

CHAPTER 4 - USE DISTRICTS

SEC. 4.0 PURPOSE

For the purpose of this Ordinance, land that is inside the corporate limits of the Town of Cave Creek is hereby classified into the following zoning use districts as shown on the Town's zoning district map which is attached hereto and incorporated herein:

- A. DESERT RURAL (DR) ZONES
- B. SINGLE-FAMILY RESIDENTIAL (R) ZONES
- C. MULTI-FAMILY RESIDENTIAL (MR) ZONES
- D. COMMERCIAL BUFFER (CB) ZONES
- E. CORE COMMERCIAL (CC) ZONES
- F. GENERAL COMMERCIAL (GC) ZONES
- G. PLANNED DEVELOPMENT (PD) OVERLAY ZONES
- H. OPEN SPACE DISTRICTS (OSC-Open Space Conservation)
and OSR-Open Space Recreational)
(See Chapter 8 – Open Space Zoning Districts)

SEC. 4.1 Desert Rural (DR) Zones

- A. Purpose: Desert Rural Zones are created to prevent urban and desert land use conflicts by protecting scenic vistas, preserving natural habitats and natural features such as hillsides and washes, and to ensure that residential development is harmonious and sensitive to the natural environment.
- B. Allowable Uses:
 - 1. One single-family residence per lot; ranch uses.
 - 2. Accessory living quarters, accessory buildings, and accessory uses.
- C. Divisions:

ZONE	Minimum Lot Size
DR-190	190,000 square ft.
DR-89	89,000 square ft.
DR-70	70,000 square ft.
DR-43	43,000 square ft.

TABLE 1

D. Bulk Regulations:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE			
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE	MAXIMUM LAND DISTURBANCE (% OF NET LOT)
DR-190	2	25	60	30	190,000	300	5%	75% (a)
DR-89	2	25	60	30	89,000	250	10%	75% (a)
DR-70	2	25	60	30	70,000	250	10%	75% (a)
DR-43	2	25	40	INTERIOR= 20 STREET=30	43,000	145	15%	75% (a)

TABLE 2

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways, septic systems, corrals, etc. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

SEC. 4.2 SINGLE-FAMILY RESIDENTIAL (R) ZONES

- A. Purpose: To conserve and protect residential areas intended for single-family uses, taking into consideration existing conditions, current land use, lot sizes, and future land use needs.
- B. Allowable Uses:
1. One single-family residence per lot.
 2. Accessory buildings and accessory uses, but not accessory living quarters.
- C. Divisions:
1. R-35: 35,000 square feet per lot
 2. R-18: 18,000 square feet per lot

D. Bulk Regulations:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE			
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE	MAXIMUM LAND DISTURBANCE (% OF NET LOT)
R-35	2	25	40	20	35,000	145	20%	75% (a)
R-18	2	25	30	INTERIOR= 10 STREET=15	18,000	120	25%	75% (a)

TABLE 3

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

SEC. 4.3 MULTI-FAMILY RESIDENTIAL (MR) ZONES

- A. Purpose: To provide for multi-unit residential developments in locations which are suitable and appropriate, taking into consideration existing conditions and future needs. These zones are intended for long-term residential uses.
- B. Allowable Uses:
1. Any use permitted in the single-family residential zones and open space uses.
 2. Multiple-family residential units and offices, provided a site plan for the use is reviewed by the Planning Commission and approved by the Town Council.
 3. Accessory buildings for the exclusive use of on-site tenants and accessory uses.
- C. Divisions:
1. MR-8: 8 units per acre
 2. MR-14: 14 units per acre
 3. MR-21: 21 units per acre
 4. MR-43: 43 units per acre
- D. Bulk Regulations:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
MR-8	2	25	F=20 R=25	INTERIOR = 5 STREET = 10	10,890 (5,445/DU*)	120	50%
MR-14	2	25	F=20 R=25	INTERIOR= 5 STREET=10	6,000 (3,000/DU*)	60	50%
MR-21	2	25	F=20 R=25	INTERIOR= 5 STREET=10	6,000 (2,000/DU*)	60	50%
MR-43	2	25	F=20 R=25	INTERIOR= 5 STREET=10	6,000 (1,000/DU*)	60	50%

* DU = Dwelling Unit

TABLE 4

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

SEC. 4.4 COMMERCIAL BUFFER (CB) ZONES

- A. Purpose: To provide for smaller shops and services in convenient locations to meet the daily needs of families in the immediate residential neighborhoods.
- B. Allowable Uses: All uses permitted in the single-family residential zones, those permitted per Appendix A, multi-family residential uses equivalent to MR-8 and to allow for living spaces above or behind commercial buildings. All properties, regardless of size, require approval of the site plan by the Town Council upon recommendation by the Planning Commission.
- C. Residential units located or created within the same structure (building) as a non-residential use shall not in any way interfere with the ability of the non-residential use to meet the requirements and standards of the commercial buffer ordinance.

D. Bulk Regulations:

1. Commercial Uses:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
CB	2	25	0 3** 10*** 25*	0 3** 10*** 25*	6,000	60	60%

TABLE 5

- (a) * If property line or adjoining street abuts rural or residential zones, same as for that zone except not less than twenty-five (25) feet.
- (b) ** If a rear yard is provided, it shall have a depth of at least three (3) feet.
- (c) *** If property line or adjoining street or alley abuts rural or residential zones, ten (10) feet. If a side yard is provided, it shall have a depth of at least three (3) feet.
- (d) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

2. Single-family residential uses:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
CB	2	25	30	INTERIOR = 10 STREET= 15	18,000	120	25%

TABLE 6

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

3. Multi-Family Residential Uses:

ZONE	MAXIMUM BUILDING HEIGHT				INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
CB	2	25	F = 20 R = 25	INTERIOR = 5 STREET = 10	10,890 (5,445/DU*)	120	50%

* = Dwelling Unit

TABLE 6A

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

SEC. 4.5 CORE COMMERCIAL (CC) ZONES

- A. Purpose: To allow a diverse mixed use commercial area to service neighborhood residential and tourist trade in the Historic Town Core

area. Allowable uses must be compatible with adjacent land uses and nearby properties.

B. Allowable Uses: A building or premises shall be used only for the uses specified in Appendix A. All properties, regardless of size, require approval of the site plan by the Town Council upon recommendation of the Planning Commission.

C. Bulk Regulations:

1. Commercial uses:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
CC	2	25	0 3** 10*** 25*	0 3** 10*** 25*	6,000	60	60%

TABLE 7

- (a) * If property line or adjoining street abuts rural or residential zones, same as for that zone except not less than twenty-five (25) feet.
- (b) ** If a rear yard is provided, it shall have a depth of at least three (3) feet.
- (c) *** If property line or adjoining street or alley abuts rural or residential zones, ten (10) feet. If a side yard is provided, it shall have a depth of at least three (3) feet.
- (d) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

2. Single-family residential uses:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT &	SIDE	MINIMUM LOT	MINIMUM	MAXIMUM

			REAR		AREA IN SQUARE FEET	LOT WIDTH IN FEET	LOT COVERAGE
CC	2	25	30	INTERIOR = 10 STREET=15	18,000	120	25%

TABLE 8

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

3. Multi-family residential uses:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
CC	2	25	F=20 R=25	INTERIOR = 5 STREET = 10	6,000 (3,000/DU*)	60	50%

* DU = Dwelling Unit

TABLE 9

- (a) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

SEC. 4.6 GENERAL COMMERCIAL (GC) ZONES

- A. Purpose: To provide for commercial retail sales and services, or light industrial uses in locations which are suitable and appropriate, taking into consideration the land uses of adjacent and nearby

properties. Access to major streets or highways and the availability of public utilities are particular requirements.

B. Allowable Uses: A building or premises shall be used only for the uses specified in Appendix A. All properties, regardless of size, require approval of the site plan by the Town Council upon recommendation by the Planning Commission.

C. Bulk Regulations:

ZONE	MAXIMUM BUILDING HEIGHT		MINIMUM YARD (FEET)		INTENSITY OF USE		
	STORIES	FEET	FRONT & REAR	SIDE	MINIMUM LOT AREA IN SQUARE FEET	MINIMUM LOT WIDTH IN FEET	MAXIMUM LOT COVERAGE
GC	2	25	0 3** 10*** 25*	0 3** 10*** 25*	6,000	300	60%

TABLE 10

- (a) * If property line or adjoining street abuts rural or residential zones, same as for that zone except not less than twenty-five (25) feet.
- (b) ** If a rear yard is provided, it shall have a depth of at least three (3) feet.
- (c) *** If property line or adjoining street or alley abuts rural or residential zones, ten (10) feet. If a side yard is provided, it shall have a depth of at least three (3) feet.
- (d) Land disturbance is inclusive of lot coverage as well as areas for accessory uses, driveways and septic systems. Lots within the hillside area shall comply with the disturbance limitations in the Hillside regulations of this Ordinance.

SEC. 4.7 ADDITIONAL ZONING DISTRICTS

A. Additional zoning districts may be added from time to time upon the recommendation of the planning commission and approval by the town council. Proposed changes to the zoning district regulations

or the official zoning map (s), including the addition of new districts, may be proposed by the planning commission, town staff, Town Council, or any other interested party.

SEC. 4.8 OFFICIAL ZONING MAP

- A. The locations and boundaries of zoning districts shall be designated on a map or maps entitled official zoning map (s) of the Town of Cave Creek. The official zoning map (s), dated and signed by the Mayor and Town Clerk, is hereby declared a part of this zoning ordinance.
- B. The official zoning map (s) shall be located in the office of the Zoning Administrator and a copy shall be kept on file with the Town Clerk. Any changes thereto shall be clearly shown on the official zoning map (s) when officially adopted by the Town Council.

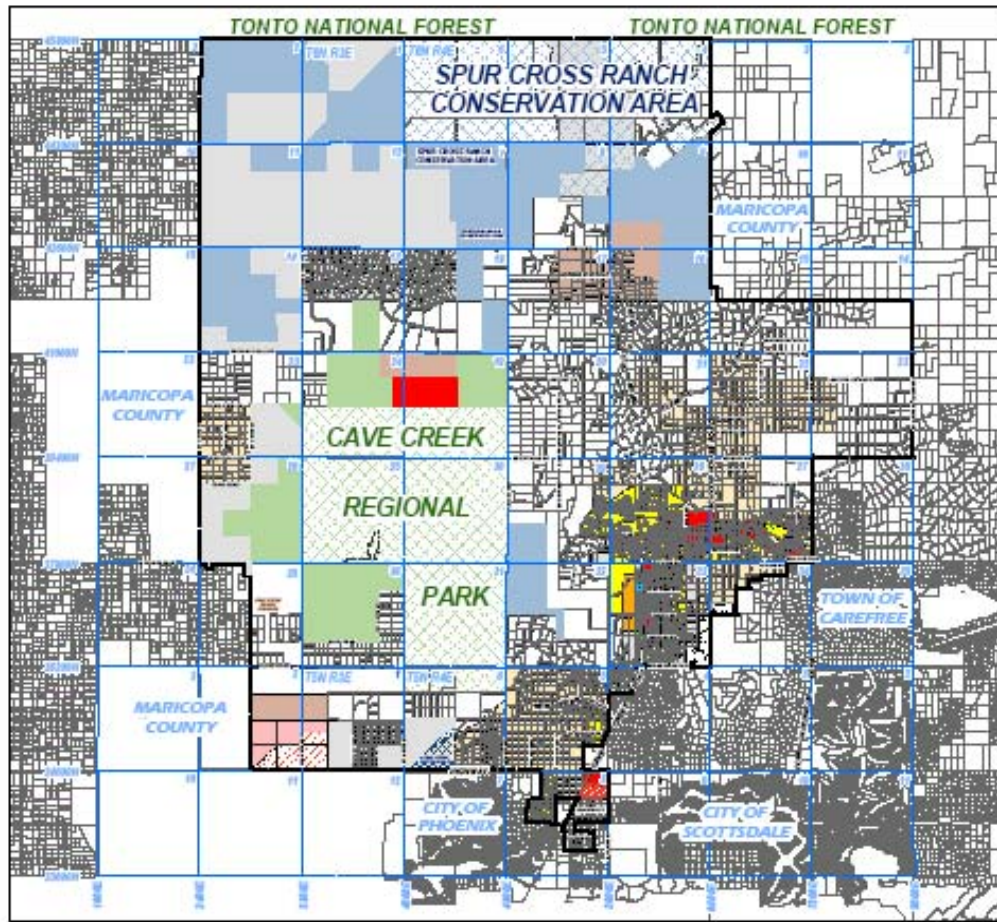
SEC. 4.9 DISTRICT BOUNDARIES

- A. where uncertainty exists concerning the boundaries of any zoning district shown on the official zoning map (s), the following rules shall apply:
 - 1. Where zoning district boundaries are indicated as approximately following street or alley lines or the centerlines thereof, such lines shall be construed to be the zoning district boundaries.
 - 2. Where zoning district boundaries are so indicated that they approximately follow property lines, such property lines shall be construed to be zoning district boundaries.
 - 3. Where zoning district boundaries are indicated as approximately following the center line of any stream or other waterway, the center line of such stream or waterway shall be construed to be zoning district boundaries.
 - 4. If zoning district boundary lines are fixed by dimensions shown on the official zoning map (s), such dimensions shall govern.
 - 5. In cases where the above-described lines are not used, the zoning district lines shall be determined by using the scale of the official zoning map (s).
 - 6. Whenever any street, alley or other public way is vacated by the town council, the zoning districts adjoining each side of such street, alley or public way shall be considered as

extended to the center line of such vacation and all areas included in the vacation shall then be subject to all appropriate regulations of those zoning districts.

7. Where zoning district boundaries divide a lot or parcel, the zoning boundary shall be considered a "lot line" if the area created by such lot line follows the designated zoning district lot area and lot width requirements. If the area created by such lot line would not comply with the designated zoning district lot area and lot width requirements, zoning for the entire parcel shall be that which is applied to the largest portion of the property.
- B. Conditions imposed by special ordinance in conjunction with amendments to the zoning map (s) are referenced to separate files maintained in the office of the Zoning Administrator and are hereby made a part of the official zoning map (s).

TOWN OF CAVE CREEK ZONING MAP



ZONING DISTRICTS

	DR-190 Desert Rural Residential
	DR-89 Desert Rural Residential
	DR-70 Desert Rural Residential
	DR-43 Desert Rural Residential
	R-35 Single-Family Residential
	R-18 Single-Family Residential
	MR-8 Multi-Family Residential
	MR-14 Multi-Family Residential
	MR-21 Multi-Family Residential
	MR-43 Multi-Family Residential

	CB Commercial Buffer
	CC Commercial Core
	GC General Commercial
	OSR Open Space Recreation
	OSC Open Space Conservation

OTHER FEATURES

	Jurisdictional Boundary
	Black Mountain Preserve
	Gateway Park
	Cave Creek Regional Park
	Spur Cross Ranch Conservation Area

NOTE:
This Zoning Map is for reference purposes only and is subject to change. Please contact the Town of Cave Creek Planning & Zoning Department for individual parcel zoning confirmation.

Revised: 11-09-09
by: [illegible]
[illegible]
[illegible]



EXHIBIT 1

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