

VACATION RENTALS / SHORT-TERM RENTALS

SECTION 1. That Section 13-02-010 “Definitions” in Article 13-02 “DEFINITIONS” in Chapter 13 “ZONING” of the Town Code of the Town of Prescott Valley, is hereby amended to read as follows:

13-02-010 Definitions.

...

B. The following definitions apply:

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- ~~27.~~ ~~Bed and Breakfast: A dwelling with a host or host family residing therein where members of the public are lodged for compensation. A morning meal is generally provided as part of the normal charge for said lodging.~~
- ~~28~~27. Board: The Board of Adjustment of the Town of Prescott Valley. See, Article 13-29
- ~~29~~28. Boarding House or Rooming House: A building with no more than one (1) common kitchen and no more than five (5) guest rooms that are rented or leased to a maximum of ten (10) persons who are not members of the resident family (on a transient basis), with or without meals.
- ~~30~~29. Boundary, Zone: The limit and extent of each zone district classification as shown on the official Zoning Map.
- ~~31~~30. Buildable Area: That portion of a lot which is within the area formed by the required yards.
- ~~32~~31. Building: A structure having a roof supported by columns or walls for the shelter, housing or enclosure of persons, animals, chattels or property of any kind.
- ~~33~~32. Building Area: The total areas, taken on a horizontal plane, at the mean grade level, of the principal buildings and all accessory buildings, exclusive of uncovered porches, terraces and steps.
- ~~34~~33. Building, Attached: A building which has at least part of a wall in common with another building, or which is connected to another building by a roof.
- ~~35~~34. Building, Closed: A building completely enclosed by a roof, walls and doors on all sides facing the perimeter of the lot.
- ~~36~~35. Building, Community: A public or quasi-public building used for community activities of an educational, recreational or public service nature.

- ~~3736~~. Building, Detached: A building which is separated from another building or buildings on the same lot.
- ~~3837~~. Building, Factory-Built: A residential or nonresidential building, including a dwelling unit or habitable room thereof, which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site and is built to an International Building Code standard. It does not include a manufactured home, recreational vehicle, or mobile home as defined in this Article.
- ~~3938~~. Building, Floor Area: Sum of floor areas of all stories of a building.
- ~~4039~~. Building Height: The vertical distance measured from the natural grade level to the highest level of the roof surface of flat roofs, to the deck line of the mansard roofs, or to the mean height between eaves and ridge for gable, gambrel or hip roofs.
- ~~4140~~. Building, Modular: *See*, "Building, Factory-Built."
- ~~4241~~. Building Permit: A permit required for the erection, construction, modification, addition to or moving of any building, structure or use in the incorporated area of the Town of Prescott Valley.
- ~~4342~~. Building (Principal): A building, or buildings, in which is conducted the principal use of the lot in which it is situated. In any residential district, any dwelling shall be deemed to be the principal building of the lot on which the same is situated.
- ~~4443~~. Building Setback: *See*, "Yard, Required."
- ~~4544~~. Carport: An accessory building or portion of a main building with two (2) or more open sides designated or used for the parking of motor vehicles. Enclosed storage facilities may be provided as part of a carport.
- ~~4645~~. Catering Establishment: A place, site or business for the preparation and assembly of food and/or non-alcoholic beverages exclusively for sale and service to off-site locations (not on the business premises).
- ~~4746~~. Cemetery: Land used or intended to be used for the burial of the dead, and dedicated for such purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such premises.
- ~~4847~~. Certification: A written statement of the fact to be certified made under oath by the applicant and notarized.
- ~~4948~~. Child Care Center: A public or private establishment providing day care and education to six (6) or more children 6 years old or under, excluding kindergarten activities provided by a public school district. "Day care center" means the same as "child care center."

- ~~5049~~. Child Care, In-Home: A private establishment providing day care and education to five (5) or fewer children in a residential dwelling unit that is licensed by the State of Arizona for the same and complies with Subsection 13-06-020(A)(8).
- ~~5150~~. Church: A permanently located building commonly used for religious worship and fully enclosed with walls, but including windows and doors, and having a structurally solid and sound roof.
- ~~5251~~. Clinic: A place for the provision of group medical services, not involving overnight housing of patients.
- ~~5352~~. Collocation (Wireless Telecommunications Facilities): Use by two (2) or more wireless telecommunications providers located on the same tower or alternative tower structure.
- ~~5453~~. Commercial Coverage (Wireless Telecommunications Facilities): A single FCC licensee's network of wireless telecommunications facilities providing a level of service to all areas of the community which, when fully developed, will permit viable commercial operation.
- ~~5554~~. Commission: Town of Prescott Valley Planning and Zoning Commission. See, Article 13-28
- ~~5655~~. Comprehensive Plan/General Plan: A plan developed and adopted by the Planning and Zoning Commission and Town Council as a guide for future growth and development within the Town of Prescott Valley, including any other plan adopted as a part or any amendments to such Plan or parts thereof.
- ~~5756~~. Condominiums: An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in air space in a residential or commercial complex located on such real property. Condominiums may include cluster housing or semi-detached housing. In addition, condominiums may include a separate interest in other portions of such real property, such as common areas.
- ~~5857~~. Contiguous: In contact with.
- ~~5958~~. Convalescent Home: See, "Nursing Home."
- ~~6059~~. Council: Prescott Valley Town Council.
- ~~6160~~. Court: Any space other than a yard on the same lot with a building or group of buildings, and which is unobstructed and open to the sky above the floor level of any room having a window or door opening on such court. The width of a court shall be its least horizontal dimension.
- ~~6261~~. Custom: Pertaining to work, service or assembly done to order for individual customers for their own use or convenience.

- ~~6362~~. Day Care or Day Nursery: See, "Child Care Center or Child Care, In Home."
- ~~6463~~. Dead Storage Yard: Goods not in use and not associated with any office, retail or other business use on premise in a self-storage facility or structure.
- ~~6564~~. Density: The number of dwelling units permitted for a specified square footage of land provided. See, Article 13-20
- ~~6665~~. Display: A visual presentation of goods or products offered for sale either inside or outside of a building during normal business hours.
- ~~6766~~. District: Either a use district, a density district or a combination of both such districts.
- ~~6867~~. District Map: Zoning Map.
- ~~6968~~. Drive-In Theater: An open-air theater where the performance is viewed by all or part of the audience from motor vehicles.
- ~~7069~~. Drive-Through Establishment or Drive-In Facility: An establishment which by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services and goods while remaining in their motor vehicles. This shall include, but not be limited to, automobile service stations, drive-in laundries and dry cleaners, banks, and food and drink establishments.
- ~~7170~~. Duplex: A building or portion thereof having two (2) dwelling units on a single lot designed or intended for use or occupancy by families living independently of each other (including any domestic employees of each family), and having both kitchen or cooking facilities and a private, indoor toilet within each such housekeeping unit.
- ~~7271~~. Dwelling: A building or portion thereof designed exclusively for residential purposes, including single- and multiple-family dwellings.
- ~~7372~~. Dwelling, Multiple-Family: A building or portion thereof having two (2) or more dwelling units on a single lot used, designed or intended for use or occupancy as living quarters by 2 or more families living independently of each other (including any domestic employees of each family), and having both kitchen or cooking facilities and a private, indoor toilet within each such housekeeping unit. This includes any number of dwelling units in a non-residential structure, but shall not include recreational vehicle parks, motels, hotels, boarding houses, fraternity and sorority houses, rest homes and nursing homes, or child care centers.
- ~~7473~~. Dwelling, Single-Family: A detached building designed exclusively for occupancy by or occupied by one (1) family for residential purposes.
- ~~7574~~. Dwelling Unit: A room (or group of rooms) designed for one (1) or more persons living and cooking as homogeneous body (See, "Family") and containing 1 accommodation for preparation of meals.

7675. Easement: A space on a lot or parcel of land reserved or used for location and/or access to utilities, drainage or other physical access purposes.
7776. Efficiency Apartments: See, "Apartment, Efficiency or Studio."
7877. Enclosed Storage Area: Any building which is enclosed on all sides facing the perimeter of the lot.
7978. FAA: Federal Aviation Administration.
8079. Factory-Built Building: See, "Building, Factory-Built."
8180. Fairgrounds: An area consisting of both open spaces and structures, owned by a governmental or quasi-governmental entity, at which activities generally associated with a fairgrounds take place (including, but not limited to, carnivals, bazaars, midways, horse racing, exhibitions, amusements and education displays).
8281. Family:
- a. An individual or two (2) or more persons related by blood, marriage or adoption, or other legal relationship (including any domestic employees), living together as a single housekeeping unit in a dwelling unit; or
 - b. A residential facility for not more than ten (10) persons duly licensed by the State of Arizona for the developmentally disabled, family foster care, adult foster care, child foster care or similar.
8382. FCC: Federal Communications Commission.
8483. Fence: A barrier constructed of materials such as block, solid wood slats, wire, pipe and chain link designed to separate two parcels of land or separate a single parcel of land into different use areas.
8584. Floor Area: See, "Building, Floor Area."
8685. Floor Area, Gross: The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls and including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a height of more than seven (7) feet (but excluding areas used exclusively for vehicle parking or loading).
8786. Floor Area, Usable: With regard to the parking requirements of Article 13-24, usable floor area means the gross floor area and/or the open land area needed for service to the public as customers, patrons, clients or patients (including areas occupied by fixtures and equipment used for display or sale of merchandise). Not included are floors or parts of floors used principally for

non-public purposes such as storage, automobile parking, incidental repair, processing or packaging of merchandise, show windows, offices incidental to the management or maintenance of stores or buildings, restrooms, or other accessory space.

8887. Fraternity or Sorority House: A residence hall or building used as living quarters for members of an approved college or university group while enrolled at an institution of higher learning.
8988. Frontage: The property line of a site abutting on a street, other than the side line of a corner lot.
9089. Garage, Private: An accessory building or a main building or portion thereof, used for the shelter or storage of self-propelled vehicles, owned or operated by the occupants of a main building wherein there is no service or storage for compensation.
9190. Garage, Public: A building, other than a private garage, designed or used for servicing, repairing or storing motor vehicles for compensation. See, "Automobile Service Station, Automobile Garage or Automobile Storage Garage."
9291. Grade (Adjacent Natural Ground Elevation): The lowest point of elevation of the natural surface of the ground within the area between the building and a line five (5) feet from the building.
9392. Group Home: A home serving ten (10) or fewer mentally or physically disabled persons: provided the home provides care on a twenty-four (24) hour basis and is licensed or otherwise approved by the State of Arizona for that purpose. A group home shall be considered a single-family dwelling.
9493. Guest House: An attached or detached accessory building used to house guests of the occupants of the principal building, and which shall never be rented or offered for rent. Any guest house providing cooking facilities shall be considered a dwelling unit. Includes a dwelling unit within an accessory building for the sole use of the occupants of the premises and their guests.
9594. Guest Room: One (1) or more rooms intended as one (1) occupancy overnight (or longer) by other than a member of the family. If such contains cooking facilities, it is deemed a dwelling unit.
9695. Home Occupation: A "home occupation" is any vocation, trade or profession which is customarily conducted wholly within the confines of a dwelling unit or an attached building, is carried on only by a member or members of the family residing in the dwelling unit, is clearly incidental and secondary to the use of the dwelling for residential purpose, does not change the character of the dwelling unit, and conforms to the requirements set forth in Section 13-06-020(A)(8) of this Chapter.
9796. Hospital: A building or group of buildings, in which sick or injured persons are

given medical or surgical treatment, examination or care, including overnight residence, together with related facilities, e.g., laboratories, training facilities, staff residences, outpatient department and similar facilities which are an integral part of the principal use.

~~9897~~. Hospitals and Clinics for Animals (includes Veterinary Clinic): Facilities where animals or pets are given medical or surgical treatment in emergency cases and are cared for during the time of such treatment. Use as a kennel is limited to short-term boarding that is incidental to such hospital use, and shall be enclosed in a sound-proof structure.

~~9998~~. Hotel or Apartment Hotel: A building other than a boarding house as defined herein, in which there are five (5) or more guest rooms or apartments that, for a fee, provides temporary sleeping accommodations with or without meals, usually on a transient basis. "Hotel" shall not be construed to include trailer court, sanitarium, hospital, or other institutional building, or jail or other building where persons are housed under restraint. For density formula purposes, two (2) such guest rooms or apartments may be counted as one (1) dwelling unit.

~~40099~~. Interior Lot: See, "Lot, Interior."

~~401100~~. Junk Yard: See, "Salvage Yard."

~~402101~~. Kennel: Any establishment at which dogs and cats are bred or raised for sale, boarded, trained and/or cared for, commercial or on a nonprofit basis, exclusive of dental, medical or surgical care, or for quarantine purposes.

~~403102~~. Kindergarten: Same as nursery school except when operated in conjunction with a school of general instruction and having accredited instruction.

~~404103~~. Kitchen: Any room or portion of a room used, intended or designed to be used for cooking and/or the preparation of food (except cooking facilities of a recreational or incidental nature such as barbecues, hot plates, or similar).

~~405104~~. Landscaping: An area which has been improved through the harmonious combination and introduction of trees, shrubs and ground cover, and which may contain natural topping material such as boulders, rocks, stones, granite or other approved material. The area shall be void of any asphaltic or concrete pavement except for pedestrian walkways.

~~406105~~. Laundry (Self-Help): A building in which domestic type washing machines and/or dryers are provided on a rental basis for use by individuals doing their own laundry.

~~407106~~. Livable Floor Area: The heated floor area of a building, above finish grade, measured from the outside dimensions of the exterior walls used for dwelling purposes, and excluding all non-dwelling area such as attic, storage, carport and garage.

- ~~408~~107. Livestock: Includes horses, ponies, mules, cows, goats, sheep, llamas, any other large animals, poultry, domestic rabbits, chinchillas, chickens, turkeys, pheasants, geese, ducks, pigeons or any other fowl, birds or rodents that are customarily raised for food, profit or pleasure.
- ~~409~~. Lodging: ~~The rental, lease or sale of a dwelling unit on a daily or weekly basis or other basis for less than thirty (30) consecutive days.~~
- ~~410~~108. Lot: Any legally created lot, parcel, tract or land, or combination thereof, shown on a plat of record or recorded by metes and bounds that is occupied or intended for occupancy by a use permitted in this Chapter, including the principal building, or buildings, together with the accessory buildings, the open spaces and parking spaces required by this Chapter, and having its principal frontage upon a street or upon an officially approved place.
- ~~411~~109. Lot Area: The total area measured in square feet contained within the perimeter of a lot.
- ~~412~~110. Lot, Corner: A lot adjoining two (2) or more streets at their intersection.
- ~~413~~111. Lot Coverage: The percentage of the area of a lot which is occupied by the footprint of all buildings or other covered structures.
- ~~414~~112. Lot Depth: The shortest distance between the mid-points of the front and rear line.
- ~~415~~113. Lot (Interior): Lots having no sides abutting on a street.
- ~~416~~114. Lot (Key): An interior lot contiguous to the rear line of a corner lot and fronting on the side street of such corner lot.
- ~~417~~115. Lot Line: A line bounding a lot that divides one lot from another or from a street or any other public or private space.
- ~~418~~116. Lot Line (Front): That part abutting a street. The front line of a corner lot shall be the shorter of the two street lines as originally platted, or if such are equal, the one chosen by the owner of the property. The front line of a through lot shall be that line which is obviously the front by reason of usage by adjacent lots. Such a lot exceeding one hundred eighty eight (188) feet in depth may be considered as having two (2) front lines.
- ~~419~~117. Lot Line (Rear): That lot line opposite the front line. Where the side lines of the lot meet in a point, the rear line shall be considered parallel to the front line or a tangent of the mid-point of a curved front line and lying ten (10) feet within the lot.
- ~~420~~118. Lot Line (Side): Those property lines connecting the front and rear

property lines.

- ~~424~~119. Lot of Record: A lot which is a part of a subdivision, the plat of which has been recorded in the Office of the County Recorder; or parcel of land, the deed of which is recorded in the Office of the County Recorder.
- ~~422~~120. Lot (Through): A lot in which the front and rear line abut on a street.
- ~~423~~121. Lot Width: The horizontal distance between side lot lines. Lot width shall be measured between side lot lines at the required front setback line.
- ~~424~~122. Maintain: The replacing or renovating of a part (or parts) of a structure which has been made unusable by ordinary wear or tear, or by the weather.
- ~~425~~123. Manufactured Home: A structure built in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 (42 USCA §5401 et seq.), and Title VI of the Housing and Community Development Act of 1974, Public Law 93-383, as amended by Public Laws 95-128, 95-557, 96-153 and 96-339, being a structure transportable in one or more sections which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, then erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.
- ~~426~~124. Manufacturing, Light: To process materials into a finished product with minimal noise, dust, glare, smoke, vibration, odor or debris. Light manufacturing is conducted wholly within an enclosed building. Any outdoor storage is visually screened by means of a fence, wall, landscaping or other approved method.
- ~~427~~125. Mobile Home: A structure built prior to June 15, 1976 on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a dwelling when connected to on-site utilities, except that it does not include recreational vehicles and factory-built buildings as defined in this Article.
- ~~428~~126. Mobile/Manufactured Home Park: A development providing rental spaces for occupancy on a non-permanent basis for mobile homes and manufactured homes, with accessory buildings and uses provided for the benefit and enjoyment of occupants.
- ~~429~~127. Mobile/Manufactured Home Space: A plot of ground within a mobile/manufactured home park designed for the accommodation of one (1) mobile home or manufactured home.
- ~~430~~128. Model Home: A residential unit constructed by a licensed general contractor which has never been occupied for residential purposes, open for inspection by the general public in order to sell that unit or similar residential units that can be constructed on other property, and otherwise serving as a

formal example of the contractor's abilities and products.

434129. Model Home Complex: Two (2) or more model homes constructed by a licensed general contractor (which have never been occupied for residential purposes) open for inspection by the general public in order to sell similar residential units within a Planned Area Development (PAD) Zoning District. Such homes must be adjacent to each other by a common property line.
432130. Modular Building: See, "Building, Factory-Built."
433131. Motel: A building or group of buildings containing guest rooms or apartments, each of which maintains a separate outside entrance, used primarily for the accommodation of automobile travelers, and providing parking space on the premises. For density formula purposes, two (2) such guest rooms may be counted as one (1) dwelling unit.
434132. Natural Grade: The condition of the land, vegetation, rocks and other surface features which have not been physically disturbed, changed or added to by any action of man or machine.
435133. Newspaper of General Circulation: A daily newspaper (if one is published), or if no daily newspaper is published, a weekly newspaper.
436134. Non-Conforming Use: A legal use of a structure or tract of land in existence on September 4, 1980 which does not conform to the use regulations of this Chapter, or such use in existence at the date of adoption of amendments to the Chapter which does not conform to the use regulations of this Chapter as amended.
437135. Nuisance: Any thing, condition or use of property which endangers life or health, gives offense to the senses, and/or obstructs the reasonable and comfortable use of other property. See, Section 13-26-070
438136. Nursing Home: Any place or institution which makes provisions for bed care or for chronic or convalescent care for one (1) or more persons (exclusive of relatives) who, by reason of illness or physical infirmity, are unable to properly care for themselves. Nursing, dietary and other personal services are provided (but not surgery or other primary care customarily provided in hospitals or sanitariums). Alcoholics, drug addicts, persons with mental diseases and persons with communicable diseases, including contagious tuberculosis, shall not be admitted or cared for in these homes licensed under the State of Arizona as a convalescent and nursing home.
439137. Overlay District: A zoning district that encompasses one or more underlying zoning districts and imposes additional or alternative requirements to those required by the underlying districts.
440138. Parcel: Real property that either -
- a. has a separate and distinct number or other designation shown on a plan

recorded in the Office of the County Recorder; or

- b. is delineated on an approved record of survey, parcel map or subdivision map as filed in the Office of the County Recorder and abuts at least one (1) public right-of-way or easement determined by the Town to be adequate access.

~~141~~139. Parking Space: A fully accessible space adequate for the temporary parking of permitted vehicles, situated entirely outside the public right-of-way.

~~142~~140. Permanent Dust-Free Pavement (Parking): Surface materials such as asphaltic concrete or Portland cement concrete (but expressly not including such materials as chip seal, gravel or granite).

~~143~~141. Planned Area Development (PAD): A residential, business or industrial development that takes a creative approach to the development of land and results in a more efficient, aesthetic and desirable use of open space while maintaining the same overall population density and lot coverage permitted in the underlying zoning district. A PAD permits flexibility in types of dwellings, placement of buildings, circulation facilities, off-street parking areas, and use of open space.

~~144~~142. Plot Plan: See, "Site Plan."

~~145~~143. Porch, Open: A porch where any portion extending into a front or side yard shall have no enclosure by walls, screens, lattice or other material higher than fifty-four inches (54") above the natural grade line adjacent thereto. Such porches may only be used for ingress and egress and may not be occupied as a sleeping porch or wash room.

~~146~~144. Professional Office: A place of business (not including retail) where -

- a. a professional person carries out a professional use; or
- b. consulting, record keeping, or clerical work is performed by a public or private agent.

~~147~~145. Professional Use: The rendering of service of a professional nature by:

- a. Architects, engineers and surveyors, who are licensed by the Arizona State Board of Technical Registration.
- b. Doctors, osteopaths, dentists, optometrists and all other persons who are licensed by the State of Arizona to treat patients.
- c. Lawyers who are admitted to practice before the courts of the state.
- d. Accountants who are members of the Arizona Society of Certified Public Accountants and/or the Arizona Association of Accountants, Incorporated.

- e. Consultants and practitioners who are recognized by the appropriate above licensed professions.
- ~~148~~146. Property Lines: Those lines outlining the boundaries of real property divided into lots for the purpose of description for sale, building development, or other use.
- ~~149~~147. Public Building: Facilities for conducting public business constructed for various public agencies, including all Federal, State, County and Town offices and buildings.
- ~~150~~148. Public Utility: Private or public facilities for distribution of various services such as water, power, gas, communications etc., to the public, but expressly excluding all towers, antennae and wireless telecommunications facilities.
- ~~151~~149. Recreation Facilities: Includes buildings, structures or areas built or developed for purposes of entertaining, exercising or observing various activities participated in either actively or passively by individuals or organized groups.
- ~~152~~150. Recreational Vehicle: For purposes of this Chapter [except Subsection 13-24-020(G), as amended], a vehicular-type unit which is (a) a portable camping trailer mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold for camping; (b) a motor home designed to provide temporary living quarters for recreational, camping or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle; (c) a park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, except that it does not include fifth wheel trailers; (d) a travel trailer mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle, and has a trailer area of less than three hundred twenty (320) square feet. This includes fifth wheel trailers. If a unit requires a size or weight permit, it must be manufactured to the standards for park trailers in A 119.5 of the American National Standards Institute Code; or (e) a portable truck camper constructed to provide temporary living quarters for recreational, travel or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck. A recreational vehicle shall not be considered as a dwelling or occupied as such, and is not a manufactured home.
- ~~153~~151. Recreational Vehicle Park: Facilities for the temporary storage, parking and maneuvering of recreational vehicles with adequate roads and stall sites, including sanitary and water facilities. Site locations are provided on a day-to-

day basis. Does not constitute a mobile/manufactured home park.

454152. Recreational Vehicle Space: A plot of ground within a recreational vehicle park designed for the accommodation of one (1) recreational vehicle.

455153. Recycling Collection Facility: A building or fenced/enclosed area used for the collection and processing of pre-sorted recyclable materials. Processing includes the preparation of recyclable material for shipment to an end-user through baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, and/or cleaning. Recyclable materials include (but are not limited to) metals, glass, plastic and paper intended for reuse, re-manufacture or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous waste.

456154. Recycling Facility: A totally enclosed building within which recyclable materials are converted into new products by re-processing or re-manufacturing. A recycling facility may also include collection and processing of recyclable material for more efficient shipment. Outdoor storage of materials may occur on areas surfaced with a permanent dust-free pavement behind and opaque fence or wall and landscaping.

457155. Restaurant: An establishment (other than a boarding house) where meals which are prepared therein may be procured by the public.

458156. Reversionary Plat: *See*, Subsection 14-01-020(A)(27)(d)

459157. Salvage Yard: Any land or building used for the abandonment, storage, keeping, collecting, salvaging or bailing of paper, rags, scrap metals, other scrap or discarded materials, including automobile salvage: includes recycling collection facilities and recycling facilities.

460158. School: Unless otherwise specified, private or public places of general instruction for the education of children through grade twelve (12) which are licensed through the Arizona Department of Education: not including pre-schools, dancing schools, riding academies, or trade or specialized vocational schools (i.e. business colleges, art, music or nursery schools).

461159. School (Nursery): An institution intended primarily for the daytime care of children of pre-school age. Even though some instruction may be offered in connection with such care, the institution shall not be considered a "school" within the meaning of this Chapter: includes day care or child care centers as defined in this Article.

462160. School, Private: An institution conducting regular academic instruction at kindergarten, elementary and secondary levels operated by a non-governmental organization.

463161. School, Trade: Schools offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technicians' schools, and

similar commercial establishments operated by a non-governmental organization.

~~464~~162. Seats: Where parking spaces are based on numbers of seats in a facility, each eighteen inches (18") of width for bench seating shall be deemed one (1) seat. In the case of fixed seating, each chair shall constitute 1 seat.

~~465~~163. Service Station: See, "Automobile Service Station."

~~466~~164. Setback: A line that marks the minimum distance a structure must be located from the property line, and establishes the minimum required front, side or rear yard space of a building plot. See, "Yard, Required."

~~467~~165. Sexually-Oriented Business: Any business classified as a sexually-oriented business pursuant to Section 9-07-020, or any combination thereof.

~~468~~166. Sign: Any device providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building. Included in this definition as signs are graphic devices such as logos, attention attracting media such as banners or logo sculpture, and obtrusive, colored facade or architectural element. National flags and flags of political subdivisions shall not be construed as signs. See, Section 13-23-020

~~469~~167. Sign, Billboard: A structure on which is portrayed information which directs attention to a business, commodity, service, entertainment or product not necessarily related to the other uses existing on the premises upon which the structure is located. A sign shall be classified as a billboard unless at least fifty percent (50%) of the advertising area is devoted to identifying a business operating on the premises, or to a product that is manufactured on the premises. The fact that a product is merely sold on the premises is not sufficient cause for the sign classification to be deleted from the billboard sign category.

~~470~~168. Site Plan: A plan prepared to scale pursuant to the requirements of Section 13-27-020, showing all of the uses (existing and proposed) for a specific property and including all information necessary to clearly define the intended use of the property. See, "Plot Plan."

~~471~~169. Sleeping Room: A room, other than a guest room, in which no cooking facilities are provided.

~~472~~170. Special Gateways/Highway Corridors: Those areas in the Town limits along both sides of State Route 69, State Route 89A, and Glassford Hill Road, located within six hundred sixty (660) feet of the edge of the right-of-way.

~~473~~171. Stable, Commercial: A stable for horses, mules or ponies which are let, hired, used or boarded on a commercial basis and for compensation.

~~474~~172. Stable, Private: A detached accessory building for the keeping of horses, mules or ponies owned by the occupants of the premises and not kept

for remuneration, hire or sale.

475173. Storage Area: One (1) or more completely walled areas, under roof, other than living, not accessible directly from the living area, and containing no operating utility appliances.
476174. Storage, Outdoor: Outdoor storage of materials, equipment, vehicles or trailers which are screened from view by screening walls. See, Subsection 13-26-050(D)(2)
477175. Story: Any portion of a building included between the floor at any point and the finished ceiling next above it or the finished undersurface of the roof over that particular floor. The ground story or first story of any building is the lowest story the ceiling of which is more than six (6) feet above the average contact ground level at the exterior walls of the building. The mezzanine story shall be deemed a full story where it covers more than thirty-three and one-third percent (33 1/3%) of the area of the ground story.
478176. Street: Any existing or proposed street, avenue, road, lane, parkway, place, bridge, viaduct or easement for public or private vehicular access, or a street in a plat duly filed and recorded in the County Recorder's office. A street includes all land within the public right-of way, whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges, and viaducts.
479177. Structure: The result of arranging materials and parts together and attached to a lot (such as buildings, tanks and fences), but not including tents or vehicles.
480178. Subdivision: See, Chapter 14
481179. Swimming Pool: Any constructed pool or other contained body of water that contains water eighteen inches or more in depth at any point and that is wider than eight feet at any point and is used for swimming, bathing or wading, whether above or below the ground surface.
482180. Tower (Wireless Telecommunications Facilities): Any structure, including any supports, designed and constructed substantially for the purpose of being or supporting one or more antennae. Alternative tower structures shall be deemed towers on the date a building permit is issued for modifications to enable their use as a tower.
483181. Transportation Terminal: A facility for loading and unloading freight for current distribution but not warehousing.
484182. Travel Trailer: (See Recreational Vehicle)
485183. Under Roof: The total area, exclusive of overhangs, measured in square feet, of the building area: includes porches, covered decks and breezeways.

~~186~~184. Use: The purpose for which a building, or lot or structure is arranged, designed, occupied or maintained.

~~187~~185. Use (Accessory): An "accessory use" is either a subordinate use of a building, other structure, or a tract of land, or a subordinate building or other structure:

- a. Whose use is clearly incidental to the use of the principal building or other structure, or use of land; and
- b. Which is customary in connection with the principal building, other structure, or use of land; and
- c. Which is located on the same zoned lot with the principal building, other structure, or use of land, and which is not a use specifically permitted in a less restricted district.

Accessory uses do not include towers, antennae and wireless telecommunications facilities and their accessory structures [except those towers, antennae and wireless facilities used solely for transmissions and receipt by a single use and not otherwise restricted within that district (including, but not limited to, amateur radio and devices necessary for a subscription to a commercial wireless provider service)].

~~188~~186. Use (Permitted): A use in a district which is allowed therein by reason of being listed among the "Permitted Uses" in the district, subject to the specific requirements of this Chapter.

~~189~~187. Use Permitted by Use Permit: A listed use in a zoning district which requires a use permit as a prerequisite and is subject to all conditions and requirements imposed by the Board of Adjustment in connection with issuing the use permit.

~~190~~188. Use, Primary: A use on a given lot which is the main or principal use. Single- or multiple-family dwelling units are the primary uses on residential parcels.

~~191~~189. Use (Private): A use restricted to the occupants of a lot or building together with their guests, where compensation is not received and where no commercial activity is associated with the same.

~~192~~190. Use (Public): A use (or building) located on public land to service public benefits (but not necessarily available to public admission).

~~193~~191. Use (Residential): Includes single- and multiple-family dwelling units, guest rooms, hotels, motels, mobile home courts, rooming and boarding houses, fraternity and sorority houses, convents, homes for the aged, and similar.

~~194~~192. Variance: A device that allows certain modifications in zoning

requirements such as fence heights, building setback, etc., if, because of special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, the applicant can prove to the Board of Adjustment that the strict application of existing zoning requirements would deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. The zoning district remains unchanged on lots where variances are granted.

~~195~~193. Vehicle: The result of arranging materials and parts together for conveyance over roads (whether or not self-propelled). Such is not deemed a structure in qualifying for a building permit, but as being accessory to the principal use on a lot [except that it is not accessory in connection with vehicular rental or sales agencies, storage of junked motor vehicles as defined in Subsection 10-03-020(A) (except as otherwise provided), and mobile/manufactured home courts].

~~196~~194. Visibility: On any corner lot, no building, fence, structure, shrubbery or planting that will obstruct street traffic visibility within a radius of ten (10) feet of the intersection of any two (2) street lines shall be permitted higher than three (3) feet.

~~197~~195. Wall: A barrier constructed of materials such as block, native stone, rock or wood stucco: not including barriers constructed with other materials not designed for walls.

~~198~~196. Warehouse: A building or buildings used for the commercial storage of goods where no retail or wholesale operations are conducted on the site.

~~199~~197. Weeds: See, Section 9-04-010

~~200~~198. Wireless Telecommunications: Any technology for transmitting telecommunications through the air.

~~201~~199. Wireless Telecommunications Facility: Any combination of one or more antennae, towers and/or structures or equipment used for the transmission of wireless telecommunications.

~~202~~200. Wholesale: The selling of goods of any type to retailers or jobbers for resale to the ultimate customer.

~~203~~201. Wrecking Yard: An open-land area used for the business of crushing and demolishing motor vehicles, trailers, machinery, equipment, and their parts, and the storage thereof.

~~204~~202. Yard: An open space at grade level between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

~~205~~203. Yard, Exterior Side (Required): An open, unoccupied space on the same lot with a main building situated between the building and a lot line adjacent to a street of a corner lot. That street boundary determined not to be the required front yard shall be the exterior side yard and shall extend from the front yard to the rear yard. Any lot line adjacent to a street that is not a front yard shall be deemed an exterior side yard.

~~206~~204. Yard, Front (Required): An open, unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The front yard of a corner lot is the yard adjacent to the shorter street frontage.

~~207~~205. Yard, Interior Side (Required): An open, unoccupied space on the same lot with a main building situated between the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line, front line, or an exterior side yard line shall be deemed an interior side yard line. An interior side yard is adjacent to a common lot line.

~~208~~206. Yard, Rear (Required): An open space on the same lot with a main building between the rear line of the building and the rear line of the lot extending the full width of the lot.

~~209~~207. Yard, Required: A line that marks the minimum distance a structure must be located from the property line to the closest point of the foundation or any supporting post or pillar of any building or structure related thereto which establishes the minimum required front, side or rear yards space of a building plot.

~~210~~208. Zoning Administrator: The officer of the Town of Prescott Valley charged with the administration of this Chapter.

~~211~~209. Zoning District: A zoned area in which the same zoning regulations apply throughout. See, Section 13-05-060

(Ord. No. 8, Enacted, 06/28/79; Ord. No. 9, Enacted, 06/28/79; Ord. No. 27, Amended, 04/24/80; Ord. No. 37, Rep&ReEn, 09/04/80; Ord. No. 47A, Amended, 11/25/80; Ord. No. 58, Amended, 09/24/81; Ord. No. 82, Amended, 05/26/83; Ord. No. 115, Amended, 08/08/85; Ord. No. 161, Amended, 11/12/87; Ord. No. 162, Amended, 11/12/87; Ord. No. 178, Ren&Amd, 05/26/88, 14-01-040,,13-02-010; Ord. No. 185, Amended, 10/27/88; Ord. No. 279, Amended, 06/25/92; Ord. No. 282, Amended, 10/22/92; Ord. No. 295, Amended, 07/22/93; Ord. No. 341, Amended, 11/03/94; Ord. No. 361, Amended, 04/13/95; Ord. No. 362, Amended, 04/13/95; Ord. No. 375, Ren&Amd, 12/28/95, 13-02; Ord. No. 392, Amended, 06/27/96; Ord. No. 403, Amended, 10/24/96; Ord. No. 439, Amended, 06/25/98; Ord. No. 458, Amended, 04/08/99; Ord. No. 552, Amended, 03/13/03; Ord. No. 559, Amended, 07/10/03; Ord. No. 588, Amended, 03/25/04; Ord. No. 603, Amended, 08/26/04; Ord. No. 619, Amended, 03/24/05; Ord. No. 647, Amended, 01/26/06; Ord. No. 676, Amended, 01/11/07; Ord. No. 809, Amended, 09/24/15; Ord. No. , Amended, _____)

SECTION 2. That Section 13-06-020 “Use Regulations” in Article 13-06 “R1L (RESIDENTIAL; SINGLE FAMILY LIMITED)” in Chapter 13 “ZONING” of the Town Code is hereby amended to read as follows:

13-06-020 Use Regulations.

A. Uses Permitted:

...

11. Vacation Rental/Short-Term Rental, as defined in A.R.S. §9-500.38(D)(2), subject to the following:

- a. Owners of vacation rental/short-term rental properties shall be subject to the business licensing requirements set forth in Article 8-02.
- b. Owners shall provide all parking for guests on site in accordance with Article 13-24 "Off-Street Parking Requirements" of this Code.
- c. Owners and guests shall comply with all applicable requirements of this Code, including those related to noise, fireworks, prostitution, offensive premises, nuisance lighting, refuse collection and property maintenance.
- d. Use of a vacation rental/short-term rental for the purposes of housing sex offenders, operating or maintaining a structured sober living home, selling illegal drugs, liquor control or pornography, obscenity, nude or topless dancing and other adult-oriented businesses is strictly prohibited.
- e. Owners shall provide guests with a 24-hour emergency point of contact.

B. Uses Permitted by Use Permit: The following uses may be permitted within the district subject to Use Permit application and hearing procedures set forth under Section 13-21-110.

1. Essential public utility buildings and facilities.
2. Golf courses, including club houses, pro shops, etc. located thereon, but not including miniature courses or practice driving tees operated for commercial purposes.
3. ~~Bed and Breakfast, Lodging~~
 - a. ~~Bed and Breakfast:~~
 - (1) ~~Occupancy is limited to two (2) adults per guest bedroom, plus 2 additional guests with a maximum limit as stated in the Use Permit.~~
 - (2) ~~Non-transferable Use Permits will initially be issued for a 2-year term renewable for additional 2-year terms on approval by the Community Development Director.~~

- ~~(3) Permittees shall obtain a Town of Prescott Valley business license in accordance with Chapter 8 of this Code.~~
- ~~(4) Permittees shall provide all parking for guests on site in accordance with Article 13-24 "Off-Street Parking Requirements" of this Code.~~

~~b. Lodging:~~

- ~~(1) Occupancy is limited to 2 adults per guest bedroom, plus 2 additional guests with a maximum limit as stated in the Use Permit.~~
- ~~(2) Non-transferable Use Permits will initially be issued for a 2-year term renewable for additional 2-year terms on approval by the Community Development Director.~~
- ~~(3) Permittees shall obtain a Town of Prescott Valley business license in accordance with Chapter 8 of this Code.~~
- ~~(4) Maximum occupancy and approved use regulations set forth in this Section and in the Use Permit shall be posted on site in a conspicuous location within each dwelling unit.~~
- ~~(5) All rental agreements shall contain the approved use regulations.~~
- ~~(6) The permittee or agent shall meet guests upon their arrival and supply 24-hour contact information.~~
- ~~(7) Advertisements (including web site advertisements) shall contain the approved use regulations.~~
- ~~(8) Lodging shall comply with all applicable requirements of this Code, in particular requirements related to noise, fireworks, prostitution, offensive premises, nuisance lighting, refuse collection and property maintenance.~~
- ~~(9) Permittees shall provide all parking for guests on site in accordance with Article 13-24 "Off-Street Parking Requirements" of this Code.~~

43. Model homes and Model Homes Complexes, as herein defined, that are not approved pursuant to the Planned Area Development Process in Article 13-19. subject to the following:

...

54. Towers, antennae and wireless telecommunications facilities that comply with the requirements of this Chapter.

(Ord. No. 9, Enacted, 06/28/79; Ord. No. 37, Rep&ReEn, 09/04/80; Ord. No. 78, Amended, 03/11/83; Ord. No. 112, Amended, 06/06/85; Ord. No. 136, Amended, 08/28/86; Ord. No. 137, Amended, 08/28/86; Ord. No. 167, Amended, 12/10/87; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 187, Amended, 10/27/88; Ord. No. 279, Amended, 06/25/92; Ord. No. 282, Amended, 10/22/92; Ord. No. 392, Amended, 06/27/96; Ord. No. 439, Amended, 06/25/98; Ord. No. 603, Amended, 08/26/04; Ord. No. 638, Amended, 10/13/05; Ord. No. 647, Amended 01/26/06; Ord. No. 785, Amended, 01/23/14; Ord. No. 809, Amended, 09/24/15; Ord. No. 816, Amended, 05/26/16; Ord. No. _____, Amended, _____)

SECTION 3. That Section 13-24-050 “Off-Street Parking Requirements (Minimum)” in Article 13-24 “OFF-STREET PARKING REQUIREMENTS” in Chapter 13 “ZONING” of the Town Code is hereby amended to read as follows:

13-24-050 Off-Street Parking Requirements (Minimum).

...

B. Requirements: Except in the Agricultural districts, for every structure or part thereof hereafter erected, or for any building converted to such uses or occupancy, or any addition thereto, there shall be provided on the premises, accessible off-street parking as set forth in the following:

1. Residential Use:	Spaces Required:
a. One (1) or two (2) family residences	2 per dwelling unit
b. Multiple family dwellings	
Efficiency and one (1) bedroom units unit	1 1/2 per dwelling unit
Two (2) or more bedrooms	2 per dwelling unit
c. Rooming houses, fraternities, sororities, lodging, bed and breakfasts <u>vacation rental/short-term rental</u>	1 per sleeping/guest room
d. Mobile/manufactured home parks and subdivisions	2 per dwelling unit
e. Model homes	5 per dwelling unit

...

(Ord. No. 9, Enacted, 06/28/79; Ord. No. 37, Ren&Amd, 09/04/80, 13-23-010; Ord. No. 151, Amended, 07/02/87; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 279, Amended, 06/25/92; Ord. No. 282, Amended, 10/22/92; Ord. No. 381, Amended, 03/28/96; Ord. No. 399, Amended, 10/10/96; Ord. No. 809, Amended, 09/24/15; Ord. No. _____, Amended, _____)