

Section 29 REGULATIONS FOR GENERAL COMMERCIAL OR “C-2” ZONE

A. Purpose

The C-2 zone is primarily intended to provide for those professional office uses and retail commercial uses that serve the community as a whole. These commercial uses would be of a larger scale and a wider scope than uses in the Neighborhood Commercial zone.

B. General Requirements

1. Residential uses shall comply with their respective residential yard requirements.
2. All applicable provisions of Sections 35, 36, 37, 38 and 42 shall apply to this zone.
3. Manufactured homes or recreational vehicles are prohibited for commercial use. Manufactured or factory-built buildings constructed as commercial units are allowed in this zone.
4. A view-obscuring device, shall be as per Section 37.E.4.
5. A kennel may be permitted as allowed by Section 37.J.

C. Uses Permitted

1. Any use permitted in a C-1 zone.
2. Retail sales and services only, contained within an enclosed structure as follows:

Light auto servicing, bakeries, baths, billiard or pool halls, bowling alleys, copying shops, cleaning and pressing establishments, clubs, furniture stores, hardware stores, interior decorating shops, liquor stores, public parking areas, restaurants, tea rooms and cafes, including on and off sale of alcoholic beverages, studios, upholstery shops, bars and taverns, and other uses of similar description and accessory structures related to and necessary for the operation of the primary uses.
3. Any lot or parcel currently zoned C-2, fronting on or along major State or County Highways 95, 68, 66 or 93 that comply with the lot area requirements for the C-2H zone, per Section 35, may have any open lot sales and display uses permitted in the C-2H zone.
4. Wireless communication towers and facilities with a maximum antenna height of fifty (50) feet (see Section 37.R).
5. Churches.
6. Community Gardens.

**Section 29 REGULATIONS FOR GENERAL COMMERCIAL OR “C-2” ZONE
(continued)**

7. Any structure built wholly, or in part, for single family residential purposes, or any building or structure moved onto the property for residential purposes as long as it is in conjunction with a commercial use.

D. Uses Allowed After Acquiring a Special Use Permit

1. Recreational Vehicle Parks and Manufactured Home Parks (see Sections 37.G and 37.F).
2. Retail plant nurseries.
3. Swap meets (see Section 37.I).
4. Wireless communication towers and facilities with an antenna height of fifty-one (51) feet to one hundred ninety-five (195) feet (see Section 37.R).

Section 35 SETBACKS AND AREA REQUIREMENTS (continued)

B. Specific Requirements

ZONE	MINIMUM LOT AREA	MAXIMUM (HEIGHT)	MINIMUM SETBACKS FROM PROPERTY LINE		
			FRONT	SIDE	REAR
A	5 Acre	(35')	20'	5'	25' ^a
A-D ^d	1 Acre ^c	(60') (100)	25' 25'	5' 25'	15' ^a 25' ^e
A-R	1 Acre	(35')	15'	5'	15' ^a
R-E	20,000	(35')	15'	5'	15' ^a
C-RE	20,000	(45')	15'	5'	15' ^a
R-O	6,000	(35')	15'	5'	15' ^a
R-O/A	1 Acre	(35')	15'	5'	15' ^a
R-1	6,000	(35')	15'	5'	15' ^a
R-2	4,000 sq ft per Dwelling Unit	(40')	15'	5' ^h	15'
R-RV	2,500 3,200 ^l	(35')	15'	5'	10'
R-MH	6,000	(35')	15'	5'	10'
R-M	6,000	(40')	15'	5'	15' ^a
C-1	6,000	(45')	10'	0'	0 - 15' ^b
COR	6,000	(60') ^{k, m}	10'	0'	0 - 15' ^b
C-2	6,000	(60') ^m	10'	0'	0 - 15' ^b
C-2H ^c	1 Acre	(60') ^m	10'	0'	0 - 15' ^b
C-MO ^c	1 Acre	(60') ^m	10'	0'	20'
M-1	1 Acre	(60')	10'	0'	20'
M-2	1 Acre	(120')	10'	0'	20'
M-X	1 Acre	^r	10'	0'	20'
S-D	TO BE DETERMINED WITH APPROVAL OF DESIGN ^e				
PAD	TO BE DETERMINED WITH APPROVAL OF DESIGN ⁱ				
R-CL	TO BE DETERMINED WITH APPROVAL OF DESIGN ^j				

Section 35 SETBACKS AND AREA REQUIREMENTS (continued)

- a. A 10-foot rear yard setback is allowed in conjunction with a mobile or a manufactured home. See also Section 37.C.
- b. No setback when rear property line is adjacent to commercial or manufacture zoned property. Fifteen foot setback when rear property line is adjacent to residentially zoned property or an alley adjacent to residentially zoned property.
- c. A 10,000-square-foot-minimum lot size is allowable in C-2H or C-MO zones when the property is serviced by a public, franchised water supply.
- d. A 20,000-square-foot-minimum lot size is allowable in A-D zones when the property is serviced by a public, franchised water supply.
- e. The intent of this provision is to encourage flexibility of design that will enable the developer to take advantage of the most desirable site areas of the parcel in question, without being restricted to specific lot sizes and densities, as long as the overall densities of the entire tract conform to their minimum zone requirements. See Section 25 of this Ordinance (Regulations for Special Development).
- f. Heights in these zones will be determined by building and fire code requirements and the General Requirements of the zone.
- g. Buildings from 61' to 100' in height, or portions above 60' in height, shall have 25' setbacks for front, side and rear yards. Buildings may be stepped with any portion over 60' being 25' or more from property lines.
- h. Except zero-lot line / single family attached projects may have a 0' setback along common walls, and a 10' setback for side yard not along a common wall.
- i. The intent of this provision is to encourage flexibility of design that will enable the developer to take advantage of the most desirable site areas of the parcel in question, without being restricted to specific lot sizes and densities, as long as the overall densities of the entire tract conform to their minimum zone requirements. Section 26 Regulations for Planned Area Development or "PAD" Zone. Within commercial sub-zones building height up to sixty (60) feet may be approved.
- j. The intent of this provision is to encourage flexibility of design that will enable the developer to take advantage of the most desirable site areas of the parcel in question, without being restricted to specific lot sizes and densities, as long as the overall densities of the entire tract conform to their minimum zone requirements. See Section 12.1 of this Ordinance (Regulations for Residential Cluster Overlay).

Section 35 SETBACKS AND AREA REQUIREMENTS (continued)

- k. Generally a minimum of two (2) stories. See Section 28.
- l. Minimum lot size for a manufactured home in a RV zone.
- m. The Director may approve a 20% increase in height when such an increase is justified based on function and design. Height increases above 20% must be approved, as a Zoning Use Permit, by the Board of Supervisors, after a recommendation from the Planning and Zoning Commission.

C. Maximum Permissible Density of Lot Coverage

- 1. Except as provided in this Section, the maximum density of lot coverage for single family residential uses (including accessory buildings and storage), in any residential zone classification, shall not exceed sixty percent (60%).
- 2. An open swimming pool shall not be considered in calculating the percentage of lot coverage.

Section 36 OFF-STREET PARKING STANDARDS

A. Parking Required for All Structures and Uses

For all buildings, structures, or uses hereafter erected, constructed, reconstructed, moved or altered, off-street parking shall be provided.

1. Off-Premise Parking

- a. Parking may be provided on property where provisions are made to reserve the property for this use. Such parking spaces shall be located on the same property as the main use, or within five hundred (500) feet of the building or use, or a combination thereof. Approval for off-premise parking spaces located within five-hundred (500) feet of the proposed use shall not be granted unless a written parking agreement is made to reserve the property for this use and a copy of the parking agreement is provided to and approved by the Director.
- b. Parking agreements shall be in a form approved by the County, identifying:
 - 1) The number of vehicle spaces provided for each land use activity(ies); and
 - 2) The dates and times when said activities are conducted.
- c. Parking agreements shall be recorded with the County Recorder's Office prior to occupancy or use of said property or facilities.
- d. Off-premise parking may be located over five hundred (500) feet from the proposed use upon Planning Commission review and approval of a parking management plan.

2. No portion of the parking area other than necessary drives shall extend into any street or other public way.

3. When the use of any existing building, structure, or premises is changed to a new use, or the intensity of the use is increased as a result of a single change or cumulative changes resulting in an increase in the total number of required parking spaces by more than ten percent (10%) of that shown on the originally approved site plan, then parking and loading facilities as required shall be provided for the entire building, structure or premises. When such an increase in required parking is less than ten percent (10%) cumulatively, the change of use or intensity is considered in compliance with this Section.

4. Combination of Uses on One Property

If more than one use is conducted on a property, parking requirements shall be maintained for each use, and combined for the total required parking.

Section 36 OFF-STREET PARKING STANDARDS (continued)

5. Joint Use of Required Parking Spaces

- a. One (1) parking area may contain required spaces for several different uses but, the required space assigned to one (1) use may not be credited to any other use, except as otherwise provided in this Section.
 - b. To the extent developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday, but is generally ninety percent (90%) vacant on the weekends, another development that operates only on weekends could be credited with ninety percent (90%) of the spaces on that lot. Or, if a church parking lot is generally occupied only to fifty percent (50%) of capacity on days other than Sunday, another development could make use of fifty percent (50%) of the church's spaces on those other days.
 - c. Joint use parking agreements shall not be granted unless a written parking agreement is made to reserve the property for this use and a copy of the parking agreement is provided to and approved by the Director. Joint use parking agreements shall be in a form approved by the County identifying:
 - 1) The number of vehicle spaces provided for each land use activity(ies);
 - 2) The dates and times when said activities are conducted.
 - d. Joint use parking agreements shall be recorded with the County Recorder's Office prior to occupancy or use of said property or facilities.
6. Parking shall be provided in quantities stated in this Section, except that certain uses have additional requirements stated therein. The issuance of building permits or Certificates of Occupancy shall require compliance with the minimum parking standards.

B. Improvement of Parking Areas

All parking areas and drives leading thereto shall be ready for use upon occupancy of a building. Except parking areas and drives serving single-family dwellings, all parking areas and drives shall meet or exceed the following standards:

1. In Urban Development Areas, all parking areas and drives leading thereto shall be surfaced with a permanent, bituminous or concrete paving meeting the standards of the County, at a minimum, prior to the issuance of a Certificate of Occupancy, unless a special permit is granted by the County Engineer due to weather conditions preventing the placement of materials. Alternative materials that are equivalent or better may be approved by the County Engineer.

Section 36 OFF-STREET PARKING STANDARDS (continued)

2. In Suburban Development Areas and Rural Development Areas, all parking areas and drives leading thereto shall be surfaced with a permanent, bituminous or concrete paving meeting the standards of the County prior to the issuance of a Certificate of Occupancy when the street by which the parking area is accessed is similarly paved. When the access street is constructed to a lesser standard, or the parking lot contains no more than twelve (12) parking spaces, the parking area and drives leading thereto shall be surfaced in the same manner as the street. All handicapped spaces must be surfaced in a manner consistent with the Americans with Disabilities Act (A.D.A.).
3. The Director may allow the use of materials that do not meet the standards in Section 36.B.1 and 2 above as provided below:
 - a. In Urban Development Areas that are not developing with urban uses, urban densities or urban facilities at the time of the application or request, the Director may approve parking lot materials that meet the standards for Suburban Development Areas and Rural Development Areas as stated in Section 36.B.2.
 - b. The Director may approve a gravel surfacing that complies with the standard approved by the Mohave County Board of Supervisors when the land uses involved are intermittent, occurring not more than three days per week.
 - c. The Director may approve a gravel surfacing that complies with the standard approved by the Mohave County Board of Supervisors in Rural Development Areas when the use requires a total of twelve (12) or fewer parking spaces.
4. All parking lots and drives leading thereto, except those serving one-family dwellings, shall have drainage facilities approved by the County Engineer.
5. All parking areas shall have adequate ingress and egress to and from a street. Alleys may provide secondary access to parking areas, but shall not provide primary access. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails, or other barriers, shall be provided where needed for safety or to protect property as determined by the Development Services Department.
6. Backing into a road or alley is prohibited.

C. Access to Parking Areas

Ingress and egress to all parking areas, garages and carports shall be by means of driveways established in conformance with Section 36.B of these Regulations and Mohave County Public Works standards.

Section 36 OFF-STREET PARKING STANDARDS (continued)

D. Dimensions of Parking Areas

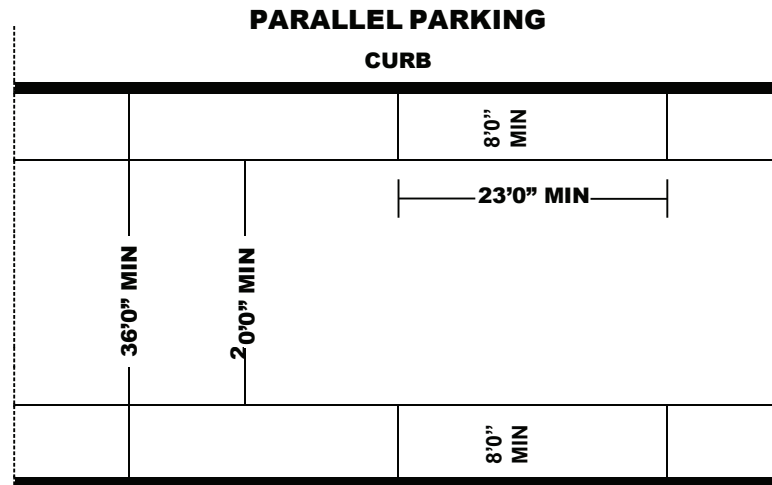
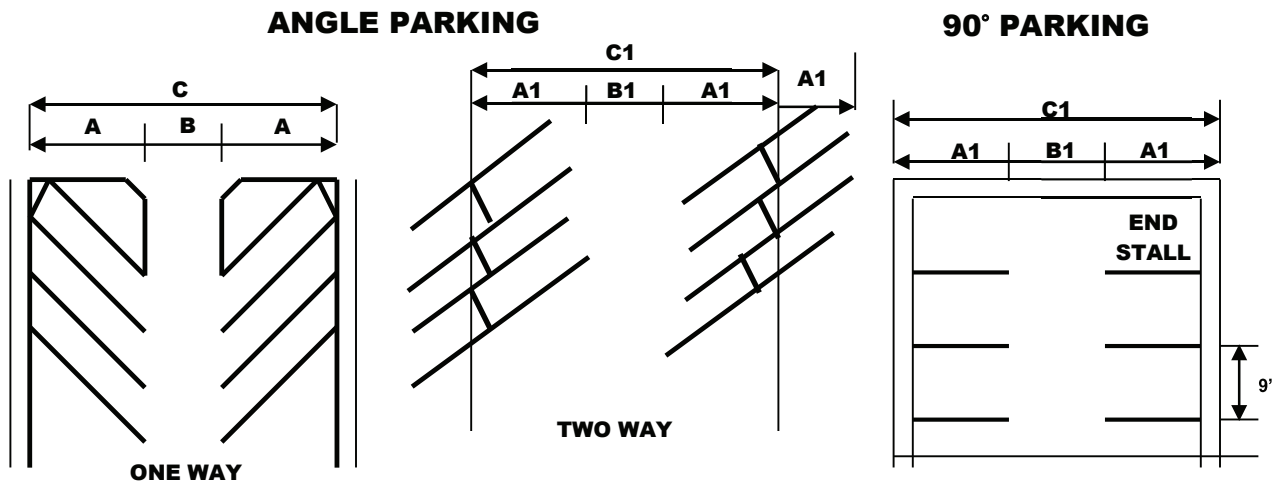
1. Standard parking stall dimensions shall not be less than nine (9) feet by nineteen (19) feet, plus necessary space for maneuvering into and out of the space. All parking areas must meet the minimum standard specified in Table 36-1. Where the end of the parking space abuts a curbed area at least four (4) feet in width (with landscaping or sidewalk), an overhang may be permitted which would reduce the length of the parking space by two (2) feet. Such overhang shall be measured from the face of the curb.
2. Minimum dimensions for parallel parking space shall be eight (8) feet by twenty-three (23) feet.
3. Dimensions for parking spaces for individuals with disabilities are to comply with the Americans with Disabilities Act (A.D.A.). Please refer to www.ada.gov

TABLE 36-1

MINIMUM PARKING AREA STANDARDS

	ONE WAY			TWO WAY		
	A	B	C	A1	B1	C1
ANGLE OF PARKING	DEPTH OF STALL	AISLE WIDTH	WIDTH OF MODULE	DEPTH OF STALL	AISLE WIDTH	WIDTH OF MODULE
30	19'-0"	12'-0"	50'-0"	19'-0"	24'-0"	62'-0"
45	19'-0"	13'-0"	51'-0"	19'-0"	24'-0"	62'-0"
60	19'-0"	18'-0"	56'-0"	19'-0"	24'-0"	62'-0"
90	NA	NA	NA	19'-0"	25'-0"	63'-0"

Section 36 OFF-STREET PARKING STANDARDS (continued)



E. Setbacks

1. Parking areas in conventional zoning districts shall be set back as follows:
 - a. For a non-residential use in any residential district, no parking spaces shall be located within five (5) feet of any right-of-way; non-parking areas must be maintained such that they are clear of weeds and miscellaneous debris.
 - b. In commercial and industrial districts, no parking spaces shall be located within five (5) feet of any street right-of-way; non-parking areas must be maintained such that they are clear of weeds and miscellaneous debris.

Section 36 OFF-STREET PARKING STANDARDS (continued)

F. Screening

Where a parking area adversely affects adjacent property, the parking area shall be screened by a wall, fence or screen planting of an adequate height but no less than three (3) feet in height. In specific cases, the Development Services Department may require that any wall, fence or screen planting around a parking area shall be set back from a street if such setback will prevent adverse effects upon the appropriate use of adjacent property or will prevent a traffic hazard, but such setbacks need not be greater than the respective front or side yard requirement applicable to the zoning district.

G. Parking for Specific Uses

Off-street parking facilities shall conform to the following space minimum standards:

1. One-family dwellings. Two (2) spaces for each dwelling unit. Garages or carports shall be accepted.
2. Multiple family dwellings and apartment houses. One (1) space for each one (1) bedroom unit; one and one-half (1.5) space for each two (2) bedroom unit; and two (2) spaces for each three (3) or more bedroom unit.
3. Hotels, motels and guest ranches and similar uses. One and one-quarter (1.25) space for each guestroom.
4. Churches, auditoriums, theaters, stadiums, multipurpose rooms, and other places of public assembly. One (1) space for each four (4) seats.
5. Hospitals. One (1) space for each bed and one (1) space for each two (2) employees on the largest shift.
6. Homes for aged, sanitariums, and convalescent homes. One (1) space for each three (3) beds.
7. General business not otherwise specified in this section. One (1) space for each three hundred (300) square feet of sales or display area.
8. Furniture and appliance stores. One (1) space for each seven hundred fifty (750) square feet of sales or display area.
9. Automobile, boat, manufactured home or trailer sales or rental, retail nurseries and other such commercial uses not in a building or structure. One (1) space for each two thousand (2,000) square feet of display area, and off-street loading and maneuverability shall be provided on the premises.
10. Enclosed Storage Units. One (1) space per one hundred (100) storage units or fraction thereof, plus two (2) spaces if an on-site residence is provided.

Section 36 OFF-STREET PARKING STANDARDS (continued)

11. Bowling alleys. Three (3) spaces for each alley.
12. Golf Courses. Three (3) spaces for each hole plus 50% of the minimum number of spaces required for any accessory uses.
13. Offices, business and professional. Three (3) spaces for each one thousand (1,000) square feet of gross leasable floor area.
14. Dining rooms, bars, taverns, nightclubs, restaurants, cafes, and similar uses involving the seating and serving of the public. One (1) space for every two (2) employees on the largest shift, plus one (1) parking space for each fifty (50) square feet of indoor serving area, plus one (1) parking space for each one hundred (100) square feet of outdoor serving area. The serving area shall exclude areas designed for restrooms, storage, or other non-public purposes.
15. Drive-through service windows. Drive-through window uses shall also provide reserved parking and/or stacking room for drive-through customers at a rate of five (5) vehicles per drive-through window.
16. Drive-in restaurants. One (1) space for each thirty (30) square feet of gross floor area in the building, and one (1) space for each two (2) employees on the largest shift.
17. Industrial uses. One (1) space for each two (2) employees on the largest shift, plus one (1) space for each vehicle kept in connection with the use and on-premise loading and maneuverability shall be provided.
18. Child day care centers. One (1) space for each two (2) employees plus one (1) space for each five (5) children the facility is designed to accommodate.
19. Schools through ninth (9th) grade. One and one-half (1.5) parking spaces per classroom, plus any applicable requirement in subparagraph (4) above.
20. Schools, tenth (10th) grade through twelfth (12th) grade. Ten (10) parking spaces per classroom.
21. Colleges, business, professional, and trade schools. One (1) space for each two (2) students which the facility is designed to accommodate.

Any use not included in the parking requirements in this title shall be assigned a parking requirement by the Director based on documentation of parking calculations for similar uses.

Reductions to the above parking standards may be granted by the Director based upon documentation provided by the developer justifying the reduced parking.

Section 36 OFF-STREET PARKING STANDARDS (continued)

H. Off-Street Loading Area

Off-street loading areas shall comply with all of the provisions of this Section and any other applicable Section. Loading areas must be adequate to serve the uses and categories of uses proposed and shall be determined at time of site plan review.

I. No commercial repair work or servicing of vehicles shall be conducted in a parking area.

J. All outdoor lighting shall comply with Section 38.

K. Parking for individuals with disabilities shall be provided in accordance with [A.R.S. §41.1492](#) et seq., the Americans with Disabilities Act (A.D.A.) and the Fair Housing Act. Please refer to www.ada.gov and <http://www.fairhousingfirst.org/> for regulations.

Section 37 GENERAL PROVISIONS

A. Special Uses The following uses may be permitted in zones in which they are not specifically permitted by this Ordinance, where such uses are deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the General Plan.

In each instance, the matter shall be processed as a Special Use Permit.

1. Airports or aircraft landing fields, permanent public utility facilities (does not include distribution lines), and communications installations, and public and private sanitary landfills.
2. Cemeteries, columbariums, crematories and mausoleums.
3. Establishments of temporary or permanent enterprises involving large assemblages of people or automobiles, including amusement parks, circuses, fairgrounds, open-air theaters, race tracks, and recreational centers.
4. Layout and construction of model homes and their use as sales office in an approved subdivision prior to Final Plat recordation.
5. General Commercial uses that are permitted without a Special Use Permit for the older mining communities of Oatman and Chloride when the General Commercial uses will support tourist activities and are within established commercial areas.
6. Renewable energy projects on properties zoned A (General), A-R (Agricultural-Residential), A-D (Airport Development), R-E (Residential Recreation) or M-2 (General Manufacturing). An applicant shall demonstrate that neighboring uses will be adequately buffered.

B. Building Sites

1. Temporary construction trailers are allowed with any active construction site, as evidenced by an active building permit or a valid, current contract with a government entity.
2. If more than one (1) lot, a portion of a lot, or portions of lots are used as a building site, setbacks will be considered for the combined area as a "lot" for the use approved thereon as long as it qualifies as a building site.
3. Except as otherwise allowed by this Ordinance, only one (1) single family dwelling may be established on any one (1) lot or building site.
4. Two (2) or more mobile or manufactured homes that were manufactured as separate single family dwellings shall not be permitted as one (1) single family residence regardless of modifications proposed. Only those units originally manufactured to be transported in sections and connected on site shall be permitted as a single-family dwelling.

Section 37 GENERAL PROVISIONS (continued)

5. Lot size for lots and parcels less than 5.0 acres shall be determined based upon the area of the lot or parcel exclusive of easements for road purposes, or “net” lot size. Notwithstanding other provisions of this Ordinance, lot size for parcels of 5.0 acres and larger shall be determined based upon the area of the lot or parcel including easements.
6. Model homes, with or without, sales offices are permitted in all residentially zoned subdivisions and developments under the following stipulations:
 - a. General Provisions.
 - 1) Structures built or installed for the purpose of a model home, with or without a sales office, shall comply with the allowed residential types and densities of the zone in which they are located and shall be consistent with the structure type and architectural type expected in the subdivision or development.
 - 2) All required zoning, building, and flood plain permits will be obtained before beginning construction of any structures.
 - 3) All construction details submitted for permits shall show the location of the office within any model home that is to be used for sales.
 - 4) Model homes, with or without sales offices, cannot be used to sell lots or homes outside the subdivision in which they are located.
 - 5) When the use of the model home as a sales office has ceased and the sale of the home is imminent, all changes made to accommodate the sales office will be removed and the model home will be converted back to a single-family dwelling and it will be inspected for compliance with the appropriate codes. The model home may not be sold until the recordation of the Final Plat.
 - 6) Model homes, with or without sales offices, cannot be inhabited as long as they function as model homes.
 - b. In addition to the General Provisions above, building permits for model homes, with or without sales offices, may be issued before the Final Plat is recorded, provided that the following apply:
 - 1) All model homes, with or without sales offices, shall have an approved Special Use Permit prior to beginning construction.
 - 2) Future/proposed lots to be used as building sites will be surveyed and staked according to the accepted surveying principles by an Engineer or Land Surveyor registered as such in the State of Arizona. The surveyed lots will have the same configuration as the approved preliminary plat.

Section 37 GENERAL PROVISIONS (continued)

C. Projections into Yards.

1. Cornices, eaves, sills, buttresses, bases, fireplaces and similar projections.
 - a. May extend or project not more than two (2) feet into any required front yard.
 - b. Extending into the required rear yard shall be counted as part of the percentage occupancy of that yard.
 - c. May project or extend into the required side yard except that two and one-half (2.5) feet shall be maintained between lot lines, and a vertical projection of the furthest point of overhang or projection.
2. Any open unenclosed stairway not covered by a roof or canopy may extend or project the extent defined in (1) above.
3. Extensions or projections shall not encroach into easements or rights-of-way.

D. Location of Accessory Buildings

Detached accessory buildings

1. May be constructed anywhere the main building would be permitted.
2. Shall not encroach on any required front yard or side yards.
3. Require a primary residence to be established, or at a minimum proposed, as evidenced by an approved building permit prior to issuing a permit for an accessory or incidental structure in R-O, R-1, R-RV, R-MH, and R-O/A zones. (Item 3 will not apply in A-R and R-E zones.)
4. For residential lots 20,000 square feet or less, detached storage sheds and other accessory structures less than 120 square feet and a maximum of ten (10) feet in height, may be placed within the standard rear setback area, but no closer than five (5) feet from the rear property line, provided that the accessory structure does not encroach on easements or rights-of-way. Accessory structures allowed by this provision shall be included when calculating the percentage of lot coverage. This provision shall not be construed to allow placement of garages or other permanent accessory structures, except as otherwise allowed by this Ordinance.

E. Fences, Hedges, and Similar Structures

1. Corner Lots.
 - a. Visibility at intersections in residential districts: On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to

Section 37 GENERAL PROVISIONS (continued)

grow within twenty (20) feet of the intersection in such a manner as materially to impede vision, between a height of two and one-half (2.5) feet and ten (10) feet above the center line grades of the intersecting streets in the area, bounded by the street lines of such corner lots, and a line joining points along said street lines fifty (50) feet from the point of intersection.

- b. On a corner lot, fences, walls, and hedges, in or along the secondary frontage, will not be subject to front yard limitations.
2. Fences, walls, and hedges: Except as provided in Sections 37.E.1 and 37.E.4, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, subject to the following:
- a. Fences, walls, and hedges four (4) feet or less in height are allowed in the required front yard, or along the edge of the front yard.
 - b. Fences, walls, and hedges more than four (4) feet in height are allowed in the required front yard, or along the edge of the front yard where the front lot line of the front yard is not within or adjacent to an easement or right-of-way for ingress and egress, or is shared in common with the side or rear lot line of the adjacent parcel.
 - c. Fences, walls, and hedges may be permitted in any required side, rear, or secondary frontage yard, or along the edge of any such yard, except as provided in Section 37.E.1 for corner lots in residential districts.
 - d. Retaining walls over four (4) feet in height may be placed in any required front yard, provided that the retained material is no more than one (1) foot below the top of the retaining wall. In all other circumstances, a retaining wall is subject to the general provisions for fences, walls, and hedges. The retained material shall be level with or slope downward toward the retaining wall, unless otherwise required for compliance with adopted building codes.
 - e. For parcels one acre or larger, perimeter fencing within the required front yard over four (4) feet in height, that does not obstruct or obscure view, is allowed. View obscuring fences, walls, and hedges over four (4) feet in height are allowed in the required front yard, or along the edge of the front yard, provided that:
 - 1) A Building Permit or Zoning Permit is obtained for construction of the fence or wall.

Section 37 GENERAL PROVISIONS (continued)

- 2) The fence or wall design and placement is approved by the Mohave County Engineer during the permitting process or prior to commencement of construction to insure that the fencing does not pose a traffic safety hazard and is not placed within a public right-of-way or easement.
 - 3) Vehicle gates shall be placed at least twenty (20) feet from the traveled portion of the roadway so that a passenger vehicle stopped for the opening or closing of the gate does not extend into the traveled portion of a roadway.
3. Except for the franchised utilities, public and private sewage system, and special use covered by a specific permit or lease agreement, no permanent structure shall be established by any individual, company, or corporation within a County road right-of-way or within any rights-of-way dedicated or easements granted for public use.
4. All commercial or industrial zones and uses will comply with the following standards. Standards for "view-obscuring" fencing shall apply whenever such fencing is required.
 - a. Building or Zoning Permits must be obtained for all perimeter fencing exceeding a construction cost of Five Hundred Dollars (\$500.00).
 - b. Any fencing within the required front yard may exceed four (4) feet in height, provided that the fence design and placement is approved by the Mohave County Engineer during the permitting process and/or prior to commencement of construction. Fencing exceeding four feet in height, constructed, or construction having commenced, within the required front yard requires a Building or Zoning Permit.
 - c. The height of the view-obscuring device shall be measured from the highest finished adjacent grade of the element to be obscured.
 - d. All lots/parcels shall comply with this Section in fencing, enclosure, enclosing, or containing of materials stored outside of any structure and for any work conducted outside of a building. Enclosure/containment fencing may be used to separate and view-obscure material storage areas outside of buildings so that fencing the perimeter would not be required.
 - e. When adjacent to residential uses, the entire perimeter view-obscuring device along interior property lines shall be installed in the first phase of development or construction. Any fencing will comply with the residential standards in paragraph H.5.a.

Section 37 GENERAL PROVISIONS (continued)

- f. View-obscuring structures will be required where any incompatible uses are abutting or adjacent to each other. Within A-D (Airport Development), M-1 (Light Industrial), M-2 (General Manufacturing), or M-X (Heavy Manufacturing) zones, a use shall not be presumed to be incompatible with abutting or adjacent uses with the same zoning except where the property is abutting or adjacent to a federal or state highway, a County defined arterial highway, or a frontage road paralleling and contiguous to any one of these.
- g. The view-obscuring structures shall be constructed of materials normally defined as fencing materials; masonry construction, wood, stone, brick, frame stucco, chain link with slats, earthen berms and shall not be reflective. Materials excluded are plastic sheeting, shade cloth, used garage doors, and recycled sheet metal that has not been re-manufactured as fencing material. Live vegetation materials are allowed if they are equivalent in effect to that required in the definitions of view-obscuring. Alternative fencing will require prior approval by the Director upon finding that the alternative fencing is equivalent in function and compatibility with typical fencing materials.
- h. Except within A-D (Airport Development), M-1 (Light Industrial), M-2 (General Manufacturing), or M-X (Heavy Manufacturing) zones, when materials are being stored outside or work is being conducted outside of the building, such portions of the lots/parcels shall be view-obscured from public right-of-ways, ingress and egress easements, or public access. Within A-D (Airport Development), M-1 (Light Industrial), M-2 (General Manufacturing), or M-X (Heavy Manufacturing) zones, when materials are being stored outside or work is being conducted outside of the building, such portions of the lots or parcels shall be view-obscured from an abutting or adjacent federal or state highway, a County defined arterial highway, or a frontage road paralleling and contiguous to any one of these. Within an A-D (Airport Development) zone, view-obscuring of lots or parcels from County defined arterial highways within the airport may be waived with the concurrence of the relevant Airport Authority.
- i. Man-made earthen berms will only be allowed on lots or parcels greater than two and one-half (2.5) net acres and shall have a minimum setback of five (5) feet. Natural-occurring berms can be used on lesser acreage and will not require a minimum setback. All man-made earthen berms will require grading permits as required by the adopted building code and will require a five (5) foot setback to the toe of the slope and maximum design slope is one and one-half (1.5) to one (1).
- j. All view-obscuring devices including earthen berms will be a minimum of six (6) feet.

Section 37 GENERAL PROVISIONS (continued)

- k. Fencing will extend two (2) feet above the highest item to be stored with the exception of mobile homes, manufactured homes, construction equipment, and intermodal freight containers (also called cargo containers, Conex boxes and other various names) in those commercial and industrial zones that allow open lot storage.
 - l. View-obscuring devices shall be installed and maintained for the duration of the uses requiring the screening to be in place.
 - m. The above enclosure requirement shall not apply to plant nurseries, or to the display for sale of new and used cars, trucks, trailers, mobile homes, or the use and sale of farm and construction equipment in operational condition.
 - n. Intermodal freight containers shall not be stacked on top of other such containers, except in M-2 (General Manufacturing), M-X (Heavy Manufacturing), or A-D (Airport Development) zones.
5. Standards for Residential Uses.
- a. A required view-obscuring device shall be constructed of materials normally designed for fencing purposes, not to include plastic sheeting, shade cloth, used garage doors, or recycled sheet metal that has not been re-manufactured as fencing material. This limitation does not include any material that is designed for fencing materials.
 - b. View-obscuring fencing shall be of sufficient height so that stored items, excluding large vehicles, intermodal freight containers and stored mobile homes or manufactured homes, shall not be visible above the required screening.
 - c. Live vegetation may be substituted if it is equivalent in effect to that required in the definition of view-obscuring, and it is maintained to that standard. The plants must grow and be maintained at a height of six feet within three years of planting.