public by the owners.

j. Before the expiration of said one-year period, the town shall, upon its initiative or upon the request of the homeowners' organization responsible for the maintenance of the common open space and improvements, call a public hearing upon notice in writing to such organization or to the homeowners within the development, to be held by the town council, at which hearing the organization shall show cause why such maintenance of the town shall not, at the election of the town council, continue for a succeeding one-year period.

k. If the town council determines that such organization is ready and able to maintain the common open space and improvements in reasonable condition, the town shall cease to maintain the common open space and improvements at the end of said one-year period.

l. If the town council determines that such organization is not ready and able to maintain the common open space and improvements in a reasonable condition, the town may, in its discretion, continue to maintain the common open space and improvements during the next succeeding year, and subject to a similar hearing and determination in each year thereafter.

m. The covenants shall further provide that the cost of such maintenance by the town shall be assessed ratably against the properties within the development that have a right of enjoyment of the common open space and improvements, and shall become a charge on said properties, and such charge shall be paid by the homeowners of said properties within 30 days after

receipt of a statement. [Ord. 2016-107 § 1; Ord. 2015-098 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

**18.09.050 Model home permits.** 

A. Scope. Building permits for not more than 10 model units may be issued prior to the adoption of a rezoning ordinance if the property has been conditionally approved for rezoning subject to acceptance of a subdivision plat or development plan.

B. Issuance of Permits. The permits may be issued when the following conditions are met:

1. The tentative plat and model home landscape plan have been approved by the subdivision review committee;
2. The site and setbacks of the model units are in conformance with the approved tentative plat and the proposed rezoning;
3. Written approval has been granted by:

a. The Planning and Building Director,

The Town Engineer

, The Town Building Official<sup>4</sup>. The applicant for such model permits shall acknowledge in writing that:

- a. Such permitted models shall not be sold or occupied for residential purposes until the proposed zoning ordinance has been adopted by the town council,
- b. The issuance of model permits shall not be construed as a commitment by the town to approve the subdivision plat or grant the proposed zoning, and
- c. The applicant is solely responsible for any financial expenditures or obligations made as a result of the issuance of such model permits. [Ord. 2015-098 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

## Chapter 18.07

### GENERAL REGULATIONS AND EXCEPTIONS

#### Sections:

18.07.010 Purpose.

18.07.020 Lots and parcels.

18.07.030 Land use regulations.

18.07.040 Land use exceptions.

18.07.050 Development standards exceptions.

18.07.060 Accessory buildings.

18.07.070 Reserved.

18.07.080 Reserved.

18.07.010 Purpose.

Reserved. [Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

18.07.020 Lots and parcels.

#### A. Splitting of Lots.

1. No lot or parcel of land held under one ownership on July 19, 1995, shall be reduced in size below the minimum lot area or lot width required by this code; and

2. No building or use permit shall be issued for such deficient lot or parcel or portion thereof, except that on one street frontage of any one block of a subdivision, where lots having less than the minimum lot area or lot width existed prior to July 19, 1995, and existing unimproved lots so that minimum-size building lots may be used if split in accordance with the pattern previously established for the block; provided, that any new lot or building site so formed has not less than 80 percent of the minimum lot area and lot width required in the zone.

#### B. Exceptions for Lots of Record.

1. This subsection shall apply to any lot:

a. Shown upon an official subdivision map duly approved and recorded prior to July 19, 1995; or

b. For which a bona fide deed is on record in the office of the county recorder; or

c. For which a valid, bona fide contract of sale was in full force and effect on July 19, 1995, and said map, deed or contract of sale was of record on said date; or

d. Split in accordance with the exception of subsection A of this section.

2. Any such lot may be used as a building site; provided:

- a. The yard and other requirements of this code are complied with; or
- b. If private subdivision restrictions or regulations were of record and unexpired on July 19, 1995, establishing less restrictive yard and area requirements for said lot, and at least one lot in said subdivision was improved in compliance with said private restrictions prior to said effective date, the zoning administrator may issue a permit under said private restrictions as to yard and area requirements for any use permitted by this code for said lot, but no permit shall be issued for more than one dwelling unit on any lot having less than the minimum area per dwelling unit of the zone in which said lot is located;
3. Each minimum side yard may be reduced by two inches for each one foot by which such lot is narrower than 55 feet; provided, that no minimum side yard shall be narrower than five feet;
4. The minimum rear yard may be reduced three inches for each one foot by which such lot is less than 125 feet in depth; provided, that no minimum rear yard shall be less than 20 feet.

C. Area, Screening and Setback Credits for Trails Access Dedications.

1. The area of a lot or parcel dedicated to the town for public trails access shall be credited to the lot or parcel to satisfy any area, screening or setback requirement of a rezoning, this code or any permit issued thereunder.
2. Requests for the implementation of an area, screening or setback credit for public trails access shall be initiated by or submitted for approval to the director of the parks and recreation department.
3. Dedications and requests so approved by the director of the parks and recreation department shall be forwarded to the town council for acceptance. [Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

18.07.030 Land use regulations.

A. Gasoline Service Stations.

1. No gasoline filling station or automobile repair shop shall have an entrance or exit for vehicles on the same side of the street within 35 feet of a residential zone.
2. Aboveground storage of gasoline or other flammables for consumption off site is permitted as an accessory use to a gasoline service station subject to the following:
  - a. Storage tanks are subject to screening and other design requirements as provided in Chapter 18.82 STC, Design Standards.
  - b. Storage of gasoline or other flammables above ground level in legally accepted containers of 55 gallons or less is permitted in all zones.
  - c. Storage of gasoline or other flammables above ground level in legally accepted containers of greater than 55 gallons is permitted subject to the following:
    - (1) In rural, residential, NC, and MX zoning districts, storage in containers of up to 100 gallons water capacity is subject to a Type 2 conditional use permit.



(2) In B-1 zoning districts, storage in containers up to 100 gallons water capacity is permitted by right, subject to minimum setbacks of 100 feet from any property line adjacent to a rural or residentially zoned parcel and 50 feet from all other property lines. Storage in containers up to 600 gallons water capacity is subject to a Type 2 conditional use permit.

(3) In B-2 zones, storage in containers up to 1,000 gallons water capacity is permitted by right, subject to minimum setbacks of 100 feet from any property line adjacent to a rural or residentially zoned parcel and 50 feet from all other property lines. Storage in containers up to 2,000 gallons water capacity is subject to a Type 1 conditional use permit.

(4) The maximum height of a tank is 10 feet above grade, excepting venting, manways, and filler caps.

(5) An aboveground storage tank must have a secondary containment tank.

(6) A concrete pad must be provided under all tanks.

(7) The construction, installation, and location of the aboveground storage tanks and the types of materials to be stored in the tanks must be approved by the town and state fire marshals.

d. These regulations do not supersede or replace any other applicable town, county, state, or federal regulations and requirements for aboveground storage tanks.

3. All exterior light sources, including canopy, perimeter, and flood, shall be stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. No lens of any lighting fixture may extend below the shielding device.

4. A minimum of one permanent, non-flammable trash receptacle shall be installed at each pump island.

5. Pump islands shall be covered by a canopy that matches or complements the design of the main structure.

6. For gasoline service stations within or adjacent to rural or residential zones, a "good neighbor policy" in narrative form is required to be submitted to the planning and building department at the time of development plan submittal, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses, including sound attenuation, lighting control measures, litter control measures and vehicular access and traffic control. The policy shall also include complaint response procedures, including investigation, remedial action, and follow-up.

B. Maintenance of Stock-Tight Fences. All livestock and poultry kept in any rural, residential, business or industrial zone shall be kept confined by fences or other restraints of sufficient strength and durability to prevent such livestock and poultry from roaming at large. In the RH, SR, and SR-2 Zones and unsubdivided parcels zoned GR-1, SH and R-1, such fences may be constructed of barbed wire. Use of barbed wire in any rural or residential zone is limited to containment of livestock and poultry.

C. Junk Storage in Residential and Commercial Zones. There shall be no open storage of used materials, appliances, furniture, machinery, etc., in any required yard in rural, residential, NC, MX, or B-1 Zones.

D. Swimming Pools.

1. Private Swimming Pools. All private swimming pools shall be regulated according to the following requirements:

a. Swimming pools shall be subject to the front yard requirements of that zone in which they are permitted and shall be located no closer than three feet from any side or rear property line of said zone.

b. Outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site.

2. Public, Semi-Public and Commercial Swimming Pools. All public, semi-public and commercial swimming pools shall be regulated according to the following requirements:

a. Swimming pools shall be subject to the front, side and rear yard requirements of that zone in which they are permitted.

b. Outdoor lighting shall be hooded and controlled so that the source of the light shall not be visible from any adjoining residential zone beyond the boundary of the site.

c. No mechanical device for the reproduction or amplification of sounds and in connection with swimming pools shall create a nuisance to adjacent residential properties through the emission of noises, voices or music which is loud enough to cause complaints from adjacent residential property owners.

E. Beekeeping.

1. The following beekeeping regulations apply to all zoning districts:

a. The density of colonies in any zoning district shall not exceed one colony of bees for each 2,500 square feet of lot area.

b. If bees are kept within 30 feet of any exterior lot boundary line, a barrier shall be erected that will prevent bees from flying through it. Such barrier shall:

(1) Be at least five feet in height and shall consist of plant, hedge, or any constructed material;

(2) Extend at least 30 feet beyond the hive(s) in both directions.

c. Fresh, clean watering facilities for bees shall be provided on said premises.

2. Registration.

a. Each beekeeper shall register the beekeeping operation with the Arizona Commission of Agriculture and Horticulture.

b. The bees and equipment shall be kept in accordance with the laws of the state of Arizona as set forth in the Rules and Regulations of the Arizona Commission of Agriculture and Horticulture relating thereto, and all laws, rules and regulations amendatory thereof and supplementary thereto.

3. Exceptions.

a. An exception to the provisions of this subsection shall be permitted for a period not to exceed 60 days for bees actively participating in commercial agricultural activities.

b. Nothing in this subsection shall be deemed or construed to prohibit the keeping of bees located or kept within a government facility, a school, or a university facility for the purpose of study or observation.

#### F. Minor Resort Regulations.

1. Scope. This subsection shall be applicable to minor resorts in any zone where permitted as a conditional use;

2. Intent. These regulations are intended to allow for minor resorts which meet the lodging, convention and recreational needs of short-term visitors to the town of Sahuarita and are not intended to allow for the development of residential units for permanent or long-term residential use;

#### 3. Accessory Uses.

##### a. Permitted Uses.

(1) Meeting rooms;

(2) Restaurants and drinking establishments;

(3) Retail and service establishments; provided, that the total floor area of all such establishments does not exceed five percent of the total floor area of the minor resort;

(4) Swimming pools and spas;

(5) Game courts such as tennis and racquetball;

(6) Fitness and exercise centers; and

(7) Equestrian facilities, provided:

(a) There is not more than one horse for each 10,000 square feet of the site area; and

(b) No stable or corral is within 100 feet of any property line or within 300 feet of any existing structure on an adjacent property.

##### b. Other Provisions.

(1) Accessory uses shall be operated primarily for guests of the minor resort;

(2) No sign identifying an accessory use shall be visible from a public street; and

(3) No entrance to an accessory use shall face a public street.

#### (4) Development Standards.

(a) Minimum site area: 10 acres.

(b) Other development standards: In accordance with the zone where located.

#### G. Private Fire Stations.

##### 1. Scope.

a. Fire stations and related facilities are permitted in all zones, subject to the requirements of this subsection.

b. The location of any proposed fire station shall be discussed with town staff prior to proceeding with the provisions of this subsection.

2. In rural and residential zones, a Type 2 conditional use permit with a hearing notification area of 500 feet is required in accordance with Chapter 18.97 STC.

### 3. Development Standards.

a. Fire stations shall meet the requirements of the zone in which located, except that the minimum site area in:

(1) R-2 zoning shall be 36,000 square feet;

(2) R-3, R-4, R-5, MH-1 and MH-2 zoning shall be 10,000 square feet.

b. All fire station sites in rural and residential zones shall have a minimum 100 feet of frontage for primary access on a road shown on the major streets and routes plan.

### 4. Performance Standards.

a. Off-Street Parking. All parking for employees and visitors shall be off-street and shall be provided in accordance with Chapter 18.75 STC (Off-Street Parking and Loading Standards).

b. Landscaping and Screening. Landscaping and screening shall be provided in accordance with Chapter 18.73 STC.

c. Traffic Safety. The provision of access for emergency vehicles shall include appropriate methods to minimize the endangerment of passing vehicles.

5. Development Review. A development plan shall be submitted and reviewed in accordance with Chapter 18.71 STC (Development Plan Standards).

H. Reserved.

### I. Holiday Outdoor Sales.

1. Holiday outdoor sales of items such as pumpkins and Christmas trees are permitted in business and industrial zones subject to issuance of a temporary use permit by the zoning administrator.

2. The permit shall be valid for no more than 60 days from the date of issuance and shall be valid only for the uses as approved by the zoning administrator. [Ord. 2016-112 § 1; Ord. 2016-110 § 1; Ord. 2015-105 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

### 18.07.040 Land use exceptions.

A. Additional Permitted Uses. The following accessory uses shall be permitted in any zone when the principal use itself is permitted:

1. The operation of necessary facilities and equipment in connection with schools, colleges, universities, hospitals and other institutions;

2. Recreation, refreshment and service buildings in public parks, playgrounds and golf courses.

B. Public Utilities Permitted.

1. Nothing in this code shall prevent the location, erection, alteration or maintenance of pipes, poles, wires, and similar installations necessary to distribute public facilities;

2. In addition to other provisions of this code, the uses of this subsection shall be permitted in any zone and shall not be subject to the minimum lot area requirements. Barbed wire may be used on fences and walls for security purposes, provided the wire is more than six feet above ground level;

3. Water pumping and storage facilities operated as part of a system serving two or more properties as a public, private or community utility:

a. Subject to the requirements for detached accessory buildings in the zone in which located,

b. Provided a wall or hedge is used to screen the site,

c. Where a tower more than 20 feet in height is used in conjunction with such facilities, its center shall be located a distance from any lot line equal to not less than one-half its height;

4. Telephone, telegraph or power substations:

a. Any building housing such substation shall be in keeping with the character of the zone in which located,

b. A substation not enclosed within a building shall be subject to:

(1) The minimum front and side yards of the zone in which located, and

(2) Appropriate screen planting along any street frontage, which planting and any necessary fencing shall be set at a distance not closer to a street lot line than the minimum front and side yards of the zone;

5. Power substations with an input voltage of 115 kilovolts or greater shall be subject to the following requirements:

a. Setback. That the facility, including walls or equipment, is located no closer than 200 feet to any existing residential property line,

b. Screening.

(1) That the facility include a 10-foot-high wall in an earth tone and vegetative landscaping when contiguous to a residential zone,

(2) Vegetative landscaping shall be located to preclude attracting athletic activities in the setback area,

c. Height. That the facility observe the height restriction of the zone in which located,

d. Notification. When the utility purchases land with the intent of constructing a power substation facility, the property must be posted stating that intent,

e. Noise Emissions.

- (1) That the sound level emitted by the facility shall not exceed 45 DBA at the property line,
  - (2) That there shall not be any TVI (television interference) or RIV (radio interference) on a continuous basis,
- f. The town council may waive the minimum requirements of subsections (B)(5)(a) through (e) of this section, or impose more restrictive requirements at an advertised public hearing if the town council determines such an action is in the public interest,
- g. Power substation permit issued by the town council after a public hearing:
- (1) Notice shall be given by mail to all owners of record within 600 feet of the substation and by posting the substation site,
  - (2) An applicant for a permit shall pay a fee as set forth in Chapter 3.10 STC,
- h. The town council may approve or deny an application and may impose reasonable conditions upon the issuance of a substation permit and shall consider the following factors:
- (1) Existing plans of the state, local government and private entities for other developments at or in the vicinity of the proposed site,
  - (2) Fish, wildlife and plant life and associated forms of life upon which they are dependent,
  - (3) Noise emission levels and interference with communication signals,
  - (4) The proposed availability of the site to the public for recreational purposes, consistent with safety considerations and regulations,
  - (5) Existing scenic areas, historic sites and structures or archaeological sites at or in the vicinity of the proposed site,
  - (6) The total environment of the area,
  - (7) The technical practicability of achieving a proposed objective and the previous experience with equipment and methods available for achieving a proposed objective,
  - (8) The estimated cost of the facilities and site as proposed by the applicant and the estimated cost of alternative facilities and sites, recognizing that any significant increase in costs represents a potential increase in the cost of electric energy to the customers or the applicant,
  - (9) Any additional factors which require consideration under applicable federal, state, county, and town of Sahuarita laws,
  - (10) The town council shall give special consideration to the safety and health of neighboring residents,
- i. The requirements of subsections (B)(5)(g) and (h) of this section shall be eliminated on those sites which are considered by the Arizona Power Plant and Transmission Line Siting Committee when that committee contains adequate local representation. The determination of adequate local representation on the committee shall be made by the town council at a public hearing.

C. Clay, Sand or Gravel Pits, Rock or Stone Quarries, Gas or Petroleum Drilling Permitted. Clay, sand or gravel pits, rock or stone quarries and drilling for petroleum or natural gas may be permitted in any zone; provided, that said use is designed and located so as not to create any unusual hazard or nuisance in the immediate neighborhood of the proposed site of said use, and the zoning administrator is hereby authorized to issue a permit for said uses under the conditions set forth in STC 18.53.020(C) (I-2 General Industrial Zone). [Ord. 2015-105 § 1; Ord. 2011-048 § 1; Ord. 2008-07 § 18; Ord. 1995-06 § 2.]

18.07.050 Development standards exceptions.

A. Exception for Walls and Fences. The yard and setback requirements of this code shall not apply to perimeter walls or fences:

1. Six feet or less in height and designed as security, privacy or screening elements of the site or lot;
2. Of any type or dimension when required or permitted in accordance with Chapter 18.73 STC (Landscaping, Buffering and Screening Standards). The location and height of any wall or fence shall meet all applicable sight visibility standards and requirements.

B. Projections into Yards.

1. Unroofed stairs and wheelchair ramps with a height of no more than six feet above grade including railings may project into any required front, side, or rear setback.
2. Patios, porches, platforms, decks and other similar unenclosed areas not covered by a roof or canopy and not over three feet high above the average natural grade may project into any required side or rear yard setback but shall be no closer than five feet from any property line.
3. Building projections, window sills, cornices, bump outs, awnings, eaves, and other similar architectural features may extend no more than two feet into any required front, side or rear setback, but shall be no closer than two feet from any property line.
4. In any business or industrial zone, a marquee, canopy or awning, suspended or cantilevered from a building, either for the purpose of, or for giving the appearance of shelter or shade, may project not more than 10 feet into any minimum front yard.

C. Exception for Slope. Parking spaces or detached garages may be occupied or built to within five feet of the street line on any lot where:

1. The slope of the front half of the lot is greater than one-foot rise or fall in a seven-foot run from the established street elevation at the property line; or
2. The elevation of the front half of the lot is more than four feet above or below the established street elevation at the property line.

D. Front Yard Exceptions for Existing Alignment.

1. In any rural or residential zone: Where a lot adjoins lots having existing front yards less than the minimum required by this code, the minimum front yard on said lot shall be the average of the existing front yards on the two adjoining lots, or, if only one of the lots is built upon, such front yard shall be the average of the existing front yard of the adjoining lot and the minimum front yard of the zone, provided no such front yard shall be less than 10 feet.

2. In any B-1 or B-2 Zone: Where one or more buildings used for commercial or industrial purposes and located on interior lots have existing front yards less than the minimum required by this code, the minimum front yard required on all other lots within the same block front and not more than 500 feet from said existing building need not be greater than the least front yard existing.

3. In any zone: Any property fronting or abutting on a turnaround at the end of a cul-de-sac, or a similar increased radii of the street property line at the angle in a street, the minimum front yard required shall be one-half of the front yard required in the particular zone.

#### E. Rear Yard Adjoining Alley.

1. A minimum rear yard may be measured to the centerline of an alley adjoining such rear yard; provided, that the required rear yard shall not be reduced more than 10 feet.

2. In any R-2 or denser residential zone where a 10-foot half right-of-way for an alley is provided, the first five feet of such half right-of-way multiplied by the width of any lot where it abuts on the alley may be included as part of the overall lot area for the purpose of meeting the minimum lot area requirements; provided, that the net rear yard is not less than 17 feet.

F. Rear Yard Exception on Corner Lot. On any corner lot in an R-3, R-4, R-5, or B-1 Zone, the minimum rear yard may be reduced to not less than 10 feet from the rear property line, provided the minimum side yard on the side street is increased by 10 feet and the off-street parking provisions of Chapter 18.75 STC (Off-Street Parking and Loading Standards) are complied with.

#### G. Height Limit Exceptions. The height limits of this code shall not apply to:

1. Barns, chimneys, conveyors, cupolas, derricks, flagpoles, parapet walls extending not more than four feet above the height limit of the building, silos, smokestacks, power transmission towers, windmills and power transmission poles;

2. Religious uses, hospitals, schools or other public and semi-public buildings. Any such building may be erected to a height not exceeding 44 feet, provided the minimum side and rear yards are increased by an additional foot in width or depth for each foot by which the height of such building exceeds the maximum height permitted in the zone in which such building is to be located;

3. Bulkheads, elevator penthouses, monitors, scenery lofts and water tanks; provided, that:

a. Such structures above the height limits specified for the zone shall not in the aggregate occupy more than 25 percent of the area of the lot, and

b. No linear dimension of any such structure shall be greater than one-half of the length of the corresponding street lot line if the structure is within 25 feet of such street lot line;

4. Towers, restricted to fire and hose towers, cooling towers for industrial operations, gas holders, grain elevators, sugar refineries or other structures where the manufacturing process requires a great height; provided, that such structures above the height limit specified for the zone shall:

a. Not in the aggregate occupy more than 25 percent of the area of the lot,

b. Be a distance not less than 25 feet from every lot line not a street lot line, and



c. Be not less than one foot from the opposite side of each abutting street for each foot of the vertical height;

5. Natural convection towers except as provided in this subsection. A Type 2 conditional use permit shall be obtained for the tower and the proposed tower height must be approved by the town council at the conditional use public hearing. For the purpose of this paragraph, a “natural convection tower” means a chimney-like structure, which can be integrated with a main building and its HVAC (heating, ventilating and air conditioning) system, and uses natural convection to move air up or down the tower with the designed purpose and effect of cooling or heating the building with only limited, secondary use of fans or blowers. The following restrictions shall apply to such towers:

a. A minimum of 75 percent of the height of the tower must be used for the natural convection chimney effect,

b. A minimum of 50 percent of the cross-sectional area of the tower must be dedicated to airflow for the cooling operation,

c. The minimum setback of the tower from any scenic route shall be three feet of horizontal distance for every foot of vertical tower height, with the setback measured from the edge of the street right-of-way as designated on the major streets and routes plan;

d. The minimum setback of the tower from any property line shall be 25 feet, unless a greater building setback is required by the applicable zone, the major streets and routes plan, or subsection (G)(5)(c) of this section. [Ord. 2016-107 § 1; Ord. 2015-105 § 1; Ord. 2015-097 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

#### 18.07.060 Accessory buildings.

A. Accessory Building Attached to Main Building. An accessory building attached to the main building shall have at least 50 percent of the length on one of its walls integrated with the main building and such accessory building shall comply in all respects with the requirements for the main building.

#### B. Detached Accessory Building on Corner Lot.

1. On any corner lot an accessory building shall be not closer to the street side lot line than the width of the side yard required for the main building on that lot.

2. Where the rear of a corner lot adjoins a key lot, no part of an accessory building within 10 feet of the rear lot line shall be nearer the street side lot line than the depth of the front yard required on the key lot. [Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

#### 18.07.070 Reserved.

[Ord. 2011-048 § 1; Ord. 1995-09 § 1; Ord. 1995-06 § 2.]

#### 18.07.080 Reserved.

[Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

## Chapter 18.03

### GENERAL DEFINITIONS

Sections:

18.03.010 General usage.

18.03.020 Definitions.

18.03.030 Illustrations.

18.03.010 General usage.

A. The definitions provided for in this chapter shall apply throughout this code, unless a different meaning is clearly indicated by the context or the term is defined differently in any other chapter.

B. When not inconsistent with the context, words in the:

1. Present tense include the future;
2. Singular number include the plural; and
3. Plural number include the singular.

C. The word “building” includes the word “structure,” and the word “shall” is mandatory and not directory.

D. Terms found in uppercase type refer to definitions found elsewhere in this chapter. [Ord. 2011-048 § 1; Ord. 1995-06 § 2.]

18.03.020 Definitions. 

A. Definitions “A.”

“Accessory building” means a subordinate building or portion of the main building on the same lot or building site, the use of which is incidental to that of the main building and which is used exclusively by the occupants of the main buildings or their nonpaying guests or employees. Does not include an Accessory Dwelling Unit.

“Accessory use” means a use customarily incidental and subordinate to the principal use of a lot or building located upon the same lot or building site.

“Acre” means a land area of 43,560 square feet.

“Agriculture, General” means the tilling of the soil, the raising of crops, horticulture, animal husbandry and uses customarily incidental thereto, but not including commercial slaughterhouses, stockyards, meat packing plants, fertilizer yards, bone yards, or plants for the reduction of animal matter.

“Alley” means a way dedicated to the public which affords a secondary means of access to abutting property.

“Animals, small” means any animal, other than livestock or animals considered to be predatory or wild which are kept outside a dwelling unit all or part of the time. Small animal includes but is not limited to dogs, cats, rabbits, fowl and birds.

“Apartment” means one or more rooms occupying all or part of a floor or floors in a building of one or more floors or stories, but not the entire building, whether the apartment is intended for use as a residence, office, for the operation of any industry or business, or for any other use permitted in the zone in which it is located.

“Apiary” means a place where bees are kept and permitted to propagate or produce honey.

“Artisan” means a person working at a craft such as ceramics, metalworking, woodworking, jewelry making, leatherworking, weaving, antique furniture repairing and the making of custom furniture.

“Artist” means a practitioner of drawing, painting, sculpting, writing, photography or similar activity.

“Artists Studio” means a workspace for artists or artisans including the accessory sale of art produced on the premises.

“Assisted living facility” means a building or group of buildings arranged, intended, designed or used for the housing and care of 11 or more people with physical, mental, or developmental disabilities providing supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. Includes congregate living facilities, continuing care facilities, hospice, nursing homes, and rest homes.

“Automobile rentals, accessory” means rentals of automobiles as an accessory use to a motel, hotel, resort, or bed and breakfast with a limited number of on-site parking spaces available to the rental office. Incidental maintenance of vehicles takes place off-site.

“Automobile/vehicle service and repair” means:

1. “Major.” This classification means repair of automobiles, trucks, motorcycles, golf carts, motor homes, and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes repair shops, body and fender shops, engine or transmission repair shops, transmission shops, and vehicle spray painting, but excludes vehicle dismantling or salvaging and tire retreading or recapping.

2. “Minor.” This classification means the service and repair of automobiles, light duty trucks, motorcycles, and golf carts, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes establishments providing engine or transmission repair, body and fender work, vehicle spray painting, or towing. It also excludes repair of heavy trucks or construction vehicles.

“Average finished grade” means the average between the high and low grade, after site preparation, measured within five feet of the structure for each building face.

“Awning” means a shelter or cover projecting from and supported by an exterior wall of a building.

## B. Definitions "B."

"Balloon bobber" means a reusable preformed balloon filled with regular air, made of a durable PVC vinyl that does not need to be inflated, and typically attached to a short pole.

"Bar" means businesses serving beverages for consumption on the premises as a primary use, including on-site service of alcohol including beer, wine, or liquor, and businesses that do not meet the definition of "restaurant." Food service is allowed as an incidental use. Includes taverns and nightclubs. See also "brewpub."

"Basement" means a space which is partly underground and has at least half of its height, from floor to finished ceiling, below the average finished grade. See also "story."

"Bed and breakfast" means a residence occupied by an owner-operator providing accommodation for compensation with no more than 5 Bedrooms.

"Board" means the board of adjustment appointed under the authority of this code.

"Boarding/rooming house" means a building, other than a hotel, where lodging is provided, with or without meals, for compensation, for six or more persons and not primarily for transients.

"Brewpub" means a restaurant or bar that prepares handcrafted natural beer as an accessory use intended for consumption on the premises. Production capacity shall be limited to not more than 5,000 barrels per year. Such accessory use may occupy up to 30 percent of the gross floor area of the business. Brewpubs shall be regulated as a restaurant when meeting the definition of "restaurant," or as a bar when restaurant criteria are not met.

"Buildable area" means the net portion of the lot remaining after deducting all required yards from the gross area of a lot or building site.

"Building" means a structure having a roof supported by columns or walls.

"Building frontage" means the length of a building facade which faces upon a road or a parking area between the building and road, measured as the length between two straight lines projecting from the outermost edges of a building or tenant space wall that are perpendicular to a straight line running along the ground level of the front of the measured wall.

"Building height" means:

1. The vertical distance between the level of the average finished grade and:
  - a. The highest point of the parapet of a flat roof, or
  - b. The deckline of a mansard roof, or
  - c. The mean average point between the eaves and ridge of the highest gable, hip, gambrel or other such roof element; provided, that the ridge line of the roof shall not exceed four feet above the maximum permitted building height of the zone;
2. The height of a stepped or terraced building shall be the maximum of any segment of such building, as measured from the average finished grade of that building segment;

3. This definition shall not apply to Chapter 18.61 STC (HD Hillside Development Overlay Zone).

“Building materials and services” means retailing, wholesaling, or rental of building supplies or equipment. Typical uses include lumber yards; fence companies; brick, block, and rock sales; and tool and equipment sales or rental establishments.

“Building official” means the town official or authorized representative of the town department of planning and building charged with the administration and enforcement of the town building codes (STC Title 15).

“Building site” means the ground area of a building or buildings together with all open spaces adjacent thereto as required by this code.

“Bulk station” means a place where liquefied petroleum, gas, crude petroleum, gasoline, naphtha, benzene, benzol, kerosene or any other liquid, except such as will stand a test of 150 degrees Fahrenheit, closed cupped testers, is stored in wholesale quantities where the aggregate capacity of all storage tanks is more than 10,000 gallons.

“Business services” means establishments providing support services to other businesses (rather than to individuals), including but not limited to property maintenance and security services, custodial services, air courier drop-off points, mailing services, and similar. Businesses that arrange for the purchase or sale of goods for others, and which services do not include the warehousing of goods, are classified as office uses.

#### C. Definitions “C.”

“Canopy” means a freestanding building without walls, but with columns and a roof.

“Casita” means an attached or detached structure used for residential purposes primarily by members of the family occupying the main building and their guests in conjunction with or as part of a single family residence and containing various living areas not to include a range or oven.

“Child care center” means a facility providing compensated care and supervision to more than four children and licensed by the state of Arizona. Also termed a “day nursery.”

“Civil engineer” means a professional engineer registered in the state of Arizona to practice civil engineering.

“Code” means this code (STC Title 18).

“Commercial entertainment” means provision of spectator entertainment to the general public, including live and motion picture theaters and concert halls. This category excludes cabarets, nightclubs, and similar establishments providing entertainment incidental to food or beverage sales.

“Commercial recreation” means provision of participant or spectator recreation to the general public, excluding public park and recreation facilities.

1. “Large-scale.” This classification includes large, generally outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, driving ranges, golf courses, miniature golf courses, riding stables, campgrounds, etc., as well as indoor facilities occupying 50,000 square feet or greater in building area, including fitness centers, gymnasiums, handball, racquetball, or

large tennis club facilities; ice or roller skating rinks; swimming or wave pools; archery or indoor shooting ranges, etc. This classification may include restaurants, snack bars, and other incidental food and beverage sales to patrons.

2. "Small-scale." This classification includes small, generally indoor facilities, that occupy less than 50,000 square feet of building area, such as billiard parlors, bowling centers, card rooms, dance studios, exercise studios, health clubs, yoga studios, dance halls, small tennis club facilities, poolrooms, and amusement arcades. This classification may include restaurants, snack bars, and other incidental food and beverage services to patrons.

"Commercial vehicle" means a vehicle used primarily for business purposes rather than personal transportation, registered with the State of Arizona Motor Vehicle Division as a commercial vehicle. This includes pickup trucks of greater than three-quarter ton, which have been modified for business use, or are normally loaded with materials to support a business use and display any type of commercial signage.

"Commission" means the Sahuarita planning and zoning commission.

"Community Center" means a building to be used as a place of meeting, recreation, or social activity and not operated for profit.

"Community garden" means an area of land managed by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption, or donation. The area may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common area maintained and used by group members.

"Comprehensive sign plan" means a specific set of design standards established for the purpose of unifying a variety of signs associated with a multitenant or multi-use building or complex of buildings.

"Condominium" means:

1. Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real estate is not a condominium unless the undivided interest in the common elements is vested in the unit owners.

2. If in existence before January 1, 1986, the ownership of single units or apartments with common elements located on property within a horizontal property regime recorded pursuant to former ARS 33-1202, et seq.

"Contour line" means a line on a topographic map comprising points of equal elevation.

"Contractor's yard" means outdoor storage of construction materials or equipment by a contractor.

"County" means Pima County, Arizona.

"Cut" means the land surface which is shaped through the removal of soil, rock or other earth materials.

D. Definitions "D."

“Development complex” means a unified development having common vehicular access points which is subject to the development plan requirements of Chapter 18.71 STC and which may have multiple tenants and/or buildings and may be composed of multiple parcels.

“Drive-through” means an establishment which provides vehicular queuing lanes and a building opening or mechanical device by which occupants of a motor vehicle may receive a product or services.

“Dwelling, duplex” means a building containing only two dwelling units.

“Dwelling group” means a group of two or more detached or semi-detached one-family, duplex or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, including house court and apartment court, but not including motel.

“Dwelling, multiple family” means one lot or a building or portion thereof containing three or more dwelling units.

“Dwelling, one-family” means a single family detached home.

“Dwelling unit” means a room or suite of two or more rooms that is designed for, or is occupied by, one family.

“Dwelling unit, accessory” means an independent residential dwelling unit on the same lot as a detached single-family home.

#### E. Definitions “E.”

“Earth material” means rock, soil or sand, or any combination thereof.

“Equestrian Facility” means a facility where horses, mules, donkeys or ponies are hired, bred, shown or boarded including accessory stables or exercise areas. Also includes horse ranches and riding schools.

#### F. Definitions “F.”

“Factory-built building (modular)” means:

1. A structure fabricated in a factory and delivered to the building site in one or more sections;
2. The structure shall be designed only for installation on a site-built permanent foundation and not designed to be moved once installed on the foundation. The unit shall include all the plumbing, heating, cooling and electrical systems of the building and shall bear the Arizona Insignia of Approval;
3. A factory-built building shall be considered the same as a building and a dwelling unit.

“Family”:

1. Means any number of individuals related by blood or marriage, or not more than six unrelated persons customarily living together as a single housekeeping unit, and using common cooking facilities, as distinguished from a group occupying a hotel or club. For lots with more than one dwelling, all dwellings are considered together for the purposes of determining whether the occupants are considered a family.

2. Includes group homes certified by the town of Sahuarita or the department of economic security as having six or fewer residents. The limitation of six or fewer persons does not include the operator or members of the operator's family or staff.

3. A "family" shall be deemed to include domestic servants.

"Farmer's market" means periodic outdoor sales activities involving the display and sale of fresh produce and locally produced food and beverage items, including baked goods, jams, jellies, and similar food products. The display and sale of hand-crafted artisan items may be considered as an accessory activity, provided the principal activity remains the sale of food or food- or produce-related items.

"Farm products stand" means

"Feed store" means

"Fertilizer yard/processing plant" means a place where animal matter is collected, processed or stored on a commercial basis.

"Fill" means the placement of earth material upon an existing grade.

"Floor area, gross" means the total floor area within the walls of, or under the roof (excluding roof overhang) of, any building or structure. Includes outdoor space dedicated to the primary use of the site, such as outdoor dining areas for restaurants.

"Freeway" means Interstate 19.

#### G. Definitions "G."

"Garage, private" means an accessory building or portion of the main building, designed or used for the shelter or storage of self-propelled vehicles owned or operated by the occupants of the main building.

"Garage, public" means premises, except those herein defined as a private garage or storage garage, used for the storage or care of self-propelled vehicles, or where such vehicles are equipped for operation, repaired, or kept for hire or sale.

"Garage, storage" means premises, except those herein defined as a private garage or public garage, used exclusively for the storage of self-propelled vehicles, and for no other purpose whatever.

"Gasoline service station" means a retail establishment primarily engaged in selling petroleum products, but not including auto repair shops, body and fender works, similar repairing and painting uses, or mechanical or steam washracks. Food and beverage sales is allowed as an incidental use.

"General retail" means the retail sale or rental of merchandise not specifically listed under another use classification. Typical uses include department stores; convenience stores; clothing stores; furniture stores; hardware stores; automotive accessories and new parts stores, excluding "automobile/vehicle service and repair" uses but allowing for incidental installation of minor parts, such as windshield wipers, and accessories such as car audio equipment, but not including overnight storage of vehicles; florists; and paint and flooring stores.

"Government Services" means a building or structure owned, operated, or occupied by a governmental agency to provide a government service to the public.



“Grazing” means the feeding of domestic livestock on an open range or fenced pasture for commercial purposes and uses customarily incidental thereto, but not including commercial slaughter houses, stockyards, fertilizer yards, bone yards or plants for the reduction of animal matter.

“Group care home” means a licensed home suitable for accommodating more than six, and no more than 10 adults or minor children who require special care for physical, mental, or developmental disabilities.

“Group housing, other” means a residential facility housing greater than six unrelated persons providing living facilities, sleeping rooms, and meals and which does not meet the criteria of any other definition. Includes, but is not limited to: boarding/rooming houses; fraternities; sororities; dormitories; college student rentals; and facilities providing lodging, meals, and counseling on a temporary basis to pregnant teenagers or victims of domestic violence. Counseling may be provided on-site to residents and former residents of the facility. Maximum number of residents is 30.

“Guest room” means living quarters designed to provide lodging for compensation to short-term guests.

#### H. Definitions “H.”

“Handicraft/custom manufacturing” means manufacture of crafts, art, sculpture, stained glass, jewelry, apparel, furniture, cabinet making, and similar items using hand tools and small mechanical devices.

“Home improvement center” means a retail facility of more than 80,000 square feet gross floor area engaged in the retail sale of various basic hardware lines, such as tools, builders’ hardware, lumber, paint and glass, plumbing and electrical supplies, housewares and household appliances, and garden supplies. Outdoor storage and sales may be provided but shall be accessory to the principal use and structure, and only as permitted by the district in which it is located. May include incidental tool and equipment rental.

“Hotel” means a building containing six or more guest rooms, in which lodging is provided and offered to the public for compensation and which is open to transient guests, together with commercial accessory uses operated primarily for the convenience of the guests thereof.

#### I. Definitions “I.”

“Item of information” means a piece of sign copy intended to convey a single message, for example, but not limited to, a shopping center name and/or logo, a phone number, or a service offered. An address display is not considered an item of information.

#### J. Definitions “J.”

“Junk yard”:

1. Means the use of more than 200 square feet of the area of any lot for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machines or parts thereof;
2. Shall include salvage yards, auto wrecking yards, and impoundment storage yards.

#### K. Definitions “K.”

“Kennel, commercial” means a structure, shelter, animal run, or fenced area used for the breeding, feeding, raising, keeping, training, boarding or selling on the premises of five or more dogs or cats for compensation.

“Kitchen” means any room in a building which is used, intended or designed to be used for cooking or preparation of food. The presence of a range or oven, or utility connections suitable for servicing a range or oven, shall be considered as establishing a kitchen.

#### L. Definitions “L.”

“Landscape architect” means a professional registered with the state of Arizona to practice landscape architecture.

“Large retail facility” means a retail establishment in excess of 80,000 square feet, which includes gross floor area, outdoor storage areas, and any outside area which provides associated services to the public, such as, but not limited to, outdoor merchandise display, snack bar, tire shop, garden center, etc. For the purpose of determining the applicability of the 80,000 square foot floor area threshold, the aggregate square footage of all adjacent stores, which share checkstands, management, a controlling ownership interest, and storage areas, shall be considered one establishment. Includes home improvement centers.

“Large vehicle” means any vehicle with a gross vehicle weight rating (GVWR) exceeding 13,000 pounds and intended to be used primarily for commercial purposes rather than private or personal individual trips.

“Large vehicle and equipment sales, service, and rental” means sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other equipment used for personal, construction, agricultural, or landscape gardening activities. Includes large vehicle operation training facilities.

“Light assembly/cabinetry” means putting together, fabricating, or making minor modifications to pre-manufactured items or pre-cut lumber as a last step for items intended to be sold as finished products. Includes assembling cabinets, furniture making and welding of pre-made parts, but excludes metal extrusion, sawmills, and manufacturing.

“Light fleet-based services” means passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 pounds. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, shuttle services, nonemergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations of any size, or taxi or delivery services with two or fewer fleet vehicles on site.

“Light source” means a lamp or light-emitting tube placed within a lighting fixture.

“Lighting, area” means lighting which is primarily designed to illuminate an area of a development and may coincidentally illuminate one or more sign faces.

“Lighting, direct” means a source of external illumination located a distance away from the sign which lights the sign, but which is itself not visible from any normal position of view.

“Lighting, halo” means illumination produced by recessing a light source inside a hollow character with an open back or within the surface to which the sign characters are mounted. An outline glow around the characters is created by this light reflecting off the background to which the characters are attached.

“Live/work unit” means a dwelling unit used for both dwelling purposes and any nonresidential use permitted in the zoning district in which the unit is located.

“Lot” means an area or parcel of land under one ownership abutting upon at least one street on August 6, 1952, or an area or parcel of land as shown with a separate and distinct number on a subdivision tract map or split-lot map recorded with the county recorder.

“Lot, corner” means:

1. A lot located at the junction of two or more intersecting streets, having an interior angle of less than 135 degrees, with a boundary line thereof bordering on two of the streets;
2. The point of intersection of the street lot lines is the corner.

“Lot depth” means the horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

“Lot, interior” means a lot which is not a corner lot.

“Lot, key” means a lot:

1. Abutting along the entire length of at least one of its side lot lines, either directly or across an alley, the rear lot line of any other lot; or
2. Situated between two such key lots.

“Lot line” means a property line bounding a lot.

“Lot line, front” means:

1. In the case of a lot abutting only one street, the line separating such lot from the street;
2. In the case of a corner or through lot, the owner may elect any street lot line as the front lot line, provided such choice, in the opinion of the zoning administrator, will not be injurious to the existing or desirable future development of adjacent properties.

“Lot line, rear” means:

1. The lot line which is opposite and most distant from the front lot line;
2. The rear lot line of an irregular, triangular or gore lot shall, for the purpose of this code, be a line entirely within the lot at least 10 feet long and parallel to and most distant from the front lot line.

“Lot line, side” means:

1. Any lot line not a front lot line or a rear lot line;
2. A side lot line separating a lot from a street is a street lot line;
3. A side lot line separating a lot from another lot is an interior side lot line.

“Lot line, street or alley” means a lot line separating a lot from a street or alley.

“Lot, through” means an interior lot having frontage on two parallel or approximately parallel streets.

“Lot width” means the mean horizontal width of the lot measured at right angles to the lot depth.

#### M. Definitions “M.”

“Maintenance and repair services” means the on-site maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see “automobile/vehicle repair and service”) and personal apparel (see personal services).

“Manufactured home” means:

1. A structure transportable in one or more sections which:

a. In the traveling mode, is at least eight body feet in width or 40 body feet in length, or, when erected on a site, is 320 or more square feet, and

b. Is built on a permanent chassis, and

c. Is designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, which include the plumbing, heating, cooling, and electrical systems contained therein;

2. This definition applies only to units constructed after June 15, 1976, except that this term shall include any structure which meets all the requirements of the definition except the size requirements, provided such structure has received a special size reduction certificate pursuant to Section 603(b) of the Housing and Community Development Act of 1974, as may be amended.

“Manufactured home, multisectional” means:

1. A multisectional dwelling unit, manufactured after June 15, 1976, built to HUD standards with a HUD seal affixed, that when joined measures 20 by 40 feet or larger, does not exceed two stories in height, and is installed on a permanent foundation; provided, that:

If a perimeter foundation wall is not installed, all sides of the home shall extend to meet the ground, or a facade with the appearance of a foundation wall shall be used on all sides of the home; and

Each side of the home shall have roofing and siding materials similar in appearance and kind to conventional homes and shall have one or more of the following:

a. A parapet roof style, or

b. A flat or pitched roof with eaves that overhang 16 inches or more;

2. Building permits for these structures may be issued only in accordance with STC 18.09.070 (General Residential and Rural Zoning Provisions) or in those zones in which manufactured homes are a permitted use.

“Medical facility” means a facility providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment,

including substance-abuse programs as well as training, research, and administrative services for patients and employees. Further classifications are as follows:

1. "Clinic" means a facility other than a hospital where patients are admitted for examinations and treatment by one or more physicians, on either a walk-in or appointment basis. Patients are treated on an outpatient basis and are not admitted for overnight treatment or observation. This classification includes: medical offices, such as general physicians, dentists, chiropractors, ophthalmologists, psychologists, and medical specialists; medical laboratories; outpatient surgical centers; licensed facilities offering substance abuse treatment; blood banks; and plasma centers; but not emergency medical facilities, such as urgent care centers and freestanding emergency rooms.

2. "Emergency medical facility" means an outpatient treatment center that provides extended-hour access to acute illness and injury care, such as urgent care centers and freestanding emergency rooms. Does not include facilities with helipads.

3. "Hospital" means an institution providing medical and surgical care to the sick or injured, including operating facilities and beds for patients to stay overnight. These establishments may include ancillary uses such as nursing facilities, extended care facilities, physical therapy, gift shops, retail pharmacies, employee housing, temporary housing for patient families, cafeterias or restaurants, and related uses operated primarily for the benefit of patients, staff, and visitors.

"Medical marijuana designated caregiver cultivation location" means an enclosed facility where a designated caregiver, as defined by ARS 36-2801(5), cultivates marijuana if the designated caregiver's registry identification card provides that the designated caregiver is authorized to cultivate marijuana.

"Medical marijuana dispensary" means a not-for-profit entity, defined in ARS 36-2801(11), that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.

"Medical marijuana dispensary off-site cultivation location" means the additional location where marijuana is cultivated by a medical marijuana dispensary as referenced in ARS 36-2804(B)(1)(b)(ii).

"Medical marijuana qualifying patient cultivation location" means an enclosed facility where a qualifying patient, as defined by ARS 36-2801(13), cultivates marijuana if the qualifying patient's registry identification card states that the qualifying patient is authorized to cultivate marijuana.

"Membership organization" means a social, business, or fraternal organization of persons who are members paying regular dues, primarily organized for some common social purpose, and which derives not more than one-half of its revenue or income from the sale of goods and services to its members and others. Typical uses include labor unions, boys' and girls' clubs, and veterans' organizations.

"Metallurgical" includes the land used in treating and reducing metal-bearing ores by mechanical, physical or chemical methods on a commercial basis and uses incidental thereto, but does not include permanent residential housing or the fabricating of metals or metal materials.

"Mining" includes the land necessary or incidental to the digging, excavating or otherwise procuring of minerals and ores found in their natural state, but does not include permanent residential housing or the operating of a rock crusher.

“Mobile home”:

1. Means a transportable structure suitable for year-round single-family occupancy and having water, electrical, and sewage connections similar to those of conventional dwellings;
2. This definition applies only to units constructed prior to June 15, 1976. Compare with “manufactured home.”

“Motel” means a building or group of buildings on the same lot, whether detached or in connected rows, containing individual sleeping or dwelling units and designed for, or occupied by, automobile travelers or other transient tenants.

“Mural, noncommercial” means any mosaic, painting, or graphic art which is professionally applied to a building and which does not contain any commercial sign copy, including, but not limited to, brand name, product name, logo, trademark, or other commercial message.

N. Definitions “N.”

“Notification area” means a property subject to a public hearing on a planning or zoning matter and all properties, any portion of which is within a specified radius of the subject property, which receive mailed notice of the hearing from the town of Sahuarita.

“Nature reserve” means an area in which beneficial uses in their present condition are protected,

“Nursery” means:

1. A place where young trees or other plants are raised for transplanting or for sale;
2. Does not include commercial fertilizer yard or processing plant.

O. Definitions “O.”

“Outdoor display of goods or materials for sale, incidental to main use” includes sidewalk sales; seasonal display of merchandise, such as patio furniture, barbecue grills, and firewood; vending machines, such as those that sell food, beverages, movies, and newspapers; and similar uses. Does not include outdoor storage.

P. Definitions “P.”

“Parks and Recreation Facility” means a noncommercial, not for profit facility designed to serve the recreation needs of the residents of the community,

“Personal services” means provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, massage establishments, seamstresses, tailors, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, photocopying and photo finishing services, tattoo parlors, travel agencies, and similar uses.

“Planning and building director” means the director or authorized representative of the town department of planning and building.

“Planning unit” means a portion of a proposed development containing a unique land use, density, or residential or nonresidential building style separated from other planning units by a natural or manmade feature.

“Professional” includes accountants, architects, engineers, lawyers, surveyors, and similar.

“Public safety facility” means a government facility for public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities.

Q. Definitions “Q.” Reserved.

R. Definitions “R.”

“Railroad”:

1. Includes the land used for general railroad purposes, including mainline and switching trackage, repair shops, stations, communications equipment, roundhouses and storage facilities;
2. Does not include railroad equipment (miniature or otherwise) operated by its owner as a hobby or as a part of the equipment of an amusement resort.

“Recreation, commercial” means any establishment which receives a fee in return for the provision of some recreational activity.

“Recreational vehicle” means a vehicular-type unit which is designed as a temporary dwelling for travel, recreational, and vacation use, and which is either self-propelled, mounted on, or pulled by another vehicle. Examples include but are not limited to a travel trailer, camping trailer, truck camper, motor home, or fifth-wheel trailer, but shall exclude manufactured homes.

“Religious use” means:

1. A building or group of buildings, used primarily for the conducting of organized religious services and accessory uses generally associated therewith;
2. Includes convents, religious educational buildings and parish houses, but not parochial schools.

“Repair shop” means an establishment primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance repair shops, shoe repair, watch or jewelry repair shops, etc.

“Research laboratory”:

1. Means an administrative, engineering, scientific research, design or experimentation facility;
2. Shall include research on such things as electronic components, optical equipment, etc., but not research requiring the use of animal husbandry (including dogs, poultry, or monkeys) or heavy equipment (such as construction equipment); and
3. Shall be free of dust, smoke, fumes, odors, or unusual vibrations or noise. The waste from such facilities shall meet the requirements of the appropriate health authority.

“Residential substance abuse diagnostic and treatment facility” means a facility designed to diagnose and treat persons suffering from the abuse of chemical substances and alcohol subject to the licensure procedures of the Arizona Department of Health Services.

“Resort”:

1. Means a building or group of buildings containing guest rooms, with a large portion of the site devoted to recreational activities such as tennis, horseback riding, swimming, and golf (refer to Chapter 18.59 STC, GC Golf Course Zone for golf course requirements).
2. Shall include guest ranch.

“Resort, major” means a resort having 50 or more guest rooms.

“Resort, minor” means a resort having less than 50 guest rooms.

“Restaurant” means a food service use. A restaurant by any other name, such as, but not limited to, coffee shop, cafeteria, fast food restaurant, or diner, shall be regulated as a restaurant. See also “brewpub.” To differentiate between a restaurant which serves alcoholic beverages and a bar which serves food, a restaurant meets the following criteria:

1. Provides meals suitable to hours of operation (i.e., breakfast in the morning, lunch in the afternoon, etc.).
2. The full kitchen remains open and meals are available to patrons during all hours of operation.
3. Management cannot ask for age verification (carding) for admittance to the establishment.
4. Management cannot restrict patronage by age or sex (i.e., ladies night, over 21, etc.), except for limited special services or events within certain limited areas of the establishment.
5. A cover charge cannot be required for general admittance, except for special services or events offered within certain areas of the establishment.
6. Management must maintain a minimum amount of table seating at all times and not have tables removed to create a dance floor or set aside major sections of the establishment for special events.
7. The gross revenue sale of food complies with ARS 4-205.02(G)(2).

“Roof line” means the top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

S. Definitions “S.”

“Semi-professional”:

1. Includes insurance brokers, photographic studios, public stenographers, real estate brokers, stockbrokers, and other persons who operate or conduct offices which do not require the stocking of goods for sale at wholesale or retail;
2. Does not include barbers, beauty operators, cosmetologists, embalmers or morticians.



“Setback lines” are established generally, but not always, parallel to the centerline of a street between which no part of a building or structure or any part thereof may be erected or projected except as otherwise provided in this code.

“Sexually oriented business” means an adult arcade, adult vending machine, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, adult novelty store or sexual encounter center. See Chapter 5.30 STC, Sexually Oriented Businesses, for further definition of the listed classifications.

“Sight visibility triangle” means the specified areas along intersection approach legs, and across included corners, that should be clear of obstructions that might block a driver’s view of potentially conflicting vehicles.

“Sign” means a structure, device, or object designed to advertise, announce, direct or inform. Does not include a stationary, nonverbal religious symbol or an analog clock.

“Sign, access point” means a permanent on-site sign located at or near a vehicular access point.

“Sign, A-frame or upright” means a movable sign whose principal supporting structure is intended, by design and construction, to be used by resting upon the ground for support and may be easily moved or relocated for reuse. May be shaped to form an “A” or is otherwise self-supporting.

“Sign area allotment” means the permitted amount of sign area in ratio to the linear footage of building frontage.

“Sign area budget” means the total cumulative sign area for each type of sign allowed to a parcel or project.

“Sign, attached” means a sign that is displayed on a building wall or other building surface and that uses a building as its primary support, including main building walls or a building component such as a column, awning, or canopy.

“Sign, awning” means an on-site sign attached to or painted on an awning.

“Sign background panel” means an area that is constructed as a background for sign copy.

“Sign, banner” means a sign made of plastic, vinyl or other similar lightweight, nonrigid material, attached to the wall of a building or freestanding and mounted on two or more rigid poles. This definition does not include flags, feather signs, pennants, or streamers.

“Sign base” means the lower part of a freestanding sign which may appear as a separate architectural feature and which serves as its ground support.

“Sign, billboard” means a sign used for the purpose of general advertising for hire when some or all of the display area is used to display the messages of advertisers or sponsors other than the owner or an occupant of the property on which the sign is located. Such signs are sometimes called outdoor advertising.

“Sign, building wall” means a permanent sign mounted flat against and projecting no greater than 12 inches from a building wall with the exposed face of the sign in a plane parallel to the face of the wall. Does not include canopy sign or awning sign.

“Sign, canopy” means an on-site sign attached to a canopy.

“Sign clearance” means the smallest vertical distance between the average finished grade at the base of the sign and the lowest point of any sign including framework and embellishments but excluding sign supports.

“Sign, commercial” means a sign that contains information or advertising for any business, commodity, service, entertainment, product, or other attraction.

“Sign copy” means any word, letter, number, design, figure or other symbolic representation incorporated into a sign.

“Sign district, commercial” means a group of businesses in a specified area of the town which has been organized into a coordinated group for the purpose of common signage and signage control.

“Sign, electronic message” means a sign that permits the movement or frequent changing of messages by means of electronically controlled sign copy.

“Sign, feather” means a vertical temporary sign in the shape of a feather, quill, sail, blade, teardrop, or similar and mounted on a single solid or flexible pole and which may or may not contain sign copy.

“Sign, freestanding” means a permanent sign supported independently of a building, but does not include billboards.

“Sign, freeway-style” means an on-site, freestanding sign located on property adjacent to a freeway, or part of a development complex or commercial sign district adjacent to a freeway, that is oriented to and intended to be read from the freeway.

“Sign, governmental” means a sign installed or required by a public agency. Examples include traffic, public transit and public information signs.

“Sign, human” means any portable commercial advertisement that is held, worn, or balanced by a person or persons for the explicit purpose of drawing attention to or directing the public to a business, service, or event.

“Sign, internal” means a permanent, on-site sign which may be visible from a property line but which is not intended to be readable beyond the boundaries of the lot, parcel, or development in which it is located, or from any right-of-way.

“Sign, internally illuminated” means a sign made visible in darkness by a source of light, concealed or contained within the sign, that shines through a translucent surface.

“Sign, manual changeable copy” means an on-site sign designed to permit the changing of messages by means of nonelectronic sign copy.

“Sign, monument” means a freestanding sign with fewer than 12 inches of clearance and supported primarily by an internal structural framework or integrated into solid structural features other than support poles.

“Sign, noncommercial” means a sign that is not a commercial sign.

“Sign, nonconforming” means a sign, constructed with a valid permit, existing on December 13, 2017, which does not comply with this chapter.

“Sign, off-site” means a sign that is not an on-site sign.

“Sign, on-site” means a sign directing attention to the property, development complex, or commercial sign district where the sign is placed.

“Sign, political” means a sign relating to the election of a person to a partisan or nonpartisan office and/or relating to a matter to be voted upon at an election called by a public body and which is in keeping with ARS 16-1019.

“Sign, post” means a temporary sign made of wood, metal, or a similar material and mounted on one or more posts.

“Sign, projecting” means an on-site sign attached to and extending more than 12 inches from a structure not designed exclusively for the support of the sign.

“Sign, residential subdivision entryway” means a permanent, freestanding, monument-style sign, located on site or within a recorded entryway easement of a residential subdivision.

“Sign, stake” means a temporary sign that does not exceed six square feet in area with a base/stake commonly made of wood, metal, or similar material and with an end for driving into the ground.

“Sign structure” means the supports, up-rights, bracing, or framework of any structure exhibiting a sign.

“Sign structure, town” means a sign structure with two sides or less, upon which approved signs may be mounted as part of the town-run sign structure program.

“Sign, suspended” means an on-site sign hanging under or from a covered walkway, porch or roof overhang.

“Sign, temporary” means a sign not intended or designed for permanent display.

“Sign, window” means an on-site sign inside of, affixed to, or painted on a window, and intended to be seen from the outside. An interior sign that faces a window and is located within 12 inches of the window is considered a window sign. Excludes merchandise displays.

“Single Family Attached” means a single family home that shares one or more walls with another single family home including duplexes and triplexes.

“Social service facility” means an establishment where the principal function involves providing on-site food, clothing, shelter, employment, or other related services primarily intended for disadvantaged persons with limited ability for self-care or those persons in need of counseling for employment or those persons with personal or behavioral disabilities. The term shall include the principal assistance or service facility and all appurtenant or related establishments intended for use by the patrons of the principal facility. The term shall include food banks, homeless shelters, charity dining facilities, rescue missions, day labor hiring centers, and similar facilities.

“Specific plan” means a zoning document adopted in accordance with Chapter 18.90 STC (Specific Plans) that includes text, maps or other exhibits regulating land use and development within a specified area of the town.

“Stable, commercial” means a stable for horses which are let, hired, used or boarded on a commercial basis or for compensation.

“Stable, community” means a noncommercial stable for horses, operated by and for the exclusive use of the members of a nonprofit, incorporated community organization.

“Stable, private” means a stable for horses which are used by the owners of the property and their guests without compensation.

“Story” means the horizontal division of a building between a floor and the finished ceiling or finished undersurface of the roof directly above it. Shall include:

1. A basement, if the vertical distance from the average finished grade to its ceiling is greater than five feet on any side of the building; and
2. A mezzanine or loft.

“Street” means a way for vehicular traffic dedicated to the public or designated as subdivision common area which affords the principal means of access to abutting property.

“Structural alterations” means any change in the supporting members of a building, such as bearing walls, columns, beams, girders, floor joists or roof joists, or which expands the height, bulk, or area thereof.

“Structure” means:

1. Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground;
2. Structure shall also include streets, alleys, roadways, water lines and sewer lines; however, setback line requirements shall not apply to streets, alleys, roadways, water or sewer lines and their appurtenant features.

“Studio” means a place for the creation or retail sale of the works of an artist or artisan.

“Substantial expansion of an existing development” means an increase of the greater of 2,000 square feet or five percent of approved gross floor area or land use area.

“Swap meets” means:

1. A place of commercial activity popularly known as a swap meet, flea market or park-and-swap, which is open to the general public and composed of enclosed, semi-enclosed or outdoor stalls, stands or spaces rented or leased to persons on a daily basis for the purpose of the display and sale, exchange or barter of new or used merchandise;
2. Shall not include occasional craft fairs and benefit sales.

“Swimming pools” shall be deemed to consist of the following classes:

1. Private: When consisting of an accessory structure appurtenant to a one-family or duplex dwelling and used only as such by persons residing on the same lot and their private guests (as distinguished from groups of any kind) with no payment of any kind or in any form charged as received for such use;
2. Semi-public: When consisting of an accessory structure appurtenant to a multiple dwelling, homeowners' association, hotel, motel, religious use, school, private club, or country club, and used only as such by persons who reside or are housed on the same lot or who are regular members of such religious use, homeowners' association, club, country club or regular attendants at such school and by individual guests (as distinguished from groups of any kind) of the foregoing where admission to use the pool is included in consideration given for the primary use of the premises.
3. Public: A swimming pool maintained and operated by a municipality or other unit of government for the general public, whether or not an admission fee is charged;
4. Commercial: A swimming pool operated for profit, open to the public upon payment of a fee.

"Swimming school" means a school established for aquatic training and swimming instruction.

#### T. Definitions "T."

"Tenant panel" means a portion of a multi-user sign that is allocated to a specific tenant or occupant. Typical sign copy for a tenant panel includes, but is not limited to, a tenant name and/or logo.

"Town" means the town of Sahuarita, Arizona.

"Town engineer" means the director or authorized representative of the town department of public works.

"Townhouse" means a duplex or multiple dwelling constructed as a series of dwelling units, all of which are attached to the adjacent dwelling units with no visible separation between walls or roofs, and with areas of individual and common ownership indicated on a subdivision plat.

"Transitional housing facility" means a supervised residential center where 30 or fewer individuals reside for a defined period of time for counseling, job placement assistance, and similar services. The term shall include any dwelling when developed, promoted, advertised, or operated as a transitional housing facility. Counseling services may be provided on-site to residents and former residents of the facility. This term includes:

1. A residential center providing lodging, meals, counseling, treatment, and rehabilitation to adjudicated delinquents or other individuals experiencing family or school adjustment problems;
2. A residential center which provides housing, assistance with employment, counseling, and other services for offenders sentenced to such a facility or placed in such a facility as part of a prerelease program or under terms of probation, parole, or pretrial status. This type of facility is not designed to be a secure facility; or
3. Housing programs facilitating the movement of homeless individuals and families to permanent housing while providing supportive services that enable independent living.

#### U. Definitions "U."

“Ultralight aircraft” means any vehicle that:

1. If unpowered, weighs less than 155 pounds; or
2. If powered:
  - a. Weighs less than 350 pounds empty weight, excluding floats and safety devices;
  - b. Has a fuel capacity of not exceeding five U.S. gallons;
  - c. Is not capable of more than 55 knots calibrated airspeed at full power in level flight; and
  - d. Has a power-off stall speed which does not exceed 29 knots calibrated airspeed.

V. Definitions “V.”

“Veterinary services” means the care and treatment of animals. This use includes pet clinics and veterinary offices.

W. Definitions “W.”

“Wildlife Sanctuary” means an area that is designated for the protection of wild animals.

X. Definitions “X.” Reserved.

Y. Definitions “Y.”

“Yard” means an open and unoccupied space on a building site and, except as otherwise provided in this code, open and unobstructed from the ground to the sky.

“Yard, front” means a yard extending across the full width of the building site between the front lot line and the nearest line of the main building or the nearest line of any enclosed or covered porch.

“Yard, rear” means a yard extending across the full width of the building site between the rear lot line and the nearest rear line of the main building or the nearest line of any enclosed or covered porch.

“Yard, side” means a yard extending from the front yard to the rear yard between the side lot line and the nearest line of the main building.

Z. Definitions “Z.”

“Zoning administrator” means the town official or authorized representative of the town department of planning and building charged with the enforcement of this code. [Ord. 2018-131 § 2; Ord. 2018-129 § 1; Ord. 2017-127 § 1; Ord. 2016-110 § 1; Ord. 2015-105 § 1; Ord. 2015-098 § 1; Ord. 2014-091 § 1; Ord. 2011-048 § 1; Ord. 2010-042 § 1; Ord. 1995-06 § 2.]

18.03.030 Illustrations. 

A. Figure 18.03-1: Average Finished Grade.

B. Figure 18.03-2: Basement and Story.

C. Figure 18.03-3: Building Height.

Figure 18.03-1

Average Finished Grade

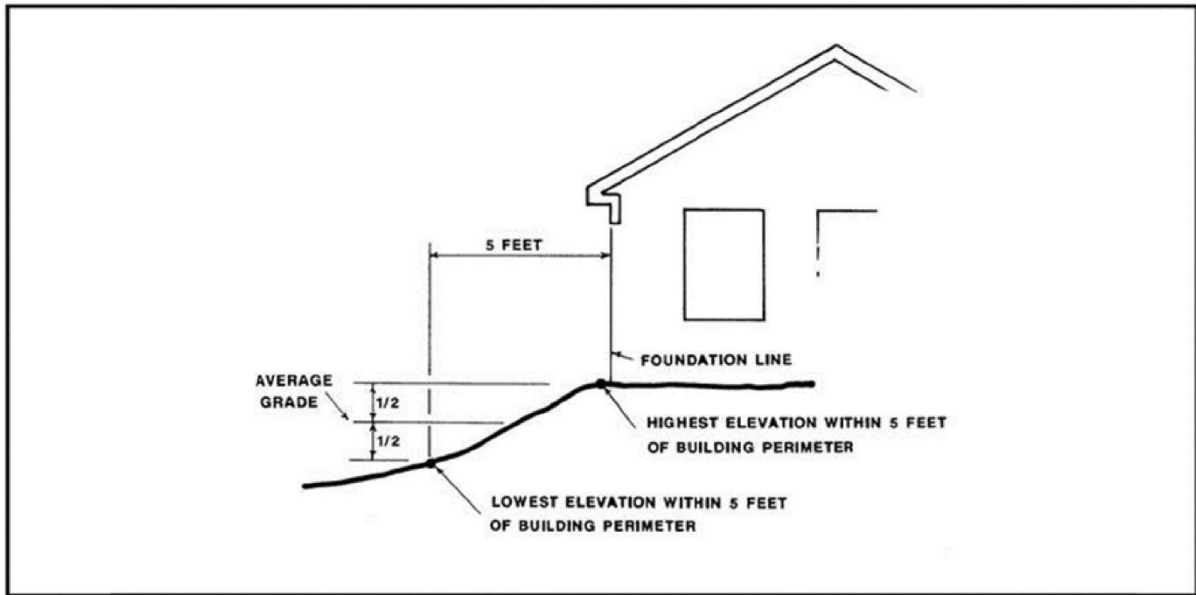


Figure 18.03-2

Basement and Story

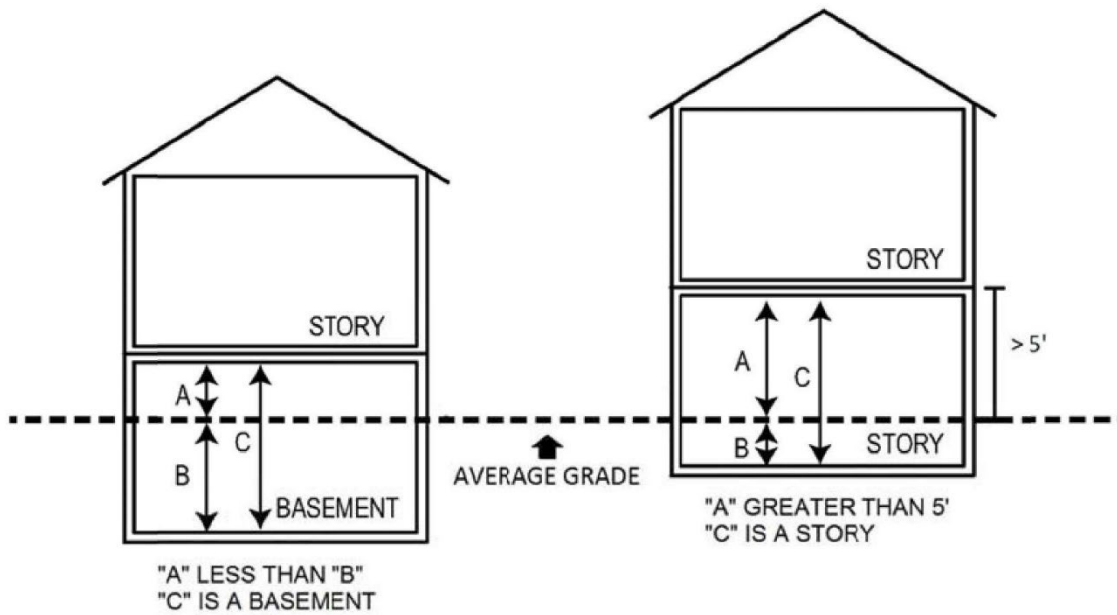
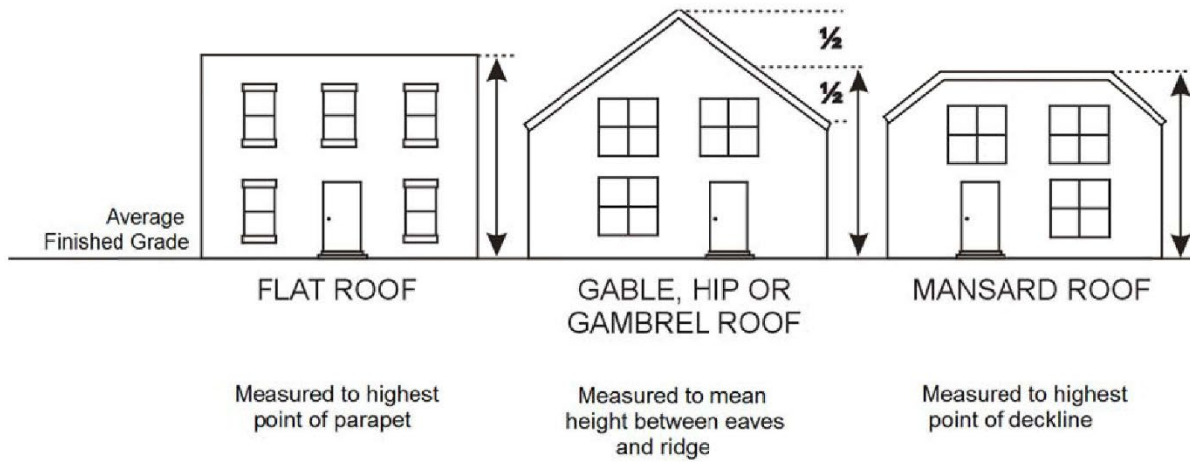
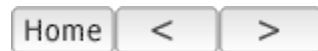


Figure 18.03-3

## Building Height



[Ord. 2015-105 § 1; Ord. 2011-048 § 1; Ord. 1995-06 § 2.]



The Sahuarita Town Code is current through Ordinance 2021-158, passed September 13, 2021.

Disclaimer: The Town Clerk's Office has the official version of the Sahuarita Town Code. Users should contact the Town Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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