

Amended August 5, 2019 by Apache County Board of Supervisors

ARTICLE 4
AGRICULTURAL GENERAL, RESIDENTIAL,
COMMERCIAL AND INDUSTRIAL ZONES

Section 401. Jurisdiction and Objectives of the Agricultural General Zone

This zoning district shall comprise all lands within the non-reservation/unincorporated portions of Apache County that are not classified as other zoning districts. The objectives of this zone are fourfold:

1. To provide for the continuation of agricultural, recreational, limited residential, commercial, forestry, and other land uses that are consistent with rural land areas;
2. To provide flexible yet orderly and economical development of more intense urban uses while protecting the health, welfare, and safety of the general public;
3. To assist in the implementation of further planning-related efforts within Apache County; and
4. To act as a “holding” district, providing zoning control until such time as more specific zoning districts may be needed.

Section 402. Special Provisions

Any division of lands shall be subject to the Subdivision Ordinance as well as to the provisions of this code. Divisions of land where all parcels are 36 acres in size or larger are exempt from the Subdivision Ordinance.

Section 403. Permitted Uses

A. General uses:

1. Soil crops;
2. General agriculture: breeding, raising, training, and feeding of horses, cattle, sheep, goats, hogs, and poultry provided that new pens, buildings, and corrals are not closer than fifty (50) feet from any adjacent residential property line on and after the effective date of this Ordinance;
3. Commercial uses, provided they are so located as to have direct access to a principal public thoroughfare: retail stores for food, drugs, clothing, hardware, and personal or household goods and notions; restaurants, not including drive-through facilities but including cocktail lounges that are part of the premises; personal service establishments; financial and lending institutions; offices (professional, business, real estate); automobile service stations providing incidental repair services only; and day care facilities;
4. Horses, cattle, goat dairies, poultry and egg farms, fur farms, and public stables provided that pens and buildings are located not less than one hundred (100) feet from a residence or residential district;
5. Forestry uses and nurseries;
6. Guest ranches on parcels having an area not less than ten (10) acres with only one principal dwelling unit or service area providing kitchen facilities;

Amended August 5, 2019 by Apache County Board of Supervisors

7. One single-family dwelling or one modular or mobile home per parcel. Guesthouses are allowed as prescribed in Section 750. For the purpose of this Article, a parcel shall not be less than one acre when the dwelling is connected to a septic system and not less than net 10,000 square feet when connected to a public sewer.
 8. Mineral exploration or development.
 9. Temporary uses characterized by such activities as mass gatherings, temporary storage of unoccupied manufactured dwellings, roadside stands, and those uses compatible with the intent and purpose of the various zones. Temporary uses are permitted at the discretion of the Director as an administrative use.
- B. Home occupations.** Home occupations, where not prohibited by deed restriction, will be permitted in any residence subject to the following restrictions:
1. The home occupation may not occupy more than 25% of floor area.
 2. The home occupation shall not require internal or external alterations or construction features or equipment not customary in dwellings or adjoining buildings.
 3. On-site advertising shall be limited to one sign, not more than two (2) square feet in size and placed flush against the residence. On parcels of land one (1) acre in size or larger, a sign not more than two (2) square feet in size may be displayed within the property boundaries.
 4. Home occupations shall be conducted solely by residents of the dwelling involved and involve no employees.
- C. Public and quasi-public uses:**
1. Water pumping plants, storage tanks, utilities, and other essential services;
 2. Public schools;
 3. Public recreational uses; and
 4. Churches
- D. Accessory uses:**
1. Accessory buildings and uses commonly incidental to permitted uses
 2. Storage of petroleum products shall comply with state fire codes and other applicable ordinances
- E. Uses subject to conditional use permit.** Certain uses, both specified and unspecified in this Ordinance, shall be subject to review and approval of a conditional use permit according to procedures set forth in Article 11. Such uses are considered to be unusual, unique, or potentially incompatible or conflicting with existing or permitted uses in the context of the land use pattern or traditions in Apache County. These uses include but are not limited to:
1. Multi-family dwellings including duplexes, triplexes, apartments, townhouses, and condominiums;
 2. Hotels, motels, and lodging;
 3. Drive-through commercial facilities except banks;
 4. General commercial uses such as wholesaling, storage, auto body/paint shops and similar uses requiring large trucks, or having the potential to generate noise, glare, dust, odor, fumes, or significant daily traffic;
 5. Industrial uses; and
 6. All other uses not listed as permitted uses.

Amended August 5, 2019 by Apache County Board of Supervisors

Section 404. Development Standards for Permitted Uses

- A. Lot size. Minimum lot size for any use shall be a minimum of one (1) acre when facilities are on a septic system.
- B. Setbacks:
 - 1. Side yards. All building side yard setbacks shall be a minimum of ten (10) feet for a single-story building. Buildings exceeding fourteen (14) feet in height, as measured from the first finished floor to the highest gable end, shall have additional foot of side yard setback for each additional one (1) foot of building height. Setbacks are measured from the property lines to the roof overhang, or end of porches or decks, whichever protrudes more.
 - 2. Front and rear yard. All buildings shall have a minimum front and rear yard setback equal to the total height of said building as measured from the first finished floor to the highest gable end plus ten (10) feet. Setbacks are measured from the property lines to the roof overhang, or end of porches or decks, whichever protrudes more.
 - 3. Accessory building setbacks. Any and all accessory buildings shall have a minimum ten (10) feet of setback for single-story and fifteen (15) feet of setback for two-story buildings from all property lines and other buildings.
- C. Minimum space between buildings. Minimum space between buildings on one parcel shall be fifteen (15) feet for single story and twenty (20) feet for multiple story.
- D. Parking. The provisions of Article 6 shall apply.
- E. Lighting. The provisions of Article 7 shall apply.
- F. Building height. Building height shall be limited to two stories, or thirty-five (35) feet in height measured from the first finished floor to the highest gable end.

Section 405. Reserved

Section 406. Reserved

Section 407. Reserved

Section 408. Reserved

Section 409. Reserved

Amended March 18, 2014 by Apache County Board of Supervisors

Section 410. Definitions of Residential Zones

In this Article, unless otherwise specified:

- “R-18” means Rural Zone 18-acre minimum.
- “R-9” means Rural Zone 9-acre minimum.
- “R-5” means Rural Zone 5-acre minimum.
- “RF-2” means Rural Farmstead Zone 2-acre minimum.
- “RF-1” means Rural Farmstead Zone 1-acre minimum.
- “RE-2” means Rural Estate Zone 2-acre minimum.
- “RE-1” means Rural Estate Zone 1-acre minimum.
- “SF-36” means Single Family Zone 36,000-square-foot minimum.
- “SF-18” means Single Family Zone 18,000-square-foot minimum.
- “SF-10” means Single Family Zone 10,000-square-foot minimum.

Section 411. Purpose

- A. Rural Zones. The primary purpose of Rural Zones (R-18, R-9, R-5) is to conserve and protect open land uses, foster orderly growth in rural areas, and prevent urban-agricultural land use conflicts. Uses permitted in these zones include farm and nonfarm residential uses, ranchettes, and recreational uses.
- B. Rural Farmstead Zones. The primary purpose of Rural Farmstead Zones (RF-2, RF-1) is to allow small-scale agricultural uses of land, commercial and private.
- C. Rural Estate Zones. The primary purpose of Rural Estate Zones (RE-2, RE-1) is to allow low-density residential and other compatible uses in areas where typical animal and farm uses may not be suitable. These areas include subdivisions and mountainous areas of Apache County.
- D. Single Family Zones. The primary purpose of Single Family Zones (SF-36, SF-18, SF-10) is to allow high-density development in areas where community septic systems and water systems are available.

Section 412. Parking

The parking regulations are provided in Article 6 hereof.

Section 413. Height, Setback, and Intensity of Use

Zone	Area	Width	Lot Coverage	Front Yard	Side Yard	Rear Yard	Height
R-18	18 acres	500 ft	5%	100 ft	50 ft	50 ft/ 25 ft forest	35 ft

Amended March 18, 2014 by Apache County Board of Supervisors

R-9	9 acres	300 ft	6%	75 ft	40 ft	40 ft/ 20 ft forest	35 ft
R-5	5 acres	250 ft	10%	50 ft	30 ft	30 ft/ 15 ft forest	35 ft
RF-2	2 acres	150 ft	15%	25 ft	25 ft	30 ft/ 20 ft forest	35 ft
RF-1	1 acre	150 ft	15%	20 ft	20 ft	30 ft/ 15 ft forest	30 ft
RE-2	2 acres	150 ft	15%	25 ft	15 ft/30 ft offset	20 ft/ 10 ft forest	35 ft
RE-1	1 acre	150 ft	15%	20 ft	15 ft/30 ft offset	20 ft/ 10 ft forest	30 ft
SF-36	36,000 ft	100 ft	20%	20 ft	10 ft/15 ft offset	20 ft	30 ft
SF-18	18,000 ft	100 ft	30%	20 ft	7 ft/15 ft offset	15 ft	30 ft
SF-10	10,000 ft	60 ft	30%	20 ft	10 ft	10 ft	30 ft

Between buildings: The distance between buildings on the same lot shall be fifteen (15) feet.

Accessory buildings: The accessory building setbacks shall be ten (10) feet from all property lines and other buildings on the property.

Height: Height is measured from the first finished floor above ground to the highest gable end.

Setbacks: Setbacks are measured from the property lines to the roof overhang, or end of porches or decks, whichever protrudes more.

Mobile home landing: All mobile and manufactured homes shall provide a landing for entrance in accordance with the provisions of the 2003 edition of the International Residential Code prior to final inspection.

Section 414. Uses

Use	R-18	R-9	R-5	RF-2	RF-1	RE-2	RE-1	SF-36	SF-18	SF-10
Accessory uses	P	P	P	P	P	P	P	P	P	P
Adult care facility	C	C	C	C	C	C	C	-	-	-

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Amended March 18, 2014 by Apache County Board of Supervisors

Agribusiness	P	P	P	P	P	-	-	-	-	-
Agricultural uses	P	P	P	P	P	P	P	P	P	P
Animal and veterinary hospitals	P	P	P	P	P	-	-	-	-	-
Bed-and-breakfast homes	C	C	C	C	C	C	C	-	-	-
Blacksmith shops	P	P	P	P	P	-	-	-	-	-
Cemetery	C	C	C	C	C	C	C	C	C	C
Churches	C	C	C	C	C	C	C	C	C	C
Clubs and lodges	C	C	C	C	C	C	C	C	C	C
Commercial agriculture	P	P	P	P	P	C	C	-	-	-
Commercial livestock	P	P	P	P	P	-	-	-	-	-
Communication towers	C	C	C	C	C	-	-	-	-	-
Day care facilities	C	C	C	C	-	-	-	-	-	-
Fairgrounds	C	C	C	C	C	-	-	-	-	-
Garage and yard sales	P	P	P	P	P	P	P	P	P	P
Golf courses and related buildings	P	P	P	C	C	C	C	C	C	C
Guest accommodation	C	C	C	C	C	C	C	C	C	C
Guest house	C	C	C	C	C	C	C	C	C	C
Guest ranches	P	C	C	C	-	-	-	-	-	-

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Amended March 18, 2014 by Apache County Board of Supervisors

Heliports	P	P	P	C	C	C	C	C	C	C
Kennels	P	P	P	C	C	-	-	-	-	-
Landfills	C	C	C	-	-	-	-	-	-	-
Multifamily dwelling limited to duplex	C	C	C	C	C	C	C	-	-	-
Parks and playgrounds	P	P	P	P	P	P	P	P	P	P
Private airstrips	P	P	C	-	-	-	-	-	-	-
Professional offices	P	P	P	P	C	C	C	C	C	C
Riding academies and stables	P	P	P	C	C	-	-	-	-	-
Rodeo grounds	P	P	P	C	C	-	-	-	-	-
Sawmills, non-commercial	C	C	C	C	C	-	-	-	-	-
School buildings	C	C	C	C	C	C	C	C	C	C
Shooting ranges	C	C	C	-	-	-	-	-	-	-
Single-family dwelling	P	P	P	P	P	P	P	P	P	P
Soil crops	P	P	P	P	P	P	P	P	P	P
Stadiums, arenas	C	C	C	C	C	-	-	-	-	-
Two or three single-family homes	C	C	C	-	-	-	-	-	-	-
Wildlife and animal parks	C	C	C	-	-	-	-	-	-	-
Youth camps	C	C	C	C	C	-	-	-	-	-

P: permitted use