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ORDINANCE NO. PZ-C-003-12

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA, RELATING TO ZONING AND AMENDING THE PINAL COUNTY DEVELOPMENT SERVICES CODE, TITLE 2 (COUNTY ZONING ORDINANCE), CHAPTER 2.185 "OUTSIDE STORAGE AND PARKING;" CHAPTER 2.105 "CI-1 LIGHT INDUSTRY AND WAREHOUSE ZONE;" CHAPTER 2.325 "C-3 "GENERAL COMMERCIAL ZONING DISTRICT;" CHAPTER 2.330 "I-1 INDUSTRIAL BUFFER ZONING DISTRICT;" CHAPTER 2.335 "I-2 LIGHT INDUSTRIAL AND WAREHOUSE ZONING DISTRICT;" AND CHAPTER 2.340 "I-3 INDUSTRIAL ZONING DISTRICT"

WHEREAS, the Board of Supervisors on February 10, 2010, approved the codification of all Development Services ordinances, and the codification as the Pinal County Development Services Code became effective on March 13, 2010;

WHEREAS, Ordinance No. 61862, as amended, is the Pinal County Zoning Ordinance as codified in Title 2 of the Pinal County Development Services Code; and

WHEREAS, it is in the best interest of the public to amend chapters 2.185, 2.105, 2.325, 2.330, 2.335 and 2.340 of the county zoning ordinance in the Pinal County Development Services Code to meet current needs.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PINAL COUNTY, ARIZONA:

SECTION 1. PCDSC 2.185.010 "Outside storage and parking" is amended by adding subsections B and C to read as follows:

B. It is unlawful for any person to stand, park or store a vehicle in violation of this chapter.

C. It is unlawful for any resident/occupant to allow a vehicle to stand or be parked or stored in violation of this chapter.

SECTION 2. PCDSC 2.185.040 "Definitions" is amended by adding definitions for "commercial vehicle," "heavy truck," "person," "telecommunications," and "vehicle" to read as follows:

"Commercial vehicle" means any vehicle that is used for commercial purposes.

"Heavy Truck" means any commercial vehicle with a gross vehicle weight of 19,500 lbs. GVWR or more; includes the power unit by itself, the combination of the power unit and trailer, or the trailer separately.

"Person" means any individual, corporation, company, partnership, firm, association, union, society, or any county, city, town, state or any subdivision or agency thereof and includes any trustee, receiver, assignee, or personal representative thereof.

"Telecommunications" for this chapter means the transmission of information of the user's choosing between or among points specified by the user without change in the form or content of the information as sent and received. Telecommunications does not include commercial mobile radio services.

"Vehicle" means every device by which any person or property is or may be transported on a street or highway that is propelled by means of an electric, gasoline, diesel, propane, or alcohol fueled engine, including, but not limited to, heavy trucks, public safety, public service, and recreational vehicles.

SECTION 3. PCDSC 2.185.050 "Vehicle parking" is amended by adding a phrase in the opening paragraph of subsection A. The opening paragraph is amended to read as follows:

A. Unless otherwise prohibited or restricted in this chapter, vehicles may be parked on residential or rural property provided said vehicles comply with all the following requirements:

SECTION 4. PCDSC 2.185.050 "Vehicle parking" is amended by adding subsection B to read as follows:

B. Public service and public safety vehicles may be parked by a resident in any residential or rural zoning district if the vehicle is required to be available at designated periods at the person's residence as a condition of the person's employment and either of the following applies pursuant to Arizona Revised Statutes § 11-269.10:

1. The resident is employed by a public service corporation that is regulated by the corporation commission, an entity regulated by the federal energy regulatory commission or a municipal utility and the public service corporation, federally regulated utility or municipal utility is required to prepare for emergency deployments of personnel and equipment for repair or maintenance of natural gas, electrical, telecommunications or water infrastructure, the vehicle has a gross vehicle weight rating of twenty thousand pounds or less and is owned or operated by the public service corporation, federally regulated utility or municipal utility, and the vehicle bears an official emblem or other visible designation of the public service corporation, federally regulated utility or municipal utility.

2. The resident is employed by a public safety agency, including police or fire service for a federal, state, local or tribal agency or a private fire service provider or an ambulance service provider that is regulated pursuant to Arizona Revised Statutes title 36, chapter 21.1, and the vehicle has a gross vehicle weight rating of ten thousand pounds or less and bears an official emblem or other visible designation of that agency.

SECTION 5. PCDSC 2.185 "Outside Storage and Parking" is amended by adding a new section 2.185.055 "Heavy trucks; standing, parking or storage" to read as follows:

A. Heavy Trucks, standing, parked or stored, are prohibited in the following zoning districts: CR-1, CR-2, CR-3, CR-4, CR-5, CR1-A, MH, MHP, RV, PM/RVP, TR, R-43, R-35, R-20, R-12, R-9, R-7, MD, MR, MH-8, MH-435, PM/RV-435, AC-1, AC-2, and AC-3 with the following exceptions:

1. During the process of loading or unloading; or
2. During the time the truck is used for the routine or emergency maintenance of utilities, transportation facilities or real property; or
3. During the time such commercial vehicle is used for the construction of utilities, transportation facilities or improvements to real property.

B. Heavy Trucks, standing, parked or stored, are allowed in zoning districts: CAR, GR, SR, SH, RU-10, RU-5, RU-3.3, RU-2, and RU-1.25, subject to the following restrictions:

1. Restricted to one truck per commercially licensed driver residing in a single family dwelling on the parcel, with a maximum of two trucks per parcel; or
2. During the process of loading or unloading; or

3. During the time the truck is used for the routine or emergency maintenance of utilities, transportation facilities or real property; or

4. During the time such commercial vehicle is used for the construction of utilities, transportation facilities or improvements to real property.

SECTION 6. Section 2.105.010 "Uses permitted" is amended by adding the following use:

H. Heavy truck storage, repair, service, staging and point of operation for trucking operations and their accessory equipment.

SECTION 7. Section 2.325.030 is amended by adding the following special use:

I. Heavy truck parking, staging and point of operation for trucking operations and their accessory equipment.

SECTION 8. Section 2.330.030 "Special uses" is amended by adding the following special use:

J. Heavy truck storage, repair, service, staging and point of operation for trucking operations and their accessory equipment.

SECTION 9. Section 2.335.020 "Uses permitted" is amended by amending subsection "G" to read as follows:

G. Heavy truck storage, repair, service, staging and point of operation for trucking operations and their accessory equipment.

SECTION 10. 2.340.020 "Uses permitted" is amended by adding the following use:

R. Heavy truck storage, repair, service, staging and point of operation for trucking operations and their accessory equipment.

SECTION 11. This ordinance shall take effect 31 days from and after the date of its adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pinal County, Arizona, this 17th day of October



David Snider
David Snider, Chairman of the Board

ATTEST:

By: Shari Cuff

Clerk of the Board

APPROVED AS TO FORM:
JAMES P. WALSH, PINAL COUNTY ATTORNEY

By: Patricia A. Walsh

Deputy County Attorney