

**ORDINANCE NO. 20-150**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 153 ZONING REGULATIONS, BY AMENDING § 153.036 AND § 153.086, ALL RELATED TO THE REGULATION OF STEEL CARGO CONTAINERS.**

Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

**SECTION I**

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations, Section 153.036 is hereby amended to read as follows (additions in underlined ALL CAPS; deletions in strikeout):

**§ 153.036 R1L DISTRICT (RESIDENTIAL; SINGLE FAMILY LIMITED)**

Permitted uses for the R1L District (Residential; Single Family Limited to site built structures only) are as follows in this section.

(A) Where no zoning/density district has been combined, then all provisions of Density District 10 shall prevail (see § 153.069, most common ones shown in chart below).

(B) (1) Dwelling unit (site built) for one family on any one lot;

(2) Religious institutions (in permanent site-built buildings);

(3) Educational institutions (publicly funded) as defined in § 153.005 under ***BUILDING (SITE BUILT)***;

(4) Community parks, playgrounds or centers when part of a community plan;

(5) Public utility facilities (but not business offices nor repair or storage facilities) when necessary for serving the surrounding territory on one acre or less following administrative review with comment period;

(6) When in conjunction with an approved development plan, golf courses with accessory uses such as pro shops, shelters, restrooms and the like (but not commercial driving ranges or miniature putting courses). Subject to the performance standards set out in § 153.075;

(7) Accessory uses and structures (concurrent with and located on the same lot with the principal uses and structures, and including the following):

(a) Farm animals (except swine) on lots of no less than 70,000 square feet for the convenience and pleasure of the lot owner or occupant, not to exceed the number allowed as per

the Allowed Animal Chart in § 153.066. Stables, barns or structures for sheltering or feeding animals must observe the same setbacks or yards as the dwelling unit;

(b) Swimming pools in other than the front yard primary use setback area in compliance with design guidelines in § 153.090;

(c) Quarters for servants and/or nonpaying guests attached to the dwelling (facilities for preparation of food are prohibited);

(d) Temporary construction offices and construction sheds and yards incidental to a recorded subdivision development or other on-site construction project for a period not exceeding 24 months from date of plat recordation or date of issuance of construction project permit with no permits (other than electrical permits) required to install same (prohibited closer to lot boundary than is allowed for a principal building in the district);

(e) Open land carnival and recreation facilities accessory to religious or educational institutions (confined to same lot);

(f) Temporary on-site sales (real estate) facility only as defined in § 153.005 in compliance with the regulations and performance standards outlined under § 153.088;

(g) Household pets;

(h) Fences and freestanding walls;

(i) Parking facilities to meet no less than the minimum requirements as provided under § 153.110;

(j) Educational institutions as defined in § 153.005 but privately funded, allowed as an accessory use to a religious institution.

(k) STEEL STORAGE CONTAINERS THAT MEET THE MINIMUM REQUIREMENTS AS PROVIDED UNDER § 153.086.

(8) Occupancy of temporary housing, including travel trailers, recreational vehicles and single-wide manufactured homes during the construction of a permanent dwelling is allowed during the 24-month period after the issuance of a building permit (and the building permit remains valid). A permit for the temporary housing must be obtained prior to occupancy of the temporary dwelling unit. One extension of time for use of a recreational vehicle, travel trailer or single-wide manufactured home as temporary housing may be granted at the discretion of the Zoning Administrator or his/her designee for a period not to exceed the maximum life of the original building permit for the permanent dwelling which is 30 months from its issuance date (24 months plus one six-month extension). Further extensions will require a use permit.

(9) Bed and breakfast homestays as defined under § 153.005, subject to performance standards set out in § 153.068 for homestays with administrative review with comment period.

(10) Accessory dwelling units as defined in § 153.005, subject to the performance standards set out in § 153.075.5, with a minimum parcel size of 70,000 square feet.

(11) Home occupations as defined under § 153.005, subject to approval by the Zoning Administrator or his/her designee; home occupation shall comply with the regulations and standards set out in § 153.077.

Zoning/Density Regulations (in feet unless otherwise noted)

Dist.	Min Lot Size (in Sq. Ft. per Dwelling)	Min Lot Width and Depth	Min Yard Setbacks Min Building Spacing is 10 Feet All Classes				Max Building Height (Stories/Feet)		Max Lot Coverage (Percent)
			Front	Rear	Interior	Exterior			
7.5	7,500	75	20	25	7	10	2	30	50
10	10,000	80	20	25	7	10	2	30	40
12	12,000	90	20	25	7	10	2	30	40
18	18,000	100	30	30	10	15	2	30	25
25	25,000	130	30	30	10	15	2	30	20
35	35,000	145	40	40	20	20	2	30	15
70	70,000	200	50	50	25	30	2	30	15
2A	87,120	225	50	50	25	30	2	30	10
175	175,000	300	50	50	30	50	2	30	10
5A	217,800	325	50	50	40	50	2	30	10
10A	435,600	500	50	50	50	50	2	30	5
36A	1,568,160	500	50	50	50	50	2	30	5

**SECTION II**

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations, Section 153.086 is hereby amended as follows (additions in underlined ALL CAPS; deletions in strikeout):

**§ 153.086 OUTSIDE STORAGE**

(A) The outside storage of objects and materials shall be permitted as an accessory use (i.e.: where a primary use has already been established) in ALL residential zones THAT ALLOW RESIDENTIAL USES plus RS, PAD, PM, RCD and OS zones, provided the following conditions are met:

(1) A property owner or tenant may park or store any number of personally owned vehicles outside on residential property where a primary residential use has been established, provided that all vehicles are for personal use and are complete, operable and currently licensed and are arranged in an orderly fashion. Vehicles unable to meet these conditions will be deemed disabled or inoperable. Said disabled vehicles or vehicles determined to meet the definition of a junk vehicle are limited to two per parcel. These disabled, inoperable junk vehicles must be placed in the side or rear yard (but not within the required front yard setback) and screened in such a manner so as they are not visible from any public or private street right-of-way or adjacent

property. Personally owned vehicles may be offered for sale on an individual person-to-person basis on a residentially zoned parcel where a primary residential use has already been established, provided that no more than two vehicles may be offered for sale at any one time. Unlimited areas of firewood may be stored, provided that the firewood is for on-site personal use only and is stacked no higher than six feet unless against a structure.

(2) Unlimited areas of construction materials may be temporarily stored, provided that the construction materials are for use on-site pursuant to a current, valid construction permit and are stacked no higher than six feet and are kept at least ten feet from all property lines of adjacent occupied residential properties.

(3) A property owner or tenant may park or store any number of personally owned (and for personal use) travel trailers, motor homes, recreational vehicles, boats, boat trailers, utility trailers, or other similar items designed for personal noncommercial uses outside on residential property where a primary residential use has been established. No more than one travel trailer, motor home or recreational vehicle, boat, trailer, etc. which is owned by a party other than the present owner or tenant of the property shall be stored. No travel trailers, motor homes or recreational vehicles on residentially zoned parcels or lots shall be used or made suitable for use for long-term occupancy without a temporary dwelling permit or use permit. Evidence of an intention for long-term occupancy shall include at least three of the following:

- (a) Being hooked up to power.
- (b) Being hooked up to water.
- (c) Being hooked up to sewer or septic facilities.
- (d) Being raised or leveled by means of jacks or blocks.
- (e) Having a mailbox.
- (f) Having any attached or adjacent structure or improvement that enhances the on-site livability and/or decreases the mobility of the vehicle.

(g) Removal of wheels or axles or hitches on a vehicle normally fitted with wheels and axles and/or hitches.

(4) Temporary use of a travel trailer, motor home or recreational vehicle as an occasional overflow guest room for non-paying or non-reimbursing relatives or guests is authorized as outlined provided such interim use does not exceed 90 days of continuous duration or a total of 90 days in a year or one 12-month period. Temporary use of recreational vehicles shall be only authorized upon satisfaction of the following performance criteria:

- (a) Subject property is occupied by a permitted primary residential structure.
- (b) The Yavapai County Environmental Unit shall be furnished with information to determine that the septic or sanitary facilities are adequate to accommodate additional effluent from the temporary recreational vehicle (RV) unit installation.

(c) Verification by the Zoning Administrator that the foregoing criteria have been addressed prior to authorizing occupancy of the unit.

(5) All boats, trailers, motor homes, travel trailers, recreational vehicles shall be kept in reasonable repair and operable and neatly arranged.

(6) No mobile home shall be placed or kept on a lot without a current valid zoning clearance or a current valid construction permit or temporary dwelling permit and without erection of permanent foundations and hook ups to facilities, permanent piers, blocks or foundations.

(7) Appliances (washers, dryers, refrigerators, freezers, ranges, stoves, furnaces, water heaters, air conditioners, etc.) may be stored outside, provided said appliances are in an operable

condition and are hooked up for personal on-site use and are placed behind a screen wall or landscaping such that the appliances are not within the public view.

(8) Furniture may be stored outside, provided such furniture is in reasonable repair and weather resistant condition and is intended for personal on-site use and are placed behind a screen wall or landscaping such that the appliances are not within the public view.

(9) A property owner or tenant may park or store construction, mining, or farming equipment or machinery outside, provided such equipment or machinery is in operable condition and is intended for personal on-site use.

(10) No vehicular parts, components or accessories not independently operable, nor any large non-structural objects, which are in disuse, or for use other than on site shall be stored outside.

(11) Any outside storage unable to meet the above exceptions and conditions must meet one of the following restrictions:

(a) Methods of screening for outside storage may include acceptable wooden fencing, masonry walls, rock walls, landscaped berms or live vegetative screening. All outside storage shall be totally screened from view of any contiguous property or right-of-way or easement and located in the side or rear yard. All screening for outside storage shall be subject to the review and approval of the Zoning Administrator. Adjoining property owners will be notified by mail of the proposed location and method of screening when an alternative method of screening is presented to staff for their consideration.

(b) Outside storage, EXCEPT OUTSIDE STORAGE OF STEEL CARGO CONTAINERS GOVERNED BY §153.086(A)(13), shall not exceed the heights and square footages provided for the setbacks from the nearest property line as follows:

<i>Distance to nearest property line</i>	<i>Maximum allowed square footage</i>	<i>Maximum allowed height in feet</i>
101 to 200 feet	200	6
201 to 300 feet	300	6
301 to 400 feet	400	8
401 to 500 feet	500	8
501 or more feet	Unlimited	8

(12) Manufactured homes, mobile homes, travel trailers, recreational vehicles, truck trailers, commercial trailers, boxcars, ~~refurbished sea cargo/ocean-going or freight containers (mobile storage or similar cargo-carrying devices)~~ or any other vehicle shall not be attached to or placed on any lot and are not allowed to be stored or utilized for storage purposes in any district, with the exception of the specific allowances referenced in division (A)(1) through (12) and §

153.035. These prohibited vehicles/containers may be considered for storage when there are unique circumstances subject to obtaining an approved use permit.

(13) The outside storage of steel storage containers is allowed as an accessory use, solely for the storage of personal items owned by the property owner, occupant or business (in appropriate commercially designated areas in the RMM or ~~AND THE~~ less restrictive use districts LISTED IN § 153.086(A) provided as follows:

(a) An approval letter from the Zoning Administrator is obtained prior to placement of the unit.

(b) Containers shall meet the minimum yard requirements of the primary structure in the applicable density district as well as building separation and lot coverage requirements.

~~(e) All containers shall be painted and maintained either the primary structure color or an earth tone consistent with the surrounding terrain prior to placement.~~

~~(c) (d) Any electrical service to comply with applicable adopted building codes and other town codes.~~

~~(e) No residential unit to exceed exceed eight feet by 20 feet.~~

~~(f) Minimum residential use parcel size is two acres.~~

~~(g) Only one unit per residential parcel.~~

~~(h) Any unit not able to meet the foregoing performance criteria will require a use permit prior to permitting and installation. Temporary uses of such containers (up to two years) can be administratively approved in conjunction with approved construction/remodeling projects.~~

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 21st day of January, 2020, by the following vote:

AYES: Five

NAYES: Two ABSENT: Zero

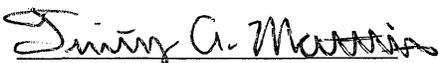
EXCUSED: Zero ABSTAINED: Zero

APPROVED this 21st day of January, 2020.

  
Terry Nolan, Mayor

APPROVED AS TO FORM:

ATTEST:

  
Timothy A. Mattix, Town Clerk

  
Bigelow Law Offices, PLC  
Town Attorney  
By: Kay Bigelow

I, TIMOTHY A. MATTIX, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 20-150 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ON THE 21ST DAY OF JANUARY, 2020, WAS POSTED IN THREE PLACES ON THE 22nd DAY OF

January, 2020.

  
Timothy A. Mattix, Town Clerk